

**Knox County Air Pollution Control Board
Proposed Regulatory Revisions
July 17, 2019**

1. Revise the following existing definition in Section 13.1 so that it reads as follows:

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13.1 Definitions

"Fuel-Burning Equipment" shall mean any equipment, device, or contrivance and all appurtenances thereto; in which fuel is burned for the primary purpose of producing thermal or mechanical energy and in which the material being heated is not contacted by, and adds no substance to, the products of combustion.”

2. Revise Section 16.4-A to read:

“

A. Open burning may be conducted to clear land of brush wood (of which no part may exceed three (3) inches in diameter) grown on that land provided all applicable conditions are met; including, but not limited to:

1. The land is being maintained for the following purposes:
 - a. Established private residences, consisting of one or two dwelling units.
 - b. Farming operations, growing crops for human or animal consumption or raising livestock for human consumption. Note: commercial nursery operations are not included in this description. Commercial nursery operations are those businesses where plants (e.g., trees, shrubs, etc.) are grown for transplanting, for use as stocks for budding and grafting, or for sale.
 - c. Established church congregational property.
2. The open burning of solid waste, including brush wood, within the City of Knoxville limits is expressly prohibited by City ~~Ordinance~~ Ordinance Section 13-8. Therefore, open burning to clear land of brush wood grown on that land is prohibited within the City of Knoxville limits.
3. Brush wood may not be burned in piles exceeding 144 cubic feet.
4. This paragraph will not be construed to allow burning of materials cleared to prepare land for any construction purposes.

NOTE: The term "brush wood" excludes leaves, grass clippings, and stumps

3. Revise Section 19.2-A to read:

- A. On or after the effective date of these regulations, no person shall cause, suffer, allow, or permit discharge of particulate matter emissions from any process emission source that is a new source (as defined in Section 13.0) in excess of the allowable rate of emission set forth in Table 19.1.

TABLE 19.1
NEW PROCESS EMISSION SOURCES
 ALLOWABLE RATE OF EMISSION BASED ON TOTAL PROCESS WEIGHT RATE^a

Process Weight Rate		Allowable Rate of Emission	Process Weight Rate		Allowable Rate of Emission
lb/hr	Tons/hr	Lb/hr	lb/hr	Tons/hr	Lb/hr
50	0.025	0.36	10,000	5.00	9.7
100	0.05	0.55	12,000	6.00	10.9
200	0.10	0.86	16,000	8.00	13.0
400	0.20	1.32	18,000	9.00	14.0
600	0.30	1.70	20,000	10	15.0
800	0.40	2.03	30,000	15	19.2
1,000	0.50	2.34	40,000	20	23.0
1,500	0.75	3.00	50,000	25	26.4
2,000	1.00	3.59	60,000	30	29.6
2,500	1.25	4.12	70,000	35	30.6
3,000	1.50	4.62	80,000	40	31.2
3,500	1.75	5.08	90,000	45	31.8
4,000	2.00	5.52	100,000	50	32.4
5,000	2.50	6.34	120,000	60	33.3
6,000	3.00	7.09	140,000	70	34.2
7,000	3.50	7.81	160,000	80	34.9
8,000	4.00	8.5	200,000	100	36.2
9,000	4.50	9.1	1,000,000	500	46.8

^aInterpolation of the data in this table for process weight rates up to 60,000 lbs/hr shall be accomplished by using the equation:

$$E = 3.59 P^{0.62} \text{ for } P \text{ less than or equal to } 30 \text{ tons/hr}$$

and interpolation and extrapolation of the data for process weight rates in excess of 60,000 lbs/hr shall be accomplished by using the equation:

$$E = 17.31 P^{0.62 - 0.16} \text{ for } P \text{ greater than } 30 \text{ tons/hr}$$

Where: E = emissions in pounds per hour
 P = process weight rate in tons per hour "

4. **Revise Section 25.9-E to read:**

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E. Annual Emission Fees for Minor Sources

1. An owner or operator of a minor source must pay an annual emission fee to the Department. The annual emission fee shall be based on the minor source's category as defined in Sections 25.9-B.13 through 25.9-B.15 and 25.9-B.21 through 25.9-B.23.
2. Beginning January 1, 2017 all minor source annual emission fees are due and payable to the Department in full by September 30 of each year. Beginning in January 1, 2018 all GDF source and NOA-C source annual emission fees are due and payable to the Department in full by May 31 of each year.
3. A newly constructed minor source beginning operation on or after January 1 shall not be assessed an annual emission fee during the remainder of the annual accounting period.
4. Beginning January 1, 2017 minor sources shall be assessed an annual emission fee in accordance with the following table. Each succeeding annual accounting period will have a new annual emission fee derived by adjusting the previous annual accounting period's annual emission fee according to the Consumer Price Index published annually by the United States Department of Labor.

Source Category	Annual Emission Fee
GDF Source	\$350.00
TM-A Source	\$250.00
TM-B Source	\$750.00
NOA-A Source	\$150.00 \$0.00
NOA-B Source	\$250.00
NOA-C Source	\$350.00

5. Upon mutual agreement of the minor source and the Director, a more restrictive regulatory requirement may be established to reduce the potential to emit of the source and thus the annual emission fee. The more restrictive requirement must be specified on the permit, and must include the method used to determine compliance with the limitation. The documentation procedure to be followed by the source owner or operator must also be included to insure that the limit is not exceeded. Exceedances of the mutual agreement limit will be

considered by the Department as circumvention of the required annual emissions fee and a matter in which enforcement action must be pursued.

6. To reduce the amount of the fee as provided in Section 25.9-F.5, the minor source must submit a letter to the Department requesting the reduced emissions limit or limits and providing the method or methods that will be used to ensure compliance with the requested limit or limits. This request must be received at least ninety (90) days prior to the applicable due date of the annual emission fee. Any request received after that deadline may only apply to the fee for the following year and not for the year being invoiced.
7. Reserved.
8. Reserved.
9. Reserved.
10. Reserved. “