

Air Enforcement: Tennessee Air Pollution Control Board Proposed Order/Civil Penalty Related to McMoresville Cotton Gin



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03/09/2021

The Tennessee Air Pollution Control Board (“Board”) issued a March 1st proposed Technical Secretary’s Order and Assessment of Civil Penalty (“Order”) to Espey Gin Company, Inc. (“Espey”). See Division of Air Pollution Control Case No. APC20-0108.

The Order provides that Espey operates a cotton gin (“Gin”) in McMoresville, Tennessee.

The Technical Secretary of the Board is stated to have issued an operating permit to the Gin in 2015. The Gin was identified as an emission source.

Condition 4 of the permit states in part:

The number of bales processed during a ginning season shall not exceed 57,500 bales.

Condition 5 of the permit states:

Records shall be maintained to establish the number of bales processed during each ginning season. These records must be maintained at the gin location or business office and kept available for inspection by the Technical Secretary or his representative. At the end of the cotton ginning season and no later than April 1, a report of the number of bales processed during the ginning season shall be submitted to the Division[.]

The Division of Air Pollution Control (“Division”) is stated to have received from Espey its annual bales process report for the 2019 ginning season on August 27, 2020. The report is stated to have been submitted to the Division 148 days late and indicated that 58,645 bales were processed by Espey during the 2019 ginning season. As a result, the Order alleges that Espey violated Conditions 4 and 5 of the permit.

The Order proposes to assess a civil penalty of \$2,250.

The Order provides Espey certain appeal rights.

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