

# Air Enforcement: Tennessee Air Pollution Control Board Proposed Order Addressing Kingsport Plastic Recycling Operation



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The Tennessee Air Pollution Board (“Board”) issued a Proposed Technical Secretary’s Order and Assessment of Civil Penalty (“Order”) to Patriot Recycling, Inc., (“Patriot”). See Case No. APC21-0022.

The Order provides that Patriot operates a facility (“Facility”) in Kingsport, Tennessee.

The Division of Air Pollution Control (“Division”) is stated to have received via email a construction permit application on December 30, 2020, from Patriot for a plastics recycling operation. Further, the application is stated to have indicated that construction started January 2, 2020, and was completed on February 15, 2020.

The Division is stated to have received a revised construction permit application on February 2, 2021, indicating construction started on January 2, 2021, and was completed on February 15, 2021. A Notice of Violation is stated to have been subsequently issued to Patriot on February 12, 2021, for allegedly constructing and operating a plastics recycling operation prior to receiving the required permits.

The Division is stated to have conducted a site visit at the Facility on March 31, 2021, to confirm that Patriot was operating the plastics recycling operation. The Order further notes that:

At approximately 11 :30 a.m. eastern daylight time, the Division observed one tanker truck being loaded by a pneumatic transfer and a baghouse operating on the exterior of the building. During the time on site, the Division spoke with Respondent who stated the plastic recycling operation and associated baghouse had been in operation for the past week but did not provide a specific date of startup.

The Order provides that by constructing an air contaminant source not specifically exempted by Division Rule 1200-03-09-.04 without first receiving the necessary construction permit, Patriot violated Division Rule

1200-0-3-09-.01(1)(a).

The Order also alleges that by operating an air contaminant source not specifically exempted by Tenn. Comp. R. & Regs. 1200-03-09-.04 without first applying for and receiving the necessary operating permit, Patriot violated Tenn. Comp. R. & Regs. 1200-03-09-.02(2).

The Order proposes to assess a civil penalty of \$3,000 for the alleged violation of Division Rules.

Patriot is provided certain appeal rights.

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