

**REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF EAST RIDGE**

**August 24, 2023
6:00 pm**

1. Call to Order
2. Invocation
3. Roll Call
4. Approval of Minutes August 10, 2023 Council Meeting
5. Communication from Citizens
6. Communication from Councilmembers
7. Communication from City Manager
8. Old Business:
 - A. **ORDINANCE NO. 1191** – AN ORDINANCE OF THE EAST RIDGE CITY COUNCIL TO AMEND EAST RIDGE MUNICIPAL CODE, TITLE 20, CHAPTER 2, WHICH CHAPTER IS KNOWN AS “THE EAST RIDGE AIR POLLUTION CONTROL ORDINANCE,” BY PROVIDING FOR INCORPORATION BY REFERENCE OF CERTAIN FEDERAL REGULATIONS AND FOR CERTAIN HOUSEKEEPING PROVISIONS (2nd and final reading)
 - B. **ORDINANCE NO. 1192** – AN ORDINANCE OF THE EAST RIDGE CITY COUNCIL TO AMEND THE ZONING REGULATIONS AND THE ZONING MAP OF THE CITY OF EAST RIDGE, TENNESSEE SO AS TO REZONE THE PROPERTIES LOCATED AT 636 AND 650 LAYFIELD ROAD, TAX MAP #170J-B-004.04 AND #170J-B-004.05, FROM R-1 RESIDENTIAL DISTRICT TO R-3 RESIDENTIAL APARTMENT DISTRICT (2nd and final reading)
 - C. **ORDINANCE NO. 1194** – AN ORDINANCE OF THE EAST RIDGE CITY COUNCIL TO AMEND THE ZONING REGULATIONS AND THE ZONING MAP OF THE CITY OF EAST RIDGE, TENNESSEE SO AS TO REZONE THE PROPERTY LOCATED AT 1438 NORTH SMITH STREET, TAX MAP #169L-K-001.01 FROM R-1 RESIDENTIAL DISTRICT AND C-1 COMMERCIAL TOURISM DISTRICT TO RT-1 RESIDENTIAL TOWNHOME DISTRICT (2nd and final reading)
 - D. **ORDINANCE NO. 1196** – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, TO AMEND THE FISCAL YEAR 2024 OPERATING BUDGET, ORDINANCE NO. 11, BY CHANGING THE REVENUES AND EXPENDITURES OF VARIOUS FUNDS (2nd and final reading)

9. New Business:

- A. **ORDINANCE NO.1189** – AN ORDINANCE OF THE EAST RIDGE CITY COUNCIL TO AMEND THE EAST RIDGE ZONING ORDINANCE NO. 481, RELATIVE TO PARKING REQUIREMENTS FOR HOTELS/MOTELS LOCATED WITHIN CERTAIN COMMERCIAL DISTRICTS (1st reading)
- B. Consideration to authorize ASA Engineering to finalize the construction and bid documents for the North Mack Smith widening project from Ringgold Road to the entrance to the Gateway Development and to authorize the roadway project to be competitively bid.
- C. **RESOLUTION NO. 3427** – A RESOLUTION OF THE EAST RIDGE CITY COUNCIL AUTHORIZING THE MAYOR OR HIS DESIGNEE TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH KIMLEY HORN AND ASSOCIATES FOR THE DESIGN AND IMPLEMENTATION OF A FIVE-YEAR PARKS AND RECREATION PLAN
- D. **RESOLUTION NO. 3428** - A RESOLUTION OF THE EAST RIDGE CITY COUNCIL AUTHORIZING THE MODIFICATION OF THE ECONOMIC DEVELOPMENT GRANT AGREEMENT BETWEEN THE CITY OF EAST RIDGE AND THE EAST RIDGE INDUSTRIAL DEVELOPMENT BOARD (“IDB”), AND COMMUNITY BUILDERS, LLC AND STERLING HOLDINGS, LLC
- E. **RESOLUTION NO. 3429** - A RESOLUTION OF THE EAST RIDGE CITY COUNCIL, AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO PURCHASE TWO (2) PORTABLE RADIOS FROM MOTOROLA SOLUTIONS FOR THE EAST RIDGE ANIMAL SERVICES DEPARTMENT THROUGH THE TENNESSEE DEPARTMENT OF GENERAL SERVICES STATE-WIDE CONTRACT LISTING #424, PURSUANT TO TENNESSEE CODE ANNOTATED 12-3-1201(b)
- F. **RESOLUTION NO. 3430** - A RESOLUTION OF THE EAST RIDGE CITY COUNCIL TO WAIVE THE FEE FOR USE OF THE COMMUNITY CENTER BY SONS OF CONFEDERATE VETERANS N.B. FORREST CAMP NO. 3 FOR THEIR MONTHLY MEETINGS
- G. **RESOLUTION NO. 3431** - RESOLUTION OF THE EAST RIDGE CITY COUNCIL AMENDING RESOLUTION NO. 3410 TO ALLOW FOR A PRICE INCREASE ON A VEHICLE PREVIOUSLY APPROVED FOR PURCHASE BY THE CITY COUNCIL
- H. Discussion of Tentative Agenda Items for the **September 14, 2023** Council Meeting (see Attachment A)

10. Adjourn

3B. Employee Milestone Awards for August 2023

8. **Old Business:**

- A. **ORDINANCE NO.** – AN ORDINANCE OF THE EAST RIDGE CITY COUNCIL TO AMEND THE EAST RIDGE ZONING ORDINANCE NO. 481, RELATIVE TO PARKING REQUIREMENTS FOR HOTELS/MOTELS LOCATED WITHIN CERTAIN COMMERCIAL DISTRICTS (2nd and final reading)

9. **New Business:**

- A. **ORDINANCE NO.** – Rezone 1026 Greenslake Road from R-1 to R-3 (1st reading)
- B. **RESOLUTION NO.** – Approval of SRO Grant Contract
- C. **RESOLUTION NO.** – Approval for Hamilton County ITS System for Police Department
- D. **RESOLUTION NO.** – Approval of bids for sand at Baseball Fields

**REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF EAST RIDGE**

**August 10, 2023
6:00 pm**

The East Ridge City Council met pursuant to notice on August 10, 2023, 6:00 pm at East Ridge City Hall. Mayor Williams called the meeting to order.

Pastor Robert Jones gave the invocation. All joined in the Pledge of Allegiance to the Flag.

Present: Mayor Williams, Vice Mayor Haynes, Councilmember Cagle, Councilmember Tyler, Councilmember Witt, City Manager Miller, City Attorney Litchford, and City Recorder Middleton.

Employee Milestone Awards for July – Mayor Williams announced the following milestone awards for July:

- Pamela Aalberg – 10 years
- Sgt. Timothy Spires – The Mayor presented Sgt. Spires with a plaque in honor of his 40 years with the City.

Approval of Minutes July 27, 2023 Council Meeting – Councilmember Tyler made a motion, seconded by Councilmember Witt, to approve the minutes. The vote was unanimous. Motion approved.

Communication from Citizens:

Mayor Williams stated there are several ordinances regarding rezonings, at which time, citizens will have an opportunity to speak during a public hearing or they may speak now. No one came forward to speak.

Communication from Councilmembers:

Councilmember Cagle, Councilmember Tyler, and Vice Mayor Haynes had nothing at this time.

Councilmember Witt asked everyone to remember the family for Drew Andrew in their prayers. His father, Andy, is in Hospice care.

Mayor Williams announced the following events:

- Parks and Recreation:
 - Join Wilderwood Camps, Edgeway Events, Shelf Service Bouncers, Party Time Inflatables, and more for a free end of summer celebration on Friday, August 11, 2023 from 6 - 8 pm at the Community Center.
 - Rec t-ball, softball, and baseball registration has ended but there are some open spots left. Go to www.eastridgeparksandrec.com to sign up.
 - Volunteer coaches are needed for baseball, softball, soccer, and cheerleading. Contact Avery Gallam at agallam@eastridgetn.gov to volunteer.

- Flag football and cheerleading signups are from July 1 – August 12. Season begins September 9.
- Academy Sports + Outdoors at 2200 Hamilton Place Blvd. is offering a 20% discount off purchases on August 19th.
- Animal Services
 - Pups and Pops in the Park – National Dog Day, August 26th, 10 – 12 noon at the East Ridge Dog Park. Treats will be provided for dogs and their humans.
- 2nd annual fall festival – October 7th from 10 am – 5 pm – Food, drinks, yard games, craft vendors, music, petting zoo, kid zone, and more. Free Admission.

Communication from City Manager:

- Multi modal project - Storm drains, sidewalks, and curbing are being installed. Conduit and wiring for pedestrian lighting are being installed between Marlboro Avenue and Belvoir Avenue.
- Chattanooga Dental Arts Building was issued a building permit to be located just west of Jack’s Family Restaurant on Ringgold Road.
- Council approved proceeding with Requests for Qualifications (“RFQ”) for a Camp Jordan Sports Feasibility study. We received five RFQ’s. A selection committee will review and will recommend the top two or three to make presentations to the Council sometime in mid-September.
- Officer Alex Ackerman will sing the National Anthem at a public education event at the Red Wolves soccer game on August 12th.

Old Business:

ORDINANCE NO. 1190 – AN ORDINANCE OF THE EAST RIDGE CITY COUNCIL TO AMEND TITLE 13, PROPERTY MAINTENANCE REGULATIONS, OF THE EAST RIDGE CITY CODE, BY AMENDING CHAPTER 1, SECTION 104 TITLED OVERGROWN AND DIRTY LOTS (2nd and final reading) – City Attorney Litchford read on caption. City Attorney Litchford stated approval of this ordinance will bring the City into compliance with State law and help resolve issues with owner-occupied overgrown properties. Vice Mayor Haynes made a motion, seconded by Councilmember Witt, to approve Ordinance No. 1190 on 2nd and final reading. The vote was unanimous. Motion approved.

New Business:

Presentation from Air Pollution Bureau - Ron Drumeller, Executive Director – Mr. Drumeller is present on behalf of the Air Pollution Bureau requesting Council adopt revisions to air pollution ordinance recommended by the Bureau. These revisions have already been adopted by Chattanooga and Hamilton County. Mr. Drumeller discussed the revisions and stated that all municipalities need to adopt them.

PUBLIC HEARING FOR ORDINANCE NO. 1191 – Amendments to the East Ridge Municipal. Code, Title 20, Chapter 2, Air Pollution Control Ordinance – City Attorney Litchford read on caption. Mayor Williams opened the public hearing. No one came forward in favor of or in opposition to the ordinance. The Mayor closed the public hearing.

ORDINANCE NO. 1191 – AN ORDINANCE OF THE EAST RIDGE CITY COUNCIL TO AMEND EAST RIDGE MUNICIPAL CODE, TITLE 20, CHAPTER 2, WHICH CHAPTER IS KNOWN AS “THE EAST RIDGE AIR POLLUTION CONTROL ORDINANCE,” BY PROVIDING FOR INCORPORATION BY REFERENCE OF CERTAIN FEDERAL REGULATIONS AND FOR CERTAIN HOUSEKEEPING PROVISIONS (1st reading) – City Attorney Litchford read on caption. Councilmember Witt made a motion, seconded by Councilmember Tyler, to approve Ordinance No. 1191 on first reading. The vote was unanimous. Motion approved.

PUBLIC HEARING FOR ORDINANCE NO. 1192 – Request of Stone Creek Consulting, LLC (Allen Jones) to have the properties located at 636 and 650 Layfield Road, Tax Map #170J-B-004.04 and #170J-B-004.05, from R-1 Residential District to R-3 Residential Apartment District – City Attorney Litchford read on caption. Mayor Williams opened the public hearing. Chief Building Official Howell stated there will be five units with parking at the rear of the property with one entrance for all units. It is compatible for the area. Allen Jones, Stone Creek Consulting, LLC, 1112 Wilmoth Road, Dunlap, TN is working with Evan Green the builder. Mr. Jones stated it is surrounded by R-3, and no one came forward with objections at the Planning Commission. No one came forward in favor of or in opposition to the rezoning. The Mayor closed the public hearing.

ORDINANCE NO. 1192 – AN ORDINANCE OF THE EAST RIDGE CITY COUNCIL TO AMEND THE ZONING REGULATIONS AND THE ZONING MAP OF THE CITY OF EAST RIDGE, TENNESSEE SO AS TO REZONE THE PROPERTIES LOCATED AT 636 AND 650 LAYFIELD ROAD, TAX MAP #170J-B-004.04 AND #170J-B-004.05, FROM R-1 RESIDENTIAL DISTRICT TO R-3 RESIDENTIAL APARTMENT DISTRICT (1st reading) – City Attorney Litchford read on caption. Councilmember Tyler made a motion, seconded by Vice Mayor Haynes, to approve Ordinance No. 1192 on first reading. Councilmember Cagle asked where the garbage containers would be located. Mr. Jones stated there will be a common corral for cans in a private alley. Roll call vote: Vice Mayor Haynes - yes; Councilmember Cagle - no; Councilmember Tyler - yes; Councilmember Witt - no; Mayor Williams - yes. Motion approved.

PUBLIC HEARING FOR ORDINANCE NO. 1193 – Request of Michael Meyers to have parts of the property located at 861 Donaldson Road (Parts of Tax Map ID #156L-C-012.01) and all the property located at 865 Donaldson Road (Tax Map ID #156L-C-013) from R-1 Residential District to RT-1 Residential Townhome District – City Attorney Litchford read on caption. Mayor Williams opened the public hearing. Chief Building Official Howell stated this would be four townhomes on 0.36 acres. The remaining 1.37 acres in the rear of the property will remain R-1. It is surrounded by residential and multi-family dwellings. Parking will be in rear due to concerns from the Planning Commission. Mike Price, MAP Engineers, 7380 Applegate Lane, Chattanooga, TN stated the garages would be at the rear of the townhomes and there will be a driveway with a single point of entry. No one else came forward in favor of or in opposition to the rezoning. Mayor Williams closed the public hearing.

ORDINANCE NO. 1193 - AN ORDINANCE OF THE EAST RIDGE CITY COUNCIL TO AMEND THE ZONING REGULATIONS AND THE ZONING MAP OF THE CITY OF EAST RIDGE, TENNESSEE SO AS TO REZONE PARTS OF THE PROPERTY

LOCATED AT 861 DONALDSON ROAD, PARTS OF TAX MAP #156L-C-012.01, AND ALL OF THE PROPERTY LOCATED AT 865 DONALDSON ROAD, TAX MAP ID#156L-C-013 FROM R-1 RESIDENTIAL DISTRICT TO RT-1 RESIDENTIAL TOWNHOME DISTRICT (1st reading) – City Attorney Litchford read on caption. Vice Mayor Haynes made a motion, seconded by Councilmember Tyler, to approve Ordinance No. 1193 on first reading. Councilmember Cagle asked where the garbage would be picked up. Mike Price, MAP Engineers, stated either in the rear or in a corral where the City could pick it up. Roll call vote: Vice Mayor Haynes - yes; Councilmember Cagle - no; Councilmember Tyler - yes; Councilmember Witt - no; Mayor Williams - no. Motion to approve was denied.

PUBLIC HEARING FOR ORDINANCE NO. 1194 - Request of N&R Properties to have the property located at 1438 N. Smith Street (Tax Map ID#169L-K-001.01) rezoned from C-1 Tourism Commercial District and R-1 Residential District to RT-1 Residential Townhouse District – City Attorney Litchford read on caption. Mayor Williams opened the public hearing. Mike Price, Map Engineers, stated the plan was revised because the Planning Commission approved three units rather than four. The parking has also been shifted to the rear. A garbage corral will be placed on N. Smith behind McDonalds. No one else came forward in favor of or in opposition to the rezoning. Mayor Williams closed the public hearing.

ORDINANCE NO. 1194 – AN ORDINANCE OF THE EAST RIDGE CITY COUNCIL TO AMEND THE ZONING REGULATIONS AND THE ZONING MAP OF THE CITY OF EAST RIDGE, TENNESSEE SO AS TO REZONE THE PROPERTY LOCATED AT 1438 NORTH SMITH STREET, TAX MAP #169L-K-001.01 FROM R-1 RESIDENTIAL DISTRICT AND C-1 COMMERCIAL TOURISM DISTRICT TO RT-1 RESIDENTIAL TOWNHOME DISTRICT (1st reading) – City Attorney Litchford read on caption. Councilmember Witt made a motion, seconded by Councilmember Tyler, to approve Ordinance No. 1194 on first reading. Mayor Williams made a motion, seconded by Councilmember Witt, to amend the original motion to state that in Section 2, Item B should be added to state that no parking would be allowed on N. Smith Street. Roll call vote on the amendment: Vice Mayor Haynes - yes; Councilmember Cagle - abstain; Councilmember Tyler - yes; Councilmember Witt - yes; Mayor Williams – yes. Motion approved. Roll call vote on the original motion as amended: Vice Mayor Haynes - yes; Councilmember Cagle - no; Councilmember Tyler - yes; Councilmember Witt - yes; Mayor Williams - yes. Motion approved

PUBLIC HEARING FOR ORDINANCE NO. 1195 - Request of Verna Knight to have the property located at 205 Eads Street (Tax Map ID#158O-A-022.03) rezoned from R-1 Residential District to R-2 Residential Duplex District – City Attorney Litchford read on caption. Mayor Williams opened the public hearing. Chief Building Official Howell stated the owner wants to convert the home to a duplex and use the basement area for short-term vacation rentals. It is surrounded by single-family residential units. Mr. Howell also stated there are restrictive covenants of the Jordan Run subdivision that have been in place since 1986 and using the property as a duplex would violate those covenants. Mr. Litchford stated any approval of the Council is subject to the covenants. No one else came forward in favor of or in opposition to the rezoning. Councilmember Cagle stated he had been contacted by a resident on Beulah Drive, Curtis Baker, who objected to the rezoning because it would be a traffic hazard when people back out of the driveway. Verna Knight, 205 Eads St., stated her driveway is no different

than if two people lived there. Donna Morgan, 558 Austin Drive, stated her business, Itrip, would professionally manage the property. No one else came forward in favor of or in opposition to the rezoning. The Mayor closed the public hearing.

ORDINANCE NO. 1195 – AN ORDINANCE OF THE EAST RIDGE CITY COUNCIL TO AMEND THE ZONING REGULATIONS AND THE ZONING MAP OF THE CITY OF EAST RIDGE, TENNESSEE SO AS TO REZONE THE PROPERTY LOCATED AT 205 EADS STREET, TAX MAP #1580-A-022.03 FROM R-1 RESIDENTIAL DISTRICT TO R-2 RESIDENTIAL DUPLEX DISTRICT (1st reading) – City Attorney Litchford read on caption. Councilmember Cagle made a motion, seconded by Councilmember Witt, to deny Ordinance No. 1195. Mr. Cagle stated he made a motion to deny because of the lack of full firewalls. Mr. Tyler stated that the Council should respect the covenants in the subdivision. The vote was unanimous. Motion to deny was approved.

ORDINANCE NO. 1196 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, TO AMEND THE FISCAL YEAR 2024 OPERATING BUDGET, ORDINANCE NO. 1186, BY CHANGING THE REVENUES AND EXPENDITURES OF VARIOUS FUNDS (1st reading) – City Attorney Litchford read on caption. Finance Director Qualls stated this amendment will cover the cost of the sanitation truck we ordered in February 2022 and just now received. Cost was \$266,000, which will come from the Sanitation Fund Balance. Councilmember Witt made a motion, seconded by Councilmember Tyler, to approve Ordinance No. 1196 on first reading. The vote was unanimous. Motion approved.

RESOLUTION NO. 3416 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, APPROVING AN APPOINTMENT TO THE EAST RIDGE HOUSING COMMISSION BY VICE MAYOR HAYNES – City Attorney Litchford read on caption. Vice Mayor Haynes made a motion, seconded by Councilmember Cagle, to appoint Grant Sowder to the Housing Commission. The vote was unanimous. Vice Mayor Haynes thanked Mr. Sowder for his willingness to serve and thanked Jim Winters for his service as a member and Chairperson of the Housing Commission.

RESOLUTION NO. 3417 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, APPROVING AN APPOINTMENT TO THE EAST RIDGE HOUSING COMMISSION BY COUNCILMEMBER WITT – City Attorney Litchford read on caption. Councilmember Witt made a motion, seconded by Councilmember Cagle, to appoint Jeff Ezell to the Housing Commission. The vote was unanimous. Motion approved.

RESOLUTION NO. 3418 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, APPROVING AN APPOINTMENT TO THE EAST RIDGE HOUSING COMMISSION BY COUNCILMEMBER CAGLE – City Attorney Litchford read on caption. Councilmember Cagle made a motion, seconded by Councilmember Witt, to appoint David Sherrill to the Housing Commission. Mr. Cagle thanked Kenneth Rogers for his service as a member of the Housing Commission. The vote was unanimous. Motion approved.

RESOLUTION NO. 3419 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, APPROVING AN APPOINTMENT TO THE EAST RIDGE PLANNING COMMISSION BY MAYOR WILLIAMS – City Attorney Litchford read on caption. Mayor Williams made a motion, seconded by Vice Mayor Haynes, to appoint Scott Cornelius to the Planning Commission. The vote was unanimous. The Mayor thanked Mr. Cornelius for his service to the Commission.

RESOLUTION NO. 3420 – A RESOLUTION OF THE EAST RIDGE CITY COUNCIL AUTHORIZING THE CITY MANAGER TO SOLICIT REQUESTS FOR PROPOSALS (“RFP”) FOR SIGN CONSULTANTS TO DESIGN AND BUILD “WELCOME TO EAST RIDGE” SIGNS AND OTHER SIGNAGE THROUGHOUT THE CITY – City Attorney Litchford read on caption. City Manager Miller stated he would like for the City to invest in “Welcome to East Ridge” signs and other signs that the Traffic Control Department cannot produce. Vice Mayor Haynes made a motion, seconded by Councilmember Tyler, to approve Resolution No. 3420. The vote was unanimous. Motion approved.

RESOLUTION NO. 3421 – A RESOLUTION OF THE EAST RIDGE CITY COUNCIL AWARDING ANNUAL BIDS FOR STREET DEPARTMENT MATERIALS FOR FY 2023 – 2024 – City Attorney Litchford read on caption. Bidders and recommendations are as follows:

| Materials | Bidder: | Recommendations by Staff: |
|---|---|---------------------------|
| Asphalt & Other Street Repair Materials | Hiwassee Paving, LLC | Hiwassee Paving, LLC |
| Concrete block/brick, sand, mortar mix | No bids | |
| Crushed Stone | 1. Mid-South Aggregates 2. Martin Marietta | Mid-South Aggregates |
| Topsoil | Park Equipment, Inc. | Park Equipment, Inc. |
| Various types drainage pipe | 1. Groundscape Concepts, LLC 2. Bradley Tank & Pipe, LLC | Groundscape Concepts, LLC |

Councilmember Witt made a motion, seconded by Councilmember Tyler, to approve Resolution No. 3421 with the recommendations from Staff. The vote was unanimous. Motion approved.

RESOLUTION NO. 3422 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, APPROVING THE APPLICATION FOR AND ACCEPTANCE OF THE STATEWIDE SCHOOL RESOURCE OFFICER (“SRO”) PROGRAM GRANT TO PLACE AN SRO IN EACH OF THE CITY’S PUBLIC SCHOOLS – City Attorney Litchford read on caption. Chief Uselton stated the grant would provide up to four SRO’s at a maximum of \$75,000 per position. The City would have to provide the remainder of the cost for the SRO’s. Councilmember Tyler made a motion, seconded by Vice Mayor Haynes, to approve Resolution No. 3422. The vote was unanimous. Motion approved.

RESOLUTION NO. 3423 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, AUTHORIZING THE APPLICATION FOR, AND

ACCEPTANCE OF, THE 2023 KIA PET ADOPTION GRANT – City Attorney Litchford read on caption. Development Administrator McAllister stated the grant is for \$425, which will assist with adoption fees and promotional activities during the holidays. Councilmember Witt made a motion, seconded by Councilmember Tyler, to approve Resolution No. 3423. The vote was unanimous. Motion approved.

RESOLUTION NO. 3424 – A RESOLUTION OF THE EAST RIDGE CITY COUNCIL APPROVING THE ISSUANCE OF A TEMPORARY USE PERMIT FOR JENNIFER GOLDBERG TO CONDUCT AN OUTDOOR FUNDRAISER AT 6725 AND 6731 RINGGOLD ROAD IN ACCORDANCE WITH CITY CODE, ARTICLE VII, TITLED REGULATIONS FOR USES PERMITTED ON REVIEW, SECTION 110 TITLED TEMPORARY USES – City Attorney Litchford read on caption. Chief Building Official Howell stated this permit is for a sale on September 23, 2023 at 6725 Ringgold Road, the parking lot at Mercantile at the Ridge. The proceeds from space rentals will be donated to the East Ridge Needy Child Fund. Jennifer Goldberg, 6725 Ringgold Road, stated she is the assistant to Mr. Chen, who owns the property. Vice Mayor Haynes made a motion, seconded by Councilmember Witt, to approve Resolution No. 3424. The vote was unanimous. Motion approved.

RESOLUTION NO. 3425 – A RESOLUTION OF THE EAST RIDGE CITY COUNCIL AUTHORIZING THE EMERGENCY PURCHASE OF A NEW HVAC SYSTEM FOR THE EAST RIDGE POLICE DEPARTMENT – City Attorney Litchford read on caption. City Manager Miller stated one of the HVAC units at the Police Department went out and he declared it an emergency because of the extreme heat. He authorized Bailey’s Heating and Air to replace the unit at a cost of \$21,540. Councilmember Tyler made a motion, seconded by Vice Mayor Haynes, to approve Resolution No. 3425. The vote was unanimous. Motion approved.

RESOLUTION NO. 3426 – A RESOLUTION OF THE EAST RIDGE CITY COUNCIL AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH MBI COMPANIES, INC. FOR PROFESSIONAL ARCHITECTURAL SERVICES REGARDING RENOVATIONS TO THE EAST RIDGE HISTORY CENTER, WITH FUNDS TO BE PROVIDED, IF APPROVED, BY A STATE OF TENNESSEE GRANT – City Attorney Litchford read on caption. City Manager Miller discussed a grant from the State of Tennessee in the amount of \$5 million to the Tennessee State Museum for the sole purpose of providing grants to museums. The City must provide a conceptual design to submit with the application for the grant at a cost of \$8,000 and upon approval of the grant, construction documents would be 8% of the total cost of construction. Councilmember Tyler made a motion, seconded by Councilmember Witt, to approve Resolution No. 3426. The vote was unanimous. Motion approved.

Discussion of Tentative Agenda Items for the **August 24, 2023** Council Meeting

- **Old Business:**
 - **ORDINANCE NO. 1191 – AN ORDINANCE OF THE EAST RIDGE CITY COUNCIL TO AMEND EAST RIDGE MUNICIPAL CODE, TITLE 20,**

CHAPTER 2, WHICH CHAPTER IS KNOWN AS “THE EAST RIDGE AIR POLLUTION CONTROL ORDINANCE,” BY PROVIDING FOR INCORPORATION BY REFERENCE OF CERTAIN FEDERAL REGULATIONS AND FOR CERTAIN HOUSEKEEPING PROVISIONS (2nd and final reading) – No further discussion.

- **ORDINANCE NO. 1192 – AN ORDINANCE OF THE EAST RIDGE CITY COUNCIL TO AMEND THE ZONING REGULATIONS AND THE ZONING MAP OF THE CITY OF EAST RIDGE, TENNESSEE SO AS TO REZONE THE PROPERTIES LOCATED AT 636 AND 650 LAYFIELD ROAD, TAX MAP #170J-B-004.04 AND #170J-B-004.05, FROM R-1 RESIDENTIAL DISTRICT TO R-3 RESIDENTIAL APARTMENT DISTRICT (2nd and final reading) – No further discussion.**
 - **ORDINANCE NO. 1193 - AN ORDINANCE OF THE EAST RIDGE CITY COUNCIL TO AMEND THE ZONING REGULATIONS AND THE ZONING MAP OF THE CITY OF EAST RIDGE, TENNESSEE SO AS TO REZONE PARTS OF THE PROPERTY LOCATED AT 861 DONALDSON ROAD, PARTS OF TAX MAP #156L-C-012.01, AND ALL OF THE PROPERTY LOCATED AT 865 DONALDSON ROAD, TAX MAP ID#156L-C-013 FROM R-1 RESIDENTIAL DISTRICT TO RT-1 RESIDENTIAL TOWNHOME DISTRICT (2nd and final reading) – This item was denied at tonight’s meeting, so it will not move forward for second reading.**
 - **ORDINANCE NO. 1194 – AN ORDINANCE OF THE EAST RIDGE CITY COUNCIL TO AMEND THE ZONING REGULATIONS AND THE ZONING MAP OF THE CITY OF EAST RIDGE, TENNESSEE SO AS TO REZONE THE PROPERTY LOCATED AT 1438 NORTH SMITH STREET, TAX MAP #169L-K-001.01 FROM R-1 RESIDENTIAL DISTRICT AND C-1 COMMERCIAL TOURISM DISTRICT TO RT-1 RESIDENTIAL TOWNHOME DISTRICT (2nd and final reading) – No further discussion.**
 - **ORDINANCE NO. 1195 – AN ORDINANCE OF THE EAST RIDGE CITY COUNCIL TO AMEND THE ZONING REGULATIONS AND THE ZONING MAP OF THE CITY OF EAST RIDGE, TENNESSEE SO AS TO REZONE THE PROPERTY LOCATED AT 205 EADS STREET, TAX MAP #1580-A-022.03 FROM R-1 RESIDENTIAL DISTRICT TO R-2 RESIDENTIAL DUPLEX DISTRICT (2nd and final reading) – This item was denied at tonight’s meeting, so it will not move forward for second reading.**
 - **ORDINANCE NO. 1196 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, TO AMEND THE FISCAL YEAR 2024 OPERATING BUDGET, ORDINANCE NO. 11, BY CHANGING THE REVENUES AND EXPENDITURES OF VARIOUS FUNDS (2nd and final reading) – No further discussion.**
- **New Business:**

- **ORDINANCE NO. 1189 – AN ORDINANCE OF THE EAST RIDGE CITY COUNCIL TO AMEND THE EAST RIDGE ZONING ORDINANCE NO. 481, RELATIVE TO PARKING REQUIREMENTS FOR HOTELS/MOTELS LOCATED WITHIN CERTAIN COMMERCIAL DISTRICTS (1st reading)** – Chief Building Official Howell stated this item was on the agenda several meetings ago but was referred back to the Planning Commission along with a request to increase parking space sizes to 10’x20’. The parking space request was denied by the Planning Commission, so this item will come back to Council for consideration.
- **RESOLUTION NO. ____ - Authorize ASA Engineering to finalize construction drawings and bid documents for the N. Mack Smith Road widening project from Ringgold Road to north property line of Fairfield Inn and Suites and authorize to formally bid the project** – City Manager Miller stated he is still working with Kenny Custer and his group on details of this project.
- **RESOLUTION NO. ____ – Request for Qualifications for Parks and Recreation 5-Year Plan** - Development Administrator McAllister stated the City advertised for Requests for Qualifications because the current plan expires at the end of 2023. Two firms submitted their statements of qualifications. We met with one of the firms, Kimley Horn and should have a contract ready for the next meeting.
- **RESOLUTION NO. ____ - Modifications to the City Economic Development Grant Agreement** – City Attorney Litchford stated he sent the contract to the State with no response, so he believes we will be ready to move forward on this item.
- **RESOLUTION NO. ____ - Purchase of radios for Animal Services Department** – This is for the purchase of two portable radios for the Animal Services dispatch. Cost is \$11,000 and it is budgeted.

Being no further business, the meeting was adjourned.

ORDINANCE 1191

CHATTANOOGA-HAMILTON COUNTY AIR POLLUTION CONTROL BUREAU

Summary of Revisions to
The East Ridge Air Pollution Control Ordinance
(East Ridge Municipal Code, Title 20, Chapter 2)
2023

Sections 1, 2, and 4: Revisions to definitions for “Director,” “Hazardous air pollutant,” and “Volatile organic compound (VOC),” respectively

Section 3: Addition of definition for “PM_{2.5}”

Section 5: Revision to designation of ambient sampling and analytical procedures

Sections 6, 7, 8, 9, 10, 11, 12, and 13: Revisions to designations of source sampling and analytical procedures

Sections 14, 18, 22, 23, 73, 74, 90, and 98: Incorporation of the use of electronic notices (e-notices) for public notifications

Sections 15, 16, and 17: Clarification of fees for asbestos-related demolitions and renovations

Sections 19 and 20: Revisions to procedures for requesting confidentiality

Sections 21, 70, 71, 72, and 84: Correction to major source applicability threshold for municipal incinerators

Sections 24, 25, 26, 27, 28, and 29: Revisions to open burning regulations

Sections 30, 31, 43, 44, 45, 46, 47, 78, 82, 85, 88, and 99: Incorporations by reference of various federal regulations

Sections 32, 34, 35, 36, 37, 38, 39, 40, 41, and 42: Corrections to ordinance references

Section 33: Correction of written number error

Sections 48, 49, 50, 51, 52, 53, 67, and 68: Corrections to federal regulation references

Sections 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, and 66: Revisions to asbestos-related demolition and renovation regulations

Sections 69, 77, 79, 80, 81, 83, 86, 87, and 89: Corrections to notations that cite federal regulations that have been incorporated by reference

Sections 75 and 76: Clarification of applicability for particulate matter regulations

Sections 91, 94, 95, and 96: Clarifications of criteria for insignificant activities

Sections 92 and 93: Corrections of numbering (Roman numeral) errors

Section 97: Addition of surface coating operations using hand-held, non-refillable aerosol containers as insignificant activities

EAST RIDGE CITY COUNCIL PRESENTATION

Good evening, Mr. Mayor and Commissioners. My name is Ron Drumeller and I am the Executive Director of the Chattanooga-Hamilton County Air Pollution Control Bureau. Today, I am here on behalf of the Air Pollution Control Board asking the City Council to adopt proposed revisions to the Hamilton County air pollution control regulations which ultimately will be adopted by legislative bodies throughout Hamilton County.

The Air Pollution Control Board has the responsibility of recommending changes in the air pollution control regulations to the various legislative bodies in the County. These proposed changes to the air pollution control regulations were the subject of a 30 day public comment period and a public hearing before the Air Pollution Control Bureau. No adverse comments were received on the proposed revisions. These revisions have already been adopted by Hamilton County and the City of Chattanooga.

The State of Tennessee requires that the air pollution control rules within all of Hamilton County be no less stringent than State rules. Many of these rules have their origin as federal rules promulgated by the U.S. Environmental Protection Agency. They are commonly adopted by reference by state and local jurisdictions to ensure national uniformity of rules and streamlining of state and local regulations since many of them are extremely lengthy. The State recently updated their rules for new sources and sources of hazardous air pollution and is requiring that our local rules be updated in order to be no less stringent than the State rules.

The proposed changes include:

- Adopting New Source Performance Standards (NSPS) for industrial sources of air pollution and National Emissions Standards for Hazardous Air Pollutants (NESHAPs) by reference as of July 1, 2021;**
- Updating and adding some definitions;**
- Adding three additional chemicals to be excluded from the definition for volatile organic compounds (VOCs);**
- Updating the list of chemicals for which there are National Ambient Air Quality Standards (NAAQS);**
- Adding electronic notice (e-notice) provisions;**
- Updating stack testing requirements; asbestos regulations and fees; open burning rules; landfill rules; confidentiality provisions;**
- Making minor administrative changes and corrections; and**
- Correcting grammatical errors.**

The Air Pollution Control Board unanimously recommends all of these revisions and has asked that the County and all its municipalities enact them in order to maintain local jurisdiction over air pollution control.



STATE OF TENNESSEE
DEPARTMENT OF ENVIRONMENT AND CONSERVATION
Division of Air Pollution Control
15th Floor, William R. Snodgrass Tennessee Tower
312 Rosa L. Parks Avenue, Nashville, TN 37243

April 13, 2023

Ronald Drumeller,
Executive Director, CHCAPCB
6125 Preservation Drive, Ste. 140
Chattanooga, TN 37416-3740

Subject: Proposed Revisions to CHCAPCB Ordinances

Dear Mr. Drumeller,

We want to thank you for sending us the revised ordinance package addressing both our and US EPA's comments for review. It appears our concerns have been addressed.

We appreciate the effort you are undertaking to keep your local ordinances current and in compliance with EPA's regulations and those of the state. As you are aware, this is a condition of the Certificate of Exemption (COE) for your local air program under the Tennessee Air Quality Act ("Act"). For the COE to be granted by the Board, the local program provisions must not be less stringent than those of the state, the local program must be adequately enforced, and the granting of the COE must not interfere with the state's goal of maintaining the purity of the air resources of the state. T.C.A. § 68-201-115.

To that end, keeping your local ordinances current with the state (and EPA) is a critical step towards meeting the requirements of your COE under the Act.

Should you have any questions or need further explanation, please feel free to reach out to me (Michelle.B.Walker@tn.gov or (615) 426-9250).

Sincerely,

A handwritten signature in blue ink that reads "Michelle B. Walker".

Michelle Owenby

Technical Secretary, Air Pollution Control Board

ORDINANCE NO. 1191

AN ORDINANCE OF THE EAST RIDGE CITY COUNCIL TO AMEND EAST RIDGE MUNICIPAL CODE, TITLE 20, CHAPTER 2, WHICH CHAPTER IS KNOWN AS “THE EAST RIDGE AIR POLLUTION CONTROL ORDINANCE,” BY PROVIDING FOR INCORPORATION BY REFERENCE OF CERTAIN FEDERAL REGULATIONS AND FOR CERTAIN HOUSEKEEPING PROVISIONS

WHEREAS, it is the declared public policy of this city to achieve and maintain such levels of air quality as will protect human health and safety, and to the greatest degree practicable, prevent injury to plant and animal life and property, and to foster the comfort and convenience of the people; and

WHEREAS, local regulation of air quality is the most efficient means toward that end; and

WHEREAS, in order to maintain the Certificate of Exemption granted by the Tennessee Air Pollution Control Board for operating a local air pollution control program, it is necessary to adopt regulations no less stringent than state standards; and

WHEREAS, the adoption of these amendments is required for the protection of the health, safety, and welfare of the citizens of East Ridge and to insure maintaining the local Certificate of Exemption;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, that Chapter 2 of Title 20 of the East Ridge Municipal Code be amended as is hereafter set forth:

SECTION 1. That East Ridge Municipal Code, Title 20, Chapter 2, Section 20-202, is hereby amended so as to delete the definition of “Director” in its entirety and substitute in lieu thereof the following definition of “Director”:

Director: The Executive Director of the Bureau.

SECTION 2. That East Ridge Municipal Code, Title 20, Chapter 2, Section 20-202, is hereby amended so as to delete the definition of “Hazardous air pollutant” in its entirety and substitute in lieu thereof the following definition of “Hazardous air pollutant”:

Hazardous air pollutant: Any air pollutant listed in Title 42 U.S.C. 7412(b)(1), as revised by Title 40 CFR Part 63, Subpart C, which has been incorporated by reference in Chapter 2.

SECTION 3. That East Ridge Municipal Code, Title 20, Chapter 2, Section 20-202, is hereby amended so as to add the following definition of “PM_{2.5}”:

PM_{2.5}: Particulate matter with an aerodynamic diameter of less than or equal to a nominal 2.5 micrometers as measured by a reference method based on Appendix L of Title 40 Code of Federal Regulations Part 50 and designated in accordance with Title 40 Code of Federal Regulations Part 53, by an equivalent method designated in accordance with Part 53, or by an approved regional method designated in accordance with Appendix C of Title 40 Code of Federal Regulations Part 58.

SECTION 4. That East Ridge Municipal Code, Title 20, Chapter 2, Section 20-202, is hereby amended so as to delete the definition of “Volatile organic compounds (VOCs)” in its entirety and substitute in lieu thereof the following definition of “Volatile organic compound (VOC)”:

Volatile organic compound (VOC): Any compound of carbon, excluding carbon monoxide, carbon dioxide, carbonic acid, metallic carbides or carbonates, and ammonium carbonate, that participates in atmospheric photochemical reactions.

- (1) This includes any such organic compound other than the following, which have been determined to have negligible photochemical reactivity:

methane;
ethane;
methylene chloride (dichloromethane);
1,1,1-trichloroethane (methyl chloroform);
1,1,2-trichloro-1,2,2-trifluoroethane (CFC-113);
trichlorofluoromethane (CFC-11);
dichlorodifluoromethane (CFC-12);
chlorodifluoromethane (HCFC-22);
trifluoromethane (HFC-23);
1,2-dichloro-1,1,2,2-tetrafluoroethane (CFC-114);
chloropentafluoroethane (CFC-115);
1,1,1-trifluoro-2,2-dichloroethane (HCFC-123);
1,1,1,2-tetrafluoroethane (HFC-134a);
1,1-dichloro-1-fluoroethane (HCFC-141b);
1-chloro-1,1-difluoroethane (HCFC-142b);
2-chloro-1,1,1,2-tetrafluoroethane (HCFC-124);
pentafluoroethane (HFC-125);
1,1,2,2-tetrafluoroethane (HFC-134);
1,1,1-trifluoroethane (HFC-143a);
1,1-difluoroethane (HFC-152a);
parachlorobenzotrifluoride (PCBTF);
cyclic, branched, or linear completely methylated siloxanes;
acetone;
perchloroethylene (tetrachloroethylene);
3,3-dichloro-1,1,1,2,2-pentafluoropropane (HCFC-225ca);
1,3-dichloro-1,1,2,2,3-pentafluoropropane (HCFC-225cb);
1,1,1,2,3,4,4,5,5,5-decafluoropentane (HFC-43-10mee);
difluoromethane (HFC-32);
ethylfluoride (HFC-161);
1,1,1,3,3,3-hexafluoropropane (HFC-236fa);
1,1,2,2,3-pentafluoropropane (HFC-245ca);
1,1,2,3,3-pentafluoropropane (HFC-245ea);

1,1,1,2,3-pentafluoropropane (HFC-245eb);
 1,1,1,3,3-pentafluoropropane (HFC-245fa);
 1,1,1,2,3,3-hexafluoropropane (HFC-236ea);
 1,1,1,3,3-pentafluorobutane (HFC-365mfc);
 chlorofluoromethane (HCFC-31);
 1-chloro-1-fluoroethane (HCFC-151a);
 1,2-dichloro-1,1,2-trifluoroethane (HCFC-123a);
 1,1,1,2,2,3,3,4,4-nonafluoro-4-methoxy-butane (C₄F₉OCH₃, HFE-7100);
 2-(difluoromethoxymethyl)-1,1,1,2,3,3,3-heptafluoropropane [(CF₃)₂CF₂OCH₃];
 1-ethoxy-1,1,2,2,3,3,4,4,4-nonafluorobutane (C₄F₉OC₂H₅, HFE-7200);
 2-(ethoxydifluoromethyl)-1,1,1,2,3,3,3-heptafluoropropane [(CF₃)₂CF₂OC₂H₅];
 methyl acetate;
 1,1,1,2,2,3,3-heptafluoro-3-methoxy-propane (n-C₃F₇OCH₃, HFE-7000);
 3-ethoxy-1,1,1,2,3,4,4,5,5,6,6,6-dodecafluoro-2-(trifluoromethyl)hexane (HFE-7500);
 1,1,1,2,3,3,3-heptafluoropropane (HFC 227ea);
 methyl formate (HCOOCH₃);
 1,1,1,2,2,3,4,5,5,5-decafluoro-3-methoxy-4-(trifluoromethyl)pentane (HFE-7300);
 propylene carbonate;
 dimethyl carbonate;
trans-1,3,3,3-tetrafluoropropene;
 HCF₂OCF₂H (HFE-134);
 HCF₂OCF₂OCF₂H (HFE-236cal2);
 HCF₂OCF₂CF₂OCF₂H (HFE-338pcc13);
 HCF₂OCF₂OCF₂CF₂OCF₂H (H-Galden 1040x or H-Galden ZT 130 (or 150 or 180));
trans-1-chloro-3,3,3-trifluoroprop-1-ene;
 2,3,3,3-tetrafluoropropene;
 2-amino-2-methyl-1-propanol;
 t-butyl acetate;
 1,1,2,2-tetrafluoro-1-(2,2,2-trifluoroethoxy) ethane;
 cis-1,1,1,4,4,4-hexafluorobut-2-ene (HFO-1336mzz-Z); and
 perfluorocarbon compounds which fall into these classes:
 a. Cyclic, branched, or linear, completely fluorinated alkanes;

- b. Cyclic, branched, or linear, completely fluorinated ethers with no unsaturations;
 - c. Cyclic, branched, or linear, completely fluorinated tertiary amines with no unsaturations; and
 - d. Sulfur containing perfluorocarbons with no unsaturations and with sulfur bonds only to carbon and fluorine.
- (2) For purposes of determining compliance with emissions limits, VOC will be measured by the test methods in this chapter or Title 40 Code of Federal Regulations Part 60, Appendix A, which have been incorporated by reference in Chapter 2, as applicable. Where such a method also measures compounds with negligible photochemical reactivity, these negligibly-reactive compounds may be excluded as VOC if the amount of such compounds is accurately quantified, and such exclusion is approved by the Director.
- (3) As a precondition to excluding these compounds as VOC or at any time thereafter, the Director may require an owner or operator to provide monitoring or testing methods and results demonstrating, to the satisfaction of the Director, the amount of negligibly-reactive compounds in the source's emissions.
- (4) For purposes of enforcement for a specific source, the test methods specified in these regulations, in the EPA-approved SIP, or in a permit or certificate issued pursuant to these regulations shall be used.

SECTION 5. That East Ridge Municipal Code, Title 20, Chapter 2, Section 20-203, is hereby amended so as to delete Section 20-203(b) in its entirety and substitute in lieu thereof the following:

- (b) *Procedures for ambient sampling and analysis.* Sampling and analytical procedures required for particulate matter, particulate matter as PM₁₀, particulate matter as PM_{2.5}, ozone, sulfur dioxide, carbon monoxide, nitrogen dioxide, and lead may be found in Title 40 Code of Federal Regulations Part 50, Appendices A-1, A-2, B, C, D, F, G, H, I, J, K, L, N, O, P, Q, R, S, T, and U, which have been incorporated by reference in Chapter 2. The procedure for sampling and analyzing atmospheric fluorides shall conform with the method adopted by the American Society for Testing Materials (ASTM) and found in the Annual Book of ASTM Standards published in the most recent year prior to enactment of this ordinance year by the American Society for Testing Materials bearing ASTM designation D 3266 "Standard Test Method for Automated Separation and Collection of Particulate and Acidic Fluoride in the Atmosphere (Double Paper Tape Sampler Method)." Each ambient monitor sited in the field for the purpose of generating data for the monitoring procedures listed in Section 20-203(b) must have a valid data recovery of at least seventy-five percent (75%). Information that documents the cause of any missing data shall be submitted in writing to the Director.

SECTION 6. That East Ridge Municipal Code, Title 20, Chapter 2, Section 20-203, is hereby amended so as to delete Section 20-203(c)(2) in its entirety and substitute in lieu thereof the following:

- (2) Stack gas flow rate determination. Stack gas flow rate shall be determined by Method 2, 2A, 2B, 2C, 2D, 2E, 2F, 2G, or 2H as set forth in Title 40 CFR Part 60, Appendix A, which has been incorporated by reference in Chapter 2.

SECTION 7. That East Ridge Municipal Code, Title 20, Chapter 2, Section 20-203, is hereby amended so as to delete Section 20-203(c)(5) in its entirety and substitute in lieu thereof the following:

- (5) Determination of particulate emissions. Particulate emissions shall be determined by Method 5, 5A, 5B, 5D, 5E, 5F, 5G, 5H, 5I, or 17 as set forth in Title 40 CFR Part 60, Appendix A, which has been incorporated by reference in Chapter 2, or by Method 201, 201A, or 202 as set forth in Title 40 CFR Part 51, Appendix M, which has been incorporated by reference in Chapter 2. Particulate or gaseous mercury emissions shall be determined by Method 29, 30A, or 30B as set forth in Title 40 CFR Part 60, Appendix A, which has been incorporated by reference in Chapter 2, or by Method 101, 101A, 102, or 105 as set forth in Title 40 CFR Part 61, Appendix B, which has been incorporated by reference in Chapter 2.

SECTION 8. That East Ridge Municipal Code, Title 20, Chapter 2, Section 20-203, is hereby amended so as to delete Section 20-203(c)(13) in its entirety and substitute in lieu thereof the following:

- (13) Determination of fluoride emissions. Fluoride emissions shall be determined by Method 13A, 13B, 14, or 14A as set forth in Title 40 CFR Part 60, Appendix A, which has been incorporated by reference in Chapter 2.

SECTION 9. That East Ridge Municipal Code, Title 20, Chapter 2, Section 20-203, is hereby amended so as to delete Section 20-203(c)(14) in its entirety and substitute in lieu thereof the following:

(14) (Reserved)

SECTION 10. That East Ridge Municipal Code, Title 20, Chapter 2, Section 20-203, is hereby amended so as to delete Section 20-203(c)(15)a in its entirety.

SECTION 11. That East Ridge Municipal Code, Title 20, Chapter 2, Section 20-203, is hereby amended so as to delete Section 20-203(c)(16) in its entirety and substitute in lieu thereof the following:

- (16) Determination of total reduced sulfur emissions. Total reduced sulfur emissions shall be determined by Method 15A, 16, 16A, 16B, or 16C as set forth in Title 40 CFR Part 60, Appendix A, which has been incorporated by reference in Chapter 2.

SECTION 12. That East Ridge Municipal Code, Title 20, Chapter 2, Section 20-203, is hereby amended so as to delete Section 20-203(c)(25) in its entirety and substitute in lieu thereof the following:

- (25) Determination of organic emissions. Organic emissions shall be determined by Method 25, 25A, 25B, 25C, 25D, or 25E as set forth in Title 40 CFR Part 60, Appendix A, which has been incorporated by reference in Chapter 2.

SECTION 13. That East Ridge Municipal Code, Title 20, Chapter 2, Section 20-203, is hereby amended so as to delete Section 20-203(c)(26) in its entirety and substitute in lieu thereof the following:

- (26) Determination of hydrogen halide and halogen emissions. Hydrogen halide and halogen emissions shall be determined by Method 26 or 26A as set forth in Title 40 CFR Part 60, Appendix A, which has been incorporated by reference in Chapter 2.

SECTION 14. That East Ridge Municipal Code, Title 20, Chapter 2, Section 20-208, is hereby amended so as to delete Section 20-208(c)(11)g in its entirety and substitute in lieu thereof the following:

- g. The Director shall give notice to U.S. EPA and the general public at least thirty (30) days in advance of a public hearing on the issuance of a proposed federally enforceable certificate of operation and shall provide at least thirty (30) days for public comment. A proposed change to the potential to emit air pollutants or hazardous air pollutants of any source previously determined by the Board to be a synthetic minor source and issued one (1) or more federally enforceable certificates of operation that have not yet expired, is not subject to subsequent public participation requirements regarding the proposed change so long as the proposed change would not result in a net increase in the potential-to-emit of any air pollutant or any hazardous air pollutant, as determined by the Director. The Director shall provide U.S. EPA with a copy of a proposed certificate of operation intended to be federally enforceable at the same time notice is provided. Such notice shall be given by publication as an electronic notice (e-notice) on the Bureau website for the duration of the public comment period and by other means designated by the Director, if necessary. Such advance notice must be given and a public hearing must be held prior to issuance of any federally enforceable certificate of operation to any source. The Director shall, in a timely manner, provide U.S. EPA a copy of the final certificate of operation intended to be federally enforceable.

SECTION 15. That East Ridge Municipal Code, Title 20, Chapter 2, Section 20-208, is hereby amended so as to delete Schedule 20-208-F-I of Section 20-208(f)(4) in its entirety and substitute in lieu thereof the following:

SCHEDULE 20-208-F-I

DEMOLITIONS WHERE NO REGULATED ASBESTOS IS PRESENT

Fee: \$200.00 per structure

SECTION 16. That East Ridge Municipal Code, Title 20, Chapter 2, Section 20-208, is hereby amended so as to delete Schedule 20-208-F-II of Section 20-208(f)(4) in its entirety and substitute in lieu thereof the following:

SCHEDULE 20-208-F-II
DEMOLITIONS WHERE REGULATED ASBESTOS IS PRESENT

| Linear/Square Feet of ACM | Fee |
|---------------------------|--------------------------------------|
| 160 – 299 (square feet) | \$325.00 plus \$200.00 per structure |
| 260 – 299 (linear feet) | 325.00 plus \$200.00 per structure |
| 300 – 499 | 500.00 plus \$200.00 per structure |
| 500 – 999 | 700.00 plus \$200.00 per structure |
| 1,000 – 1,499 | 825.00 plus \$200.00 per structure |
| 1,500 – 4,999 | 1,000.00 plus \$200.00 per structure |
| 5,000 and up | 1,250.00 plus \$200.00 per structure |

SECTION 17. That East Ridge Municipal Code, Title 20, Chapter 2, Section 20-208, is hereby amended so as to delete Schedule 20-208-F-III of Section 20-208(f)(4) in its entirety and substitute in lieu thereof the following:

SCHEDULE 20-208-F-III
RENOVATIONS WHERE REGULATED ASBESTOS IS PRESENT

| Linear/Square Feet of ACM | Fee |
|---------------------------|----------|
| 160 – 299 (square feet) | \$325.00 |
| 260 – 299 (linear feet) | 325.00 |
| 300 – 499 | 500.00 |
| 500 – 999 | 700.00 |
| 1,000 – 1,499 | 825.00 |
| 1,500 – 4,999 | 1,000.00 |
| 5,000 and up | 1,250.00 |

SECTION 18. That East Ridge Municipal Code, Title 20, Chapter 2, Section 20-208, is hereby amended so as to delete Section 20-208(g) in its entirety and substitute in lieu thereof the following:

- (g) *Public Notice Requirements.* The Bureau shall notify the public, on a monthly basis, by publication as an electronic notice (e-notice) on the Bureau website for the duration of the public comment period and by other means designated by the Director, if necessary, of any applicants seeking to obtain a permit to construct or modify an air contaminant source. Provided, however, that modifications which do not result in a net emissions increase in the potential emissions of any air pollutant or that qualify as a minor permit modification will not be subject to the notice requirements of this paragraph. The notice shall specify the general vicinity or location of the proposed source or modification, the type of source or modification, and opportunity for public comment. Comments shall be in writing and delivered to the Director within thirty (30) days after the publication of the public notice. If there is no application during a particular month, no notice shall be required for that month. The Bureau may publish the notice for a single application if the source so requests. Any costs for all public notices required to be published, including those for federally-enforceable initial certificates of operation, Part 70 major source operating permits (initial and renewal), installation (construction) permits, PSD permits, and applicable modifications of any permit, shall be assessed to the applicant in addition to the associated permit fee. Where multiple sources are included in the published notice, any costs shall be apportioned equally between or among those multiple sources. The Bureau shall be required to publish notices pursuant to this section only in those months for which an actual application has been received and which is subject to these provisions. Failure to pay these costs shall constitute a violation of this ordinance for which enforcement action may be taken.

SECTION 19. That East Ridge Municipal Code, Title 20, Chapter 2, Section 20-219, is hereby amended so as to delete Section 20-219(a) in its entirety and substitute in lieu thereof the following:

- (a) Upon the filing with the Director of a written request for confidentiality by an owner or operator for any formulae, processes, methods, or information associated with an air pollutant source that are certified by the owner or operator of the source as confidential, the Director shall conduct a review for confidentiality. Records or other information concerning an air pollutant source that are certified by the owner or operator as related to confidential production techniques, production rates, trade secrets, or sales figures or to processes or methods sufficiently unique to the owner or operator or which would affect adversely the competitive position of such owner

or operator if made available to the general public are eligible for confidential status. For sources subject to the Part 70 permit provisions at Article III of the Ordinance, the confidential information provisions of Section 20-256(a)(3) shall also apply in reviewing the request for treatment of information as confidential.

SECTION 20. That East Ridge Municipal Code, Title 20, Chapter 2, Section 20-219, is hereby amended so as to delete Section 20-219(b) in its entirety and substitute in lieu thereof the following:

- (b) If the Director determines that any information for which confidentiality has been requested should not be protected as confidential, the Director shall so notify the source owner or operator in writing. All disapproved information will be treated as confidential until forty-five (45) days from the date of such notification. If an appeal to the Board is received from the owner or operator within this forty-five (45)-day period, applicable information shall be treated as confidential throughout the appeal period. If the Director or Board determines that information should be protected as confidential, then such information shall be reserved only for the confidential use of the Board and Bureau in the administration of this chapter or the Administrator of the U.S. Environmental Protection Agency in the administration of the Federal Clean Air Act. Nothing herein shall be construed to prevent the use of such information by the Bureau or Board in compiling or publishing analyses or summaries relating to the general conditions of the outdoor atmosphere provided that such analyses or summaries do not identify the owner, operator, or business or reveal any information considered confidential under this section.

SECTION 21. That East Ridge Municipal Code, Title 20, Chapter 2, Section 20-220, is hereby amended so as to delete Section 20-220(c)(2) in its entirety and substitute in lieu thereof the following:

- (2) Preplanned Abatement Strategies. Major sources in or significantly impacting a nonattainment area must submit to the Director an acceptable air pollution episode emissions reduction plan to be followed during the alert, warning and emergency levels of an air pollution episode. The term “major source” as used in Section 20-220 means any of the following types of stationary sources of air pollutants which emit, or have the potential to emit, one hundred (100) tons per year or more of any air pollutant: fossil fuel fired steam electric plants of more than two hundred fifty million (250,000,000) British thermal units per hour heat input; coal cleaning plants (thermal dryers); draft pulp mills; Portland cement plants; primary zinc smelters; iron and steel mill plants; primary copper smelters; municipal incinerators capable of charging more than fifty (50) tons

of refuse per day; hydrofluoric, sulfuric, and nitric acid plants; petroleum refineries; lime plants; coke oven batteries; sulfur plants; phosphate rock processing plants; sulfur recovery plants; carbon black plants (furniture process); primary lead smelters; fuel conversion plants; sintering plants; secondary metal production facilities; chemical process plants; fossil-fuel boilers of more than two hundred fifty million (250,000,000) British thermal units per hour heat input; petroleum storage and transfer facilities with a capacity exceeding three hundred thousand (300,000) barrels; taconite ore processing facilities; glass fiber processing plants; and charcoal production facilities. The term “major source” also includes, for the purposes of Section 20-220, any other source with the potential to emit two hundred fifty (250) tons per year or more of any air pollutant. Only the pollutants for which the air quality planning area is designated nonattainment are considered in determining whether a source is a major source, for the purposes of Section 20-220.

SECTION 22. That East Ridge Municipal Code, Title 20, Chapter 2, Section 20-221, is hereby amended so as to delete Section 20-221(b) in its entirety and substitute in lieu thereof the following:

- (b) No variance or renewal thereof shall be granted pursuant to this section except after public hearing on due notice by publication as an electronic notice (e-notice) on the Bureau website for a period of thirty (30) days prior to the public hearing and by other means designated by the Director, if necessary, and until the Board has considered the relative interests of the applicant, other owners of property likely to be affected by the discharges, and the general public.

SECTION 23. That East Ridge Municipal Code, Title 20, Chapter 2, Section 20-221, is hereby amended so as to delete Section 20-221(d) in its entirety and substitute in lieu thereof the following:

- (d) Any variance granted pursuant to this section may be renewed on terms and conditions and for periods which would be appropriate on initial granting of a variance. If complaint is made to the Board on account of the variance, no renewal thereof shall be granted unless, following public hearing on the complaint notice, the Board finds that renewal is justified. No renewal shall be granted except on application therefor. Any such application shall be made at least thirty (30) days prior to the expiration of the variance. Upon receipt of an application for renewal, the Bureau shall provide for public notice by publication as an electronic notice (e-notice) on the Bureau website for a period of thirty (30) days prior to the public hearing and by other means designated by the Director, if necessary.

SECTION 24. That East Ridge Municipal Code, Title 20, Chapter 2, Section 20-241, is hereby amended so as to delete Rule 6.3(4) in its entirety and substitute in lieu thereof the following:

- (4) The size of the piles of material to be burned shall not exceed eight (8) feet by eight (8) feet by eight (8) feet and no pile shall be within one hundred (100) feet of the nearest structure or within fifty (50) feet of wooden or plastic fencing not owned by the permittee. No brush in excess of twelve (12) inches in diameter and no tree stumps shall be burned;

SECTION 25. That East Ridge Municipal Code, Title 20, Chapter 2, Section 20-241, is hereby amended so as to delete Rule 6.3(5) in its entirety and substitute in lieu thereof the following:

- (5) Burning may only be conducted on days of low air pollution potential, as determined by the Director. In addition, burning may not be allowed during periods of high winds, dry conditions, or low humidity, as determined by the Director;

SECTION 26. That East Ridge Municipal Code, Title 20, Chapter 2, Section 20-241, is hereby amended so as to delete Rule 6.3(7) and substitute in lieu thereof the following:

- (7) Burning will only be allowed during the following hours on days approved pursuant to subparagraph (5) above. The burning shall be completed by, and completely extinguished by, the end of the time period set forth below. Dirt shall not be used to attempt to extinguish the burning. No smoke or smoldering is allowed after the termination time;

| | |
|--------------------------------|-----------------------|
| October 1 through November 3 | 9:00 a.m. – 4:00 p.m. |
| November 4 through December 31 | 9:00 a.m. – 3:30 p.m. |
| January 1 through February 15 | 9:00 a.m. – 4:00 p.m. |
| February 16 through March 13 | 9:00 a.m. – 5:00 p.m. |
| March 14 through April 30 | 9:00 a.m. – 6:00 p.m. |

SECTION 27. That East Ridge Municipal Code, Title 20, Chapter 2, Section 20-241, is hereby amended so as to delete Rule 6.4(1) in its entirety and substitute in lieu thereof the following:

- (1) Fires used only for cooking of food or for ceremonial or recreational purposes (recreational fires are limited in size to three (3) feet in diameter and two (2) feet high), including barbecues and outdoor fireplaces, but only if such fires are fueled with clean fuel for that particular purpose (clean seasoned wood, gas, charcoal, wood pellets, or fire logs). Smoke or ash from cooking, ceremonial, or recreational fires shall not create a nuisance beyond the boundary of the property where the burning is occurring. Cooking, ceremonial, or recreational fires shall not be left unattended and shall be completely extinguished when the purpose of the fire is completed;

SECTION 28. That East Ridge Municipal Code, Title 20, Chapter 2, Section 20-241, is hereby amended so as to delete the *first paragraph only* of Rule 6.6 and substitute in lieu thereof the following:

Rule 6.6. Controlled Burning. Clearing and burning of two (2) or more acres of vegetation within a one (1)-year period, including burning for silvicultural purposes, requires controlled burning and compliance with the following enumerated conditions. Controlled burning may be permitted by the Director only in the months of October, November, December, January, February, March and April. Controlled burning, other than for silvicultural purposes, requires the use a pit and an air curtain destructor. Burning for silvicultural purposes requires the use of special equipment designed for that purpose.

SECTION 29. That East Ridge Municipal Code, Title 20, Chapter 2, Section 20-241, is hereby amended so as to delete Rule 6.6(12) and substitute in lieu thereof the following:

- (12) Burning will only be allowed during the following hours on days of low air pollution potential, as determined by the Director. In addition, burning may not be allowed during periods of high winds, dry conditions, or low humidity, as determined by the Director. The burning shall be completed by, and completely extinguished by, the end of the time period set forth below. Dirt shall not be used to attempt to extinguish the burning. No smoke or smoldering is allowed after the termination time;

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| October 1 through November 3 | 9:00 a.m. – 4:00 p.m. |
| November 4 through December 31 | 9:00 a.m. – 3:30 p.m. |

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| January 1 through February 15 | 9:00 a.m. – 4:00 p.m. |
| February 16 through March 13 | 9:00 a.m. – 5:00 p.m. |
| March 14 through April 30 | 9:00 a.m. – 6:00 p.m. |

SECTION 30. That East Ridge Municipal Code, Title 20, Chapter 2, Section 20-241, is hereby amended so as to change the *name* of Rule 15 to the following:

Rule 15. New Source Performance Standards and Standards for Landfills.

SECTION 31. That East Ridge Municipal Code, Title 20, Chapter 2, Section 20-241, is hereby amended so as to delete Rule 15.1 in its entirety and substitute in lieu thereof the following:

Rule 15.1 The provisions of Title 40 Code of Federal Regulations Part 60 “Standards of Performance for New Stationary Sources,” Subparts A, D, Da, Db, Dc, E, Ea, Eb, Ec, F, G, Ga, H, I, J, Ja, K, Ka, Kb, L, M, N, Na, O, P, Q, R, S, T, U, V, W, X, Y, Z, AAa, BB, BBa, CC, DD, EE, GG, HH, KK, LL, MM, NN, PP, QQ, RR, SS, TT, UU, VV, VVa, WW, XX, AAA, BBB, DDD, FFF, GGG, GGGa, HHH, III, JJJ, KKK, LLL, NNN, OOO, PPP, QQQ, RRR, SSS, TTT, UUU, VVV, WWW, XXX, AAAA, CCCC, EEEE, IIII, JJJJ, KKKK, LLLL, OOOO, OOOOa, QQQQ, and TTTT and Appendices A-1, A-2, A-3, A-4, A-5, A-6, A-7, A-8, B, C, D, F, and I (Revised as of July 1, 2021) are hereby incorporated by reference in Chapter 2 as requirements of this municipality pursuant to the provisions of T.C.A. § 68-201-115 and § 10-7-121. The following subparts and appendices are included:

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| Subpart A – | General Provisions |
| Subpart D – | Fossil-Fuel-Fired Steam Generators |
| Subpart Da – | Electric Utility Steam Generating Units |
| Subpart Db – | Industrial-Commercial-Institutional Steam Generating Units |
| Subpart Dc – | Small Industrial-Commercial-Institutional Steam Generating Units |
| Subpart E – | Incinerators |
| Subpart Ea – | Municipal Waste Combustors for Which Construction is Commenced After December 20, 1989 and On or Before September 20, 1994 |
| Subpart Eb – | Large Municipal Waste Combustors for Which Construction is Commenced After September 20, 1994 or for Which Modification or Reconstruction is Commenced After June 19, 1996 |
| Subpart Ec – | Hospital/Medical/Infectious Waste Incinerators |
| Subpart F – | Portland Cement Plants |

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| Subpart G – | Nitric Acid Plants |
| Subpart Ga – | Nitric Acid Plants for Which Construction, Reconstruction, or Modification Commenced After October 14, 2011 |
| Subpart H – | Sulfuric Acid Plants |
| Subpart I – | Hot Mix Asphalt Facilities |
| Subpart J – | Petroleum Refineries |
| Subpart Ja – | Petroleum Refineries for Which Construction, Reconstruction, or Modification Commenced After May 14, 2007 |
| Subpart K – | Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After June 11, 1973, and Prior to May 19, 1978 |
| Subpart Ka – | Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After May 18, 1978, and Prior to July 23, 1984 |
| Subpart Kb – | Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced After July 23, 1984 |
| Subpart L – | Secondary Lead Smelters |
| Subpart M – | Secondary Brass and Bronze Production Plants |
| Subpart N – | Primary Emissions from Basic Oxygen Process Furnaces for Which Construction is Commenced After June 11, 1973 |
| Subpart Na – | Secondary Emissions from Basic Oxygen Process Steelmaking Facilities for Which Construction is Commenced After January 20, 1983 |
| Subpart O – | Sewage Treatment Plants |
| Subpart P – | Primary Copper Smelters |
| Subpart Q – | Primary Zinc Smelters |
| Subpart R – | Primary Lead Smelters |
| Subpart S – | Primary Aluminum Reduction Plants |
| Subpart T – | Phosphate Fertilizer Industry: Wet Process Phosphoric Acid Plants |
| Subpart U – | Phosphate Fertilizer Industry: Superphosphoric Acid Plants |
| Subpart V – | Phosphate Fertilizer Industry: Diammonium Phosphate Plants |
| Subpart W – | Phosphate Fertilizer Industry: Triple Superphosphate Plants |
| Subpart X – | Phosphate Fertilizer Industry: Granular Triple Superphosphate Storage Facilities |
| Subpart Y – | Coal Preparation and Processing Plants |

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| Subpart Z – | Ferroalloy Production Facilities |
| Subpart AAa – | Steel Plants: Electric Arc Furnaces and Argon-Oxygen Decarburization Vessels Constructed After August 17, 1983 |
| Subpart BB – | Kraft Pulp Mills |
| Subpart BBa – | Kraft Pulp Mill Affected Sources for Which Construction, Reconstruction, or Modification Commenced After May 23, 2013 |
| Subpart CC – | Glass Manufacturing Plants |
| Subpart DD – | Grain Elevators |
| Subpart EE – | Surface Coating of Metal Furniture |
| Subpart GG – | Stationary Gas Turbines |
| Subpart HH – | Lime Manufacturing Plants |
| Subpart KK – | Lead-Acid Battery Manufacturing Plants |
| Subpart LL – | Metallic Mineral Processing Plants |
| Subpart MM – | Automobile and Light Duty Truck Surface Coating Operations |
| Subpart NN – | Phosphate Rock Plants |
| Subpart PP – | Ammonium Sulfate Manufacture |
| Subpart QQ – | Graphic Arts Industry: Publication Rotogravure Printing |
| Subpart RR – | Pressure Sensitive Tape and Label Surface Coating Operations |
| Subpart SS – | Industrial Surface Coating: Large Appliances |
| Subpart TT – | Metal Coil Surface Coating |
| Subpart UU – | Asphalt Processing and Asphalt Roofing Manufacture |
| Subpart VV – | Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry for Which Construction, Reconstruction, or Modification Commenced After January 5, 1981, and on or Before November 7, 2006 |
| Subpart VVa – | Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry for Which Construction, Reconstruction, or Modification Commenced After November 7, 2006 |
| Subpart WW – | Beverage Can Surface Coating Industry |
| Subpart XX – | Bulk Gasoline Terminals |
| Subpart AAA – | New Residential Wood Heaters |
| Subpart BBB – | Rubber Tire Manufacturing Industry |
| Subpart DDD – | Volatile Organic Compound (VOC) Emissions from the Polymer Manufacturing Industry |
| Subpart FFF – | Flexible Vinyl and Urethane Coating and Printing |

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| Subpart GGG – | Equipment Leaks of VOC in Petroleum Refineries for Which Construction, Reconstruction, or Modification Commenced After January 4, 1983, and on or Before November 7, 2006 |
| Subpart GGGa – | Equipment Leaks of VOC in Petroleum Refineries for Which Construction, Reconstruction, or Modification Commenced After November 7, 2006 |
| Subpart HHH – | Synthetic Fiber Production Facilities |
| Subpart III – | Volatile Organic Compound (VOC) Emissions From the Synthetic Organic Chemical Manufacturing Industry (SOCMI) Air Oxidation Unit Processes |
| Subpart JJJ – | Petroleum Dry Cleaners |
| Subpart KKK – | Equipment Leaks of VOC From Onshore Natural Gas Processing Plants for Which Construction, Reconstruction, or Modification Commenced After January 20, 1984, and on or Before August 23, 2011 |
| Subpart LLL – | SO ₂ Emissions From Onshore Natural Gas Processing for Which Construction, Reconstruction, or Modification Commenced After January 20, 1984, and on or Before August 23, 2011 |
| Subpart NNN – | Volatile Organic Compound (VOC) Emissions From Synthetic Organic Chemical Manufacturing Industry (SOCMI) Distillation Operations |
| Subpart OOO – | Nonmetallic Mineral Processing Plants |
| Subpart PPP – | Wool Fiberglass Insulation Manufacturing Plants |
| Subpart QQQ – | VOC Emissions From Petroleum Refinery Wastewater Systems |
| Subpart RRR – | Volatile Organic Compound Emissions from Synthetic Organic Chemical Manufacturing Industry (SOCMI) Reactor Processes |
| Subpart SSS – | Magnetic Tape Coating Facilities |
| Subpart TTT – | Industrial Surface Coating: Surface Coating of Plastic Parts for Business Machines |
| Subpart UUU – | Calciners and Dryers in Mineral Industries |
| Subpart VVV – | Polymeric Coating of Supporting Substrates Facilities |
| Subpart WWW – | Municipal Solid Waste Landfills |
| Subpart XXX – | Municipal Solid Waste Landfills That Commenced Construction, Reconstruction, or Modification After July 17, 2014 |
| Subpart AAAA – | Small Municipal Waste Combustion Units for Which Construction is Commenced After August 30, 1999 or for Which Modification or Reconstruction is Commenced After June 6, 2001 |
| Subpart CCCC – | Commercial and Industrial Solid Waste Incineration Units |

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| Subpart EEEE – | Other Solid Waste Incineration Units for Which Construction is Commenced After December 9, 2004, or for Which Modification or Reconstruction is Commenced on or After June 16, 2006 |
| Subpart IIII – | Stationary Compression Ignition Internal Combustion Engines |
| Subpart JJJJ – | Stationary Spark Ignition Internal Combustion Engines |
| Subpart KKKK – | Stationary Combustion Turbines |
| Subpart LLLL – | New Sewage Sludge Incineration Units |
| Subpart OOOO – | Crude Oil and Natural Gas Production, Transmission and Distribution for which Construction, Modification or Reconstruction Commenced after August 23, 2011, and on or before September 18, 2015 |
| Subpart OOOOa – | Crude Oil and Natural Gas Facilities for which Construction, Modification or Reconstruction Commenced After September 18, 2015 |
| Subpart QQQQ – | New Residential Hydronic Heaters and Forced-Air Furnaces |
| Subpart TTTT – | Greenhouse Gas Emissions for Electric Generating Units |
| Appendix A-1 – | Test Methods 1 through 2F |
| Appendix A-2 – | Test Methods 2G through 3C |
| Appendix A-3 – | Test Methods 4 through 5I |
| Appendix A-4 – | Test Methods 6 through 10B |
| Appendix A-5 – | Test Methods 11 through 15A |
| Appendix A-6 – | Test Methods 16 through 18 |
| Appendix A-7 – | Test Methods 19 through 25E |
| Appendix A-8 – | Test Methods 26 through 30B |
| Appendix B – | Performance Specifications |
| Appendix C – | Determination of Emission Rate Change |
| Appendix D – | Required Emission Inventory Information |
| Appendix F – | Quality Assurance Procedures |
| Appendix I – | Owner’s Manuals and Temporary Labels for Wood Heaters Subject to Subparts AAA and QQQQ of Part 60 |

SECTION 32. That East Ridge Municipal Code, Title 20, Chapter 2, Section 20-241, is hereby amended so as to delete Rule 15.3(a)(5)a in its entirety and substitute in lieu thereof the following:

- a. The landfill was never subject to the requirements for a control system under Rule 15.3(b)(2)b.3.; or

SECTION 33. That East Ridge Municipal Code, Title 20, Chapter 2, Section 20-241, is hereby amended so as to delete Rule 15.3(b)(3)b in its entirety and substitute in lieu thereof the following:

- b. The landfill has a design capacity greater than or equal to two million five hundred thousand (2,500,000) megagrams and two million five hundred thousand (2,500,000) cubic meters. The landfill may calculate design capacity in either megagrams or cubic meters for comparison with the exemption values. Any density conversions shall be documented and submitted with the report; and

SECTION 34. That East Ridge Municipal Code, Title 20, Chapter 2, Section 20-241, is hereby amended so as to delete Rule 15.3(c)(3)a in its entirety and substitute in lieu thereof the following:

- a. The nitrogen level shall be determined using Method 3C as described in Section 20-203(c) of Chapter 2, unless an alternative test method is established as allowed by Rule 15.3(b)(2)b.1.

SECTION 35. That East Ridge Municipal Code, Title 20, Chapter 2, Section 20-241, is hereby amended so as to delete the *first paragraph only* of Rule 15.3(c)(3)b and substitute in lieu thereof the following:

- b. Unless an alternative test method is established as allowed by Rule 15.3(b)(2)b.1., the oxygen shall be determined by an oxygen meter using Method 3A as described in Section 20-203(c) of Chapter 2 except that:

SECTION 36. That East Ridge Municipal Code, Title 20, Chapter 2, Section 20-241, is hereby amended so as to delete the *first paragraph only* of Rule 15.3(d)(1)c and substitute in lieu thereof the following:

- c. Tier 2. The landfill owner or operator shall determine the NMOC concentration using the following sampling procedure. The landfill owner or operator shall install at least two (2) sample probes per hectare of landfill surface that has retained waste for at least two (2) years. If the landfill is larger than twenty-five (25) hectares in area, only fifty (50) samples are required. The sample probes should be located to avoid known areas of nondegradable solid waste. The owner or operator shall collect and analyze one (1) sample of landfill gas from each probe to determine the NMOC concentration using Title 40 CFR Part 60, Appendix A, Method 25C or Method 18, which have been incorporated by reference in Chapter 2 and are described in Section 20-203(c). If using Method 18 of Appendix A, the minimum list of compounds to be tested shall be those published in the Fifth Edition January 1995 U.S. Environmental Protection Agency Compilation of Air Pollutant Emission Factors (AP-42). If composite sampling is used, equal volumes shall be taken from each sample probe. If more than the required number of samples are taken, all samples shall be used in the analysis. The landfill owner or operator shall divide the NMOC concentration from Method 25C of Appendix A of Title 40 CFR Part 60 by six (6) to convert from C_{NMOC} as carbon to C_{NMOC} as hexane.

SECTION 37. That East Ridge Municipal Code, Title 20, Chapter 2, Section 20-241, is hereby amended so as to delete the *first paragraph only* of Rule 15.3(d)(1)d and substitute in lieu thereof the following:

- d. Tier 3. The site-specific methane generation rate constant shall be determined using the procedures provided in Method 2E of Appendix A of Title 40 CFR Part 60, which has been incorporated by reference in Chapter 2 and is described in Section 20-203(c). The landfill owner or operator shall estimate the NMOC mass emission rate using equations in Rule 15.3(d)(1)a.1. or a.2. and using a site-specific methane generation rate constant k , and the site-specific NMOC concentration as determined in Rule 15.3(d)(1)c. instead of the default values provided in Rule 15.3(d)(1)a. The landfill owner or operator shall compare the resulting NMOC mass emission rate to the standard of fifty (50) megagrams per year.

SECTION 38. That East Ridge Municipal Code, Title 20, Chapter 2, Section 20-241, is hereby amended so as to delete Rule 15.3(d)(2)a in its entirety and substitute in lieu thereof the following:

- a. The flow rate of landfill gas, Q_{LFG} , shall be determined by measuring the total landfill gas flow rate at the common header pipe that leads to the control device using a gas flow measuring device calibrated according to the provisions of Section 4 of Method 2E of Appendix A of Title 40 CFR Part 60, which has been incorporated by reference in Chapter 2 and is described in Section 20-203(c).

SECTION 39. That East Ridge Municipal Code, Title 20, Chapter 2, Section 20-241, is hereby amended so as to delete Rule 15.3(d)(2)b in its entirety and substitute in lieu thereof the following:

- b. The average NMOC concentration, C_{NMOC} , shall be determined by collecting and analyzing landfill gas sampled from the common header pipe before the gas moving or condensate removal equipment using the procedures in Method 25C or Method 18 of Appendix A of Title 40 CFR Part 60, which have been incorporated by reference in Chapter 2 and are described at Section 20-203(c). If using Method 18, the minimum list of compounds to be tested shall be those published in the Fifth Edition January 1995 U.S. Environmental Protection Agency Compilation of Air Pollutant Emission Factors (AP-42). The sample location on the common header pipe shall be before any condensate removal or other gas refining units. The landfill owner or operator shall divide the NMOC concentration from Method 25C by six (6) to convert from C_{NMOC} as carbon to C_{NMOC} as hexane.

SECTION 40. That East Ridge Municipal Code, Title 20, Chapter 2, Section 20-241, is hereby amended so as to delete the *first paragraph only* of Rule 15.3(d)(4) and substitute in lieu thereof the following:

4. For the performance test required in Rule 15.3(b)(2)b.3.(ii), Method 25C or Method 18 of Appendix A of Title 40 CFR Part 60, which have been incorporated by reference in Chapter 2 and are described at Section 20-203(c), shall be used to determine compliance with the ninety-eight (98) weight-percent efficiency or the twenty (20) ppmv outlet concentration level, unless another

method to demonstrate compliance has been approved by the Administrator. If using Method 18 of Appendix A of Title 40 CFR Part 60, the minimum list of compounds to be tested shall be those published in the Fifth Edition January 1995 U.S. Environmental Protection Agency Compilation of Air Pollutant Emission Factors (AP-42). The following equation shall be used to calculate efficiency:

SECTION 41. That East Ridge Municipal Code, Title 20, Chapter 2, Section 20-241, is hereby amended so as to delete Rule 15.3(e)(3)c in its entirety and substitute in lieu thereof the following:

- c. Surface emission monitoring shall be performed in accordance with Section 4.3.1 of Method 21 of Appendix A of Title 40 CFR Part 60, which has been incorporated by reference in Chapter 2 and is described in Section 20-203(c) except that the probe inlet shall be placed within five (5) to ten (10) centimeters of the ground. Monitoring shall be performed during typical meteorological conditions.

SECTION 42. That East Ridge Municipal Code, Title 20, Chapter 2, Section 20-241, is hereby amended so as to delete Rule 15.3(e)(4)a in its entirety and substitute in lieu thereof the following:

- a. The portable analyzer shall meet the instrument specifications provided in Section 3 of Method 21 of Appendix A of Title 40 CFR Part 60, which has been incorporated by reference in Chapter 2 and is described at Section 20-203(c), except that “methane” shall replace all references to VOC.

SECTION 43. That East Ridge Municipal Code, Title 20, Chapter 2, Section 20-241, is hereby amended so as to add the following Rule 15.4:

Rule 15.4 The provisions of Title 40 Code of Federal Regulations Part 62 “Approval and Promulgation of State Plans for Designated Facilities and Pollutants,” Subpart OOO “*Federal Plan Requirements for Municipal Solid Waste Landfills That Commenced Construction On or Before July 17, 2014 and Have Not Been Modified or Reconstructed Since July 17, 2014*” (Revised as of July 1, 2021) is hereby incorporated by reference in Chapter 2 as requirements of this municipality pursuant to the provisions of T.C.A. § 68-201-115 and § 10-7-121.

SECTION 44. That East Ridge Municipal Code, Title 20, Chapter 2, Section 20-241, is hereby amended so as to delete Rule 16.1 in its entirety and substitute in lieu thereof the following:

Rule 16.1 The provisions of Title 40 Code of Federal Regulations Part 61 “National Emissions Standards for Hazardous Air Pollutants,” Subparts A, B, C, D, E, F, H, I, J, K, L, N, O, P, Q, R, T, V, W, Y, BB, and FF and Appendices A, B, C, D, and E (Revised as of July 1, 2021) are hereby incorporated by reference in Chapter 2 as requirements of this municipality pursuant to the provisions of T.C.A. § 68-201-115 and § 10-7-121. The following subparts and appendices are included:

- Subpart A – General Provisions
- Subpart B – Radon Emissions From Underground Uranium Mines
- Subpart C – Beryllium
- Subpart D – Beryllium Rocket Motor Firing
- Subpart E – Mercury
- Subpart F – Vinyl Chloride
- Subpart H – Emissions of Radionuclides Other Than Radon From Department of Energy Facilities
- Subpart I – Radionuclide Emissions From Federal Facilities Other Than Nuclear Regulatory Commission Licensees and Not Covered by Subpart H
- Subpart J – Equipment Leaks (Fugitive Emission Sources) of Benzene
- Subpart K – Radionuclide Emissions From Elemental Phosphorus Plants
- Subpart L – Benzene Emissions from Coke By-Product Recovery Plants
- Subpart N – Inorganic Arsenic Emissions From Glass Manufacturing Plants
- Subpart O – Inorganic Arsenic Emissions From Primary Copper Smelters
- Subpart P – Inorganic Arsenic Emissions From Arsenic Trioxide and Metallic Arsenic Production Facilities
- Subpart Q – Radon Emissions From Department of Energy Facilities
- Subpart R – Radon Emissions From Phosphogypsum Stacks
- Subpart T – Radon Emissions From the Disposal of Uranium Mill Tailings
- Subpart V – Equipment Leaks (Fugitive Emission Sources)
- Subpart W – Radon Emissions From Operating Mill Tailings
- Subpart Y – Benzene Emissions From Benzene Storage Vessels
- Subpart BB – Benzene Emissions From Benzene Transfer Operations

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| Subpart FF – | Benzene Waste Operations |
| Appendix A – | National Emission Standards for Hazardous Air Pollutants, Compliance Status Information |
| Appendix B – | Test Methods |
| Appendix C – | Quality Assurance Procedures |
| Appendix D – | Methods for Estimating Radionuclide Emissions |
| Appendix E – | Compliance Procedures Methods for Determining Compliance With Subpart I |

SECTION 45. That East Ridge Municipal Code, Title 20, Chapter 2, Section 20-241, is hereby amended so as to change the *name* of Rule 16.5 to the following:

Rule 16.5. Emissions Standards for Source Categories.

SECTION 46. That East Ridge Municipal Code, Title 20, Chapter 2, Section 20-241, is hereby amended so as to delete Rule 16.5(c) in its entirety and substitute in lieu thereof the following:

- (c) The provisions of Title 40 Code of Federal Regulations Part 63 “National Emissions Standards for Hazardous Air Pollutants for Source Categories,” Subparts A, B, C, D, F, G, H, I, J, L, M, N, O, Q, R, S, T, U, W, X, Y, AA, BB, CC, DD, EE, GG, HH, II, JJ, KK, LL, MM, NN, OO, PP, QQ, RR, SS, TT, UU, VV, WW, XX, YY, CCC, DDD, EEE, GGG, HHH, III, JJJ, LLL, MMM, NNN, OOO, PPP, QQQ, RRR, TTT, UUU, VVV, XXX, AAAA, CCCC, DDDD, EEEE, FFFF, GGGG, HHHH, IIII, JJJJ, KKKK, MMMM, NNNN, OOOO, PPPP, QQQQ, RRRR, SSSS, TTTT, UUUU, VVVV, WWWW, XXXX, YYYY, ZZZZ, AAAAA, BBBB, CCCC, DDDD, EEEE, FFFF, GGGG, HHHH, IIII, JJJJ, KKKK, LLLL, MMMM, NNNN, PPPP, QQQQ, RRRR, SSSS, TTTT, UUUU, WWWW, YYYY, ZZZZ, BBBB, CCCC, DDDD, EEEE, FFFF, GGGG, HHHH, IIII, JJJJ, KKKK, LLLL, MMMM, NNNN, OOOO, PPPP, QQQQ, RRRR, SSSS, TTTT, VVVV, WWWW, XXXX, YYYY, ZZZZ, AAAAA, BBBB, CCCC, DDDD, EEEE, and HHHHHH and Appendices A, B, C, D, and E (Revised as of July 1, 2021) are hereby incorporated by reference in Chapter 2 as requirements of this municipality pursuant to the provisions of T.C.A. § 68-201-115 and § 10-7-121. The following subparts and appendices are included:

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| Subpart A – | General Provisions |
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| Subpart B – | Requirements for Control Technology Determinations for Major Sources in Accordance With Clean Air Act Sections, Sections 112(g) and 112(j) |
| Subpart C – | List of Hazardous Air Pollutants, Petitions Process, Lesser Quantity Designations, Source Category List |
| Subpart D – | Regulations Governing Compliance Extensions for Early Reductions of Hazardous Air Pollutants |
| Subpart F – | Organic Hazardous Air Pollutants From the Synthetic Organic Chemical Manufacturing Industry |
| Subpart G – | Organic Hazardous Air Pollutants From the Synthetic Organic Chemical Manufacturing Industry for Process Vents, Storage Vessels, Transfer Operations, and Wastewater |
| Subpart H – | Organic Hazardous Air Pollutants for Equipment Leaks |
| Subpart I – | Organic Hazardous Air Pollutants for Certain Processes Subject to the Negotiated Regulation for Equipment Leaks |
| Subpart J – | Polyvinyl Chloride and Copolymers Production |
| Subpart L – | Coke Oven Batteries |
| Subpart M – | Perchloroethylene Air Emission Standards for Dry Cleaning Facilities |
| Subpart N – | Chromium Emissions From Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks |
| Subpart O – | Ethylene Oxide Emission Standards for Sterilization Facilities |
| Subpart Q – | Industrial Process Cooling Towers |
| Subpart R – | Gasoline Distribution Facilities (Bulk Gasoline Terminals and Pipeline Breakout Stations) |
| Subpart S – | Pulp and Paper Industry |
| Subpart T – | Halogenated Solvent Cleaning |
| Subpart U – | Group I Polymers and Resins |
| Subpart W – | Epoxy Resins Production and Non-Nylon Polyamides Production |
| Subpart X – | Secondary Lead Smelting |
| Subpart Y – | Marine Tank Vessel Loading Operations |
| Subpart AA – | Phosphoric Acid Manufacturing Plants |
| Subpart BB – | Phosphate Fertilizers Production Plants |
| Subpart CC – | Petroleum Refineries |
| Subpart DD – | Off-Site Waste and Recovery Operations |
| Subpart EE – | Magnetic Tape Manufacturing Operations |

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| Subpart GG – | Aerospace Manufacturing and Rework Facilities |
| Subpart HH – | Oil and Natural Gas Production Facilities |
| Subpart II – | Shipbuilding and Ship Repair (Surface Coating) |
| Subpart JJ – | Wood Furniture Manufacturing Operations |
| Subpart KK – | Printing and Publishing Industry |
| Subpart LL – | Primary Aluminum Reduction Plants |
| Subpart MM – | Chemical Recovery Combustion Sources at Kraft, Soda, Sulfite, and Stand-Alone Semichemical Pulp Mills |
| Subpart NN – | Wool Fiberglass Manufacturing at Area Sources |
| Subpart OO – | Tanks – Level 1 |
| Subpart PP – | Containers |
| Subpart QQ – | Surface Impoundments |
| Subpart RR – | Individual Drain Systems |
| Subpart SS – | Closed Vent Systems, Control Devices, Recovery Devices and Routing to a Fuel Gas System or a Process |
| Subpart TT – | Equipment Leaks – Control Level 1 |
| Subpart UU – | Equipment Leaks – Control Level 2 Standards |
| Subpart VV – | Oil-Water Separators and Organic-Water Separators |
| Subpart WW – | Storage Vessels (Tanks) – Control Level 2 |
| Subpart XX – | Ethylene Manufacturing Process Units: Heat Exchange Systems and Waste Operations |
| Subpart YY – | Generic Maximum Achievable Control Technology Standards |
| Subpart CCC – | Steel Pickling – HCl Process Facilities and Hydrochloric Acid Regeneration Plants |
| Subpart DDD – | Mineral Wool Production |
| Subpart EEE – | Hazardous Waste Combustors |
| Subpart GGG – | Pharmaceuticals Production |
| Subpart HHH – | Natural Gas Transmission and Storage Facilities |
| Subpart III – | Flexible Polyurethane Foam Production |
| Subpart JJJ – | Group IV Polymers and Resins |
| Subpart LLL – | Portland Cement Manufacturing Industry |
| Subpart MMM – | Pesticide Active Ingredient Production |
| Subpart NNN – | Wool Fiberglass Manufacturing |
| Subpart OOO – | Manufacture of Amino/Phenolic Resins |

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| Subpart PPP – | Polyether Polyols Production |
| Subpart QQQ – | Primary Copper Smelting |
| Subpart RRR – | Secondary Aluminum Production |
| Subpart TTT – | Primary Lead Smelting |
| Subpart UUU – | Petroleum Refineries: Catalytic Cracking Units, Catalytic Reforming Units, and Sulfur Recovery Units |
| Subpart VVV – | Publicly Owned Treatment Works |
| Subpart XXX – | Ferroalloys Production: Ferromanganese and Silicomanganese |
| Subpart AAAA – | Municipal Solid Waste Landfills |
| Subpart CCCC – | Manufacturing of Nutritional Yeast |
| Subpart DDDD – | Plywood and Composite Wood Products |
| Subpart EEEE – | Organic Liquids Distribution (Non-Gasoline) |
| Subpart FFFF – | Miscellaneous Organic Chemical Manufacturing |
| Subpart GGGG – | Solvent Extraction for Vegetable Oil Production |
| Subpart HHHH – | Wet-Formed Fiberglass Mat Production |
| Subpart IIII – | Surface Coating of Automobiles and Light-Duty Trucks |
| Subpart JJJJ – | Paper and Other Web Coating |
| Subpart KKKK – | Surface Coating of Metal Cans |
| Subpart MMMM – | Surface Coating of Miscellaneous Metal Parts and Products |
| Subpart NNNN – | Surface Coating of Large Appliances |
| Subpart OOOO – | Printing, Coating, and Dyeing of Fabrics and Other Textiles |
| Subpart PPPP – | Surface Coating of Plastic Parts and Products |
| Subpart QQQQ – | Surface Coating of Wood Building Products |
| Subpart RRRR – | Surface Coating of Metal Furniture |
| Subpart SSSS – | Surface Coating of Metal Coil |
| Subpart TTTT – | Leather Finishing Operations |
| Subpart UUUU – | Cellulose Products Manufacturing |
| Subpart VVVV – | Boat Manufacturing |
| Subpart WWWW – | Reinforced Plastic Composites Production |
| Subpart XXXX – | Rubber Tire Manufacturing |
| Subpart YYYYY – | Stationary Combustion Turbines |
| Subpart ZZZZ – | Stationary Reciprocating Internal Combustion Engines |
| Subpart AAAAA – | Lime Manufacturing Plants |

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| Subpart BBBBB – | Semiconductor Manufacturing |
| Subpart CCCCC – | Coke Ovens: Pushing, Quenching, and Battery Stacks |
| Subpart DDDDD – | Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters |
| Subpart EEEEE – | Iron and Steel Foundries |
| Subpart FFFFF – | Integrated Iron and Steel Manufacturing Facilities |
| Subpart GGGGG – | Site Remediation |
| Subpart HHHHH – | Miscellaneous Coating Manufacturing |
| Subpart IIIII – | Mercury Emissions From Mercury Cell Chlor-Alkali Plants |
| Subpart JJJJJ – | Brick and Structural Clay Products Manufacturing |
| Subpart KKKKK – | Clay Ceramics Manufacturing |
| Subpart LLLLL – | Asphalt Processing and Asphalt Roofing Manufacturing |
| Subpart MMMMM – | Flexible Polyurethane Foam Fabrication Operations |
| Subpart NNNNN – | Hydrochloric Acid Production |
| Subpart PTTTT – | Engine Test Cells/Standards |
| Subpart QQQQQ – | Friction Materials Manufacturing Facilities |
| Subpart RRRRR – | Taconite Iron Ore Processing |
| Subpart SSSSS – | Refractory Products Manufacturing |
| Subpart TTTTT – | Primary Magnesium Refining |
| Subpart UUUUU – | Coal- and Oil-Fired Electric Utility Steam Generating Units |
| Subpart WWWW – | Hospital Ethylene Oxide Sterilizers |
| Subpart YYYYY – | Area Sources: Electric Arc Furnace Steelmaking Facilities |
| Subpart ZZZZ – | Iron and Steel Foundries Area Sources |
| Subpart BBBB – | Gasoline Distribution Bulk Terminals, Bulk Plants, and Pipeline Facilities |
| Subpart CCCC – | Gasoline Dispensing Facilities |
| Subpart DDDDD – | Polyvinyl Chloride and Copolymers Production Area Sources |
| Subpart EEEEE – | Primary Copper Smelting Area Sources |
| Subpart FFFFF – | Secondary Copper Smelting Area Sources |
| Subpart GGGGG – | Primary Nonferrous Metals Area Sources - Zinc, Cadmium, and Beryllium |
| Subpart HHHHH – | Paint Stripping and Miscellaneous Surface Coating Operations at Area Sources |
| Subpart JJJJJ – | Industrial, Commercial, and Institutional Boilers Area Sources |

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| Subpart LLLLLL – | Acrylic and Modacrylic Fibers Production Area Sources |
| Subpart MMMMMM – | Carbon Black Production Area Sources |
| Subpart NNNNNN – | Chemical Manufacturing Area Sources: Chromium Compounds |
| Subpart OOOOOO – | Flexible Polyurethane Foam Production and Fabrication Area Sources |
| Subpart PPPPPP – | Lead Acid Battery Manufacturing Area Sources |
| Subpart QQQQQQ – | Wood Preserving Area Sources |
| Subpart RRRRRR – | Clay Ceramics Manufacturing Area Sources |
| Subpart SSSSSS – | Glass Manufacturing Area Sources |
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| Subpart WWWWWW – | Area Source Standards for Plating and Polishing Operations |
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| Subpart CCCCCC – | Area Sources: Paints and Allied Products Manufacturing |
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| Appendix A – | Test Methods |
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SECTION 47. That East Ridge Municipal Code, Title 20, Chapter 2, Section 20-241, is hereby amended so as delete the *first paragraph only* of Rule 17 and substitute in lieu thereof the following:

Rule 17. Emission Standard for Asbestos.

Title 40 Code of Federal Regulations Part 763, Subpart E “*Asbestos-Containing Materials in Schools,*” Appendix E “*Interim Method of the Determinations of Asbestos in Bulk Insulation Samples*” (Revised as of July 1, 2021) is hereby incorporated by reference in Chapter 2 as a requirement of this municipality pursuant to the provisions of T.C.A. § 68-201-115 and § 10-7-121.

SECTION 48. That East Ridge Municipal Code, Title 20, Chapter 2, Section 20-241, is hereby amended so as to delete Rule 17.1(8) in its entirety and substitute in lieu thereof the following:

- (8) *Category I nonfriable asbestos-containing material (ACM)* means asbestos-containing packing, gaskets, resilient floor covering, and asphalt roofing products containing more than one percent (1%) asbestos as determined using the method specified in Title 40 CFR Part 763, Subpart E, Appendix E, Section 1 “*Polarized Light Microscopy,*” which has been incorporated by reference in Chapter 2.

SECTION 49. That East Ridge Municipal Code, Title 20, Chapter 2, Section 20-241, is hereby amended so as to delete Rule 17.1(9) in its entirety and substitute in lieu thereof the following:

- (9) *Category II nonfriable ACM* means any material, excluding Category I nonfriable ACM, containing more than one percent (1%) asbestos as determined using the method specified in Title 40 CFR Part 763, Subpart E, Appendix E, Section 1 “*Polarized Light Microscopy,*” which has been incorporated by reference in Chapter 2, that, when dry, cannot be crumbled, pulverized, or reduced to powder by hand pressure.

SECTION 50. That East Ridge Municipal Code, Title 20, Chapter 2, Section 20-241, is hereby amended so as to delete Rule 17.1(17) in its entirety and substitute in lieu thereof the following:

- (17) *Friable asbestos material* means any material containing more than one percent (1%) asbestos as determined using the method specified in Title 40 CFR Part 763, Subpart E, Appendix E, Section 1 “*Polarized Light Microscopy*,” which has been incorporated by reference in Chapter 2, that, when dry, can be crumbled, pulverized, or reduced to powder by hand pressure. If the asbestos content is less than ten percent (10%) as determined by a method other than point counting by polarized light microscopy (PLM), verify the asbestos content by point counting using PLM.

SECTION 51. That East Ridge Municipal Code, Title 20, Chapter 2, Section 20-241, is hereby amended so as to delete Rule 17.1(19) in its entirety and substitute in lieu thereof the following:

- (19) *Glove bag* means a sealed compartment with attached inner gloves used for the handling of asbestos-containing materials. Properly installed and used, glove bags provide a small work area enclosure typically used for small-scale asbestos stripping operations. Information on glove-bag installation, equipment and supplies, and work practices is contained in Title 29 CFR Part 1926, Subpart Z, § 1926.1101 “*Asbestos*.”

SECTION 52. That East Ridge Municipal Code, Title 20, Chapter 2, Section 20-241, is hereby amended so as to delete Rule 17.1(28) in its entirety and substitute in lieu thereof the following:

- (28) *Nonfriable asbestos-containing material* means any material containing more than one percent (1%) asbestos as determined using the method specified in Title 40 CFR Part 763, Subpart E, Appendix E, Section 1 “*Polarized Light Microscopy*,” which has been incorporated by reference in Chapter 2, that, when dry, cannot be crumbled, pulverized, or reduced to powder by hand pressure.

SECTION 53. That East Ridge Municipal Code, Title 20, Chapter 2, Section 20-241, is hereby amended so as to delete Rule 17.1(37) in its entirety and substitute in lieu thereof the following:

- (37) *Resilient floor covering* means asbestos-containing floor tile, including asphalt and vinyl floor tile, and sheet vinyl floor covering containing more than one percent (1%) asbestos as determined using the method specified in Title 40 CFR Part 763, Subpart E, Appendix E, Section 1 “*Polarized Light Microscopy*,” which has been incorporated by reference in Chapter 2.

SECTION 54. That East Ridge Municipal Code, Title 20, Chapter 2, Section 20-241, is hereby amended so as to delete the *first paragraph only* of Rule 17.5(1) and substitute in lieu thereof the following:

- (1) *Applicability.* To determine which requirements of paragraphs (1), (2), and (3) of Rule 17.5 apply to the owner or operator of a demolition or renovation activity and prior to the commencement of the demolition or renovation, the owner or operator is required to have the affected facility or part of the facility where the demolition or renovation operation will occur thoroughly inspected for the presence of asbestos, including Category I and Category II nonfriable ACM. Any asbestos survey conducted by or for the owner or operator to determine the applicability of Rule 17.5 shall be conducted by a qualified person who has complied with the training requirements of paragraph (3)h. The requirements of paragraphs (2) and (3) of Rule 17.5 apply to each owner or operator of a demolition or renovation activity, including the removal of RACM as follows:

SECTION 55. That East Ridge Municipal Code, Title 20, Chapter 2, Section 20-241, is hereby amended so as to add the following Rule 17.5(1)e:

- e. *Courtesy notification.* The owner or operator of a renovation activity at any facility being renovated that is not described in paragraph (1)d. of Rule 17.5 shall provide the Director with a written courtesy notification on a form specified by the Director and available from the Bureau before any renovation activity begins. None of the requirements of paragraphs (2) and (3) of Rule 17.5 are applicable to such renovations.

SECTION 56. That East Ridge Municipal Code, Title 20, Chapter 2, Section 20-241, is hereby amended so as to delete Rule 17.5(2)a in its entirety and substitute in lieu thereof the following:

- a. Provide the Director with written notice of intention to demolish or renovate on a form specified by the Director and available from the Bureau. In addition, Section 20-208(f) contains requirements for building demolition or renovation permits and related permit fees, including requirements applicable to all demolition projects and to certain renovation projects.

SECTION 57. That East Ridge Municipal Code, Title 20, Chapter 2, Section 20-241, is hereby amended so as to delete Rule 17.5(2)c in its entirety and substitute in lieu thereof the following:

- c. Assure receipt by the Director of written notice as follows:
 1. At least ten (10) working days before asbestos stripping or removal work or any other activity begins (such as site preparation that would break up, dislodge or similarly disturb asbestos material), if the operation is described in paragraphs (1)a. and d. (except (1)d.3. and (1)d.4.) of Rule 17.5.
 2. At least ten (10) working days before any demolition operation described in paragraph (1)b. begins.
 3. At least thirty (30) working days before the end of the calendar year preceding the year for which notice is being given for renovations described in paragraph (1)d.3. of Rule 17.5.
 4. As early as possible before, but not later than the following working day, if the operation is a demolition according to paragraph (1)c. of Rule 17.5 or if the operation is a renovation described in paragraph (1)d.4. of Rule 17.5.
 5. For asbestos stripping or removal work in a demolition or renovation operation, described in paragraphs (1)a. or (1)d. (except (1)d.3. and (1)d.4.) of Rule 17.5, and for a demolition described in paragraph (1)b. of Rule 17.5, that will begin on a date other than the one contained in the original notice, notice of the new start date must be provided to the Director as follows:
 - (i) When the asbestos stripping or removal operation or demolition operation covered by Rule 17.5 will begin after the date contained in the notice, the Director shall be notified of the new start date as soon as possible before, and no later than, the original start date.
 - (ii) When the asbestos stripping or removal operation or demolition operation covered by Rule 17.5 will begin on a date earlier than the

date contained in the notice, the Director shall be notified of the new start date at least ten (10) working days before the asbestos stripping or removal operation or demolition operation begins.

SECTION 58. That East Ridge Municipal Code, Title 20, Chapter 2, Section 20-241, is hereby amended so as to delete Rule 17.5(2)d.2 in its entirety and substitute in lieu thereof the following:

2. Name, address, and telephone number of the facility owner or operator and the asbestos removal contractor (if applicable) and/or the demolition contractor (if applicable);

SECTION 59. That East Ridge Municipal Code, Title 20, Chapter 2, Section 20-241, is hereby amended so as to delete Rule 17.5(2)d.3 in its entirety and substitute in lieu thereof the following:

3. Type of operation:
 - (i) Demolition without friable asbestos present;
 - (ii) Demolition with friable asbestos present;
 - (iii) Removal of friable asbestos without demolition;
 - (iv) Emergency demolition;
 - (v) Court ordered demolition; or
 - (vi) Other;

SECTION 60. That East Ridge Municipal Code, Title 20, Chapter 2, Section 20-241, is hereby amended so as to delete Rule 17.5(2)d.5 in its entirety and substitute in lieu thereof the following:

5. (Reserved)

SECTION 61. That East Ridge Municipal Code, Title 20, Chapter 2, Section 20-241, is hereby amended so as to delete Rule 17.5(2)d.10 in its entirety and substitute in lieu thereof the following:

10. (Reserved)

SECTION 62. That East Ridge Municipal Code, Title 20, Chapter 2, Section 20-241, is hereby amended so as to delete Rule 17.5(2)d.11 in its entirety and substitute in lieu thereof the following:

11. (Reserved)

SECTION 63. That East Ridge Municipal Code, Title 20, Chapter 2, Section 20-241, is hereby amended so as to delete Rule 17.5(2)d.16 in its entirety and substitute in lieu thereof the following:

16. Description of procedures to be followed in the event that unexpected RACM is found or Category II nonfriable ACM becomes crumbled, pulverized, or reduced to powder;

SECTION 64. That East Ridge Municipal Code, Title 20, Chapter 2, Section 20-241, is hereby amended so as to delete Rule 17.5(2)d.17 in its entirety and substitute in lieu thereof the following:

17. Name, address, and telephone number of the waste transporter; and

SECTION 65. That East Ridge Municipal Code, Title 20, Chapter 2, Section 20-241, is hereby amended so as to add the following Rule 17.5(2)d.18:

18. Attach any required asbestos survey, including a diagram showing the location of all identified ACM.

SECTION 66. That East Ridge Municipal Code, Title 20, Chapter 2, Section 20-241, is hereby amended so as to add the following Rule 17.5(3)k:

- k. Any person conducting an asbestos survey or engaged in the removal of asbestos at a facility within Tennessee is required to be in possession of either a valid and appropriate asbestos accreditation certificate or valid and appropriate asbestos accreditation photo identification card as issued by the State of Tennessee in accordance with Chapter 1200-01-20 "*Asbestos Accreditation Requirements*" of the Rules of the Tennessee Department of Health and Tennessee Department of Environment and Conservation. Such accreditation certificate or identification card shall be made available for inspection by representatives or designees of the Director upon request at the facility.

SECTION 67. That East Ridge Municipal Code, Title 20, Chapter 2, Section 20-241, is hereby amended so as to delete Rule 17.6(1) in its entirety and substitute in lieu thereof the following:

- (1) For spray-on application on buildings, structures, pipes, and conduits, do not use material containing more than one percent (1%) asbestos as determined using the method specified in Title 40 CFR Part 763, Subpart E, Appendix E, Section 1 "*Polarized Light Microscopy*," which has been incorporated by reference in Chapter 2, except as provided in paragraph (3) of Rule 17.6.

SECTION 68. That East Ridge Municipal Code, Title 20, Chapter 2, Section 20-241, is hereby amended so as to delete the *first paragraph only* of Rule 17.6(2) and substitute in lieu thereof the following:

- (2) For spray-on application of materials that contain more than one percent (1%) asbestos as determined using the method specified in Title 40 CFR Part 763, Subpart E, Appendix E, Section 1 "*Polarized Light Microscopy*," which has been incorporated by reference in Chapter 2, on equipment and machinery, except as provided in paragraph (3) of Rule 17.6:

SECTION 69. That East Ridge Municipal Code, Title 20, Chapter 2, Section 20-241, is hereby amended so as to delete Rule 17.13(2) in its entirety and substitute in lieu thereof the following:

- (2) The information required by Rule 17.13(1) must accompany the information submitted to the Administrator of U.S. EPA pursuant to Title 40 CFR Part 61, Subpart A, § 61.10 “*Source reporting and waiver request*,” which has been incorporated by reference in Chapter 2. Active waste disposal sites subject to Rule 17.14 shall also comply with this provision. The information described in Rule 17.13 must be reported using the format required by the Bureau.

SECTION 70. That East Ridge Municipal Code, Title 20, Chapter 2, Section 20-241, is hereby amended so as to delete Rule 18.2(hh)(1)a in its entirety and substitute in lieu thereof the following:

- a. Any of the following stationary sources of air pollutants which emits, or has the potential to emit, one hundred (100) tons per year or more of any regulated NSR pollutant: fossil fuel-fired steam electric plants of more than two hundred fifty million (250,000,000) British thermal units per hour heat input, coal cleaning plants (with thermal dryers), kraft pulp mills, Portland cement plants, primary zinc smelters, iron and steel mill plants, primary aluminum ore reduction plants, primary copper smelters, municipal incinerators capable of charging more than fifty (50) tons of refuse per day, hydrofluoric, sulfuric, and nitric acid plants, petroleum refineries, lime plants, phosphate rock processing plants, coke oven batteries, sulfur recovery plants, carbon black plants (furnace process), primary lead smelters, fuel conversion plants, sintering plants, secondary metal production plants, chemical process plants, fossil fuel boilers (or combinations thereof) totaling more than two hundred fifty million (250,000,000) British thermal units per hour heat input, petroleum storage and transfer units with a total storage capacity exceeding three hundred thousand (300,000) barrels, taconite ore processing plants, glass fiber processing plants, and charcoal production plants;

SECTION 71. That East Ridge Municipal Code, Title 20, Chapter 2, Section 20-241, is hereby amended so as to delete Rule 18.2(hh)(3)h in its entirety and substitute in lieu thereof the following:

- h. Municipal incinerators capable of charging more than fifty (50) tons of refuse per day;

SECTION 72. That East Ridge Municipal Code, Title 20, Chapter 2, Section 20-241, is hereby amended so as to delete Rule 18.8(a)(7)h in its entirety and substitute in lieu thereof the following:

- h. Municipal incinerators capable of charging more than fifty (50) tons of refuse per day;

SECTION 73. That East Ridge Municipal Code, Title 20, Chapter 2, Section 20-241, is hereby amended so as to delete Rule 18.16(b)(3) in its entirety and substitute in lieu thereof the following:

- (3) Notify the public, by publication as an electronic notice (e-notice) on the Bureau website for the duration of the public comment period and by other means designated by the Director, if necessary, of the preliminary determination, the degree of increment consumption that is expected from the source or modification, and the opportunity for comment at a public hearing as well as through written public comment. The notice shall include the draft permit, information on how to access the administrative record for the draft permit, and information on how to request and/or attend a public hearing on the draft permit.

SECTION 74. That East Ridge Municipal Code, Title 20, Chapter 2, Section 20-241, is hereby amended so as to delete Rule 18.20(d) in its entirety and substitute in lieu thereof the following:

- (d) If the Director rescinds a permit under this Rule, the public shall be given adequate notice of the rescission. Publication of an announcement of rescission as an electronic notice (e-notice) on the Bureau website for a period of sixty (60) days prior to the rescission and by other means designated by the Director, if necessary, shall be considered adequate notice.

SECTION 75. That East Ridge Municipal Code, Title 20, Chapter 2, Section 20-241, is hereby amended so as to delete Rule 27.1 in its entirety and substitute in lieu thereof the following:

Rule 27.1. Particulate Matter Best Available Control Technology. Any new source or modification, alteration or reconstruction the installation of which commences after August 29, 1995, that emits or can potentially emit, prior to being controlled, fifteen (15) tons per year or more of PM₁₀ emissions, or that emits or can potentially emit, prior to being controlled, twenty-five (25) tons per year or more of particulate matter shall utilize “particulate matter best available control technology” (particulate BACT) as defined in Rule 27.2. If test results at a source subject to Rule 27.1 show more than 15.0 tons per year actual emissions of particulate matter, such source shall forward such test results to the Director. In addition, within sixty (60) days after receiving such test results, such source shall complete PM₁₀ emissions testing and forward the results of the PM₁₀ emissions testing to the Director.

SECTION 76. That East Ridge Municipal Code, Title 20, Chapter 2, Section 20-241, is hereby amended so as to delete Rule 27.3 in its entirety and substitute in lieu thereof the following:

Rule 27.3. Reasonable and Proper Emission Limitations. Any new source or modification, alteration or reconstruction the installation of which commences after August 29, 1995, that emits or has the potential to emit at its maximum, prior to being controlled, less than fifteen (15) tons per year of PM₁₀ emissions and less than twenty-five (25) tons per year of particulate matter shall achieve “reasonable and proper emission limitations” as defined in Rule 27.4.

SECTION 77. That East Ridge Municipal Code, Title 20, Chapter 2, Section 20-250, is hereby amended so as to delete Section 20-250(d) in its entirety and substitute in lieu thereof the following:

- (d) Any standard or other requirement pursuant to regulations promulgated under Section 111 of the Act [42 U.S.C. § 7411] in Title 40 CFR Part 60, which has been incorporated by reference in Chapter 2; or

SECTION 78. That East Ridge Municipal Code, Title 20, Chapter 2, Section 20-252, is hereby amended so as to delete Section 20-252(d) in its entirety and substitute in lieu thereof the following:

- (d) The requirements of Title 40 Code of Federal Regulations Part 70 “*State Operating Permit Programs*” (Revised as of July 1, 2021), which are incorporated herein by reference in Chapter 2 as requirements of this municipality pursuant to the provisions of T.C.A. § 68-201-115 and § 10-7-121, including provisions regarding schedules

for submission and approval or disapproval of permit applications, shall apply to the permitting of affected sources under the acid rain program, except as provided herein or modified in regulations promulgated under Title IV of the Act (acid rain program) in Title 40 Code of Federal Regulations Part 72 “*Permits Regulation*,” Part 75 “*Continuous Emission Monitoring*,” and Part 76 “*Acid Rain Nitrogen Oxides Emission Reduction Program*” (Revised as of July 1, 2021), which are also incorporated herein by reference in Chapter 2 as requirements of this municipality pursuant to the provisions of T.C.A. § 68-201-115 and § 10-7-121. If the provisions or requirements of Title 40 CFR Part 72 conflict with or are not included in this ordinance, the Part 72 provisions and requirements shall apply and take precedence.

SECTION 79. That East Ridge Municipal Code, Title 20, Chapter 2, Section 20-253, is hereby amended so as to delete Item (2) under the definition of “Applicable requirements” in its entirety and substitute in lieu thereof the following:

- (2) Any term or condition of any preconstruction permits issued pursuant to regulations promulgated under Title I, including parts C and D, of the Act in Title 40 CFR Part 51, Subpart I, or Title 40 CFR Part 60, which have been incorporated by reference in Chapter 2;

SECTION 80. That East Ridge Municipal Code, Title 20, Chapter 2, Section 20-253, is hereby amended so as to delete Item (3) under the definition of “Applicable requirements” in its entirety and substitute in lieu thereof the following:

- (3) Any standard or other requirement pursuant to regulations promulgated under Section 111 of the Act [42 U.S.C. § 7411] in Title 40 CFR Part 60, which has been incorporated by reference in Chapter 2;

SECTION 81. That East Ridge Municipal Code, Title 20, Chapter 2, Section 20-253, is hereby amended so as to delete Item (6) under the definition of “Applicable requirements” in its entirety and substitute in lieu thereof the following:

- (6) Any standard or other requirement governing solid waste incineration promulgated under Section 129 of the Act [42 U.S.C. § 7429], including Title 40 CFR Part 60, Subpart Ea “*Standards of Performance for Municipal Waste Combustors for Which Construction is Commenced After December 20, 1989 and On or Before September 20, 1994*,” which have been incorporated by

reference in Chapter 2, and standards or other requirements that have been identified in this ordinance by amendment subsequent to the action of the Administrator;

SECTION 82. That East Ridge Municipal Code, Title 20, Chapter 2, Section 20-253, is hereby amended so as to delete Item (9) under the definition of “Applicable requirements” in its entirety and substitute in lieu thereof the following:

- (9) Any standard or other requirement of the regulations promulgated to protect stratospheric ozone under Title VI of the Act in Title 40 Code of Federal Regulations Part 82 “*Protection of Stratospheric Ozone*” (Revised as of July 1, 2021), which are incorporated herein by reference in Chapter 2 as requirements of this municipality pursuant to the provisions of T.C.A. § 68-201-115 and § 10-7-121, unless the Administrator has determined that such requirements need not be contained in a Part 70 permit;

SECTION 83. That East Ridge Municipal Code, Title 20, Chapter 2, Section 20-253, is hereby amended so as to delete Item (11) under the definition of “Applicable requirements” in its entirety and substitute in lieu thereof the following:

- (11) All requirements of Title 40 CFR Part 70, which have been incorporated by reference at Section 20-252(d) of this ordinance;

SECTION 84. That East Ridge Municipal Code, Title 20, Chapter 2, Section 20-253, is hereby amended so as to delete Item (2)(viii) under the definition of “Major source” in its entirety and substitute in lieu thereof the following:

- (viii) Municipal incinerators capable of charging more than fifty (50) tons of refuse per day;

SECTION 85. That East Ridge Municipal Code, Title 20, Chapter 2, Section 20-253, is hereby amended so as to delete Item (2) under the definition of “Regulated air pollutant” in its entirety and substitute in lieu thereof the following:

- (2) Any pollutant for which a national ambient air quality standard has been promulgated in Title 40 Code of Federal Regulations Part 50 “National Primary and Secondary Ambient Air Quality Standards” (Revised as of July 1, 2021), the requirements of which are incorporated herein by reference in Chapter 2 as requirements of this municipality pursuant to the provisions of T.C.A. § 68-201-115 and § 10-7-121;

SECTION 86. That East Ridge Municipal Code, Title 20, Chapter 2, Section 20-253, is hereby amended so as to delete Item (3) under the definition of “Regulated air pollutant” in its entirety and substitute in lieu thereof the following:

- (3) Any pollutant that is subject to any standard that has been promulgated under Section 111 of the Act [42 U.S.C. § 7411] in Title 40 CFR Part 60, which has been incorporated by reference in Chapter 2, or Section 20-241, Rule 15 of this ordinance;

SECTION 87. That East Ridge Municipal Code, Title 20, Chapter 2, Section 20-253, is hereby amended so as to delete Item (4) under the definition of “Regulated air pollutant” in its entirety and substitute in lieu thereof the following:

- (4) Any Class I or II substance subject to a standard promulgated under or established by Title VI of the Act [42 U.S.C. § 7411] in Title 40 CFR Part 82, which has been incorporated by reference at Section 20-253 “Applicable requirements” (9) of this ordinance;

SECTION 88. That East Ridge Municipal Code, Title 20, Chapter 2, Section 20-253, is hereby amended so as to delete the *first paragraph only* of Item (5) under the definition of “Regulated air pollutant” and substitute in lieu thereof the following:

- (5) Any pollutant subject to a standard that has been promulgated under Section 112 of the Act [42 U.S.C. § 7412] in Title 40 CFR Part 61 or Title 40 CFR Part 63, which have been incorporated by reference in Chapter 2, or Title 40 Code of Federal Regulations Part 68 “*Chemical Accident Prevention Provisions*” (Revised as of July 1, 2021), the requirements of which are incorporated herein by reference in Chapter 2 as requirements of this municipality pursuant to the provisions of T.C.A. § 68-201-115 and § 10-7-121, including the following:

SECTION 89. That East Ridge Municipal Code, Title 20, Chapter 2, Section 20-253, is hereby amended so as to delete Item (2) under the definition of “Regulated pollutant (for presumptive fee calculation)” in its entirety and substitute in lieu thereof the following:

- (2) Any pollutant that is a regulated air pollutant solely because it is a Class I or II substance subject to a standard that has been promulgated under or established by Title VI of the Act [42 U.S.C. § 7411] in Title 40 CFR Part 82, which has been incorporated by reference at Section 20-253 “Applicable requirements” (9) of this ordinance; or

SECTION 90. That East Ridge Municipal Code, Title 20, Chapter 2, Section 20-254, is hereby amended so as to delete Section 20-254(e)(2) in its entirety and substitute in lieu thereof the following:

- (2) Undergo public participation requirements. This requires that notice of a draft initial certificate(s) of operation for a synthetic minor source shall be given to the general public at least thirty (30) days in advance of a public hearing on the draft initial certificate(s) of operation and shall provide at least thirty (30) days for public comment. Such notice shall be given by publication as an electronic notice (e-notice) on the Bureau website for the duration of the public comment period and by other means designated by the Director, if necessary. In addition, a copy of the draft certificate(s) of operation for a synthetic minor source shall be delivered to the U.S. Environmental Protection Agency at least thirty (30) days in advance of a public hearing on the draft certificate(s) of operation. Such advance notice must be given and a public hearing must be held prior to issuance of any certificate of operation to a synthetic minor source. Any certificate of operation issued to a synthetic minor source shall contain a statement of basis comparing the source’s potential to emit with the synthetic limit to emit and a description of the procedures to be followed that will insure that the limit on which the Director bases a determination that a source is a synthetic minor source and not a “major source,” as defined in this ordinance, is not exceeded;

SECTION 91. That East Ridge Municipal Code, Title 20, Chapter 2, Section 20-256, is hereby amended so as to delete the *first paragraph only* of Section 20-256(c)(11) and substitute in lieu thereof the following:

- (11) The following activities, due to de minimis emissions levels, are deemed to be insignificant activities that need not be included in the permit application provided that potential emissions of each criteria pollutant from an activity listed in § 20-256(c)(11) by a Part 70 source are less than five (5) tons per year; and provided that potential emissions of any single hazardous air pollutant from an activity listed in § 20-256(c)(11) by a Part 70 source are less than one thousand (1,000) pounds per year; and provided that the activity involves no potential emissions of any Class I substance or Class II substance as defined in Title 42 U.S.C. 7671; and further provided that the activity listed in § 20-256(c)(11) is not subject to an applicable requirement, as that term is defined in § 20-253. Potential emissions of any air pollutant that is both a criteria pollutant and a hazardous air pollutant shall be subject to the more stringent threshold of one thousand (1,000) pounds per year for the purposes of § 20-256(c)(11).

SECTION 92. That East Ridge Municipal Code, Title 20, Chapter 2, Section 20-256, is hereby amended so as to delete Section 20-256(c)(11)(xvix [*sic*]) in its entirety and substitute in lieu thereof the following:

- (xix) Laboratory equipment used exclusively for chemical and physical analyses, including ventilating and exhaust systems for laboratory hoods used for air contaminants other than radioactive air contaminants;

SECTION 93. That East Ridge Municipal Code, Title 20, Chapter 2, Section 20-256, is hereby amended so as to delete Section 20-256(c)(11)(il [*sic*]) in its entirety and substitute in lieu thereof the following:

- (xlx) Equipment used for portable steam cleaning;

SECTION 94. That East Ridge Municipal Code, Title 20, Chapter 2, Section 20-256, is hereby amended so as to delete the *first paragraph only* of Section 20-256(c)(11)(lxxxvi) and substitute in lieu thereof the following:

(lxxxvi) Industrial-Commercial-Institutional Steam Generating Insignificant Activities are as follows:

SECTION 95. That East Ridge Municipal Code, Title 20, Chapter 2, Section 20-256, is hereby amended so as to delete the *first paragraph only* of Section 20-256(c)(12) and substitute in lieu thereof the following:

(12) The following activities, due to size and production rate, are deemed to be insignificant activities that must be included in the permit application in accordance with § 20-256 of this chapter provided that potential emissions of each criteria pollutant from an activity listed in § 20-256(c)(12) by a Part 70 source are less than five (5) tons per year; and provided that potential emissions of any single hazardous air pollutant from an activity listed in § 20-256(c)(12) by a Part 70 source are less than one thousand (1,000) pounds per year; and provided that the activity involves no potential emissions of any Class I substance or Class II substance as defined in Title 42 U.S.C. 7671; and further provided that the activity listed in § 20-256(c)(12) is not subject to an applicable requirement, as that term is defined in § 20-253. Potential emissions of any air pollutant that is both a criteria pollutant and a hazardous air pollutant shall be subject to the more stringent threshold of one thousand (1,000) pounds per year for the purposes of § 20-256(c)(12).

SECTION 96. That East Ridge Municipal Code, Title 20, Chapter 2, Section 20-256, is hereby amended so as to delete Section 20-256(c)(12)(ii) in its entirety and substitute in lieu thereof the following:

(ii) A single stack of an air contaminant source that emits no regulated gaseous pollutants or any pollutants defined at Section 20-253 “Regulated Air Pollutant” (5) of this ordinance and which does not have potential emissions, prior to being controlled, of more than 0.50 pound per hour of particulate matter, provided that the total of such emissions at an air contaminant source to which this insignificant activity designation is being applied amounts to less than 2.00 pounds per hour. For the purpose of this subparagraph, an air contaminant source includes all sources

located within a contiguous area and under common control. This insignificant activity designation does not apply to incinerators or sources emitting lead or lead compounds.

SECTION 97. That East Ridge Municipal Code, Title 20, Chapter 2, Section 20-256, is hereby amended so as to add the following Section 20-256(c)(12)(xxii):

(xxii) Surface coating operations using hand-held, non-refillable aerosol containers.

SECTION 98. That East Ridge Municipal Code, Title 20, Chapter 2, Section 20-258, is hereby amended so as to delete Section 20-258(h)(1) in its entirety and substitute in lieu thereof the following:

- (1) Notice shall be given: by publication as an electronic notice (e-notice) on the Bureau website, along with a copy of the draft permit, for the duration of the public comment period; to persons on a mailing list developed by the Bureau, including those who request in writing to be on the list; and by other means designated by the Director, if necessary, to assure adequate notice to the affected public;

SECTION 99. That East Ridge Municipal Code, Title 20, Chapter 2, Section 20-268, is hereby amended so as to delete Section 20-268 in its entirety and substitute in lieu thereof the following:

Sec. 20-268. - Incorporation of documents by reference.

The following documents are hereby incorporated by reference in Chapter 2 as requirements of this municipality pursuant to the provisions of T.C.A. § 68-201-115 and § 10-7-121:

- (a) The following appendices of Title 40 Code of Federal Regulations Part 50 (Revised as of July 1, 2021):
 - (1) Appendix A-1 “*Reference Measurement Principle and Calibration Procedure for the Measurement of Sulfur Dioxide in the Atmosphere (Ultraviolet Fluorescence Method)*,”
 - (2) Appendix A-2 “*Reference Method for the Determination of Sulfur Dioxide in the Atmosphere (Pararosaniline Method)*,”

- (3) Appendix B “*Reference Method for the Determination of Suspended Particulate Matter in the Atmosphere (High-Volume Method),*”
- (4) Appendix C “*Measurement Principle and Calibration Procedure for the Measurement of Carbon Monoxide in the Atmosphere (Non-Dispersive Infrared Photometry),*”
- (5) Appendix D “*Reference Measurement Principle and Calibration Procedure for the Measurement of Ozone in the Atmosphere (Chemiluminescence Method),*”
- (6) Appendix F “*Measurement Principle and Calibration Procedure for the Measurement of Nitrogen Dioxide in the Atmosphere (Gas Phase Chemiluminescence),*”
- (7) Appendix G “*Reference Method for the Determination of Lead in Total Suspended Particulate Matter,*”
- (8) Appendix H “*Interpretation of the 1-Hour Primary and Secondary National Ambient Air Quality Standards for Ozone,*”
- (9) Appendix I “*Interpretation of the 8-Hour Primary and Secondary National Ambient Air Quality Standards for Ozone,*”
- (10) Appendix J “*Reference Method for the Determination of Particulate Matter as PM₁₀ in the Atmosphere,*”
- (11) Appendix K “*Interpretation of the National Ambient Air Quality Standards for Particulate Matter,*”
- (12) Appendix L “*Reference Method for the Determination of Fine Particulate Matter as PM_{2.5} in the Atmosphere,*”
- (13) Appendix N “*Interpretation of the National Ambient Air Quality Standards for PM_{2.5},*”
- (14) Appendix O “*Reference Method for the Determination of Coarse Particulate Matter as PM_{10-2.5} in the Atmosphere,*”
- (15) Appendix P “*Interpretation of the Primary and Secondary National Ambient Air Quality Standards for Ozone,*”
- (16) Appendix Q “*Reference Method for the Determination of Lead in Particulate Matter as PM₁₀ Collected From Ambient Air,*”
- (17) Appendix R “*Interpretation of the National Ambient Air Quality Standards for Lead,*”
- (18) Appendix S “*Interpretation of the Primary National Ambient Air Quality Standards for Oxides of Nitrogen (Nitrogen Dioxide),*”
- (19) Appendix T “*Interpretation of the Primary National Ambient Air Quality Standards for Oxides of Sulfur (Sulfur Dioxide),*” and
- (20) Appendix U “*Interpretation of the Primary and Secondary National Ambient Air Quality Standards for Ozone*”;

- (b) Title 40 Code of Federal Regulations Part 51, Subpart I “*Review of New Sources and Modifications*” (Revised as of July 1, 2021);
- (c) The following appendices of Title 40 Code of Federal Regulations Part 51 (Revised as of July 1, 2021):
 - (1) Appendix M “*Recommended Test Methods for State Implementation Plans,*”
 - (2) Appendix P “*Minimum Emission Monitoring Requirements,*”
 - (3) Appendix S “*Emission Offset Interpretative Ruling,*” Section IV “*Sources That Would Locate in a Designated Nonattainment Area,*” and
 - (4) Appendix W “*Guideline on Air Quality Models*”;
- (d) Title 40 Code of Federal Regulations Part 58 “*Ambient Air Quality Surveillance*” and its Appendix B “*Quality Assurance Requirements for Prevention of Significant Deterioration (PSD) Air Monitoring*” (Revised as of July 1, 2021);
- (e) Title 40 Code of Federal Regulations Part 64 “*Compliance Assurance Monitoring*” (Revised as of July 1, 2021);
- (f) Title 40 Code of Federal Regulations § 70.4(b)(3)(viii) (Revised as of July 1, 2021);
- (g) The following appendices of Title 40 Code of Federal Regulations Part 75 (Revised as of July 1, 2021):
 - (1) Appendix A “*Specifications and Test Procedures,*”
 - (2) Appendix B “*Quality Assurance and Quality Control Procedures,*”
 - (3) Appendix C “*Missing Data Estimation Procedures,*”
 - (4) Appendix D “*Optional SO₂ Emissions Data Protocol for Gas-Fired and Oil-Fired Units,*”
 - (5) Appendix E “*Optional NO_x Emissions Estimation Protocol for Gas-Fired Peaking Units and Oil-Fired Peaking Units,*”
 - (6) Appendix F “*Conversion Procedures,*” and
 - (7) Appendix G “*Determination of CO₂ Emissions*”;
- (h) Title 40 Code of Federal Regulations Part 257, Subpart A “*Classification of Solid Waste Disposal Facilities and Practices,*” § 257.2 “*Definitions*” (Revised as of July 1, 2021);
- (i) The following sections of Title 40 Code of Federal Regulations Part 258 “*Criteria for Municipal Solid Waste Landfills*” (Revised as of July 1, 2021):
 - (1) Subpart D “*Design Criteria,*” § 258.40 “*Design criteria,*” and
 - (2) Subpart F “*Closure and Post-Closure Care,*” § 258.60 “*Closure criteria*”;
- (j) American Society for Testing and Materials (ASTM) Designation D 3266-91, Standard Test Method for Automated Separation and Collection of Particulate and Acidic Gaseous Fluoride in the Atmosphere (Double Paper Tape Sampler Method), 1994 Annual Book of ASTM Standards Volume 11.03;

- (k) American Society for Testing and Materials (ASTM) Designation D 323-94, Standard Test Method for Vapor Pressure of Petroleum Products (Reid Method), 1994 Annual Book of ASTM Standards Volume 5.01;
- (l) American Petroleum Institute (API) Bulletin 2517 “Evaporative Loss from External Floating-Roof Tanks” Third Edition with addendum May 1994;
- (m) Tennessee Visible Emissions Evaluation Method 1 – Visual Determination of Opacity of Emissions from Nontraditional Sources (Roads and Parking Areas), Visible Emissions Evaluation Instruction Manual, August 1988 Revised 1995, issued by the Tennessee Department of Health & Environment, Division of Air Pollution Control; and
- (n) National Association of Corrosion Engineers (NACE) Standard RP0294-94 “Recommended Practice Design, Fabrication, and Inspection of Tanks for Storage of Concentrated Sulfuric Acid and Oleum at Ambient Temperatures.”

SECTION 100. BE IT FURTHER ORDAINED, that East Ridge Municipal Code, Title 20, Chapter 2, codifying ordinances as previously adopted be construed to be cumulative in effect, and it is here declared to be the legislative intent that compliance with any one or more provisions of that chapter shall not be construed as defense for non-compliance with any other applicable provisions of the Code or the Ordinance or rules or regulations thereof nor with any applicable provisions of that chapter.

SECTION 101. BE IT FURTHER ORDAINED, that if any section, part of a section, sentence, clause or phrase of this Ordinance is for any reason declared unconstitutional or otherwise invalid by any court of competent jurisdiction, such decision shall not affect the validity of any other portion of this Ordinance, and only such invalid portion shall be elided from this Ordinance.

BE IT FURTHER ORDAINED, that this ordinance shall take effect immediately after its passage, the public welfare of the City requiring it.

Approved on First Reading _____, 2023

Approved on Second Reading _____, 2023

Brian W. Williams, Mayor

ATTEST:

J. Scott Miller, City Manager

APPROVED AS TO FORM:

Mark W. Litchford, City Attorney