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Air Enforcement: Tennessee Air Pollution Control Board Proposed Order/Civil Penalty Addressing Ashland City, Tennessee Water Heater Manufacturing Facility

04/08/2020

The Tennessee Air Pollution Control Board ("TACB") issued a March 4th Technical Secretary's Order and Assessment of Civil Penalty ("Order") addressing an alleged air permit violation by State Industries, LLC ("State"). See Division of Air Pollution Case No. APC19-0178.

The Order provides that State operates a water heater manufacturing facility ("Facility") in Ashland City, Tennessee.

A Title V operating permit is stated to have been issued on August 30, 2019, to State for an emission source related to the manufacturing of water heaters.

Condition E-3-5(SM1) of Permit 562496 is referenced as stating in pertinent part:

A. Work Practice Standard Requirements (See Attachment 5): [§ 63.7500]

b. Process heaters fueled with gas (natural gas or propane) and having a heat input capacity greater than 5 million BTU per hour and less than 10 million BTU per hour must complete a tune-up every two (2) years as specified in § 63.7540.

Condition E19-6 of Permit 573881 states, in pertinent part:

(a) The permittee must meet the applicable work practice standards in Table 3 to subpart DDDD for each affected unit designed to burn gas 1 type fuel in accordance with 40 CFR §63.7500:

If the unit is . . .	The permittee must. . .
A process heater with heat input capacity of less than 10 million Btu per hour, but greater than 5 million Btu per hour.	Conduct a tune-up of the process heater biennially in accordance with § 63.7540

The Division of Air Pollution Control is stated to have conducted an inspection of State's facility on October 23, 2019, for the time period from October 19, 2018, through October 23, 2019. As a result of the inspection additional information was requested concerning biennial tune-ups for six 5.3 MMBtu boilers. Such information is stated to have indicated that the last tune-up for the six boilers was conducted on December 15, 2016.

The Order states that the Facility violated Division Rule 1200-03-09-.02(6) which states in pertinent part:

Operation of each air contaminant source shall be in accordance with the provisions and stipulations set forth in the operating permit, all provisions of these regulations, and all provisions of the Tennessee Air Quality Act.

The Order proposes a civil penalty in the amount of \$2,250.

State is provided certain appeal rights pursuant to the Order.

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