



**STATE OF TENNESSEE
DEPARTMENT OF ENVIRONMENT AND CONSERVATION
Division of Air Pollution Control
Davy Crockett Tower
500 James Robertson Parkway, 7th Floor
Nashville, TN 37243-1204**

Certified Article Number

9414 7266 9904 2240 2596 87

SENDER'S RECORD

Jatko, LLC
c/o Renewable Fuels, LLC
1570 Industrial Blvd
Jasper, Tennessee 37347-6235

RE: Jatko, LLC
Facility ID: 58-0136
Case No. APC25-0094

Dear Sir/Madam:

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. For all other questions, please contact the Division of Air Pollution Control at (615) 532-0554 or 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

oou

Enclosure

**STATE OF TENNESSEE
AIR POLLUTION CONTROL BOARD**

IN THE MATTER OF:)	DIVISION OF AIR POLLUTION
)	CONTROL
)	
JATKO, LLC,)	
)	
)	
)	
RESPONDENT.)	CASE NO. APC25-0094

**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.

Jatko, LLC (“Respondent”) is a domestic limited liability company authorized to do business in the State of Tennessee. The Respondent’s facility address is 1570 Industrial Blvd, Jasper, Tennessee 37347-5235. The Respondent’s registered agent for service of process is Renewable Fuels, LLC at the same address.

AUTHORITY

III.

The Technical Secretary may assess a civil penalty of up to \$25,000 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 January 17, 2023, the Technical Secretary issued True Minor Source construction and operating permit number 076958 (“Permit 076958”), (Facility 58-0136), to the Respondent for a vinyl acetate storage tank (Tank 2001) (Source 01) and a formaldehyde-acetone resin reactor with scrubber (Source 07).

VIII.

Condition S2-4 of Permit 076958 states:

Emission Limitation(s)

Volatile organic compounds (VOC) emitted from this source shall not exceed 0.3 tons during any period of 12-consecutive months.

TAPCR 1200-03-07-.07(2)

Compliance Method: The permittee shall assure compliance with the emission limitation by compliance with Condition S2-2 and by operating and maintaining a packed-bed chemical scrubber containing sodium sulfite solution with a minimum flow rate of 10 gallons per minute. The flow rate of the chemical scrubber shall be recorded daily during source operation and operation and maintenance checks shall be made and recorded on at least a weekly basis. Records for the scrubber flow rate shall be kept in the log in Appendix 8, or an alternate format that provides the same information.

IX.

On February 26, 2025, Division personnel conducted a site inspection at the Respondent's facility. During the inspection, records for the flow rate of the chemical scrubber during reactor operation, weekly scrubber operation, and maintenance checks for the period covering January 17, 2023, through February 26, 2025, were reviewed. Upon review, the Division inspector determined that the records required by Condition S2-4 of Permit 076958 were not being maintained.

X.

On March 28, 2025, the Division received records of the flow rate of the chemical scrubber during reactor operation and records of the weekly scrubber operation and maintenance checks beginning March 7, 2025. Therefore, no further corrective action is required. On April 10, 2025, the Division issued a Notice of Violation to the Respondent for the violation discussed in paragraph IX.

VIOLATIONS

XI.

By failing to comply with Condition S2-4 of Permit 076958, 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.

The Respondent is assessed a civil penalty of \$1,500 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 Parkway, 6th Floor
Nashville, Tennessee 37243-1204**

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, **APC25-0094**, should be clearly written on all correspondence.

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 Parkway, 5th Floor
Nashville, Tennessee 37243-1204

The petition may be mailed or delivered to this address, or it may be sent to 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.

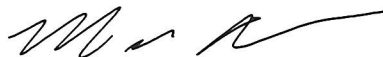
At the conclusion of any initial hearing, the Administrative Judge has the authority to affirm, modify, or deny this Order and Assessment of Civil Penalty, including the authority to increase or decrease the penalty. Tenn. Code Ann. § 68-201-116. The Administrative Judge, on behalf of the Board, has 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 Crocket Tower
500 James Robertson Parkway, 7th Floor
Nashville, Tennessee 37243-1204

Attorneys should contact the undersigned counsel of record. The case number, **APC25-0094**, should be written on all correspondence regarding this matter.

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



Michelle W Owenby (Sep 19, 2025 14:25:14 CDT)

Michelle Walker Owenby
Technical Secretary
Air Pollution Control Board

Reviewed by:

Michael Lewis

Michael D. Lewis
BPR # 033408
Senior Associate Counsel
Department of Environment & Conservation
Davy Crockett Tower
500 James Robertson Parkway, 5th Floor
Nashville, Tennessee 37243
Phone: (615) 308-2770
Email: Michael.d.lewis@tn.gov

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CERTIFIED MAIL® RECEIPT
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USPS® ARTICLE NUMBER

9414 7266 9904 2240 2596 87

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C/o Renewable Fuels, LLC
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Jasper, TN 37347-6235

Label #2

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C/o Renewable Fuels, LLC
1570 Industrial Blvd
Jasper, TN 37347-6235

Label #3

DEPARTMENT OF ENVIRONMENT & CONSERVATION
Division of Air Pollution Control
Davy Crockett Tower, 7th Floor
500 James Robertson Parkway
Nashville, TN 37243-1204

TEAR ALONG THIS LINE

Certified Mail Fee \$
Return Receipt (Hardcopy) \$ 4.85
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Certified Mail Restricted Delivery \$ 0.00
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Total Postage and Fees \$ 0.69

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Sent to: 9.64
Jatko, LLC
C/o Renewable Fuels, LLC
1570 Industrial Blvd
Jasper, TN 37347-6235

Reference Information

APC25-0094/OU

PS Form 3800, Facsimile, July 2015

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Label #5 (OPTIONAL)

DEPARTMENT OF ENVIRONMENT & CONSERVATION
Division of Air Pollution Control
Davy Crockett Tower, 7th Floor
500 James Robertson Parkway
Nashville, TN 37243-1204

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



9590 9266 9904 2240 2596 80

Label #7 - Certified Mail Article Number

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

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RETURN RECEIPT REQUESTED

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9590 9266 9904 2240 2596 80

1. Article Addressed to:

C/o Renewable Fuels, LLC
1570 Industrial Blvd
Jasper, TN 37347-6235

2. Certified Mail (Form 3800) Article Number

9414 7266 9904 2240 2596 87

COMPLETE THIS SECTION ON DELIVERY

A. Signature ☐ Agent
☒ 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:

RESTRICTED DELIVERY

☒ Certified Mail

Reference Information

APC25-0094/OU

PS Form 3811, Facsimile, July 2015

Domestic Return Receipt

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