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Air Enforcement: Tennessee Air Pollution Control Board Proposed Order/Civil Penalty Addressing Nashville Clay Company

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The Tennessee Air Pollution Control Board ("Board") issued a January 26th proposed Technical Secretary's Order and Assessment of Civil Penalty ("Order") to Kentucky-Tennessee Clay Company ("KTCC") addressing alleged violations of an air permit. See Case No. APC22-0165.

The proposed Order addresses a clay company in Nashville, Tennessee.

The Technical Secretary is stated to have issued a Major Source Operating Permit ("Title V") permit to KTCC. The Title V permit addressed a process for the drying and milling of ball clay.

The Board's Division of Air Pollution Control ("Division") is stated to have received KTCC's Title V Semiannual Report for the period of January 1 through June 30, 2022, on August 25, 2022.

Based on the review of the Report, the following violations were allegedly discovered by the Division:

- The three baghouses associated with Source 07 (condition E 10-1), require semiannual maintenance inspections; however, the three baghouses were not inspected during the semiannual reporting period of January 1, through June 30, 2022.
- The four baghouses associated with Source 09 (condition E 12-1), require semiannual maintenance inspections, however, the four baghouses were not inspected during the semiannual reporting period of January 1, through June 30, 2022.

A Notice of Violation was subsequently issued on September 9, 2022, which required KTCC to submit a Proposed Schedule of Corrective Action to the Division within 14 days of receipt of the document. The response was required to detail the following actions:

- Ensure the baghouses are maintained in good operating condition
- Complete semiannual maintenance inspections
- Documentation of semiannual inspections and any maintenance performed must be retained as required by permit conditions

The proposed Order states that as of its date KTCC has not meet the requirements.

The Order assesses a civil penalty of \$4,500. Further, it requires that the previously referenced NOV request must be accomplished within 30 days of receipt of the Order.

The Order provides certain appeal rights.

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