Air Enforcement: Tennessee Air Pollution Control Board Proposed Order Addressing Dyer Wood Waste Recovery Operation



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The Tennessee Air Pollution Control Board ("Board") issued an October 27th Proposed Technical Secretary's Order and Assessment of Civil Penalty ("Order") to Timber Creek Resource, LLC, ("Timber Creek") addressing alleged violation of the Tennessee Air Regulations.

The Order describes Timber Creek as operating a Dyer, Tennessee, wood waste recovery operation ("Facility").

The Technical Secretary is stated to have issued a Conditional Major Source Operating Permit ("Permit') to the Facility on April 4, 2012. Condition 6 of the Permit is quoted as stating in part:

A report stating the compliance status of this facility with permit Condition 4 shall be submitted by March 31 of every year. This report shall cover the preceding calendar year and shall include the records required by Conditions 7 and S1-2.

The Board's Division of Air Pollution Control ("Division") is stated to have received via email Timber Creek's annual compliance status report of April 20th. The report covered the period of January 1, 2021, through December 31, 2021.

The Order states that the report was due no later than March 31. As a result, the Order alleges that Timber Creek violated Condition 6 of the Permit.

The Order proposes to assess a civil penalty of $1,500. Further, the order provides certain appeal rights.

A copy of the Order can be downloaded here.