



**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**

Lodge Manufacturing Company
c/o Mike Otterman
205 E 5th St
South Pittsburg, Tennessee 37380-1562

Certified Article Number

9414 7266 9904 2240 2589 63

SENDER'S RECORD

RE: Lodge Manufacturing Company
Facility ID: 58-0011
Case No. APC25-0066

Dear Mr. Otterman:

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
)	
LODGE MANUFACTURING)	
COMPANY,)	
)	
)	
RESPONDENT.)	CASE NO. APC25-0066

**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.

Lodge Manufacturing Company ("Respondent") is a domestic corporation authorized to do business in the State of Tennessee. The Respondent's facility address is 600 Railroad Avenue, South Pittsburg, Tennessee 37380. The Respondent's registered agent for service of process is Mike Otterman at 205 E 5th St, South Pittsburg, Tennessee 37380-1562.

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 February 20, 2020, the Technical Secretary issued Title V operating permit number 575591 (“Permit 575591”), (facility 58-0011), to the Respondent for the following sources:

Source #	Description
15	6 th Street Iron Foundry Operation: Melting of Iron in Induction Furnaces, Pouring of Molten Metal, Cooling, Shakeout, and Sand Handling with Dust Collector Control
35	3 rd Street Iron Foundry Operation: Melting of Iron in Induction Furnaces, Pouring of Molten Metal, Cooling, Shakeout, and Sand Handling with Dust Collector Control
36	3 rd Street Enameling Operation: Enamel Coating and Shotblasting with Dust Control, Electric Furnace, and Drying Oven

The Technical Secretary amended and modified Title V permit number 575591 as follows:

Type	Issued Date
Administrative Amendment	April 27, 2020
Minor Modification	January 22, 2021
Minor Modification	August 24, 2021
Significant Modification	November 1, 2022
Minor Modification	February 8, 2024

VIII.

Condition E4-1 of Permit 575591 states, in pertinent part:

This facility is a large foundry (metal melt capacity is greater than 10,000 tons) that shall comply with the applicable provisions of 40 CFR Part 63 Subpart ZZZZZ – National Emission Standards for Hazardous Air Pollutants for Iron and Steel Foundries Area Sources....

IX.

Paragraph 63.10898(c) states, in pertinent part, that:

You must conduct subsequent performance tests to demonstrate compliance with the opacity limit in §63.10895€ no less frequently than every 6 months and each time you make a process change likely to increase fugitive emissions.

X.

On or about February 26, 2025, the Division received Title V semiannual MACT report for the period July to December 2024, from the Respondent. Upon a review of the report, the Division discovered that the visible emissions evaluations for opacity limits were not performed within 6 months of each other. The evaluation during this reporting period was performed on December 18, 2024, while the previous evaluation occurred on March 13, 2024. Additionally, the source continued to operate throughout the period. Therefore, the Respondent violated Condition E4-1 of Permit 575591 and paragraph 63.10898(c).

XI.

On March 12, 2025, the Division issued a Notice of Violation to the Respondent for the violation discussed in paragraph X.

VIOLATIONS

XII.

By failing to comply with 40 CFR §63.10898(c), and Condition E4-1 of Permit 575591, 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

XIII.

The Respondent is assessed a civil penalty of \$2,250 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
Davey 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, APC25-0066, should be clearly written on all correspondence.

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 TDEC.Appeals@tn.gov. The petition may also be mailed or delivered 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.

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.

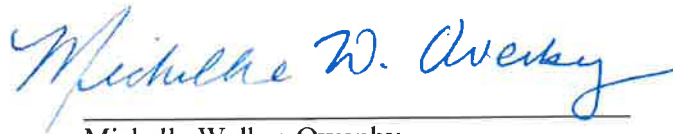
At the conclusion of any initial hearing, the Administrative Judge has the authority to affirm, modify, or deny this Order and Assessment of Civil Penalty, including the authority to increase or decrease the penalty. Tenn. Code Ann. § 68-201-116. The Administrative Judge, on behalf of the Board, has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

Attorneys should contact the undersigned counsel of record. The case number, APC25-0066, should be written on all correspondence regarding this matter.

Issued by the Technical Secretary, Air Pollution Control Board, Department of Environment and Conservation, on July 31, 2025.



Michelle Walker Owenby
Technical Secretary
Air Pollution Control Board

Reviewed by:



William Freeman Miller
BPR #028826
Senior Associate Counsel
Department of Environment & Conservation
500 James Robertson Parkway, 5th Floor
Nashville, Tennessee 37243
(615) 532-0136
William.F.Miller@tn.gov

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FROM

WALZ

FORM #45663 VERSION: E0824



Lodge Manufacturing Company
C/o Mike Otterman
205 E 5th St
South Pittsburg, TN 37380-1562

Label #1

Label #2

Label #3

TEAR ALONG THIS LINE

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

USPS® ARTICLE NUMBER

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Certified Mail Fee	\$
Return Receipt (Hardcopy)	\$ 4.85
Return Receipt (Electronic)	\$ 4.10
Certified Mail Restricted Delivery	\$ 0.00
Postage	\$ 0.00
Total Postage and Fees	\$ 0.69

Postmark
Here

Sent to: 9.64
Lodge Manufacturing Company
C/o Mike Otterman
205 E 5th St
South Pittsburg, TN 37380-1562

Reference Information

APC25-0066/ouu

RESTRICTED DELIVERY

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 2589 66

Label #7 - Certified Mail Article Number

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Return Receipt (Form 3811) Barcode



9590 9266 9904 2240 2589 66

1. Article Addressing Company
C/o Mike Otterman
205 E 5th St
South Pittsburg, TN 37380-1562

2. Certified Mail (Form 3800) Article Number
9414 7266 9904 2240 2589 63

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

APC25-0066/ouu

RESTRICTED DELIVERY

PS Form 3811, Facsimile, July 2015

Domestic Return Receipt

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