



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

September 2, 2025

Southern Ionics Incorporated
c/o George Hogancamp
579 Commerce Street
West Point, Mississippi 39773

RE: Southern Ionics Incorporated
Facility ID: 54-0151
Case No. APC25-0030

Certified Article Number

9414 7266 9904 2240 2595 57

SENDER'S RECORD

Dear Mr. Hogancamp:

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 that was previously mailed to the Registered Agent, Doug Vickers, but returned to our office as "undeliverable". We are resending the Order and Assessment of Civil Penalty to ensure it reaches the Respondent. Please read it carefully and pay special attention to the Notice of Rights section.

If the registered agent has changed, or an alternate contact is preferred, please update your records with the Division at your earliest convenience. We appreciate your attention to this matter and apologize for any delay in delivery. Should 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
Section Manager, Enforcement
Division of Air Pollution Control

oou



**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**

Southern Ionics Incorporated
c/o Doug Vickers
187 South Main Street
Calhoun, Tennessee 37309-5296

RE: Southern Ionics Incorporated
Facility ID: 54-0151
Case No. APC25-0030

Dear Mr. Vickers:

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 that reads "Kevin M. McLain".

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
)	
SOUTHERN IONICS)	
INCORPORATED,)	
)	
)	
RESPONDENT.)	CASE NO. APC25-0030

**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.

Southern Ionics Incorporated ("Respondent") is a foreign for-profit corporation, formed in Mississippi, authorized to do business in Tennessee. The Respondent's facility address is 187 South Main Street, Calhoun, Tennessee 37309-5296. The Respondent's registered agent for service of process is Doug Vickers 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 August 13, 2013, the Technical Secretary issued True Minor operating permit number 062688P (“Permit 062688P”), (facility 54-0151), to the Respondent for a manufacture of aluminum sulfate and magnesium sulfate operation, consisting of a reactor, clarifier, filters, and chemical storage tanks.

VIII.

Condition 4 of Permit 062688P states:

Total sulfur dioxide emitted from this source shall not exceed 0.22 pounds per hour.
TAPCR 1200-03-14-.03(5).

IX.

On August 26, 2024, the Division received the Respondent’s updated permit renewal application. While reviewing the stack test report attached to the application, Division personnel determined that the facility had emitted an average of 3.09 pounds per hour of sulfur dioxide. The permit limit for sulfur dioxide emissions at the facility is 0.22 pounds per hour. In addition, the stack test report indicated that an average of 0.62 pounds per hour of hydrogen chloride had also

been emitted at the facility. The Respondent's permit applications submitted for Permit 062688P did not notify the Division that hydrogen chloride would be emitted at the facility.

X.

On November 26, 2024, the Division issued a Notice of Violation to the Respondent for the violations identified in Paragraph **IX**. On November 20, 2024, the Division received a construction permit application to address the emission levels of sulfur dioxide and hydrogen chloride determined in the Respondent's performance testing. Therefore, no further corrective action is required.

VIOLATIONS

XI.

By failing to comply with condition 4 of Permit 062688P, 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.

XII.

By failing to apply for a construction permit prior to the emission of hydrogen chloride, as discussed herein, Respondent has violated Tenn. Comp. R. & Regs. 1200-03-09-.01(1)(d), which states:

Construction of a new air contaminant source or the modification of an air contaminant source which may result in the discharge of air contaminants must be in accordance with the approved construction permit application, the provisions and stipulations set forth in the construction permit, all provisions of the regulations of this Division 1200-03, any applicable measures of the control strategy, and all provisions of the Tennessee Air Quality Act.

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 Pkwy, 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, APC25-0030, 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:

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 37243-1204

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 Crockett Tower
500 James Robertson Pkwy, 7th Floor
Nashville, Tennessee 37243

Attorneys should contact the undersigned counsel of record. The case number, APC25-0030, 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.

A handwritten signature in blue ink, reading "Michelle W. Avery", is written over a horizontal line.

Michelle Walker Owenby
Technical Secretary
Air Pollution Control Board

Reviewed by:



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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FROM

WALZ

FORM #45663 VERSION: E0824

U.S. Postal Service®
CERTIFIED MAIL® RECEIPT
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USPS® ARTICLE NUMBER

9414 7266 9904 2240 2595 57

Label #1

Southern Ionics Incorporated
C/o George Hogancamp
579 Commerce Street
West Point, MS 39773

Label #2

Southern Ionics Incorporated
C/o George Hogancamp
579 Commerce Street
West Point, MS 39773

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

Postmark
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Sent to: 9.64
Southern Ionics Incorporated
C/o George Hogancamp
579 Commerce Street
West Point, MS 39773

Reference Information

APC25-0030/ou

PS Form 3800, Facsimile, July 2015

FOLD AND TEAR THIS WAY → OPTIONAL

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)

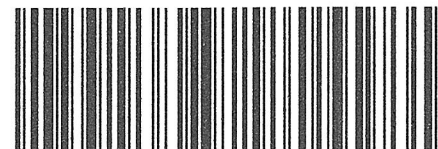


9590 9266 9904 2240 2595 50

Label #7 - Certified Mail Article Number

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT
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RETURN RECEIPT REQUESTED

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FOLD AND TEAR THIS WAY →

Return Receipt (Form 3811) Barcode



9590 9266 9904 2240 2595 50

1. Article Addressed to:
Southern Ionics Incorporated
C/o George Hogancamp
579 Commerce Street
West Point, MS 39773

2. Certified Mail (Form 3800) Article Number

9414 7266 9904 2240 2595 57

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

APC25-0030/ou

PS Form 3811, Facsimile, July 2015

Domestic Return Receipt

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