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# Air Enforcement: Tennessee Air Pollution Control Board Order and Assessment of Civil Penalty Related to Decherd, Tennessee Automobile Manufacturing Facility

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The Tennessee Air Pollution Control Board (“TAPCB”) issued an August 14th Technical Secretary’s Order and Assessment of Civil Penalty (“Order”) to Nissan North America, Inc. (“Nissan”) for alleged violations of an air permit. See Case No. APC18-0104.

The Order states that Nissan operates an automobile manufacturing facility (“Facility”) in Decherd, Tennessee.

The Facility is stated to hold a Title V Major Source operating permit (“Permit”).

Condition E35-116 of the Permit summarizes the 40 C.F.R. Part 64-Compliance Assurance Monitoring requirements for the Facility’s downdraft waterwash system serving the Paint Line 1 Topcoat Coating Lines and Touchup area and the exhaust filter controlled spray booth serving the Stoneguard Process. Such processes are stated to partially comprise a Specified Source and require a daily visual inspection or a daily differential pressure reading to be taken across the exhaust filters serving the Stoneguard Process spray booth. Further, Condition E35-16 requires Nissan to keep a log of daily inspections or differential pressure readings and the actual dates that filters were replaced.

The Division of Air Pollution Control of the TAPCB is stated to have received the Facility’s Title V semiannual report on May 1, 2018 for the period October 1, 2017, through March 31, 2018. The referenced report is stated to have indicated that the Stoneguard Process spray booth daily pressure drop log for the month of January 2018 was lost.

The Division of Air Pollution Control received on May 21, 2018, additional information from Nissan indicating the company did not have records of daily visual inspections or differential pressure readings as required by E35-16 of the Permit for the 21 days that Source 51 operated during January 2018.

The Order alleges that by failing to comply with a condition of the permit that Nissan violated Tenn. Comp. R. & Regs. 1200-03-09-.02(6), referencing operation of air contaminant sources in accordance with the Permit and relevant Tennessee regulations, along with the Tennessee Air Quality Act.

A civil penalty of \$1,500 is assessed.

The Order provides certain rights of appeal.

A copy of the Order can be downloaded [here](#).