

Air Enforcement: Tennessee Air Pollution Control Board Proposed Order/Assessment of Civil Penalty Related to Grand Junction Sawmill Facility



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The Tennessee Air Pollution Control Board (“Board”) issued a June 17th proposed Technical Secretary’s Order and Assessment of Civil Penalty (“Order”) to D&T Sawmill LLC (“D&T”). See Case No. APC20-0014.

The Order provides that D&T operates a sawmill facility (“Facility”) in Grand Junction, Tennessee.

The Board is stated to have issued construction permit number 970149 for an emission source at a D&T sawmill operation on May 27, 2016.

The Division of Air Pollution Control (“Division”) of the Board is stated to have notified D&T in a letter dated February 10, 2017, that the previously referenced permit was due to expire on May 27, 2017. The Division is further stated to have notified D&T that if the source had begun operations, it should submit a complete operating permit application and include a start-up certification if required.

The Division received D&T’s operating permit application on April 7, 2017. The application is stated to have indicated that D&T was operating the sawmill.

The Division subsequently issued a Notice of Violation to D&T on January 28, 2020, for allegedly failing to submit a start-up certification and submit the initial performance test or other initial compliance demonstration.

The alleged failure to submit the Division-requested information in the time period required by Conditions 13 and 27 of the previously referenced permit are stated to render Condition 12 ineffective. Without the temporary operating permit provided by Condition 12, the Order states that D&T has been operating without a permit since start-up.

The Order requires that D&T submit to the Division the start-up certification within 30 days after receipt of the Order. Further, D&T is required to submit to the Division the initial performance test or other initial compliance demonstration within 90 days of receipt of the Order. It is further required to adhere to all conditions in permit 970149 except Condition 13 and 27.

A civil penalty of \$4,500 is assessed.

The Order provides D&T certain appeal rights.

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