

AIR POLLUTION CONTROL

Shelby County Health Department

PERMIT TO OPERATE TITLE V - MAJOR SOURCE

PERMIT NUMBER: 00701-01TV

CITY OF MEMPHIS
T. E. MAXSON WASTEWATER TREATMENT FACILITY
2685 Steam Plant Road
Memphis, Tennessee 38109

Issuance Date: October 3, 2024

Expiration Date: October 3, 2029

This permit fulfills the requirements of Title V of the Federal Clean Air Act (42 U.S.C. 7661a-7661e) and the federal regulations promulgated in 40 CFR Part 70. This permit is issued in accordance with City of Memphis Code Section 16-77, which adopts by reference Rule 1200-3-9.02(11) of the Tennessee Air Pollution Control Regulations. The permittee has been granted permission to operate an air contaminant source in accordance with the emission limitations, monitoring, record-keeping, reporting, and all other requirements set forth herein.

A permit condition may be appealed by filing a petition for reconsideration within thirty (30) days after the mailing date of the permit.

This permit may be subject to revocation, suspension, modification or amendment by the Technical Secretary for cause including the evidence of non-compliance with any of the above, or for any misrepresentation made in the application(s), supporting data entered therein or attached thereto, or any subsequent submittal or supporting data, or for any alterations affecting the emissions from this source.

*Wasim Khokhar, Technical Manager
Pollution Control Section*

Issuance of this permit shall not relieve any owner or operator of the responsibility to comply fully with any other requirements of local, State, or Federal law.

POST AND FILE AT INSTALLATION ADDRESS

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SECTION I - SOURCE INFORMATION

Facility Name: City of Memphis, T. E. Maxson Wastewater Treatment Facility

Facility Address: 2685 Steam Plant Road
Memphis, Tennessee 38109

Mailing Address: Same

Facility Owner: City of Memphis

Owner Address: Same

Responsible Official, Title: Mr. Donald Hudgins, Administrator

Mailing Address: 2303 North Second Street
Memphis, TN 38127-7500

Telephone: (901) 576-7122

Site Contact: Michael L. Brower, Plant Manager
T. E. Maxson Wastewater Treatment Facility

Telephone: Office: (901) 636-0303

Billing Contact: Mr. Donald Hudgins, Administrator

Billing Address: 2303 North Second Street
Memphis, TN 38127-7500

Telephone: (901) 576-7122

Facility's Primary Activity: Sewage Treatment/Biogas Treatment

NAICS Code: 221320 (Sewage Treatment Facilities)

SECTION II - PERMIT INFORMATION

Application Received: May 21, 2018 (Initial Title V application)
May 28, 2019 (Application update and supplemental information)
May 29, 2019 (Application update and supplemental information)
November 18, 2022 (Title V major modification application)
April 3, 2024 (Title V permit renew application)

Application Dated: May 19, 2018 (Initial Title V application)
May 23, 2019 (Application update and supplemental information)
May 24, 2019 (Application update and supplemental information)
November 17, 2022 (Emission factors selection change)
April 3, 2024 (Title V permit renew application)

Completeness Determination: September 30, 2024

Public Notice: October 30, 2024

Surrounding States Notice: October 30, 2024

Public Hearing: Not requested.

Comments Received: Not applicable.

To EPA for Review: December 16, 2024

EPA Comments: TBD

Response to EPA Comments: TBD

Permit engineer: Jianing Li

Initial Title V Permit Issue Date: October 4, 2019

Facility classification:

- Major-NSR/PSD
- Major-Title V (CO and SO₂)
- NSPS (40 CFR Part 60)
- NESHAP (40 CFR Part 61)
- MACT (40 CFR Part 63)
- LAER/BACT/RACT

Type of permit:

- New construction
- Synthetic Minor
- Title V Operating

- Modification
- Amendment
- Permit renewal (no emission limit changes)

SECTION III – EMISSION UNITS, POINTS and CONTROLS

Table 1

Emission Unit	Emission Points	Controls	Pollutants
Biogas collection system	F1 - F5 (5 Flares) ¹	None	PM, NO _x , CO, SO ₂ , VOC

¹ The Department considers the flares at this WWTP as process devices used for odor control.

SECTION IV – PERMIT CONDITIONS

Facility-wide

Notification and Reporting Requirements

Table 2

Condition No.	Report Content	Frequency	Citation
1	Semiannual monitoring report	Semiannually	City of Memphis Code Section 16-77 [Reference Rules and Regulations of Tennessee, Rule 1200-3-9-.02(11)(e)1(iii)(III)]
2	Compliance certification	Annually	City of Memphis Code Section 16-77 [Reference Rules and Regulations of Tennessee, Rule 1200-3-9.02(11)(e)3.(v)]
3	Reporting of deviations from startup, shutdown, malfunction or emergency conditions	As necessary	City of Memphis Code Section 16-77 [Reference Rules and Regulations of Tennessee, Rule 1200-3-20]
<i>Local Only Requirement</i>			
4	Emission report	Annually	City of Memphis Code Section 16-98

Notification and Reporting Requirements:

1. The facility owner or operator shall submit, semiannually, a monitoring report in accordance with the requirements of City of Memphis Code Section 16-77 [Reference Rules and Regulations of Tennessee, Rule 1200-3-9-.02(11)(e)1.(iii)(III)]. This report shall include all deviations from permit requirements. Each report shall be certified by the responsible official consistent with the requirements of City of Memphis Code Section 16-77 [Reference Rules and Regulations of Tennessee, Rule 1200-3-9-.02(11)(d)4]. The reports shall be due within 60 days of June 30 and December 31 each calendar year.

The reporting periods are January 1 through June 30 and July 1 through December 31 of each calendar year.

2. The responsible official shall certify compliance annually with the terms and conditions contained in this permit, including emission limitations, standards, or work practices. Specifically, the compliance certification shall include the following:
 - a) The identification of each term or condition of the permit that is the basis of the certification;
 - b) The status of compliance with the terms and conditions of the permit for the period covered by the certification. The certification shall identify each deviation and take it into account in the compliance certification.

Facility-Wide

Notification and Reporting Requirements (continued):

The certification shall also identify, as possible exceptions to compliance, any periods during which compliance is required in which an excursion or exceedance as defined under City of Memphis Code Section 16-77 [Reference Rules and Regulations of Tennessee, Rule 1200-3-9-.02(11)(b) (30-31)] occurred;

- c) Whether compliance was continuous or intermittent;
- d) The identification of the method(s) or other means used by the facility owner or operator for determining the compliance status with each term, condition, and emission limitation and standards and work practices during the certification period consistent with City of Memphis Code Section 16-77 [Reference Rules and Regulations of Tennessee, Rule 1200-3-9-.02(11)(e)1(iii)];
- e) Such other facts as the permitting authority may require to determine the compliance status of the source;
- f) Certification of the truth, accuracy and completeness; and
- g) A statement that, based on information and belief formed after reasonable inquiry, the statements in the document are true, accurate, and complete.

This certification shall be submitted to the Department and to the USEPA at the following addresses:

Technical Manager
Shelby County Health Department
Pollution Control Section
1826 Sycamore View Road
Memphis, TN 38134

Air and EPCRA Enforcement Branch
US EPA Region 4
61 Forsyth Street, S.W.
Atlanta, GA 30303

Each certification shall be due within 60 days of the end of the reporting period (January 1 to December 31) of each calendar year.

Facility-Wide

Notification and Reporting Requirements (continued):

3. The facility owner or operator shall promptly report deviations from permit requirements, including those attributable to startup, shutdown or malfunction or emergency conditions as defined in this permit and/or City of Memphis Code 16-87 [Reference Rules and Regulations of Tennessee, Rule 1200-3-20]. The provisions of City of Memphis Code Section 16-87 [Reference Rules and Regulations of Tennessee, Rule 1200-3-20-.03] shall define "prompt reporting" for periods in between the 180-day reports in condition 1 of this section.

Local Only Requirement:

4. The facility owner or operator shall submit a report to the Department, on an annual basis, that establishes the amount of actual emissions of each regulated pollutant for the facility according to the provisions in City of Memphis Code Section 16-98. The schedule for the submission of this annual emission report shall be February 28 every year, for the preceding calendar year, unless otherwise specified by the Department.

SECTION IV – PERMIT CONDITIONS

FLARES (5)

Emission Units F-1 through F-5

Emission Limits and Restrictions

Table 3

Condition No.	Pollutant/Parameter	Limitation/Restriction Description	Cite
1	PM, NO _x , CO, SO ₂ and VOC	Maximum biogas throughput	Source request
2	PM, NO _x , CO, SO ₂ and VOC	Emission limits	Source request
3	PM	Visible emissions	Source request
4	PM	PM standard	City of Memphis Code Section 16-82 [Reference Rules and Regulations of Tennessee, Rule 1200-03-07-.04(2)]
<i>Local Only Conditions</i>			
5	Odor	Flare flame requirements ¹	Source request
6	Odor	Flare operation and maintenance requirement	Source request

¹ The Department considers these flares to be process devices for POTW biogas odor control.

Emission Limits and Restrictions:

- The maximum biogas throughput to the biogas flare system (5 flares) shall not exceed 2,155 million standard cubic feet (MMscf) per year. *(Note: Exceedence of this limit will not be deemed a violation if the facility can demonstrate compliance with emission limits.)*
- The consecutive 12-month rolling emissions from the biogas flare system (5 flares) shall not exceed the following:

Pollutant (tons per year)			
NO _x	CO	SO ₂ ¹	VOC
103.6	11.0	249.0	3.8

¹ NO_x, CO, and VOC emission factors from the flares are based on EPA's AP-42, 5th Edition, Chapter 13, Section 3.1 (Stationary Gas Turbines), Tables 3.1-1 and 3.1-2b (digester gas fired turbines) and a maximum BTU content of the biogas. SO₂ emissions assume 100% of biogas H₂S content is converted to SO₂. **(Modified September 08, 2023)**

- Each flare shall be designed for and operated with no visible emissions, except for periods not to exceed a total of 5 minutes during any 2 consecutive hours (Reference EPA Method 22).

FLARES (5)

Emission Units F-1 through F-5

Emission Limits and Restrictions (continued):

4. The maximum allowable concentration of particulate process emissions shall be 0.25 grains per dry cubic foot of stack gases corrected to 70°F and 1 atmosphere¹. (City of Memphis Code Section 16-82 (Reference Rules and Regulations of Tennessee, Rule 1200-03-07-.04(2))

¹ If the flare system is operated correctly, particulate matter emissions will be negligible; therefore, compliance with Conditions No. 6 and 7 of this section (Flare operation requirements) is sufficient to assure compliance with this condition.

Local Only Conditions:

5. Each flare shall be equipped with a continuous propane pilot light and be operated as follows:

As pressure increases beyond an incremental set point, an additional flare will automatically be started to combust the increased volume of gas. The same control logic will automatically call for stopping a flare as the pressure in the header decreases. If a flare fails during the ignition sequence it will automatically roll over to another flare ensuring that the correct number of flares are in service. (Odor control)

6. Each flare shall be operated and maintained in accordance with manufacturer specifications. (Odor control)

FLARES (5)

Emission Units F-1 through F-5

Monitoring and Recordkeeping Requirements

Table 4

Condition No.	Description	Frequency	Cite
1	Monitor and record H ₂ S content of the biogas treatment system exhaust	5 days per week	City of Memphis Code Section 16-85 [Reference Rules and Regulations of Tennessee, Rule 1200-3-10-.04(2)]
2	H ₂ S analyzer calibration and verification checks	Annual	
3	Installation of a continuous H ₂ S monitor	Within 1 year (Installation)	
4	H ₂ S monitor operating and recordkeeping requirements	Continuous	
5	H ₂ S monitor quality assurance	Annual	
6	Monitor and record biogas flow rate to the biogas treatment system	Continuous (Monitor) Daily (Record)	
7	Flare system visual emission observations	Daily	City of Memphis Code Section 16-85 [Reference Rules and Regulations of Tennessee, Rule 1200-3-10-.04(2)]
9	Flare system throughput records	Monthly	
9	Flare system emissions records	Monthly	
<i>Local Only Condition</i>			
10	Flare system pilot flame monitoring	Continuous	City of Memphis Code Section 16-85 [Reference Rules and Regulations of Tennessee, Rule 1200-3-10-.04(2)]

Monitoring and Recordkeeping Requirements:

Biogas Treatment (H₂S Reduction) System:

1. The facility owner or operator shall analyze and record the hydrogen sulfide (H₂S) concentration (ppm) exiting the biogas treatment system (or pre-flare) five (5) days per week with no more than four (4) missed weekly readings per month until a continuous H₂S monitor on the biogas treatment system exhaust (or pre-flare) is installed and operational.
2. The H₂S analyzer shall be calibrated at least once per calendar year and when the analyzer is out of calibration tolerances. The analyzer must be checked to assure it is within calibration tolerances (verification checks) prior to the implementation of any air monitoring activities. Records of the calibration and verification checks shall be maintained on site until a continuous H₂S monitor on the biogas treatment system exhaust (or pre-flare) is installed and operational.
3. The facility owner or operator shall install, calibrate and maintain per manufacturer specifications a continuous H₂S monitor on the biogas treatment system exhaust (or pre-flare) within a year of the issuance date of this permit.

FLARES (5)

Emission Units F-1 through F-5

Monitoring and Recordkeeping Requirements (continued):

4. Following installation of the H₂S monitor the facility owner or operator shall continuously monitor and record (daily) H₂S concentration (ppm) from the biogas treatment system exhaust (or pre-flare) with no more than 20% monitoring downtime per month.
5. The facility owner or operator shall continuously monitor and record (daily) biogas flow rate (scfm) to the biogas treatment system with no more than 20% monitoring downtime per month after it is installed and operational

Biogas Flare System:

6. The facility owner or operator shall perform and record visual observations (qualitative) of each flare, during operation, to determine the presence of any visual emissions five (5) days per week with no more than four (4) missed weekly readings per month. If any monthly visual observation, excluding initial start-up, indicates the presence of emissions, then a visual determination pursuant to reference EPA Method 22 (or EPA Method 9) shall be performed within 48 hours of discovery unless a malfunction condition is found, recorded, and corrected within 48 hours of discovery.
7. The facility owner or operator shall monitor and record the following monthly and consecutive 12-month rolling throughput records for the biogas flare system as follows:
 - a) The quantity (MMscf) of natural gas (or propane) used for the pilot light flames;
 - b) The quantity (MMscf) of biogas received from biogas collection operations;
 - c) The quantity (MMscf) of biogas flared; and
 - d) The quantity (MMscf) of biogas transferred to TVA
8. The facility owner or operator shall calculate and record monthly and consecutive 12-month rolling nitrogen oxides (NO_x), carbon monoxide (CO), sulfur dioxide (SO₂) and volatile organic compound (VOC) emissions from the biogas flare system (Includes emissions from biogas flaring and natural gas/propane usage).

FLARES (5)

Emission Units F-1 through F-5

Monitoring and Recordkeeping Requirements (continued):

Local Only Condition:

9. The presence of a flare pilot flame shall be monitored using a thermocouple or any other equivalent device to detect the presence of a flame.

FLARES (5)

Emission Units F-1 through F-5

Notification and Reporting

Table 5

Condition No.	Description	Frequency	Cite
1	Biogas treatment system throughput, H ₂ S concentration and QA report	Semi-annually	City of Memphis Code Section 16-85 [Reference Rules and Regulations of Tennessee, Rule 1200-3-10-.04(2)]
2	Flare system throughput records	Semi-annually	
3	Malfunction and deviation report	Semi-annually	
4	Reports submittal requirement	Semi-annually	

Notification and Reporting Requirements:

1. The facility owner or operator shall submit a semi-annual throughput report to the Department that contains the following records for the biogas flare system:
 - a) The quantity (MMscf) of natural gas (or propane) used for the pilot light flames (Monthly and 12-month rolling);
 - b) The quantity (MMscf) of biogas received from biogas collection operations (Monthly and 12-month rolling);
 - c) The quantity (MMscf) of biogas flared (Monthly and 12-month rolling);
 - d) The quantity (MMscf) of biogas transferred to TVA (Monthly and 12-month rolling);
 - e) Daily pre-flare biogas H₂S concentration records;
 - f) H₂S analyzer calibration (Annual) and calibration tolerance verification checks; and
 - g) NO_x, CO, SO₂ and VOC emissions records (Monthly and 12-month rolling).
2. The facility owner or operator shall submit a semi-annual throughput report to the Department that contains the following records for the biogas treatment system:
 - a) Daily biogas flow rate (scfm) to the biogas treatment system;
 - b) Daily H₂S biogas treatment system exhaust concentration records; and
 - c) Continuous H₂S monitor annual quality assurance audit records.

FLARES (5)

Emission Units F-1 through F-5

Notification and Reporting Requirements (continued):

3. The facility owner or operator shall submit a report to the Department semi-annually stating biogas treatment system malfunctions, flare malfunctions and all instances of deviations from permit requirements (Including each incidence of visible emission detection from a flare).
4. Each of the above reports shall be submitted to the Department with the required Semi-Annual Monitoring Report (See Facility-Wide Requirements).

SECTION V - OTHER REQUIREMENTS

SOURCE SPECIFIC REQUIREMENTS

The facility owner or operator has been granted a permit shield in accordance with the requirements contained in the City of Memphis Code Section 16-77 [Reference 1200-3-9-.02(11)(e)(6)(i)].

USE OF OZONE DEPLETING SUBSTANCES

1. The permittee shall comply with the standards for labeling of products using ozone depleting substances pursuant to 40 CFR 82 Subpart E:
 - a) All containers containing a class I or class II substance being stored or transported, all products containing a class I substance, and all products directly manufactured with a class I substance must bear the required warning statement if it is being introduced into interstate commerce pursuant to section 82.106;
 - b) The placement of the required warning statement must comply with the requirements pursuant to section 82.108;
 - c) The form of the label bearing the required warning statement must comply with the requirements pursuant to section 82.110; and
 - d) No person may modify, remove, or interfere with the required warning statement except as described in section 82.112.

2. The permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 CFR 82 Subpart F, except as provided for motor vehicle air conditioners (MVAC's) in Subpart B:
 - a) Persons opening appliances for maintenance, service, repair, or disposal must comply with the required practices pursuant to section 82.156;
 - b) Equipment used during the maintenance, service, repair, or disposal of appliances must comply with the standards for recycling and recovery equipment pursuant to section 82.158;
 - c) Persons performing maintenance, service, repair, or disposal of appliances must be certified by an approved technician certification program pursuant to section 82.161;
 - d) Persons disposing of small appliances, MVAC's, and MVAC-like appliances, as defined in section 82.152, must comply with the record keeping requirements pursuant to section 82.166;
 - e) Persons owning commercial or industrial process refrigeration equipment must comply with the leak repair requirements pursuant to section 82.156; and

USE OF OZONE DEPLETING SUBSTANCES (continued)

- f) Owner/operators of appliances normally containing 50 or more pounds of refrigerant must keep records of refrigerant purchased and added to such appliances pursuant to section 82.166.
3. If the permittee manufactures, transforms, imports, or exports a class I or class II substance, the permittee is subject to all the requirements as specified in 40 CFR 82 Subpart A, Production and Consumption Controls.
4. If the permittee performs a service on motor (fleet) vehicles when this service involves Ozone-Depleting Substances (ODS) refrigerant in the MVAC, the permittee is subject to all the applicable requirements as specified in 40 CFR 82 Subpart B, Servicing of Motor Vehicle Air Conditioners. The term "motor vehicle" as used in Subpart B does not include a vehicle in which final assembly of the vehicle has not been completed. The term "MVAC" as used in Subpart B does not include the airtight sealed refrigeration system used for refrigerated cargo, or the system used on passenger buses using HCFC-22 refrigerant.
5. The permittee shall be allowed to switch from any ODS to any alternative that is listed in the Significant New Alternatives Program (SNAP) promulgated pursuant to 40 CFR 82, Subpart G, Significant New Alternatives Policy Program.

OPERATIONAL FLEXIBILITY

The permittee has not requested any specific operational flexibility provisions to be included in addition to that provided in the City of Memphis Code Section 16-77, [Reference 1200-3-9-.02(11)(a)(4)].

COMPLIANCE PLANS AND SCHEDULES

There are no compliance plans or schedules included in this permit.

SECTION IV – GENERAL CONDITIONS

General Permit Conditions for Title V Operating Permits

1. Severability: The requirements of this permit issued pursuant to City of Memphis Code Section 16-77 [Reference Rules and Regulations of Tennessee, Rule 1200-3-9-.02(11)] are severable. A dispute regarding one or more permit requirements in this permit does not invalidate or otherwise excuse a permittee from their duty to comply with the remaining portion of this permit in accordance with City of Memphis Code Section 16-77 [Reference Rules and Regulations of Tennessee, Rule 1200-3-9-.02(11)(e)1(v)].

2. Permit Shield: In accordance with City of Memphis Code Section 16-77 [Reference Rules and Regulations of Tennessee, Rule 1200-3-9-.02(11)(e)6(i)] compliance with the conditions of this permit shall be deemed compliance with any applicable requirements as of the date of permit issue, provided:
 - a) Such applicable requirements are included and are specifically identified in this permit; or
 - b) The Technical Manager, in acting on this permit application or revision, determines, in writing, that other requirements specifically identified are not applicable to the source, and this permit includes the determination or a concise summary thereof; and
 - c) The permit shield does not extend to minor permit modifications made pursuant to City of Memphis Code Section 16-77 [Reference Rules and Regulations of Tennessee, Rule 1200-3-9-.02(11)(f)5.(ii)(VI)].

3. Permit Actions for Cause: This permit may be modified, revoked, reopened, and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition. in accordance with City of Memphis Code Section 16-77 [Reference Rules and Regulations of Tennessee, Rule 1200-3-9-.02(11)(e)1(vi)(III)].

4. Circumvention of Regulations: No person shall use any plan, activity, device or contrivance that the Technical Manager determines will, without resulting in an actual reduction of air contaminants, conceal or appear to minimize the effects of an emission that would otherwise constitute a violation of this permit or any applicable requirement.

Methods considered circumvention of the regulations, as stated in City of Memphis Code Section 16-77 [Reference Rules and Regulations of Tennessee, Rule 1200-3-9-.03(2)], include but are not limited to:

- a) Air (or other gases) introduced for dilution purposes only; and
- b) The staggered installation and operation of a facility to avoid coverage by a standard that applies only to operations larger than a specified size.

General Permit Conditions (continued)

5. Creating a Traffic Hazard or Interfering with Public Transportation: No person shall discharge from any source whatsoever such quantities of air contaminant, uncombined water, or other materials which cause or have a tendency to cause a traffic hazard or an interference with normal means of public transportation in accordance with City of Memphis Code Section 16-77 [Reference Rules and Regulations of Tennessee, Rule 1200-3-9-.03(3)].
6. Defense for Noncompliance: The need to halt or reduce activity is not a defense for noncompliance. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit. However, nothing in this item shall be construed as precluding consideration of a need to halt or reduce activity as a mitigating factor in assessing penalties for noncompliance if the health, safety or environmental impacts of halting or reducing operations would be more serious than the impacts of continuing operations in accordance with City of Memphis Code Section 16-77 [Reference Rules and Regulations of Tennessee, Rule 1200-3-9-.02(11)(e)1(vi)(II)].
7. Compliance Certification: All compliance certifications submitted to the Department shall include the following in accordance with City of Memphis Code Section 16-77 [Reference Rules and Regulations of Tennessee, Rule 1200-3-9-.02(11)(e)3(v)(III)]:
 - a) The identification of each term or condition of this permit that is the basis of the certification;
 - b) The compliance status of each term or condition of this permit during the certification period;
 - c) Whether compliance was continuous or intermittent;
 - d) The method(s) used for determining the compliance status of the source, currently and over the reporting period consistent with City of Memphis Code Section 16-77 [Reference Rules and Regulations of Tennessee, Rule 1200-3-9-.02(11) (e)1(iii)] [Monitoring and related record keeping and reporting requirements]; and
 - e) Such other facts as the Technical Manager may require for determination of the compliance status of the source.
8. Compliance Certification: All compliance certifications required by this permit shall be submitted to the EPA as well as to the Technical Manager in accordance with City of Memphis Code Section 16-77 [Reference Rules and Regulations of Tennessee, Rule 1200-3-9-.02(11)(e)3(v)(IV)].

General Permit Conditions (continued)

9. Compliance Certification: Each compliance certification required by this permit shall contain such additional requirements as may be specified pursuant to sections 114(a)(3) and 504(b) of the Federal Act [Permit Requirements and Conditions: Monitoring and Analysis], and any other compliance requirement deemed necessary by the Technical Manager in accordance with City of Memphis Code Section 16-77 [Reference Rules and Regulations of Tennessee, Rule 1200-3-9-.02(11)(e)3(v)(V) and -.02(11)(e)3(vi)].
10. Responsible Official Certification: Any application form, report, or compliance certification submitted pursuant to the requirements of City of Memphis Code Section 16-77 [Reference Rules and Regulations of Tennessee, Rule 1200-3-9-.02(11)] or this permit shall contain certification by a responsible official of truth, accuracy and completeness. This certification and any other certification required under City of Memphis Code Section 16-77 [Reference Rules and Regulations of Tennessee, Rule 1200-3-9-.02(11)(d)4] shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate and complete.
11. Enforceability: This permit is issued pursuant to the requirements of Title V of the Federal Act and its implementing Federal regulations promulgated at 40 CFR part 70. As such, the permittee is advised that:
 - a) All terms and conditions in this permit including any provisions designed to limit a source's potential to emit, are enforceable by the Administrator and citizens under the Federal Act in accordance with City of Memphis Code Section 16-77 [Reference Rules and Regulations of Tennessee, Rule 1200-3-9-.02(11)]; and
 - b) Notwithstanding (a) above, in this permit labeled "local only requirements" the Technical Manager has specifically designated as not being federally enforceable under the Federal Act or under any of its applicable requirements.

Terms and conditions so designated are not subject to the requirements of City of Memphis Code Section 16-77 [Reference Rules and Regulations of Tennessee, Rule 1200-3-9-.02(11) subparagraphs (f) {Permit Issuance, Renewal, Reopening and Revision} and (g) {Permit Review by EPA and Affected States}, other than those contained in part 1200-3-9-.02(11)(e)2].

12. Federal Enforcement; SECTION 113(c)(2) of the Federal Act: Any person who knowingly makes any false material statement, representation, or certification in, or omits material information from, or knowingly alters, conceals, or fails to file or maintain any notice, application, record, report, plan, or other document required pursuant to this Act to be either filed or maintained (whether with respect to the requirements imposed by the Administrator or by a State or the Department); fails to notify or report as required under the Act; or falsifies, tampers with, renders inaccurate, or fails to install any monitoring device or method required to be maintained or followed under this Act shall, upon conviction, be punished by a fine pursuant to title 18 of the United States Code, or by imprisonment for not more than 2 years, or both.

General Permit Conditions (continued)

If a conviction of any person under this paragraph is for a violation committed after a first conviction of such person under this paragraph, the maximum punishment shall be doubled with respect to both the fine and imprisonment.

13. Reasonable Measures Required During Startups, Shutdowns, and Malfunctions: In accordance with City of Memphis Code Section 16-87 [Reference Rules and Regulations of Tennessee, Rule 1200-3-20-.02], Air contaminant sources must take all reasonable measures to keep emissions to a minimum during startups, shutdowns, and malfunctions. These measures may include installation and use of alternate control systems, changes in operating methods or procedures, cessation of operation until the process equipment and/or air pollution control equipment is repaired, maintaining sufficient spare parts, use of overtime labor, use of outside consultants and contractors, and other appropriate means. Failures that are caused by poor maintenance, careless operation or any other preventable upset condition or preventable equipment breakdown shall not be considered malfunctions, and shall be considered in violation of the emission standard exceeded and this rule.
14. Notice Required When a Malfunction Occurs: In accordance with City of Memphis Code Section 16-87 [Reference Rules and Regulations of Tennessee, Rule 1200-3-20-.03], when any air contaminant source malfunctions in such a manner as to cause the emission of air contaminants in excess of the applicable emission standards contained in Division 1200-3 or any permit issued thereto, or of sufficient duration to cause damage to property or public health, the owner or operator of the air contaminant source shall promptly notify the Technical Manager of such malfunction and provide a statement giving all pertinent facts, including the estimated duration of the malfunction.

Violations of the visible emission standard (excluding visible emissions caused by hazardous air pollutants named in Chapter 1200-3-11), which occur for less than 20 minutes in one day (midnight to midnight) need not be reported.

Prompt notification will be within 24 hours of the malfunction and shall be provided by telephone to the Shelby County Health Department, Pollution Control Section.

The Technical Manager shall be notified when the malfunction has been corrected. In attainment and unclassified areas if emissions other than from sources designated as significantly impacting on a nonattainment area in excess of the standards will not and do not occur over more than a 24-hour period (or will not recur over more than a 24-hour period) and no damage to property and or public health is anticipated, notification is not required.

Any malfunction that creates an imminent hazard to health must be reported by telephone immediately to the Shelby County Health Department, Pollution Control Section and the Emergency Management Agency.

General Permit Conditions (continued)

15. Log of Malfunctions, Startups, and Shutdowns: In accordance with City of Memphis Code Section 16-87 [Reference Rules and Regulations of Tennessee, Rule 1200-3-20-.04], a log of all malfunctions, startups, and shutdowns resulting in emissions in excess of the standards in the City of Memphis Air Code, reference 1200-3 of the State of Tennessee Code, or any permit issued thereto must be kept at the facility. This log must record at least the following:
- a) Stack or emission point involved;
 - b) Time of malfunction, startup, or shutdown or when first noticed.
 - c) Type of malfunction and/or reason for shutdown;
 - d) Time startup or shutdown was complete or time the air contaminant source returned to normal operation; and
 - e) The company employee making entry on the log must sign, date and state the time of each log entry.

The information under items (a) and (b) above must be entered into the log by the end of the shift during which the malfunction or startup began. All information shall be entered in the log no later than twenty-four (24) hours after the startup or shutdown is complete, or the malfunction has ceased or has been corrected. Any later discovered corrections can be added in the log as footnotes with the reason given for the change.

16. Retention Period for Records and Supporting Information: Records and supporting information required to be maintained by this permit shall be retained for a period of at least five (5) years from the date of the record in accordance with City of Memphis Code Section 16-77 [Reference Rules and Regulations of Tennessee, Rule 1200-3-9-.02(11)(e)1(iii)(II)II]. Supporting information includes, but is not limited to, all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, and copies of all reports required by this permit.
17. Monitoring Records: Records of monitoring information required by this permit shall include the following :
- a) The date, place as defined in this permit, and time of sampling or measurements;
 - b) The date(s) analyses were performed;
 - c) The company or entity that performed the analysis;
 - d) The analytical techniques or methods used;
 - e) The results of such analyses; and
 - f) The operating conditions as existing at the time of sampling or measurement.

General Permit Conditions (continued)

18. Information Requests: In accordance with City of Memphis Code Section 16-77 [Reference Rules and Regulations of Tennessee, Rule 1200-3-9-.02(11)(e)1(vi)(V)], the permittee shall furnish to the Technical Manager, within a reasonable time, any information that the Technical Manager may request in writing to determine whether cause exists for modifying, revoking and reissuing, or termination of this permit or to determine compliance with this permit. Upon request, the permittee shall also furnish to the Technical Manager copies of records required to be kept by this permit. If the permittee claims that such information is confidential, the Technical Manager may review that claim and hold the information in protected status until such time that the Board can hear any contested proceedings regarding confidentiality disputes. If the Administrator (EPA) desires the information, the permittee may mail the information directly to the EPA.
19. Access to Premises, Records, and Inspections: Upon presentation of credentials and other documents as may be required by law, the permittee shall allow the Technical Manager or his authorized representative to perform the following for the purposes of determining compliance with the applicable permit requirements in accordance with City of Memphis Code Section 16-77 [Reference Rules and Regulations of Tennessee, Rule 1200-3-9-.02(11)(e)3(ii)]:
- a) Enter upon the permittee's premises at reasonable times where a source subject to City of Memphis Code Section 16-77 [Reference Rules and Regulations of Tennessee, Rule 1200-3-9-.02(11)] is located or emissions related activity is conducted, or where records must be kept under the conditions of this permit;
 - b) Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
 - c) Inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit;
 - d) As authorized by City of Memphis Code Section 16-85, sample or monitor at reasonable times substances or parameters for the purpose of assuring compliance with this permit or applicable requirements; and

Reasonable times" shall be considered to be customary business hours unless reasonable cause exists to suspect noncompliance with the Act, City of Memphis Code, Division 1200-3, or any permit issued pursuant thereto and the Technical Manager specifically authorizes an inspector to inspect a facility at any other time.

20. Permit Availability and Display: The owner or operator shall maintain this operating permit readily available for inspection by the Technical Manager or his/her designated representative on the operating premises. A person required by regulations to have one or more operating permits shall keep at least one operating permit prominently and conspicuously displayed on the operating premises in accordance with City of Memphis Code Section 16-77 [Reference Rules and Regulations of Tennessee, Rule 1200-3-9-.02(5)].

General Permit Conditions (continued)

21. Emergency Orders, Liabilities, and Acid Rain: Nothing in this permit issued pursuant to City of Memphis Code Section 16-77 [Reference Rules and Regulations of Tennessee, Rule 1200-3-9-.02(11)(e)6(iii)] shall alter or affect the following:
- a) The provisions of section 303 of the Federal Act (emergency orders), including the authority of the Administrator under that section. Similarly, the provisions of T.C.A. 68-201-109 (emergency orders) including the authority of the Governor under City of Memphis Code Section 16-59 including the authority of the Health Officer under the section;
 - b) The liability of the owner or operator of a source for any violation of applicable requirements prior to or at the time of permit issue;
 - c) The applicable requirements of the acid rain program, consistent with section 408(a) [Permits and Compliance Plans: Permit Program] of the Federal Act; or
 - d) The ability of EPA and the Department to obtain information from a source pursuant to section 114 [Recordkeeping, Inspection, Monitoring, and Entry] of the Federal Act.
22. Emergency Provisions: In accordance with City of Memphis Code Section 16-77 [Reference Rules and Regulations of Tennessee, Rule 1200-3-9-.02(11)(e)7] an "emergency" means any situation arising from sudden and reasonably unforeseeable events beyond the control of the source, including acts of God, which situation requires immediate corrective action to restore normal operation, and that causes the source to exceed a technology based emission limitation under this permit due to unavoidable increases in emissions attributable to the emergency.

An emergency shall not include noncompliance to the extent caused by improperly designed equipment, lack of preventative maintenance, careless or improper operation, or operator error.

An emergency constitutes an affirmative defense to an enforcement action brought against a source for noncompliance with such technology based emission limitations if the following are met.

- a) The affirmative defense of the emergency shall be demonstrated through properly signed, contemporaneous operating logs, or other relevant evidence that:
 - i. An emergency occurred and that the permittee can identify the probable cause(s) of the emergency. "Probable" must be supported by a credible investigation into the incident that seeks to identify the causes and results in an explanation supported by generally accepted engineering or scientific principles;

General Permit Conditions (continued)

- ii. The permitted facility was at the time being properly operated. In determining whether or not a facility was being properly operated, the Technical Manager shall examine the source's written standard operating procedures that were in effect at the time of the noncompliance and any other code as detailed below that would be relevant to preventing the noncompliance. Adherence to the source's standard operating procedures will be the test of adequate preventative maintenance, careless operation, improper operation or operator error to the extent that such adherence would prevent noncompliance. The source's failure to follow recognized standards of practice to the extent that adherence to such a standard would have prevented noncompliance will disqualify the source from any claim of an emergency and an affirmative defense. The Department will specifically recognize the National Fire Protection Association codes, the codes of the American National Standards Institute, the codes of the American Society of Testing Materials, the codes of the United States Department of Transportation, the codes of the United States Occupational Safety and Health Administration and any State of Tennessee statute or regulation if applicable. Recognition of these codes, statutes, regulations and standards of practice is limited to the test of determining whether or not a facility was operated properly for the purposes of preventing actual (not potential) noncompliance and in no way should it be viewed as the Department's imposition of the standards administered by other agencies, Boards, or organizations;
- iii. During the period of the emergency, the permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements in this permit; and
- iv. The permittee submitted notice of the emergency to the Technical Manager according to the notification criteria for malfunctions in City of Memphis Code Section 16-87 [Reference Rules and Regulations of Tennessee, Rule 1200-3-20-.03].

For the purposes of this item in City of Memphis Code Section 16-77 [Reference Rules and Regulations of Tennessee, Rule 1200-3-9-.02(11)(e)7(iii)(IV)], "emergency" shall be substituted for "malfunctions(s)" in rule 1200-3-20-.03 to determine the relevant notification threshold. The notice shall include a description of the emergency, any steps taken to mitigate emissions, and corrective actions taken.

- b) In any enforcement proceeding this permittee seeking to establish the occurrence of an emergency has the burden of proof; and
- c) These provisions are in addition to any emergency, malfunction or upset requirement contained in this permit, City of Memphis Code, Division 1200-3, or other applicable requirement.

General Permit Conditions (continued)

23. Air Pollutant Episode Emissions Reduction Plan: This source may be required to submit an acceptable air pollutant episode emissions reduction plan in accordance with City of Memphis Code Section 16-60 [Reference Rules and Regulations of Tennessee, Rule 1200-3-15] detailing steps that can be taken to relieve a health hazard in the event that the Technical manager declares an air pollution alert, air pollution warning, or air pollution emergency. In the event that this plan is required, the source shall be notified in writing, and shall have thirty days to submit required the plan.
24. Air Pollution Alerts, Warnings, and Emergencies: In the event that the Technical Manager declares an air pollution alert, air pollution warning, or air pollution emergency, this source may be required to cease, curtail, postpone or defer production and allied operations to the extent possible without causing injury to persons or damage to equipment in accordance with City of Memphis Code Section 16-60 [Reference Rules and Regulations of Tennessee, Rule 1200-3-15].
25. Duty to File Accidental Release Plans: Pursuant to City of Memphis Code Section 16-91.4 [Reference Rules and Regulations of Tennessee, Rule 1200-3-32-.03]:
- a) Sources which are subject to the provisions of Section 112(r) of the federal Clean Air Act or any federal regulations promulgated thereunder, must file a copy of any plan or submittal required therein with the Technical Manager. If such a source is subject to the permitting requirements of Paragraph 1200-3-9-.02(11) and has failed to timely file their plan with the United States Environmental Protection Agency, the Technical Manager shall place them on a schedule of compliance to develop and file the plan. The schedule of compliance shall be placed on the source's operating permit consistent with the provisions of Subpart 1200-3-9-.02(11)(e)3(iii).
 - b) The Technical Manager is specifically authorized to request information from sources for the purpose of determining whether or not they are subject to Section 112(r) of the federal Clean Air Act or any federal regulations promulgated thereunder.
 - c) Sources that have filed an accidental release plan shall annually certify in writing to the Technical Manager that they are properly following their accidental release plan. The annual certification is due in the office of the Technical Manager no later than January 31 of each year. Said certification will be for the preceding calendar year.
26. Operational Flexibility: In accordance with City of Memphis Code Section 16-77 [1200-3-9-.02(11)(a)4] the owner or operator may make certain changes at their facility that are contrary to or not addressed by this permit. The following changes can be made by the permittee without requiring a permit revision, if the changes are not modifications under Title I of the Federal Act or Division 1200—3 and the changes do not exceed the emissions allowable under this permit (whether expressed therein as a rate of emissions or in the terms of total emissions), provided, that the facility provides the Administrator and Technical Manager with written notification as required below in advance of the proposed changes, which shall be a minimum of 7 days.

General Permit Conditions (continued)

The Technical Manager may waive the 7-day advance notice in instances where the source demonstrates in writing that an emergency necessitates the change. Emergency shall be demonstrated by the criteria of City of Memphis Code Section 16-77 [Reference Rules and Regulations of Tennessee, Rule 1200-3-9-.02(11)(e)7] (Emergency Provisions) and in no way shall it include changes solely to take advantages of an unforeseen business opportunity. The source, Technical Manager and EPA shall attach each such notice to their copy of the relevant permit.

- a) The owner or operator may make a Section 502(b)(10) [as described above in this condition] change if their written notification contains a brief description of the change within the permitted facility; specifies the date on which the change will occur; declares any change in emissions; and declares any permit term or condition that is no longer applicable as a result of the change.

These permit shield provisions of City of Memphis Code Section 16-77 [Reference Rules and Regulations of Tennessee, Rule 1200-3-9-.02(11)(e)6] shall not apply to Section 502(b)(10) changes; and

- b) The source may make operational flexibility changes that are not addressed or prohibited by this permit without a permit revision subject to the following requirements:
 - i. The change cannot be subject to a requirement of Title IV of the Federal Act or City of Memphis Code Section 16-91.2 [Acid Precipitation Standard];
 - ii. The change cannot be a modification under any provision of Title I of the Federal Act or Division 1200-3;
 - iii. Each change shall meet all applicable requirements and shall not violate any existing permit term or condition;
 - iv. The owner or operator must provide contemporaneous written notice to the Technical Manager and EPA of each such change, except for changes that are below the threshold of insignificant activities and emission levels that are specified in City of Memphis Code Section 16-77 [Reference Rules and Regulations of Tennessee, Rule 1200-3-9-.04];
 - v. Each change shall be described in the notice including the date, any change in emissions, pollutants emitted, and any applicable requirements that would apply as a result of the change;
 - vi. The change shall not qualify for a permit shield under the provisions of City of Memphis Code Section 16-77 [Reference Rules and Regulations of Tennessee, Rule 1200-3-9-.02(11)(e)6]; and

General Permit Conditions (continued)

- vii. The permittee shall keep a record describing the changes made at the source that result in emissions of a regulated air pollutant subject to an applicable requirement, but not otherwise regulated under this permit, and the emissions resulting from those changes. The records shall be retained until the changes are incorporated into subsequently issued permits.
27. Construction Permits: In accordance with City of Memphis Code Section 16-77 [Reference Rules and Regulations of Tennessee, Rule 1200-3-9-.01(1)(a)], no person shall begin the construction of a new air contaminant source or the modification of an air contaminant source which may result in the discharge of air contaminants without first having applied for and received from the Technical Manager a construction permit for the construction or modification of such air contaminant source, except as specifically exempted in Rule 1200-3-9-.04 or excluded in subparagraph 1200-3-2-.01(1)(aa) or subparagraph 1200-3-2-.01(1)(cc).
28. Construction Permits: In accordance with City of Memphis Code Section 16-77 [Reference Rules and Regulations of Tennessee, Rule 1200-3-9-.01(1)(b)], the application for a construction permit shall be made on forms available from the Technical Manager not less than ninety (90) days prior to the estimated starting date of construction.

Sources identified in Paragraph 1200-3-9-.01(4) shall make application for a construction permit not less than one hundred twenty (120) days prior to the estimated date of construction.

29. New Construction or Modifications: Construction or modification at this source that is subject to the provisions of City of Memphis Code Section 16-77 [Reference Rules and Regulations of Tennessee, Rule 1200-3-9-.01] shall be governed by the following:
 - a) The permittee shall designate in their construction permit application the route that they desire to follow for the purposes of incorporating the newly constructed or modified sources into their existing operating permit. The Technical Manager shall use that information to prepare the operating permit application submittal deadlines in their construction permit;
 - b) Sources desiring the permit shield shall choose the administrative amendment route of City of Memphis Code Section 16-77 [Reference Rules and Regulations of Tennessee, Rule 1200-3-9-.02(11)(f)4] or the significant modification route of City of Memphis Code Section 16-77 [Reference Rules and Regulations of Tennessee, Rule 1200-3-9-.02(11)(f)5(iv)]; and
 - c) Sources desiring expediency instead of the permit shield shall choose the minor permit modification procedure route of City of Memphis Code Section 16-77 [Reference Rules and Regulations of Tennessee, Rule 1200-3-9-.02(11)(f)5(ii)] or group processing of minor modifications under the provisions of City of Memphis Code Section 16-77 [Reference Rules and Regulations of Tennessee, Rule 1200-3-9-.02(11)(f)5(iii)] as applicable to the magnitude of their construction. (Reference City of Memphis Code Section 16-77 [Reference Rules and Regulations of Tennessee, Rule 1200-03-09-.02(11)(d) 1(i)(V)]).

General Permit Conditions (continued)

30. Permit Renewal and Expiration: In accordance with City of Memphis Code Section 16-77 [Reference Rules and Regulations of Tennessee, Rule 1200-3-9-.02(11)(d)1(i)(III)], a timely renewal application is one that is submitted at least 180 days, but no more than 270 days prior to the expiration date of this major source operating permit. In accordance with City of Memphis Code Section 16-77 [Reference Rules and Regulations of Tennessee, Rule 1200-3-9-.02(11)(f)3] permits that are being renewed are subject to the same procedural requirements, including those for public participation, affected State and EPA review, that apply to initial permit issuance. Consistent with the provisions of City of Memphis Code Section 16-77 [Reference Rules and Regulations of Tennessee, Rule 1200-3-9-.02(11)(a)2] permit expiration terminates the source's right to operate unless a timely and complete renewal application has been submitted consistent with City of Memphis Code Section 16-77 [Reference Rules and Regulations of Tennessee, Rule 1200-3-9-.02(11)(f)2] (Requirement for a Permit) and item 1200-3-9-.02(11)(d)1(i)(III).
31. Permit Application Errors: The owner or operator of this source has a duty to supplement or correct their application upon discovery that their application was incorrect or failed otherwise to address any facts relevant to permitting at the source. The applicant must also provide additional information as necessary to address any requirements that become applicable to the source after the date that it has filed a complete application but prior to the release of a draft permit. City of Memphis Code Section 16-77 [Reference Rules and Regulations of Tennessee, Rule 1200-3-9-.02(11)(d)2].
32. Permit Transference: This permit is not transferable from one person to another person, nor from one air contaminant source to another air contaminant source, nor from one location to another location in accordance with City of Memphis Code Section 16-77 [Reference Rules and Regulations of Tennessee, Rule 1200-3-9-.03(6)].
33. Changes Not Requiring Permit Modification: The owner or operator of any air contaminant source to which any of the following changes are made, but would not be a modification requiring a construction permit, must notify the Technical Manager thirty (30) days before the change is commenced.

City of Memphis Code Section 16-77 [Reference Rules and Regulations of Tennessee, Rule 1200-3-9-.02(7)] defines these changes as:

- a) change in air pollution control equipment;
 - b) change in stack height or diameter; and
 - c) change in exit velocity (of more than twenty five (25%) percent) or exit temperature of more than fifteen (15%) percent (absolute temperature basis).
34. New Applicable Requirements: Additional applicable requirements under the Clean Air Act become applicable to a major part 70 source with a remaining permit term of three (3) or more years. Such a permit reopening shall be completed not later than 18 months after promulgation of the applicable requirement.

General Permit Conditions (continued)

No such reopening of the permit is required if the effective date of the requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms and conditions has been extended pursuant to 70.4(b)(10)(i) or (ii).

35. Emissions Testing: The owner or operator may be required to conduct or have conducted at his expense, tests to determine the emission level of specific air contaminants. Such tests shall be conducted in a manner approved by the Technical Manager. The Department requires a 30-day notice of the scheduling of emissions tests in order that such tests are conducted in the presence of a representative in accordance with City of Memphis Code Section 16-85.
36. Asbestos: Prior to the commencement of a demolition or renovation project involving asbestos, the owner or operator shall comply with the requirements of City of Memphis Code Section 16-81 [Reference Rules and Regulations of Tennessee, Rule 1200-3-11-.02(2)(d)]. No owner or operator of a facility may install or reinstall on a facility component any insulating materials that contain commercial asbestos if the materials are either molded and friable or wet-applied and friable after drying. Disposal of asbestos shall be performed in accordance with City of Memphis Code Section 16-81 [Reference Rules and Regulations of Tennessee, Rule 1200-3-11-.02(2)(j)].
37. Open Burning: The open burning of residential, commercial, institutional, or industrial solid waste is prohibited except as specified in this permit or in City of Memphis Code Section 16-50.
38. Fees: The permittee shall pay fees in accordance with City of Memphis Code Sections 16-93 and 16-94.
39. Property Rights: This permit does not convey any property rights of any sort, or any exclusive privilege in accordance with City of Memphis Code Section 16-77 [Reference Rules and Regulations of Tennessee, Rule 1200-3-9-.02(11)(e)1(vi)(IV)].

Appendix A

Insignificant Activities

Insignificant Activities

Categorically or Size-Based Insignificant Emission Units:

Source Identification	Exemption
Condensate management	1200-3-9-.04(5)(a)(4)(i)

Appendix B

Applicable Requirements

(Regulatory Review Tables)

City of Memphis, T. E. Maxson Wastewater Treatment Facility (Source No. 00701)
Federal Regulatory Overview
(July 2, 2019)

CFR Part	Description	Applicable Req.	Notes
40 CFR 50.1 — 50.18	National Primary and Secondary Ambient Air Quality Standards	Yes	Contains general requirements
40 CFR 52	Approval and Promulgation on TN's State Implementation Plan (SIP)	Not Applicable (NA)	Not applicable with the exception of 52.16 and 52.21 if triggered
40 CFR 60 (Subpart O)	Standards of Performance for Sewage Treatment Plants	NA	This facility does not combust waste; therefore, Subpart O is not applicable
40 CFR 60 (Appendix F)	Quality Assurance Procedures	NA	Because the biogas treatment system (BioRem) is a process device, the Appendix F is not applicable. However, the facility needs to maintain the system according to the manufacturer recommended quality assurance requirements.
40 CFR 63 (Subpart VVV)	National Emission Standards for Hazardous Air Pollutant Emissions: Publicly Owned Treatment Works	NA	This facility is defined as a Group 2 POTW and is not a major HAP source; therefore, this standard is not applicable.
40 CFR 64	Compliance Assurance Monitoring	NA	The biogas treatment system (BioRem) is a process device to remove H ₂ S from the biogas intendedly, not an emission control device.
40 CFR 70	State Operating Permit Programs	Yes	Contains general requirements for Title V major source operating permits.
40 CFR 98	Mandatory Greenhouse Gas Reporting	Yes	Contains EPA reporting requirements. Although subject, this is not an “applicable requirement” and will not be incorporated into the Title V permit.

City of Memphis, T. E. Maxson Wastewater Treatment Facility (Source No. 00701)
State and Local Regulatory Overview
(July 2, 2019)

TDEC/Shelby/Memphis	Description	Applicable Req.	Notes
CHAPTER 1200-3-2(3-1A)(16-46)	DEFINITIONS		
1200-3-2-.01	General Definitions	Not Applicable (NA)	Defines terms used in chapter
1200-3-2-.02	Abbreviations	NA	
CHAPTER 1200-3-3(3-6)(16-49)	AMBIENT AIR QUALITY STANDARDS		
1200-3-3-.01	Primary Air Quality Standard	Yes	Contains general requirements
1200-3-3-.02	Secondary Air Quality Standard	Yes	Contains general requirements
1200-3-3-.03	Tennessee's Ambient Air Quality Standard	Yes	Contains general requirements
1200-3-3-.04	Nondegradation Standard	Yes	Contains general requirements
CHAPTER 1200-3-5(3-17)(16-83)	VISIBLE EMISSIONS		
1200-3-5-.01	General Standards	Yes	Contains specific requirements
1200-3-5-.02	Exceptions	Yes	Contains specific requirements
1200-3-5-.03	Method of Recording	Yes	Contains general requirements
1200-3-5-.04	Exemption	Yes	Contains general requirements
CHAPTER 1200-3-6(3-21)(16-79)	NON-PROCESS EMISSION STANDARDS (PM)	No	
CHAPTER 1200-3-7(3-20)(16-78)	PROCESS EMISSION STANDARDS (PM)		
1200-3-7-.01	General Process Particulate Emission Standards	Yes	Contains general requirements for the flares
1200-3-7-.02	Choice of Particulate Emission Standards	Yes	Contains general requirements for the flares
1200-3-7-.03	New Processes	Yes	Contains general requirements for the flares
1200-3-7-.04	Limiting Allowable Emissions	Yes	Contains specific requirements for the flares. Compliance based on the burning of only biogas and natural gas.
CHAPTER 1200-3-9(3-5)(16-77)	CONSTRUCTION AND OPERATING PERMITS		
1200-3-9-.01	Construction Permits	Yes	Contains general requirements
1200-3-9-.02	Operating Permits	Yes	Contains general requirements
1200-3-9-.03	General Provisions	Yes	Contains general requirements

1200-3-9-.04	Exemptions	Yes	Contains general requirements
1200-3-9-.05	Appeal of Permit Application Denials and Permit Conditions	Yes	Contains general requirements
CHAPTER 1200-3-10(3-7)(16-85)	REQUIRED SAMPLING, RECORDING, AND REPORTING		
1200-3-10-.01	Sampling Required to Establish Air Contaminant Emissions Levels	Yes	Contains general requirements
1200-3-10-.02	Monitoring of Source Emissions, Recording and Reporting of Same are Required	Yes	Contains general requirements
1200-3-10-.03	Repealed	NA	
1200-3-10-.04	Sampling, Recording and Reporting Required for Major Stationary Sources	Yes	Contains general requirements
CHAPTER 1200-3-11(3-25)(16-81)	HAZARDOUS AIR CONTAMINANTS		
1200-3-11-.02	Asbestos	Yes	Contains general requirements for demolition and renovation
CHAPTER 1200-3-12(3-8)(16-86)	METHODS OF SAMPLING AND ANALYSIS		
1200-3-12.01	General	Yes	Contains general requirements
1200-3-12-.02	Procedures for Ambient Air Sampling and Analysis	Yes	Contains general requirements
1200-3-12-.03	Source Sampling and Analysis	Yes	Contains general requirements
CHAPTER 1200-3-14(3-24)(16-82)	SULFUR OXIDE EMISSIONS		
1200-3-14-.01	General Provisions	Yes	Contains general requirements
1200-3-14-.03	Process Emission Standards	Yes	Contains specific requirements for the flares
CHAPTER 1200-3-16(3-15)(16-76)	NEW SOURCE PERFORMANCE STANDARDS	No	
CHAPTER 1200-3-18(3-22)(16-80)	VOLATILE ORGANIC COMPOUNDS	No	
CHAPTER 1200-3-20(3-9)(16-87)	LIMITS ON EMISSIONS DUE TO MALFUNCTIONS, STARTUPS, AND SHUTDOWNS		
1200-3-20-.01	Purpose	Yes	Contains general requirements
1200-3-20-.02	Reasonable Measures Required	Yes	Contains general requirements
1200-3-20-.03	Notice Required When Malfunction Occurs	Yes	Contains general requirements
1200-3-20-.04	Logs and Reports	Yes	Contains general requirements
1200-3-20-.05	Copies of Logs Required	Yes	Contains general requirements
1200-3-20-.06	Report Required Upon the Issuance of a Notice of Violation	Yes	Contains general requirements
1200-3-20-.07	Special Reports Required	Yes	Contains general requirements
1200-3-20-.08	Rights Reserved	Yes	Contains general requirements

1200-3-20-.09	Additional Sources Covered	Yes	Contains general requirements
CHAPTER 1200-3-21(3-28)(16-90)	GENERAL ALTERNATE EMISSION STANDARDS	No	
CHAPTER 1200-3-22(3-29)(16-91)	LEAD EMISSION STANDARDS	No	
CHAPTER 1200-3-24(3-40)(16-52)	GOOD ENGINEERING PRACTICE STACK HEIGHT REGULATIONS		
1200-3-24-.01	General Provisions	Yes	Contains general requirements
1200-3-24-.02	Definitions	NA	Defines terms used in chapter
1200-3-24-.03	Good Engineering Practice Stack Height Standards	Yes	Contains general requirements
1200-3-24-.04	Specific Emission Standards	Yes	Contains general requirements
CHAPTER 1200-3-25(3-39)(16-91.1)	STANDARDS FOR INFECTIOUS WASTE INCINERATORS	No	
CHAPTER 1200-3-30(3-36)(16-91.2)	ACIDIC PRECIPITATION CONTROL	No	
CHAPTER 1200-3-31(3-37)(16-91.3)	CASE BY CASE DETERMINATIONS OF HAZARDOUS AIR POLLUTANT CONTROL REQUIREMENTS	No	
CHAPTER 1200-3-32(3-38)(16-91.4)	PREVENTION OF ACCIDENTAL RELEASES	No	
OTHER (LOCAL ONLY)			
(3-3)(16-57)(96.99)	Penalties - Misdemeanor, Civil, and Noncompliance	Yes	Contains general requirements
(3-4)(16-59)(96.07)	Enforcement - Emergency Powers of Health Officer	Yes	Contains general requirements
(3-10)(16-58)(96.06)	Enforcement - Variances	Yes	Contains general requirements
(3-11)(16-51)(96.04)	Severability	Yes	Contains general requirements
(3-12)(16-48)(96.01)	Words, Phrases Substituted in State Regulations Adopted by Reference	Yes	Contains general requirements
(3-13)(16-61)(96.25)	Right Of Entry	Yes	Contains general requirements
(3-16)(16-50)(96.03)	Open Burning	Yes	Contains general requirements
(3-18)(16-89)(96.10)	Fugitive Dust	Yes	Contains general requirements
(3-19)(16-88)(96.09)	Nuisance Abatement	Yes	Contains general requirements
(3-35)(16-71)(96.08)	Created; Membership; Term of Office; Jurisdiction; Hearings; Appeals	Yes	Contains general requirements
(14.5-27-28, 30-32, 34-36)(16-93 through 100)(96.26-96.33)	Permits and Fees (Various)	Yes	Contains general requirements
(14.5-35)(16-101)(96.99)	Penalty Provisions	Yes	Contains general requirements
(14.5-36)(16-102)(96.33)	Annual Review of Fee Structure and Financial Need	Yes	Contains general requirements

