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Sequence Number: \_\_\_\_\_  
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 File Date: \_\_\_\_\_

# Notice of Rulemaking Hearing

Hearings will be conducted in the manner prescribed by the Uniform Administrative Procedures Act, T.C.A. § 4-5-204. For questions and copies of the notice, contact the person listed below.

<b>Agency/Board/Commission:</b>	Air Pollution Control Board
<b>Division:</b>	Air Pollution Control
<b>Contact Person:</b>	Michelle Oakes
<b>Address:</b>	Davy Crockett Tower, Floor 7 500 James Robertson Parkway Nashville, Tennessee 37243
<b>Phone:</b>	(615) 253-9933
<b>Email:</b>	<a href="mailto:Michelle.Oakes@tn.gov">Michelle.Oakes@tn.gov</a>

Any Individuals with disabilities who wish to participate in these proceedings (to review these filings) and may require aid to facilitate such participation should contact the following at least 10 days prior to the hearing:

<b>ADA Contact:</b>	ADA Coordinator
<b>Address:</b>	Davy Crockett Tower, Floor 6 500 James Robertson Parkway Nashville, Tennessee 37243
<b>Phone:</b>	615-532-0200 Hearing-impaired callers may use the TN Relay Service 1-800-848-0298
<b>Email:</b>	<a href="mailto:kathryn.reitz@tn.gov">kathryn.reitz@tn.gov</a>

**Hearing Location(s)** (for additional locations, copy and paste table)

Address 1:	Davy Crockett Tower, Floor 7, Conference Room B		
Address 2:	500 James Robertson Parkway		
City:	Nashville, Tennessee		
Zip:	37243		
Hearing Date:	06/05/2024		
Hearing Time:	1:00 p.m.	<input checked="" type="checkbox"/> CST/CDT	<input type="checkbox"/> EST/EDT

**Alternate Hearing Option**

<b>Method 1:</b>	<p><b>You may also join electronically.</b></p> <p><b>Microsoft Teams</b> <a href="#">Need help?</a>  <a href="#">Join the meeting now</a>          Meeting ID: 255 689 716 800          Passcode: 5fx2YJ</p>
<b>Method 2:</b>	<p><b>Join on a video conferencing device</b>  <b>Tenant key:</b> <a href="mailto:stateoftn@m.webex.com">stateoftn@m.webex.com</a>  <b>Video ID: 111 069 707 0</b>  <a href="#">More info</a></p>

<b>Method 3:</b>	<b>Dial-in by phone</b> <b><a href="tel:+16292094396">+1 629-209-4396</a>, <a href="tel:+160829298">510829298#</a> United States, Nashville</b> <b><a href="#">Find a local number</a></b> <b>Phone conference ID: 510 829 298#</b>
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**Additional Hearing Information:**

*If it is hard for you to read, speak, or understand English, TDEC may be able to provide translation or interpretation services free of charge. Please contact Rachael Maitland at (423) 836-8925 or [tdec.titlevi@tn.gov](mailto:tdec.titlevi@tn.gov) for more information. Si le resulta difícil leer, hablar o entender inglés, TDEC puede proporcionar servicios de traducción o interpretación sin cargo. Comuníquese con Rachael Maitland al (423) 836-8925 o [tdec.titlevi@tn.gov](mailto:tdec.titlevi@tn.gov) para obtener más información.*

The Air Pollution Control Board (Board) is repealing rules that were identified through the retrospective rule review as out-of-date, redundant, or as superseded by more recent federal regulations as follows:

- Rule 1200-03-07-.06 is proposed for repeal, as the designation of new stationary source standards by the Environmental Protection Agency is covered by the incorporation by reference of federal standards in Chapter 0400-30-39.
- Chapter 1200-03-25 has been superseded by current federal regulations and is proposed for repeal. 40 C.F.R. part 60 subpart Ec (Standards of Performance for New Stationary Sources: Hospital/Medical/Infectious Waste Incinerators) came into effect in 1997 and has been updated several times beginning in 2009; it applies to each individual hospital/medical/infectious waste incinerator (HMIWI) for which construction is commenced after December 1, 2008 or for which modification is commenced after April 6, 2010. Chapter 1200-03-25 has not been updated since 1988, so has been superseded by this updated federal standard.
- Rule 1200-03-27-.07 is proposed for repeal. The Voluntary NOx Emissions Reduction Program described by this rule is not implemented by the Department and has not been used by the regulated community.

There will be a public hearing before the Technical Secretary of the Board regarding the proposed repeals. The hearing will be conducted in the manner prescribed by the Uniform Administrative Procedures Act, Tennessee Code Annotated sections 4-5-201 to -231 and will take place in Conference Room B of the Davy Crockett Tower, Floor 7, 500 James Robertson Parkway, Nashville, Tennessee 37243.

Any individuals with disabilities who wish to participate in these proceedings or to review these filings 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 days prior to June 5, 2024, 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, Davy Crockett Tower, Floor 6, 500 James Robertson Parkway, Nashville, Tennessee 37243, (615) 532-0200. Hearing impaired callers may use the Tennessee Relay Service (1-800-848-0298).

Materials concerning the proposed actions will be available at <https://www.tn.gov/environment/ppo-public-participation/ppo-public-participation/ppo-air.html>.

If you have any questions about this proposed rulemaking, please contact Michelle Oakes at (615) 253-9933. For complete copies of the text of the notice, please contact Michelle Oakes, Department of Environment and Conservation, Davy Crockett Tower, Floor 7, 500 James Robertson Parkway, Nashville, Tennessee 37243 or via e-mail at [Michelle.Oakes@tn.gov](mailto:Michelle.Oakes@tn.gov).

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 promulgation of amendments to the Tennessee Air Pollution Control Regulations. 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 p.m. CDT on June 5, 2024, at the office of the Technical Secretary, Tennessee Air Pollution Control Board, Davy Crockett Tower, Floor 7, 500 James Robertson Parkway, Nashville, Tennessee 37243. Additionally, comments may be submitted via

attachments through electronic mail until the close of business on June 5, 2024. Comments may be submitted via e-mail to [Air.Pollution.Control@tn.gov](mailto:Air.Pollution.Control@tn.gov).

**Revision Type (check all that apply):**

- Amendment  
 New  
 Repeal

**Rule(s)** (ALL chapters and rules contained in filing must be listed. If needed, copy and paste additional tables to accommodate more than one chapter. Please enter only **ONE** Rule Number/Rule Title per row.)

Chapter Number	Chapter Title
1200-03-07	Process Emission Standards
Rule Number	Rule Title
1200-03-07-.06	Standards of Performance for New Stationary Sources

Chapter Number	Chapter Title
1200-03-25	Standards for Infectious Waste Incinerators
Rule Number	Rule Title
1200-03-25-.01	Purpose
1200-03-25-.02	General
1200-03-25-.03	Existing Source Compliance Schedules
1200-03-25-.04	Definitions
1200-03-25-.05	Emission Standards
1200-03-25-.06	Performance Specifications
1200-03-25-.07	Monitoring Requirements
1200-03-25-.08	Testing Requirements
1200-03-25-.09	Record Keeping and Reporting Requirements
1200-03-25-.10	Inspection and Maintenance

Chapter Number	Chapter Title
1200-03-27	Nitrogen Oxides
Rule Number	Rule Title
1200-03-27-.07	Voluntary NOx Emissions Reduction Program

Place substance of rules and other info here. Statutory authority must be given for each rule change. For information on formatting rules go to <https://sos.tn.gov/products/division-publications/rulemaking-guidelines>.

Chapter 1200-03-07  
Process Emission Standards

Repeal

Rule 1200-03-07-.06 Standards of Performance for New Stationary Sources is repealed.

Authority: T.C.A. §§ 68-201-101 et seq. and 4-5-201 et seq.

Chapter 1200-03-25  
Standards for Infectious Waste Incinerators

Repeal

Chapter 1200-03-25 Standards for Infectious Waste Incinerators is repealed.

Authority: T.C.A. §§ 68-201-101 et seq. and 4-5-201 et seq.

Chapter 1200-03-27  
Nitrogen Oxide

Repeal

Rule 1200-03-27-.07 Voluntary NOx Emissions Reduction Program is repealed.

Authority: T.C.A. §§ 68-201-101 et seq. and 4-5-201 et seq.

I certify that the information included in this filing is an accurate and complete representation of the intent and scope of rulemaking proposed by the agency.

Date: April 10, 2024

*Michelle W. Owenby*

Name of Officer: Michelle W. Owenby

Title of Officer: Director of the Division of Air Pollution Control

**Department of State Use Only**

Filed with the Department of State on: \_\_\_\_\_

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Tre Hargett  
Secretary of State