



**STATE OF TENNESSEE**  
**DEPARTMENT OF ENVIRONMENT AND CONSERVATION**  
**Division of Air Pollution Control**  
**Davy Crockett Tower**  
**500 James Robertson Pkwy, 7th Floor**  
**Nashville, TN 37243**

Angie Thompson  
Dynasty Spas, Inc.  
101 Dynasty Way  
Athens, Tennessee 37303-7030

**Certified Article Number**

9414 7266 9904 2240 2594 41

**SENDER'S RECORD**

RE: Dynasty Spas, Inc.  
Facility Id. 54-0176  
Case No. APC25-0096

Dear Ms. Thompson:

Enclosed, please find an Order and Assessment of Civil Penalty issued by Michelle Walker Owenby, Technical Secretary of the Air Pollution Control Board, Department of Environment and Conservation. Please read it carefully and pay special attention to the Notice of Rights section.

If you have any questions regarding this Order and Assessment of Civil Penalty, please contact Kevin McLain at [air.pollution.control@tn.gov](mailto:air.pollution.control@tn.gov). For all other questions, please contact the Division of Air Pollution Control at (615) 532-0554 or [air.pollution.control@tn.gov](mailto:air.pollution.control@tn.gov).

Sincerely,

A handwritten signature in blue ink, reading "Kevin McLain", is positioned below the "Sincerely," text.

Kevin McLain  
Section Manager, Enforcement  
Division of Air Pollution Control

vom

Enclosure

**STATE OF TENNESSEE  
AIR POLLUTION CONTROL BOARD**

<b>IN THE MATTER OF:</b>	)	<b>DIVISION OF AIR POLLUTION</b>
	)	<b>CONTROL</b>
	)	
	)	
<b>DYNASTY SPAS, INC.,</b>	)	
	)	
	)	
	)	
<b>RESPONDENT.</b>	)	<b>CASE NO. APC25-0096</b>

**TECHNICAL SECRETARY'S ORDER AND  
ASSESSMENT OF CIVIL PENALTY**

Michelle Walker Owenby, Technical Secretary of the Air Pollution Control Board, states:

**PARTIES**

**I.**

Michelle Walker Owenby is the Technical Secretary of the Air Pollution Control Board ("Board") and Director of the Division of Air Pollution Control ("Division"), Department of Environment and Conservation ("Department").

**II.**

Dynasty Spas, Inc. ("Respondent") is a domestic corporation authorized to do business in Tennessee. The Respondent's facility address is 101 Dynasty Way, Athens, Tennessee 37303-7030. The Respondent's registered agent for service of process is Angie Thompson at the same address.

**AUTHORITY**

**III.**

The Technical Secretary may assess a civil penalty of up to \$25,000.00 per day for each day of violation of the Tennessee Air Quality Act, Tenn. Code Ann. §§ 68-201-101 to -121 ("Act"), or Tennessee Air Pollution Control Regulations, Tenn. Comp. R. & Regs. 1200-03-01 to -36; 0400-30-01 to -39, ("Rules"). Tenn. Code Ann. § 68-201-116. The Technical Secretary may issue

an order for correction to the responsible person when provisions of the Act or Rules are violated, and such person may be liable for resulting damages to the State. *Id.*

#### IV.

The Respondent is a “person,” Tenn. Code Ann. § 68-201-102(7), and has violated the Act and Rules.

#### V.

“Air contaminant” means particulate matter, dust, fumes, gas, mist, smoke, vapor, or any combinations thereof. Tenn. Code Ann. § 68-201-102(1).

#### VI.

“Air contaminant source” means any and all sources of emission of air contaminants, whether privately or publicly owned or operated. Tenn. Code Ann. § 68-201-102(2). The Respondent operates an air contaminant source.

### **FACTS**

#### VII.

On March 29, 2021, the Technical Secretary issued Major Source operating permit (“Title V”) permit number 577583, (facility 54-0176), to the Respondent for a reinforced plastic composite parts manufacturing operation.

#### VIII.

Condition E4-9. of Title V permit number 577583 states, in pertinent part:

The permittee shall use one of the following methods in paragraphs (a) through (d) of this section to meet the standards in §63.5805. When complying with an emission limit in Attachment 5 (Table 3 - Organic HAP Emissions Limits for Existing Open Molding Source) to this subpart, any control method may be used that reduces organic HAP emissions, including reducing resin and gel coat organic HAP content, changing to nonatomized mechanical application, covered curing techniques, and routing part or all of your emissions to an add-on control. The necessary calculations must be completed within 30 days after the end of each month. The compliance options may be switched between in paragraphs (a) through (d) of this section. When the option used is based on a 12-consecutive month average, the average must be based on the previous 12 months of data calculated using the compliance option currently being used unless the compliant materials option in paragraph (d) of this section is being used. In this case, the permittee shall

immediately begin collecting resin and gel coat use data and demonstrate compliance 12 months after changing options.

(b) Demonstrate that, on average, the individual organic HAP emissions limits are met for each combination of operation type and resin application method or gel coat type. Demonstrate that on average the individual organic HAP emissions limits are met for each unique combination of operation type and resin application method or gel coat type shown in Table 3 to this subpart that applies.

Attachment 5 (Table 3 - Organic HAP Emissions Limits for Existing Open Molding Source, manual resin application) of Title V permit number 577583 limits the organic HAP emissions limit to 87.0 pounds per ton based on a 12-month rolling average.

### **IX.**

On February 15, 2025, the Division received via e-mail the Respondent's semi-annual report ("Report") for the reporting period of July 1 through December 31, 2024. The Report indicated that during each month in this reporting period, the actual organic HAP emissions factor exceeded the corresponding weighted average emission limit (organic HAP emissions limit) as shown in the following table:

Month/Year	Weighted Average Emission Limit (Pounds HAPs/Ton Resin)	Actual Organic HAP Emissions Factor (Pounds HAPs/Ton Resin)
July 2024	87.0	92.8
August 2024	87.0	92.7
September 2024	87.0	92.8
October 2024	87.0	92.9
November 2024	87.0	92.8
December 2024	87.0	100.0

Therefore, the Respondent violated condition E4-9. of Title V permit number 577583.

### **X.**

On April 11, 2025, the Division issued a Notice of Violation to the Respondent for the violations identified in Paragraph **IX**.

## **VIOLATIONS**

### **XI.**

By failing to comply with condition E4-9. of Title V permit number 577583, the Respondent violated Division Rule 1200-03-09-.02(6), which states, in pertinent part:

Operation of each air contaminant source shall be in accordance with the provisions and stipulations set forth in the operating permit, all provisions of these regulations, and all provisions of the Tennessee Air Quality Act.

## **ORDER AND ASSESSMENT OF CIVIL PENALTY**

### **XII.**

1. The Respondent is assessed a civil penalty of \$26,000 for violation of the Act and Rules, to be paid to the Department at the following address:

**Treasurer, State of Tennessee  
Division of Fiscal Services - Consolidated Fees Section  
Department of Environment and Conservation  
Davy Crockett Tower  
500 James Robertson Pkwy, 6th Floor  
Nashville, Tennessee 37243**

The civil penalty shall be delivered to the Department on or before the thirty-first day after receipt of this Order and Assessment of Civil Penalty. The case number, **APC25-0096**, should be clearly written on all correspondence.

2. The Respondent shall submit a Proposed Schedule of Corrective Action (APC 115) to the Division at [air.pollution.control@tn.gov](mailto:air.pollution.control@tn.gov) within 30 days of receipt of this Order and Assessment of Civil Penalty to address the noncompliance with condition E4-9. of Title V permit number 577583.

The Technical Secretary may, for good cause shown, extend the compliance dates contained within this Order and Assessment. To be eligible for this time extension, the Respondent shall submit a written request to the Department to be received in advance of the compliance date. The request must include sufficient detail to justify an extension and include, at a minimum, the precise cause of the delay, anticipated length of the delay, and all preventive measures taken to minimize the delay.

### **RESERVATION OF RIGHTS**

In issuing this Order and Assessment of Civil Penalty, the Department does not implicitly or expressly waive any provision of the Act or Rules promulgated thereunder or the authority to assess costs, civil penalties, and/or damages incurred by the State against the Respondent. The Department expressly reserves all rights it has at law and in equity to order further corrective action, assess civil penalties and/or damages, and to pursue further enforcement action including, but not limited to, monetary and injunctive relief. Compliance with this order will be considered as a mitigating factor in determining the need for future enforcement action.

### **NOTICE OF RIGHTS**

The Respondent may appeal this Order and Assessment. Tenn. Code Ann. §§ 68-201-108(a) and 68-201-116(b). To do so, a written petition setting forth the reasons for requesting a hearing must be received by the Technical Secretary within 30 days of the date the Respondent received this Order and Assessment or this Order and Assessment becomes final. Any petition for review must be directed to:

Commissioner of the Department of Environment and Conservation  
c/o Jenny L. Howard, General Counsel  
Department of Environment and Conservation  
Davy Crockett Tower  
500 James Robertson Pkwy, 5th Floor  
Nashville, Tennessee 37243

The petition may be mailed or delivered to this address, or it may be sent to [TDEC.Appeals@tn.gov](mailto:TDEC.Appeals@tn.gov). If an appeal is filed, an initial hearing of this matter will be conducted by an Administrative Judge as a contested case hearing. Tenn. Code Ann. § 68-201-108(a); Tenn. Code Ann. § 4-5-301 to -326; Tenn. Comp. R. & Regs. 1360-04-01. Such hearings are legal proceedings in the nature of a trial. Individual respondents may represent themselves or be represented by an attorney licensed to practice law in Tennessee. Artificial respondents (*e.g.*, corporations, limited partnerships, limited liability companies, etc.) cannot engage in the practice of law and therefore may only pursue an appeal through an attorney licensed to practice law in Tennessee. Low-income individuals may be eligible for representation at reduced or no cost through a local bar association or legal aid organization.

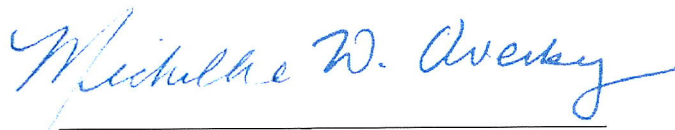
At the conclusion of any initial hearing, the Administrative Judge has the authority to affirm, modify, or deny this Order and Assessment of Civil Penalty, including the authority to increase or decrease the penalty. Tenn. Code Ann. § 68-201-116. The Administrative Judge, on behalf of the Board, has the authority to assess additional damages incurred by the Department including, but not limited to, all docketing expenses associated with the setting of the matter for a hearing, and the hourly fees incurred due to the presence of the Administrative Judge and a court reporter.

Technical questions and other correspondence involving compliance issues should be sent to:

Kevin McLain, Division of Air Pollution Control  
Department of Environment and Conservation  
Davy Crockett Tower  
500 James Robertson Pkwy, 7th Floor  
Nashville, Tennessee 37243

Attorneys should contact the undersigned counsel of record. The case number **APC25-0096** should be written on all correspondence regarding this matter.

Issued by the Technical Secretary, Air Pollution Control Board, Department of Environment and Conservation, on August 20, 2025.



Michelle Walker Owenby  
Technical Secretary  
Air Pollution Control Board

Reviewed by:



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Grant LeMaster Ruhl  
BPR # 036182  
Associate Counsel  
Department of Environment and Conservation  
500 James Robertson Parkway, 5<sup>th</sup> Floor  
Nashville, Tennessee 37243  
(629) 201-0016  
Grant.Ruhl@tn.gov



WALZ  
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FROM

**WALZ**

FORM #45663 VERSION: E0824

U.S. Postal Service®  
**CERTIFIED MAIL® RECEIPT**  
Domestic Mail Only

USPS® ARTICLE NUMBER

9414 7266 9904 2240 2594 41

Certified Mail Fee	\$
Return Receipt (Hardcopy)	\$ 4.35
Return Receipt (Electronic)	\$ 3.55
Certified Mail Restricted Delivery	\$ 0.00
Postage	\$ 0.00
Total Postage and Fees	\$ 0.63

Postmark  
Here

**Sent to:** 8.53  
Angie Thompson  
Dynasty Spas, Inc.  
101 Dynasty Way  
Athens, TN 37303-7030

Reference Information

APC25-0096 /vom

PS Form 3800, Facsimile, July 2015

Label #1

Angie Thompson  
Dynasty Spas, Inc.  
101 Dynasty Way  
Athens, TN 37303-7030

Label #2

Angie Thompson  
Dynasty Spas, Inc.  
101 Dynasty Way  
Athens, TN 37303-7030

Label #3

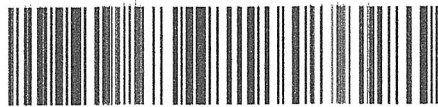
TN Dept. of Environment & Conservation  
Division of Air Pollution Control  
Davy Crockett Tower  
500 James Robertson Pkwy, 7th Floor  
Nashville, TN 37243

FOLD AND TEAR THIS WAY → OPTIONAL

Label #5 (OPTIONAL)

TN Dept. of Environment & Conservation  
Division of Air Pollution Control  
Davy Crockett Tower  
500 James Robertson Pkwy, 7th Floor  
Nashville, TN 37243

Label #6 - Return Receipt Barcode (Sender's Record)

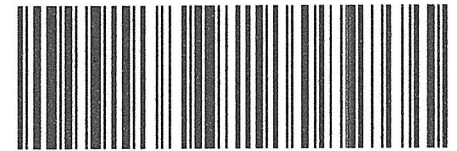


9590 9266 9904 2240 2594 44

Label #7 - Certified Mail Article Number

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT  
OF THE RETURN ADDRESS. FOLD AT DOTTED LINE

**CERTIFIED MAIL®**



9414 7266 9904 2240 2594 41

RETURN RECEIPT REQUESTED

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FOLD AND TEAR THIS WAY →

Return Receipt (Form 3811) Barcode



9590 9266 9904 2240 2594 44

1. Article Addressed to:  
Angie Thompson  
Dynasty Spas, Inc.  
101 Dynasty Way  
Athens, TN 37303-7030

2. Certified Mail (Form 3800) Article Number

9414 7266 9904 2240 2594 41

COMPLETE THIS SECTION ON DELIVERY

A. Signature ☐ Agent  
**X** ☐ Addressee

B. Received by (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes  
If YES, enter delivery address below: ☐ No

3. Service Type:

☒ Certified Mail

Reference Information

APC25-0096 /vom

PS Form 3811, Facsimile, July 2015

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