



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

Prime Hospitality Group, LLC
c/o Shane Hughes
2000 Remke Ave
Lawrenceburg, Tennessee 38464-2244

Certified Article Number

9414 7266 9904 2240 2606 76

SENDER'S RECORD

RE: Prime Hospitality Group, LLC
Facility Id. 50-0159
Case No. APC25-0191

Dear Mr. Hughes:

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.

Beginning in 2026, multi-day penalties *will* be assessed for violations of the type contained in this Order, under *BOE-Enforcement-P-7-Civil Penalties and Damages Policy-040324*, dated January 17, 2025 ("TDEC Policy"). If this TDEC Policy had been applied, your assessed Civil Penalty for this Order would have been an additional **\$12,500**. To avoid assessment of civil penalties in the future, you should take corrective action to address the noncompliance in this Order.

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,

Kevin McLain
Kevin McLain (Oct 24, 2025 08:25:25 CDT)
Section Manager, Enforcement
Division of Air Pollution Control

oou
Enclosure

**DIVISION OF AIR POLLUTION CONTROL
ENFORCEMENT CORRESPONDENCE**

Date: September 25, 2025

To: OGC, AEP, MWO

Subject: Penalty Calculation for APC25-0191 (True Minor)

Part I: Establishment of Gravity-Based Civil Penalty

Violation	NOV Date	Violation ID	Description	Potential for Harm / Extent of Deviation		Upfront Cash Penalty	Comments
1	9/22/2025	34067	Failure to construct, install or operate facility/equipment in accordance with permit or regulation Constructed without a permit	Minor	Major	\$1500 <u>Penalty based on Item I. (Constructing and/or operating without a permit).</u>	Potential for harm is considered Minor because the area is in attainment. Extent of deviation is considered Major.
2	9/22/2025	34074	Failure to obtain or maintain a current permit. Operating without a permit	Minor	Major	\$1500 <u>Penalty based on Item I. (Constructing and/or operating without a permit).</u>	Potential for harm is considered Minor because the area is in attainment. Extent of deviation is considered Major.
<u>Part II: Multi-Day Component:</u> Date of construction/operating unknown so using a Construction/operating date of December 2016. From December 31, 2016 to March 14, 2025, is 96 months. 30 days – 1 day = 29 days x \$100/day = \$2,900 + the remaining 96 months = 96 x \$100 = \$9,600						\$12,500	Not Assessed
<u>Part III: Compression of Violations:</u> Not Applicable						\$0	
<u>Part IV: Adjustments to Penalty:</u>						\$0	
<u>Part V: Economic Benefit:</u> See attached Economic Benefit Checklist						\$0	
<u>Part VI: Damages:</u> Not Applicable						\$0	
<u>Part VII: Natural Resource Damages:</u> Not Applicable						\$0	
<u>Total Civil Penalty:</u>						\$3,000	
<u>Contingent Penalty</u>						\$0	

**STATE OF TENNESSEE
AIR POLLUTION CONTROL BOARD**

IN THE MATTER OF:)	DIVISION OF AIR POLLUTION
)	CONTROL
)	
PRIME HOSPITALITY GROUP,)	
LLC,)	
)	
RESPONDENT.)	CASE NO. APC25-0191

**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.

Prime Hospitality Group, LLC ("Respondent") is a domestic limited liability company authorized to do business in Tennessee. The Respondent operates an industrial wood furniture manufacturing process facility at 2000 Remke Avenue, Lawrenceburg, Tennessee 38464-2244. The Respondent's registered agent for service of process is Shane Hughes 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 November 29, 2016, the Division issued Permit 072179 (emission source reference number 50-0159-01) (“Permit”) to the Respondent for a stain spray booth with exhaust filter control with an expiration date of June 1, 2025.

VIII.

On March 17, 2025, the Division received the Respondent’s permit application, dated March 14, 2025, for an industrial wood furniture manufacturing process. The application included information about an existing sanding process and mill room woodworking equipment not previously permitted under the Permit. Additionally, the renewal application stated that construction and operation of these new sources began in 2016. Therefore, the Respondent constructed these sources and has been operating them without a permit since 2016.

IX.

On August 8, 2025, Division personnel conducted a site visit to the Respondent’s facility and confirmed that the previously unreported sources had been constructed and were in operation. Following the site visit, the Division determined that the sanding operation (Source 02) was an

insignificant emission source; however, the mill room woodworking equipment and associated dust collection devices (Source 03) were required to have a permit.

X.

On September 22, 2025, the Division issued a Notice of Violation for the violations discovered during the site visit.

VIOLATIONS

XI.

By constructing an air contaminant source not specifically exempted by Division Rule 1200-03-09-.04 without first applying for and obtaining the necessary construction permit, the Respondent violated Division Rule 1200-03-09-.01(1)(a), which states:

Except as specifically exempted in Rule 1200-03-09-.04, no person shall begin the construction of a new air contaminant source or the modification of an air contaminant source which may result in the discharge of air contaminants without first having applied for and received from the Technical Secretary a construction permit or, if applicable, submitted a notice of intent and obtained a notice of coverage or authorization, for the construction or modification of such air contaminant source.

XII.

By operating an air contaminant source not specifically exempted by Division Rule 1200-03-09-.04 without first applying for and receiving the necessary operating permit, the Respondent violated Tenn. Comp. R. & Regs. 1200-03-09-.02(2), which states, in pertinent part:

No person shall operate an air contaminant source in Tennessee without first obtaining from the Technical Secretary an operating permit or, if applicable, submitting a notice of intent and obtaining a notice of coverage or authorization, except as specifically exempted in Rule 1200-03-09-.04.

ORDER AND ASSESSMENT OF CIVIL PENALTY

XIII.

The Respondent is assessed a civil penalty of \$3,000 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 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, **APC25-0191**, 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 **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.

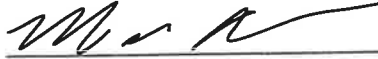
At the conclusion of any initial hearing, the Administrative Judge has the authority to affirm, modify, or deny this Order and Assessment of Civil Penalty, including the authority to increase or decrease the penalty. Tenn. Code Ann. § 68-201-116. The Administrative Judge, on behalf of the Board, has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

Attorneys should contact the undersigned counsel of record. The case number, **APC25-0191** should be written on all correspondence regarding this matter.

Issued by the Technical Secretary, Air Pollution Control Board, Department of
Environment and Conservation, on Nov 17, 2025



Michelle W Owenby (Nov 17, 2025 12:39:24 CST)

Michelle Walker Owenby
Technical Secretary
Air Pollution Control Board

Reviewed by:



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

TN Enviroment and Conservation
Div. of Air Plooution Control
Davy Crockett Building 7th floor
500 James Robertson Pkwy.
Nashville, TN 37243

CERTIFIED MAIL



9414 7266 9904 2240 2606 76
RETURN RECEIPT REQUESTED

Prime Hospitality Group, LLC
c/o Shane Hughes
2000 Remke Avenue
Lawrenceburg, TN 38464

WALZ
CERTIFIED
MAILER®

FROM

WALZ

FORM #45663 VERSION: E0824

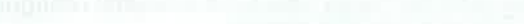


Prime Hospitality Group, LLC
c/o Shane Hughes
2000 Remke Avenue
Lawrenceburg, TN 38464

Label #1



Label #2



Label #3

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

USPS® ARTICLE NUMBER

9414 7266 9904 2240 2606 76

Certified Mail Fee \$ 4.85
Return Receipt (Hardcopy) \$ 4.10
Return Receipt (Electronic) \$ 0.00
Certified Mail Restricted Delivery \$ 0.00
Postage \$ 0.69
Total Postage and Fees \$ 9.64

**Postmark
Here**

Sent to: Prime Hospitality Group, LLC
c/o Shane Hughes
2000 Remke Avenue
Lawrenceburg, TN 38464

Reference Information

APC25-0191 OOU

PS Form 3800, Facsimile, July 2015

A FOLD AND TEAR THIS WAY → OPTIONAL

Label #5 (OPTIONAL)

TN Environment and Conservation
Div. of Air Pollution Control
Davy Crockett Building 7th floor
500 James Robertson Pkwy.
Nashville, TN 37243

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



9590 9266 9904 2240 2606 79

Label #7 - Certified Mail Article Number



Label #4

FOLD AND TEAR THIS WAY →

C FOLD AND TEAR THIS WAY →

Return Receipt (Form 3811) Barcode



9590 9266 9904 2240 2606 79

1. Article Addressed to:
Prime Hospitality Group, LLC
c/o Shane Hughes
2000 Remke Avenue
Lawrenceburg, TN 38464

2. Certified Mail (Form 3800) Article Number

9414 7266 9904 2240 2606 76

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

APC25-0191 OOU

Thank you for using Return Receipt Service

RETURN RECEIPT REQUESTED
USPS® MAIL CARRIER
DETACH ALONG PERFORATION

Thank you for using Return Receipt Service

PS Form 3811, Facsimile, July 2015

Domestic Return Receipt