

Air Enforcement: Tennessee Air Pollution Control Board Proposed Order/Civil Penalty for Vonore, Tennessee Boat Manufacturing Facility



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The Tennessee Air Pollution Control Board (“TAPCB”) issued a September 11th Technical Secretary’s Order and Assessment of Civil Penalty (“Order”) to Yamaha Jet Boat Manufacturing U.S.A., Inc. (“Yamaha”) for an alleged violation of the Tennessee Air Rules.

The Order provides that Yamaha has a facility in Vonore, Tennessee.

The Order notes that the United States Environmental Protection Agency (“EPA”) promulgated an Air Emissions Reporting Rule in December 2018. The rule is stated to require certain agencies to collect and submit emissions data to EPA. The federal agency is stated to use these submittals, along with other data sources, to build the National Emissions Inventory.

The document is described as a comprehensive and detailed estimate of air emissions for Criteria and Hazardous air pollutants from all emission sources. It is prepared every three years by EPA based primarily upon emission estimates and emission model inputs provided by state, local, and tribal air agencies for sources in their jurisdictions, and supplemented by data developed by EPA.

A Division of TAPCB is stated to have sent Yamaha a certified letter dated March 1, 2018, requesting it to submit a completed calendar year 2017 Air Emissions Inventory by June 1, 2018. Yamaha is stated to have received this request from the TAPCB Division on March 7, 2018.

The Order alleges that on or about June 19, 2018, a Division of TAPCB received Yamaha’s 2017 Air Emission Inventory, approximately 18 days late. The Division of TAPCB issued on July 10, 2018, a Notice of Violation to Yamaha for failing to submit the Air Emissions Inventory for the 2017 calendar year by June 1, 2018.

The Order alleges that by failing to submit the Air Emissions Inventory by June 1, 2018, Yamaha violated Tenn. Comp. R. & Regs. 1200-03-10-.05(1)(b). Therefore, the alleged failure to submit the requested information is stated to have violated Tenn. Code Ann. § 68-201-105(b)(2).

The Order proposes to assess a civil penalty in the amount of \$500.

The Order provides certain appeal rights as specified in the section titled “Notice of Rights.”

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