



**STATE OF TENNESSEE
DEPARTMENT OF ENVIRONMENT AND CONSERVATION
DIVISION OF AIR POLLUTION CONTROL**

William R. Snodgrass Tennessee Tower, 15th Floor
312 Rosa L. Parks Avenue
Nashville, TN 37243

May 6, 2022

Certified Article Number

9414 7266 9904 2198 3503 82

SENDER'S RECORD

James Michael Strickland, CEO
S & S Firewood LLC
245 Red Hawk Lane
Winchester, TN 37398

Re: Constructing/Operating Without a Permit
S & S Firewood LLC
245 Red Hawk Lane, Winchester, TN 37398
Facility ID: 26-0217

Dear Mr. Strickland:

On April 5, 2022, Division personnel conducted a site visit at your facility located at the address referenced above, based on a complaint received March 31, 2022. Division personnel observed two wood fired boilers, piped to two insulated trailers, one of which was operating during the visit. The Division personnel requested that the facility submit applications for the boilers and referred you to the Small Business Environmental Assistance Program.

On April 7, 2022, the Division received your construction permit application dated April 7, 2022, for one of the wood-fired boilers. Section 10 of the APC 102 indicates that the boiler was constructed on January 1, 2022. Based on the site visit by Division personnel, and review of the application, it has been determined that the facility began construction and operation of the two wood-fired boilers without first having obtained the required permits. By failing to apply for the permits for the boilers located at 245 Red Hawk Lane, you are in violation of the following Tennessee Air Pollution Control Regulations:

TAPCR 1200-03-09-.01(1)(a) 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 ... for the construction or modification of such air contaminant source.

By operating an air contaminant source not specifically exempted by TAPCR 1200-03-09-.04 without first applying for and receiving the necessary operating permit, the permittee has violated TAPCR 1200-03-09-.02(2), which states in pertinent part:

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No person shall operate an air contaminant source in Tennessee without first obtaining from the Technical Secretary an operating permit....

Compliance with the Tennessee Air Quality Act, the Tennessee Code Annotated, and the Tennessee Air Pollution Control Regulations contribute to the protection of the health, welfare, and physical property of the people and are used to help maintain an equitable balance between the benefits of clean air and the economic cost of achieving clean air in our state.

If you have any information that proves the violations did not occur (constructing and operating without a permit), or if you have any additional information regarding this violation that you would like to submit, you may submit that information in writing to the Technical Secretary, William R. Snodgrass Tennessee Tower, 312 Rosa L. Parks Avenue, 15TH Floor, Nashville, Tennessee 37243 or e-mail the response letter to Air.Pollution.Control@TN.gov. To ensure that your information will be considered, it must be submitted within 20 days of your receipt of this **Notice of Violation**.

Technical inquiries surrounding this allegation of noncompliance should be directed to Elizabeth Terranova at (865) 594-2404 or at Elizabeth.Terranova@tn.gov. Questions concerning the enforcement process should be directed to Air.Pollution.Control@TN.gov.

Sincerely,



James P. Johnston, P.E.
Deputy Director
Permitting and Regulatory Development