

## Air Enforcement: Tennessee Air Pollution Control Board Proposed Order Addressing Franklin Combined Heat and Power Units



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

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The Tennessee Air Pollution Control Board (“Board”) issued a June 21st Proposed Technical Secretary’s Order and Assessment of Civil Penalty (“Order”) to Enexor Energy, LLC (“Enexor”). See Case No. APC23-0098.

The proposed Order provides that Enexor operates two combined heat and power units (“CHP”) utilizing organic feedstocks in Franklin, Tennessee.

The Division of Air Pollution Control (“Division”) is stated to have received via email on February 28th a construction permit application dated February 24th from Enexor for two combined heat and power units utilizing organic feedstocks. The application is stated to have indicated that construction of CHP 3 started on October 9, 2020, and construction of CHP 5 started on October 15, 2020.

The application is stated to have indicated that both CHPs were operating.

The Division issued a Notice of Violation to Enexor for the construction and operation of CHP 3 and CHP 5 prior to applying for and receiving the required permits.

The proposed Order assesses a civil penalty of \$3,000.

Enexor is provided certain appeal rights.

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