

Notice of Rulemaking 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 amendments to the Tennessee Air Pollution Control Regulations and the 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 regulatory 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 of the L & C Annex , located at 401 Church Street, , Nashville, Tennessee 37243-1531, at 9:30 a.m. CST on Thursday, June 21, 2007. Anyone desiring to make oral comments at this public hearing is requested to prepare a written copy of their comments to be submitted to the hearing officer at the public hearing.

Written comments not submitted at the public hearing will be included in the hearing record only if received by the close of business on Thursday, June 21, 2007, at the following address: Technical Secretary, Tennessee Air Pollution Control Board, 9th Floor, L & C Annex, 401 Church Street, Nashville, TN 37243-1531.

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 (10) days prior to Thursday, June 21, 2007 or the date such party intends to review such filings, to allow time to provide such aid or service. Contact Mr. John Rae White, Tennessee Department of Environment and Conservation ADA Coordinator, 12th Floor, 401 Church Street, Nashville TN 37243, (615) 532-0207. Hearing impaired callers may use the Tennessee Relay Service (1-800-848-0298).

If you have any questions about the origination of this rule change, you may contact Mr. Jeryl Stewart at 615-532-0605. Copies of documents concerning this matter are available for review at the office of the Technical Secretary and at certain public depositories. For information about reviewing these documents, please contact Mr. Jeryl Stewart or Mr. Malcolm Butler, 9th Floor, L & C Annex, 401 Church Street, Nashville, TN 37243-1531, telephone (615) 532-0554. For complete copies of the text of the notice, please contact Mr. Malcolm Butler, Department of Environment and Conservation, 9th Floor, L & C Tower, 401 Church Street, Nashville, TN 37243.

Summary of Proposed Rules

The Tennessee Air Pollution Control Regulations are proposed to be amended by revising the requirements for mercury cell chlor-alkali plants in accordance with federal changes.

Substance of Proposed Changes

Amemdmment

Chapter 1200-3-11
Hazardous Air Contaminants

Paragraph (1) of rule 1200-3-11-.04(1) MERCURY is amended by adding the following language " Any facility subject to the provisions of 40 CFR 63, Subpart IIIII – National Emission Standards for Hazardous Air Pollutants: Mercury Emissions from Mercury Cell Chlor-Alkali Plants is not subject to this rule." to the end of the current sentence in the paragraph, so that, as amended, the paragraph shall read:

- (1) Applicability. The provisions of this Rule are applicable to those air contaminant sources which process mercury ore to recover mercury, use mercury chlor-alkali cells to produce chlorine gas and alkali metal hydroxide, and incinerate or dry wastewater treatment plant sludge. Any facility subject to the provisions of 40 CFR 63, Subpart IIIII – National Emission Standards for Hazardous Air Pollutants: Mercury Emissions from Mercury Cell Chlor-Alkali Plants is not subject to this rule.

Authority: T.C.A. §§4-5-202 and 68-25-105.

This notice of rulemaking set out herein was properly filed in the Department of State on the 30th day of April, 2007. (FS 04-37-07, DBID 627)