

Air Enforcement: Tennessee Air Pollution Control Board Technical Secretary's Order Addressing Lynchburg Distillery



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

08/05/2024

The Tennessee Air Pollution Control Board (“Board”) issued a June 28th Technical Secretary’s Order and Assessment of Civil Penalty (“Order”) to Jack Daniel Distillery, LEM (“Jack Daniel”) for alleged violations of an air permit. See Case No. APC24-0018.

Jack Daniel is stated to operate a beverage alcohol manufacturing operation in Lynchburg, Tennessee.

The Technical Secretary is stated to have issued a Major Source Operating Permit (i.e., Title V) to Jack Daniel on May 18, 2017. Certain amendments are stated to have been subsequently made to the Title V Permit.

Tennessee Division of Air Pollution Control (“Division”) personnel are stated to have conducted an inspection at the Jack Daniel facility on November 30, 2023. Division personnel are stated to have received a revision to log 32 that indicated the facility exceeded 12.6 tons per 12 consecutive month limit for the 14 Fermenters for the months August 2022 through September 2023. Log 32 is stated to have indicated additional exceedances of the 12-month rolling total VOC limit for the 14 Fermenters.

Division personnel are also stated to have observed the presence of additional Charcoal mellowing vats on site. They exceeded the allowed number specified in a PSD application dated July 9, 2012. Further, the semi-annual reports that cover the time frame from June 1, 2022, through December 31, 2022, and January 1, 2023, through May 30, 2023, are stated to have not indicated that the facility deviated from condition E14-3(MM2). In addition, the annual compliance certification that covered the time frame from January 1, 2022, through December 31, 2022 is stated to have not indicated that the facility deviated from condition E14-3(MM2) as required by E2.(b) of the Title V Permit.

The Proposed Order assesses a civil penalty of \$40,500.

Certain appeal rights are provided by Proposed Order.

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