

Air Enforcement: Tennessee Technical Secretary's Proposed Order/Civil Penalty Addressing Greenville Air Curtain Destructor



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The Tennessee Air Pollution Control Board (“Board”) issued a February 10th proposed Technical Secretary’s Order and Assessment of Civil Penalty (“Order”) to the Town of Greenville, Tennessee. See Case No. APC21-0082.

The proposed Order addresses the Municipality’s operation of an air curtain destructor (“ACD”).

The Technical Secretary is stated to have issued a Construction Permit to Greenville for an ACD on May 28, 2019. Further, the Technical Secretary issued an Operating Permit for the ACD on February 19, 2020.

The Board’s Division of Air Pollution Control (“Division”) is stated to have received Greenville’s results from the visible emissions evaluation (“VEE”) for the ACD conducted on January 21, 2021. The VEE is stated to have indicated that the opacity observed during the first 30-minute period (startup period) was 63 percent. Further, the Order states that the VEE indicated that the opacity observed during the remaining 150 minutes was 67 percent. This is stated to violate certain conditions of the Operating Permit.

The Division is stated to have received results from the VEE for the ACD conducted on April 20, 2021, which indicated that the opacity observed during the first 30-minute period was 36 percent. This is stated to constitute a violation of the Operating Permit.

Greenville conducted a VEE in response to a Notice of Violation (“NOV”) issued by the Board. The Division subsequently acknowledged that the VEE was technically correct and acceptable for compliance determination. As a result, no further action is stated to have been required.

Division personnel conducted an inspection at the Greenville facility on June 2, 2021. Such inspection is stated to have covered the time period of June 1, 2019, to June 2, 2021. Division personnel are stated to have discovered that Greenville was not maintaining certain records required by a condition of the Operating Permit.

Division personnel contacted Greenville as a follow-up to the inspection. Greenville indicated it was unaware if personnel at the facility recorded the dates and locations that the ACD and the associated engine were moved onsite. Further, Greenville is stated to have indicated in an email dated October 7, 2021, that the records were not available.

In response to an NOV, the Division received Greenville's example log. As a result, no further action was required.

The proposed Order would assess a civil penalty of \$3,750.

Certain appeal rights are provided.

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