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# Air Enforcement: Tennessee Air Pollution Control Board Order and Assessment of Civil Penalty to Manchester, Tennessee Grain Handling Facility

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The Tennessee Air Pollution Control Board issued a May 24th Technical Secretary's Order and Assessment of Civil Penalty ("Order") to Kokomo Grain Co., Inc., ("KGCI").

The Order addresses an alleged violation of certain provisions of Tenn. Comp. R. & Regs. related to air permits.

KGCI is referenced as operating a grain handling facility in Manchester, Tennessee. The facility was stated to have been issued an Operating Permit (No. 054362P) on July 30, 2001. The permit is stated to have expired on March 1, 2012.

Paragraph Condition 8 of the permit is described as stating:

The permittee shall apply for renewal of this permit not less than sixty (60) days prior to the permit's expiration date pursuant to Division Rule 1200-3-9-.02(3).

KGCI is stated to have provided to the Director of the Division of Air Pollution Control of the Tennessee Department of Environment and Conservation a renewal application for the grain handling operation on November 30, 2017.

Condition 8 is stated to have required KGCI to apply for a permit no later than January 1, 2012. As a result, the Order alleges that KGCI has operated without a permit since March 1, 2012.

KGCI has therefore allegedly violated certain Tennessee regulations which is stated to include:

No person shall operate an air contaminant source in Tennessee without first obtaining from the Technical Secretary an operating permit or, if applicable, submitting a notice of intent and obtaining a notice of coverage or authorization, except as is specifically exempted in Rule 1200-03-09-.04.

The Order proposes to assess a civil penalty of \$1,500. It includes a section providing KGCI a "notice of rights" which provides the opportunity to appeal the Order.

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