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Air Enforcement: Tennessee Air Pollution Control Board Proposed Order/Assessment Addressing Cleveland Food Preparation Facility

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The Tennessee Air Pollution Control Board ("Board") issued a Technical Secretary's Proposed Order and Assessment of Civil Penalty ("Order") to Newly Weds Foods, LLC ("NWF") addressing an alleged violation of the Tennessee Air Regulations. See Case No. APC24-0102.

NWF is stated to operate a facility in Cleveland, Tennessee.

The Division of Air Pollution Control ("Division") is stated to have received on April 8th, via email, an application for a retroactive Conditional Major Source (Title V opt-out) construction permit for a baking operation. Further, the order states that in its APC 100 dated May 30th, NWF stated that it had begun construction and had been operating for at least five years prior to applying for the required permit.

The Order alleges a violation for constructing an air contaminant source not specifically exempted by Division Rule 1200-03-09-.04 without first applying for and receiving the necessary construction permit. Further, the Order states that NWF operated an air contaminant source not specifically exempted by Tenn. Comp. R. & Regs. 1200-03-09-.04 without first applying for and receiving the necessary operating permit.

The Order requires that within 20 calendar days of its receipt that NWF submit a proposed schedule of corrective action detailing what actions will be taken to attain compliance. Further, a civil penalty of \$12,000.00 is assessed.

The Order provides certain appeal rights.

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