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Air Enforcement: Tennessee Air Pollution Control Board: Proposed Order/Assessment of Penalty to Elizabethan, Tennessee Dry Machining Operation

10/09/2019

The Tennessee Air Pollution Control Board (“Board”) issued a September 30th Technical Secretary’s Order and Assessment of Civil Penalty (“Order”) to AYM, Inc. (“AYM”) for an alleged air permit violation. See Division of Air Pollution – Case No. APC19-0094.

The Order provides that AYM has a dry machining operation (“Facility”) in Elizabethan, Tennessee.

AYM is stated to have been issued an Operating Permit (“Permit”) on February 20, 2015 for the dry machining operation. Condition 10 of the Permit is referenced as stating in part:

The permittee must prepare and submit annual certifications and compliance reports for this source as follows:

Each annual certification and compliance report must be prepared and submitted no later than January 31 of each year, and will cover the preceding annual reporting period from January 1 through December 31. The annual certification and compliance report must be kept in a readily-accessible location for inspection by the Technical Secretary or his representative. If an exceedance [sic] has occurred during the year, each annual certification and compliance report must be submitted along with the exceedance [sic] reports, and postmarked or delivered no later than January 31.

The Division of Air Pollution Control (“Division”) of the Tennessee Air Pollution Control Board is stated to have reviewed the AYM Facility files and determined that the annual certification and annual compliance reports (“Reports”) required by Condition 10 of the Permit had not been submitted for calendar years 2016, 2017, and 2018. The Division is stated to have sent two emails to AYM requesting the Reports. The Reports are stated to have been subsequently received on May 20, 2019.

The failure to submit the referenced reports by the required dates is alleged to constitute a failure to comply with the Condition of the Permit which requires that the Facility operate in accordance with the provisions and stipulations set for in that Permit.

The Order assesses a civil penalty of \$1,500.

AYM has certain appeal rights as specified in the Order.

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

