

US EPA ARCHIVE DOCUMENT

Rulemaking Hearing Rules
of
Tennessee Department of Environment and Conservation
Bureau of Environment
Division of Air Pollution Control

Chapter 1200-3-18
Volatile Organic Compounds

Amendments

Chapter 1200-3-18 is amended in the following four respects:

1. Subparagraph (a) of paragraph (1) of rule 1200-3-18-.22 Bulk Gasoline Plants is amended by inserting between the words “in” and “Davidson” the words “Anderson, Blount, Carter, Cheatham;” between the words “Davidson” and “Rutherford” the words “Dickson, Fayette, Hamilton, Hawkins, Haywood, Jefferson, Johnson, Knox, Loudon, Marion, Meigs, Montgomery, Putnam, Robertson;” between the words “Rutherford” and “Shelby” the word “Sevier;” between the words “Shelby” and “Sumner” the word “Sullivan;” and between the words “Sumner” and “Williamson” the words “Tipton, Unicoi, Union, Washington,” so that, as amended, the subparagraph shall read:

- (a) This rule applies to all unloading, loading, and storage operations at bulk gasoline plants in Anderson, Blount, Carter, Cheatham, Davidson, Dickson, Fayette, Hamilton, Hawkins, Haywood, Jefferson, Johnson, Knox, Loudon, Marion, Meigs, Montgomery, Putnam, Robertson, Rutherford, Sevier, Shelby, Sullivan, Sumner, Tipton, Unicoi, Union, Washington, Williamson, and Wilson Counties and to gasoline tank trucks delivering or receiving gasoline at these bulk gasoline plants.

Authority: TCA 68-201-105 and 4-5-202. Effective April 22, 1993.

2. Paragraph (6) of rule 1200-3-18-.22 Bulk Gasoline Plants is amended by adding a comma and the words “except that for any bulk gasoline plant in Anderson, Blount, Carter, Cheatham, Dickson, Fayette, Hamilton, Hawkins, Haywood, Jefferson, Johnson, Knox, Loudon, Marion, Meigs, Montgomery, Putnam, Robertson, Sevier, Sullivan, Tipton, Unicoi, Union, or Washington County that is an existing source on (rule-effective date) the initial compliance certification required in paragraph .04(1) shall be submitted by (the May 1 after one year after rule-effective date) instead of the date specified in this paragraph .04(1),” so that, as amended, the paragraph shall read:

- (6) The owner or operator of any facility containing sources subject to this rule shall comply with the requirements in paragraphs .04(1) and (2) of this chapter, except that for any bulk gasoline plant in Anderson, Blount, Carter, Cheatham, Dickson, Fayette, Hamilton, Hawkins, Haywood, Jefferson, Johnson, Knox, Loudon, Marion, Meigs, Montgomery, Putnam, Robertson, Sevier, Sullivan, Tipton, Unicoi, Union, or Washington County that is an existing source on (rule-effective date) the initial compliance certification required in paragraph .04(1) shall be submitted by (the May 1 after one year after rule-effective date) instead of the date specified in this paragraph .04(1).

Authority: TCA 68-201-105 and 4-5-202. Effective April 22, 1993.

3. Subparagraph (a) of paragraph (1) of rule 1200-3-18-.24 Gasoline Dispensing Facilities--Stage I and Stage II Vapor Recovery is amended by inserting between the words “in” and “Davidson” the words “Anderson, Blount, Carter, Cheatham;” between the words “Davidson” and “Rutherford” the words “Dickson, Fayette, Hamilton, Hawkins, Haywood, Jefferson, Johnson, Knox, Loudon, Marion, Meigs, Montgomery, Putnam, Robertson;” between the words “Rutherford” and “Shelby” the word “Sevier;” between the words “Shelby” and “Sumner” the word “Sullivan;” and between the words “Sumner” and “Williamson” the words “Tipton, Unicoi, Union, Washington,” so that, as amended, the subparagraph shall read:

- (a) This rule applies to any gasoline dispensing facility in Anderson, Blount, Carter, Cheatham, Davidson, Dickson, Fayette, Hamilton, Hawkins, Haywood, Jefferson, Johnson, Knox, Loudon, Marion, Meigs, Montgomery, Putnam, Robertson, Rutherford, Sevier, Shelby, Sullivan, Sumner,

Tipton, Unicoi, Union, Washington, Williamson, or Wilson County and the appurtenant equipment necessary to the gasoline dispensing facility and to any gasoline tank truck that transfers gasoline to storage vessels at such facilities.

Authority: TCA 68-201-105 and 4-5-201 et. seq. Administrative History: Original rule filed March 8, 1993; effective April 22, 1993. effective June 21, 1996. Amendment filed May 30, 1996; effective August 10, 1996.

4. Subparagraph (a) of paragraph (6) of rule 1200-3-18-.24 Gasoline Dispensing Facilities--Stage I and Stage II Vapor Recovery is amended by substituting for the present subparagraph a different subparagraph so that, as amended, the resulting subparagraph shall read:

- (a) Comply with the requirements in paragraphs .04(1) and (2) of this chapter, except that for gasoline dispensing facilities in Anderson, Blount, Carter, Cheatham, Dickson, Fayette, Hamilton, Hawkins, Haywood, Jefferson, Johnson, Knox, Loudon, Marion, Meigs, Montgomery, Putnam, Robertson, Sevier, Shelby, Sullivan, Tipton, Unicoi, Union, and Washington Counties that are existing sources on (rule-effective date) the initial compliance certifications required in paragraph .04(1) shall be submitted by (the May 1 after one year after rule-effective date) instead of the date specified in this paragraph .04(1) and shall be according to the applicable test methods specified in subparagraphs (4)(b) and (c) of this rule;

Authority: TCA 68-201-105 and 4-5-201 et. seq. Administrative History: Original rule filed March 8, 1993; effective April 22, 1993. effective June 21, 1996. Amendment filed May 30, 1996; effective August 10, 1996.

Legal contact and/or party who will approve final copy for publication:

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Signature of the agency officer or officers directly responsible for proposing and drafting this rule:

 Barry R. Stephens
 Director
 Tennessee Air Pollution Control Division

The roll-call vote of the Tennessee Air Pollution Control Board on this rulemaking hearing rule was as follows:

	Aye	No	Abstain
_____ Richard A. Bolton	_____	_____	_____
_____ Wilton Burnett, Jr.	_____	_____	_____
_____ Tracy R. Carter	_____	_____	_____
_____ Mary English	_____	_____	_____
_____ Sharon Goldsworthy	_____	_____	_____
_____ Stephen Gossett	_____	_____	_____
_____ Helen Hennon	_____	_____	_____
_____ Richard Holland	_____	_____	_____
_____ Robert D. Kirkpatrick	_____	_____	_____
_____ Ron Page	_____	_____	_____
_____ Ike Sewell	_____	_____	_____
_____ Greer Tidwell, Jr.	_____	_____	_____
_____ Richard Warder	_____	_____	_____
_____ Larry Waters	_____	_____	_____

I certify that this is an accurate and complete copy of the rulemaking hearing rule, lawfully promulgated and adopted by the Tennessee Air Pollution Control Board on the ____ day of _____, 2004.

Further, I certify that the provisions of T.C.A. §§4-5-222 have been fully complied with, that this rule was properly presented for filing, a notice of rulemaking hearing having been filed in the Department of State on the 27th day of February 2004, and such notice of rulemaking hearing having been published in the March 15, 2004, issue of the Tennessee Administrative Register, and such rulemaking hearing having been conducted pursuant thereto on the 19th day of April 2004.

Barry R. Stephens
Technical Secretary
Tennessee Air Pollution Control Board

Subscribed and sworn to before me this the _____ day of _____, 2004.

Notary Public

My commission expires on the _____ day of _____, _____.

The rulemaking hearing rule provided for herein has been examined by the Attorney General and Reporter of the State of Tennessee and approved as to legality pursuant to the provisions of the Administrative Procedures Act, Tennessee Code Annotated, Title 4, Chapter 5.

Paul G. Summers
Attorney General and Reporter

The rulemaking hearing rule set out herein was properly filed in the Department of State on the _____ day of _____, 20____, and will become effective on the _____ day of _____, 20____.

Riley C. Darnell
Secretary of State

By: _____