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Air Enforcement: Tennessee Air Pollution Control Board Proposed Order/Assessment of Civil Penalty to Church Hill, Tennessee Glass Manufacturing Facility

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The Tennessee Air Pollution Control Board (“Board”) issued an October 16th Proposed Technical Secretary’s Order and Assessment of Civil Penalty (“Order”) to AGC Flat Glass North America, Inc. (“AGC”). See Division of Air Pollution Case No. APC 19-0124.

AGC is stated to operate a glass manufacturing operation (“Facility”) in Church Hill, Tennessee.

The Facility is stated to have been issued a Title V Operating Permit (“Permit”) on March 16, 2017. The Permit was subsequently subject to two minor modifications.

Condition E7-5 of the Permit states, in pertinent part:

Controlled Sulfur Dioxide (SO₂) emitted from this source shall not exceed 32.5 pounds per hour on a daily average basis and 148.59 tons per 12 consecutive months. These emission limitations are established pursuant to Tenn. Comp. R. & Regs. 1200-03-14-.01(3) and the information contained in the agreement letter dated May 2, 2012.

AGC is stated to have reported an SO₂ exceedance on or about July 15, 2019, during a phone call to the Division of Air Pollution Control (“Division”). Further, on July 16, 2019, the Division is stated to have received an email from AGC containing a Continuous Emission Monitoring System (“CEMS”) for an excess emissions event that occurred on July 12, 2019. The report is stated to have indicated a daily SO₂ average of 32.77 pounds per hour for a glass melting furnace. The Division subsequently requested that AGC confirm the following events:

. . . an inexperienced operator did not detect the potential SO₂ and, after a shift change, a more experienced operator unsuccessfully attempted to avoid the exceedance.

AGC is stated to have confirmed via email the Division’s summary.

The Division is stated to have issued a Notice of Violation for the previously referenced violation. This is alleged to constitute a violation of Condition E7-5 of the Permit.

The Order requires that AGC submit to the Division the invoice and cancelled check showing payment for the installation of additional programming to provide SO₂ daily lb/hr and NO_x lb/ton averages on the furnace operator HMI screen in the furnace control room within 90 days after receipt of the Order.

The Order assesses a civil penalty of \$2,250.

Certain appeal rights are provided pursuant to the Tennessee Code.

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