



**Walter Wright, Jr.**  
wwright@mwlaw.com  
(501) 688.8839

# Air Enforcement: Tennessee Air Pollution Control Board Proposed Technical Secretary's Order Addressing Decherd Automobile Powertrain Facility

06/25/2024

The Tennessee Air Pollution Control Board ("Board") issued a June 5th Proposed Technical Secretary's Order and Assessment of Civil Penalty ("Order") to Nissan North America, Inc. ("Nissan") addressing alleged violations of an Air Permit. See Case No. APC 24-0063.

Nissan is stated to operate a powertrain manufacturing facility ("facility") in Decherd, Tennessee.

The facility is stated to have been issued a Major Source Operating Permit ("Title V Permit") on March 28, 2023.

The Division of Air Pollution Control ("Division") of the Tennessee Department of Environment and Conservation is stated to have received the Nissan facility's Title V semi-annual report ("Report") on February 24th for the reporting period of July 1 - December 31, 2023. An Amended Report is stated to have subsequently been received.

The Division is stated to have reviewed the HCL/HF emission logs in the referenced report and identified the following violations:

- 23 times on 12 operating dates that the time was not recorded and 4 times on 2 operating days that the usage amount was not recorded during July through December 2023.
- 11 instances of flux usage less than 9 hours apart across 10 24-hour periods during July through December 2023.

The Order proposes to assess a civil penalty of \$3,000.00.

Certain appeal rights are provided by the Proposed Order.

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