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## Air Enforcement: Tennessee Air Pollution Control Board Proposed Order and Assessment of Civil Penalty to Bristol, Tennessee Pharmaceutical Manufacturer

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The Tennessee Air Pollution Control Board (“Board”) issued a September 25th Technical Secretary’s Order and Assessment of Civil Penalty (“Order”) to Gregory Pharmaceutical holdings, Inc. (“Gregory”).

Gregory is stated to operate a facility (“Facility”) in Bristol, Tennessee.

The Technical Secretary of the Board is stated to have issued the Facility a Title V Operating Permit (“Permit”) on December 9, 2016.

The Permit contains a Condition (E6-1[MM1][b]) requiring certain continuous monitoring activities. Also found in the Permit is a condition requiring that the conductivity of the post RTO scrubber liquid be maintained in a certain range along with conditions requiring the maintenance of a minimum pressure drop across the baghouse. Further, a Permit condition addresses the emission of hydrochloric acid from the scrubber. Wastewater generated from the Menest PMPU is subject to the requirements of 40 C.F.R. § 63.1256.

The Division of Air Pollution Control (“Division”) is stated to have received from Gregory on November 28, 2018, a National Emission Standards for Hazardous Air Pollutants (“NESHAP”) for Pharmaceuticals Production semiannual report (“SAR”) for the time period of April 1, 2018, through September 30, 2018. Revised NESHAP SARs were subsequently submitted.

The Order references certain days where baghouse drops are alleged to have deviated below minimum pressure drops and hydrochloric acid emission limits were exceeded for three consecutive months.

The Division is stated to have subsequently conducted an onsite inspection and discovered certain alleged violations addressing daily average scrubber flowrate and an issue with the Pharma MACT wastewater provisions is referenced.

A civil penalty of \$6,000 is proposed to be assessed. The Order contains a provision providing appeal rights to Gregory.

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