

City of Memphis Code Section 16-91 Lead Emission Standards

- (a) For the purpose of enforcement of the lead emissions standards, Chapter 1200-3-22 of the Tennessee Air Pollution Control Regulations, as effective on June 30, 2003, is hereby adopted by reference as a portion of this Code. Such regulations shall have the same effect as if set out in full herein.

- (b) (See NOTE) The RACT emission level specified as permit conditions on the operating permit(s) in paragraph (1) of Rule 1200-3-22-.03, adopted by reference in (a) above, must be submitted, reviewed and approved by the Administrator of the Environmental Protection Agency or his designee.

NOTE: This language is applicable in the City of Memphis in accordance with City of Memphis Ordinance Number 4636, effective January 7, 1999.

(Shelby County Ord. No. 9, adopted October 15, 1979. City of Memphis Ord. No. 4320, effective 6-7-95. Amended by City of Memphis Ord. No. 4636, effective 1-7-99. Amended by City of Memphis Ord. No. 4867, effective 7-18-01. Amended by City of Memphis Ord. No. 4981, effective January 28, 2003. Amended by City of Memphis Ord. 5041, effective April 5, 2004. Pursuant to T.C.A. 68-201-115.)

RULES
OF THE
TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION
BUREAU OF ENVIRONMENT
DIVISION OF AIR POLLUTION CONTROL

CHAPTER 1200-3-22

LEAD EMISSIONS STANDARDS

TABLE OF CONTENTS

1200-3-22-.01	Definitions
1200-3-22-.02	General Lead Emission Standard
1200-3-22-.03	Specific Emission Standards for Existing Sources of Lead
1200-3-22-.04	Standards for New or Modified Sources of Lead
1200-3-22-.05	Source Sampling and Analysis
1200-3-22-.06	Lead Ambient Monitoring Requirements

1200-3-22-.01 DEFINITIONS.

Unless specifically defined in this Chapter, the definitions from Chapter 1200-3-2 will apply:

- (1) "Significant source of lead" means:
 - (a) Any one permit unit, or combination of permit units as determined by the Technical Secretary, at any of the following stationary sources that emit lead or lead compounds (measured as elemental lead) of at least 1.25 tons per calendar quarter or at least five (5) tons per year whichever is the more restrictive: primary lead smelters, secondary lead smelters, primary copper smelters, lead gasoline additive plants, lead-acid storage battery manufacturing plants that produce 2000 or more batteries per day.
 - (b) Notwithstanding the source sizes specified in subparagraph (a) of this paragraph, any other stationary source that emits 25 or more tons per year of lead or lead compounds measured as elemental lead.
- (2) "Source" means any structure, building, facility, equipment, installation, or operation (or combination thereof) which is located on one or more contiguous or adjacent properties and which is owned or operated by the same person (or by persons under common control). If a portion(s) of a source is rented to or leased to another person(s) for the purpose of a totally separate business venture, the Technical Secretary may designate that (those) portion(s) as a separate source(s).
- (3) "Permit unit" means any part of a source required to obtain an operating permit as determined by the Technical Secretary.
- (4) "Lead point source" means:
 - (a) Any source the actual emissions of which are in excess of 5.0 tons per year of lead or lead compounds measured as elemental lead.
 - (b) Any physical change that would occur at a source not otherwise qualifying under subparagraph (4)(a) as a lead point source if the increase in lead emissions due to a change is in excess of 5.0 tons per year of lead or lead compounds measured as elemental lead.

Authority: T.C.A. §§68-201-105 and 4-5-202. Administrative History: Original rule filed November 5, 1984; effective December 5, 1984. Amendment filed September 21, 1988; effective November 6, 1988.

1200-3-22-.02 GENERAL LEAD EMISSION STANDARDS.

- (1) No person shall cause, suffer, allow, or permit lead emissions in excess of the standards in this Chapter.
- (2) Upon mutual agreement of the owner or operator of a significant source of lead and the Technical Secretary, an emission limit more restrictive than that otherwise specified in this Chapter may be established. Also, upon mutual agreement of the owner or operator of any source and the Technical Secretary, operating hours, process flow rates, or any other operating parameters may be established as a binding limit(s). The mutually acceptable limits shall be stated as a special condition(s) for any permit or order concerning the source. Violation of any accepted special limitations is grounds for revocation of the issued permit and/or other enforcement measures provided for in the Tennessee Air Quality Act.

Authority: T.C.A. §§68-201-105 and 4-5-202. Administrative History: Original rule filed November 5, 1984; effective December 5, 1984.

1200-3-22-.03 SPECIFIC EMISSION STANDARDS FOR EXISTING SOURCES OF LEAD.

- (1) For an existing source that is a significant source of lead, the Technical Secretary shall specify on the operating permit(s) as permit conditions the emission level that is reasonably available control technology (RACT). The RACT emission level specified as permit conditions on the operating permit(s) must be submitted, reviewed and approved by the Administrator of the Environmental Protection Agency or his designee. (See NOTE 1)

NOTE 1: The second sentence of paragraph (1) above was added by the State effective January 26, 2000. It has the same effect and meaning as the City of Memphis Air Code requirement noted in the local authority page prior to the beginning of Chapter 1200-3-22. The two are to be read as if there is only one.

- (2) The possession of a valid permit shall not protect the source from enforcement actions if permit conditions are not met.

Authority: T.C.A. §§68-201-105 and 4-5-202. Administrative History: Original rule filed November 5, 1984; effective December 5, 1984. Amendment filed November 12, 1999; effective January 26, 2000.

1200-3-22-.04 STANDARDS FOR NEW OR MODIFIED SOURCES OF LEAD.

- (1) A new source the actual emissions of which are in excess of 5.0 tons per year of lead or lead compounds measured as elemental lead shall utilize best available control technology (BACT).
- (2) Any modification of a lead point source which results in an increase of 0.6 tons per year of lead or lead compounds measured as elemental lead shall utilize BACT.
- (3) The owner or operator of a proposed new or modified source of lead shall perform a source impact analysis to demonstrate that the allowable emission increases from the proposed source or modification would not cause or contribute to a violation of the lead ambient air quality standard in the source impact area including background concentrations. Source impact analysis shall be based on the applicable air quality models and databases acceptable to the Technical Secretary.
- (4) Additional requirements for certain new or modified sources of lead are given in Paragraph 1200-3-9-.01(4), Prevention of Significant Deterioration and in Chapter 1200-3-16, New Source Performance Standards, of these regulations.

Authority: T.C.A. §§68-201-105 and 4-5-202. Administrative History: Original rule filed November 5, 1984; effective December 5, 1984. Amendment filed September 21, 1988; effective November 6, 1988.

1200-3-22-.05 SOURCE SAMPLING AND ANALYSIS.

Source sampling and analysis for lead shall be conducted in the manner prescribed in Subparagraph 1200-3-12-.03(1)(10) of these regulations.

Authority: T.C.A. §§68-201-105 and 4-5-202. Administrative History: Original rule filed November 5, 1984; effective December 5, 1984.

1200-3-22-.06 LEAD AMBIENT MONITORING REQUIREMENTS.

The Technical Secretary may require ambient lead monitoring in the vicinity of a source regulated by this Chapter 1200-3-22. This monitoring shall be done in accordance with the requirements of Rule 1200-3-12-.02 of these regulations.

Authority: T.C.A. §§ 68-201-105 and 4-5-202. Administrative History: Original rule filed November 5, 1984; effective December 5, 1984.

