

Notice of Public Hearing
Tennessee Department of Environment and Conservation
Division of Air Pollution Control

There will be a public hearing before the Technical Secretary of the Tennessee Air Pollution Control Board to consider the promulgation of an amendment to the Tennessee State Implementation Plan pursuant to Tennessee Code Annotated, Section 68-201-105. The comments received at this hearing will be presented to the Tennessee Air Pollution Control Board for their consideration in regards to the proposed amendment. The hearing will be conducted in the manner prescribed by the Uniform Administrative Procedures Act, Tennessee Code Annotated, Section 4-5-201 et. seq. and will take place in the 9th Floor Conference Room, Division of Air Pollution Control, located at 9th Floor L&C Annex, 401 Church Street, Nashville, Tennessee 37243 at 9:30 AM on the 25th day of August, 2009.

Written comments will be included in the hearing records if received by the close of business on August 25, 2009, at the office of the Technical Secretary, Tennessee Air Pollution Control Board, 9th Floor, L & C Annex, 401 Church Street, Nashville, TN 37243-1531. Additionally, comments may be submitted via attachments through electronic mail until the close of business on August 25, 2009.

Any individuals with disabilities who wish to participate in these proceedings should contact the Tennessee Department of Environment and Conservation to discuss any auxiliary aids or services needed to facilitate such participation. Such initial contact may be in person, by writing, telephone, or other means, and should be made no less than ten (10) days prior to August 25, 2009, or the date such party intends to review such filings, to allow time to provide such aid or service. Contact the Tennessee Department of Environment and Conservation ADA Coordinator, 12th Floor L & C Tower, 401 Church Street, Nashville TN 37243, (615) 532-0207. Hearing impaired callers may use the Tennessee Relay Service (1-800-848-0298).

FIRST ITEM:

Tennessee is submitting a proposed certification for public review, which addresses Tennessee's obligations under §§110(a)(1) and (2) of the Clean Air Act for the revised National Ambient Air Quality Standard (NAAQS) for PM_{2.5} promulgated by EPA on October 17, 2006, the revised NAAQS for ozone promulgated by EPA on March 27, 2008, and the revised NAAQS for lead promulgated by EPA on October 15, 2008. States are required to submit "infrastructure" SIPs to EPA to address the requirements of §§110(a)(1) and (2) of the Clean Air Act within three years after the promulgation of new or revised NAAQS. These "infrastructure SIPs" provide assurances of State resources and authorities, and establish the basic State programs, to implement, maintain, and enforce new or revised standards. Tennessee's proposed submittal to EPA states that the State Implementation Plan meets all of the required elements of §§110(a)(1) and (2) of the Clean Air Act.

SECOND ITEM:

Tennessee is proposing to revise the non-EGU allowance allocation method specified in Rule 1200-3-27-.11 of the Tennessee Air Pollution Control Regulations (CAIR NO_x Ozone Season Trading Program). Specifically, Tennessee is proposing several alternative allowance allocation methods for non-EGUs to reallocate or retire 938 tons of surplus CAIR NO_x Ozone Season allowances that were allocated to retired units. Tennessee is not proposing to reduce the existing allocations to non-EGUs or to reduce the existing new unit set-aside below the current value of 278 tons. These revisions would affect the number of allowances issued for the 2009 ozone season and for each subsequent ozone season. Tennessee is soliciting public comments on the following allowance allocation methods:

1. Allocate 938 additional tons of CAIR NO_x Ozone Season allowances to existing sources at the beginning of each ozone season. Maintain the new unit set-aside at 5% of the total non-EGU budget (278 tons).
2. Allocate 1,216 tons (278 tons + 938 tons) of CAIR NO_x Ozone Season allowances into the new unit set-aside. At the end of each ozone season, any unused allowances in the new-unit set-aside would be redistributed among existing NO_x Budget sources.
3. Allocate 1,216 tons of CAIR NO_x Ozone Season allowances into the new unit set-aside. At the end of each ozone season, a portion of the unused allowances in the new-unit set-aside (no less than 278 tons of NO_x allowances, if available) would be redistributed among existing NO_x Budget sources, and the remainder of allowances would be retired. Once retired, an allowance would no longer be available, but the allocation method could be revised to make these allowances available for future years.
4. Allocate 938 tons of CAIR NO_x Ozone Season allowances as "to be retired" during each ozone season. Once retired, an allowance would no longer be available, but the allocation method could be revised to make these allowances available for future years.
5. Request that EPA reduce Tennessee's ozone season NO_x budget for non-EGUs by 938 tons. These allowances would no longer be available for use, and the allocation method could not be revised to make these allowances available for future years.

6. A combination of the methods listed above.

Interested parties may submit comments on other allocation or retirement methods.

Revisions considered at this hearing may be adopted by the Tennessee Air Pollution Control Board under T.C.A. 68-201-105, the Board general authority to promulgate rules. Materials concerning the proposed actions will be available for public inspection during normal working hours starting on July 24, 2009, at the following locations:

Division of Air Pollution Control
9th Floor, L & C Annex
401 Church Street
Nashville, TN 37243-1531

Knox County Department of
Air Quality Management
140 Dameron Avenue, Suite 242
Knoxville, TN 37917

Pollution Control Division
Metropolitan Health Dept.
311 23rd Avenue, North
Nashville, TN 37203

Division of Air Pollution Control
Memphis-Shelby Co. Health Dept.
814 Jefferson Avenue
Memphis, TN 38105

Division of Air Pollution Control
Cookeville Environmental Field Office
1221 South Willow Avenue
Cookeville, TN 38506

Division of Air Pollution Control
Chattanooga Environmental Field Office
540 McCallie Avenue, Suite 550
Chattanooga, TN 37402

Division of Air Pollution Control
Knoxville Environmental Field Office
2700 Middlebrook Pk., Suite 220
Knoxville, TN 37921

Division of Air Pollution Control
Nashville Environmental Field Office
711 R. S. Gass Boulevard
Nashville, TN 37243

Division of Air Pollution Control
Johnson City Environmental Field Office
2305 Silverdale Road
Johnson City, TN 37601-2162

Kingsport Public Library
400 Broad Street
Kingsport, TN 37660

Division of Air Pollution Control
Jackson Environmental Field Office
362 Carriage House Drive
Jackson, TN 38305

Chattanooga-Hamilton County
Air Pollution Control Bureau
6125 Preservation Drive
Chattanooga, TN 37416

Division of Air Pollution Control
Columbia Environmental Field Office
2484 Park Plus Drive
Columbia, TN 38401

U.S. EPA, Region IV
APTMD - 12th Floor, Atlanta Federal Center
61 Forsyth Street S.W.
Atlanta, GA 30303
c/o Mr. Richard Schutt, Chief

If you have any questions about these changes, you may contact Travis Blake at (615) 532-0617. For complete copies of the text of the notice, please contact Travis Blake, Department of Environment and Conservation, 9th Floor, L & C Tower, 401 Church Street, Nashville, TN 37243.

All persons interested in the air quality of the State of Tennessee are urged to attend and will be afforded the opportunity to present testimony to the hearing officer regarding the proposed revisions to the State Implementation Plan. Any person desiring to present lengthy comments should be prepared at the hearing to offer a written statement to be incorporated into the record. Written statements not presented at the hearings will only be considered part of the records if received by 4:30 PM August 25, 2009, at the office of the Technical Secretary, Tennessee Air Pollution Control Board, 9th Floor L & C Annex, 401 Church Street, Nashville, Tennessee, 37243-1531.