

# Air Enforcement: Tennessee Air Pollution Control Board Order/Assessment of Civil Penalty Addressing Greenville, Tennessee Air Curtain Destructor



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The Tennessee Air Pollution Control Board ("Board") issued a Technical Secretary's Order and Assessment of Civil Penalty ("Order") to the town of Greenville, Tennessee ("Greenville") for an alleged violation of an air permit. See Division of Air Pollution Control Case No. APC-19-0015.

Greenville is stated to operate an air curtain destructor ("ACD").

The ACD is stated to constitute an air contaminant source within the meaning of Tenn. Code Ann. § 68-201-102. The ACD is stated to have been issued a construction permit for its operation. The ACD permit addresses, among other things, the amount of wood burned annually.

Condition S1-5A of both the current and a previous permit states in pertinent part:

Except as noted in Condition S1-5B, visible emissions from this source shall not exhibit greater than ten (10) percent opacity as determined by EPA Method 9, as published in 40 CFR 60, Appendix A (six-minute average).

The Division of Air Pollution Control of the Board is stated to have conducted a 30-minute EPA Method 9 visible emissions evaluation ("VEE") at the ACD in conjunction with a compliance inspection. The Order further provides that during the 30-minute VEE, the highest six-minute average was 38.5%. This information was stated to exceed the applicable opacity standard of ten (10) percent required by Condition S I-5A of the permit.

The finding pursuant to the test is stated to constitute a failure to comply with a Condition of the permit in violation of Tenn. Comp. R. & Regs. 1200-03-09-.01(1)(d).

The Order requires that Greenville submit a proposed schedule of corrective action to bring the ACD's visible emissions into compliance with the permit.

A civil penalty of \$2,250 is assessed.

The Order provides Greenville certain appeal rights.

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