

Hattie B. Benet

From: Hattie B. Benet
Sent: Monday, April 3, 2023 8:28 AM
To: Gala, Chetan
Cc: Bill McCabe; Tammy Gambill; Kevin McLain; Martie Carpenter; John Fuss
Subject: RE: (CAA - FY23-268862-3714-CV) Regional Tip and/or Complaint - Tennessee

Importance: High

RE: Complaints Concerning Facility 64-0013; Complaint 126455

Dear Mr. Gala:

Concerning complaint 126455 received on April 3, 2023, alleging Inadequate Permitting of Distillery Warehouse / Black Fungus in Moore County.

3/31/2023 12:36 AM

HQ LEAD NUMBER: FY23-268862-3714-CV
SUBJECT: Regional Tip and/or Complaint - Tennessee
FROM:
TO:

Alleged Violator's Name: Brown Forman

Alleged Violator's Address: Unknown

Alleged Violator's City: Unknown

Alleged Violator's State: Tennessee

Alleged Violator's Zip: unknown

Tip or Complaint: Elizabeth Graff 408 Elora Road Elora, TN 37328 March 18, 2023 Office of Enforcement and Compliance Assurance 1200 Pennsylvania Avenue NW Mail Stop 2201A Washington, DC 20460 Regarding: Emissions from Whiskey Aging Warehouses - the "Angel's Share" Esteemed Public Servant, I am a taxpayer and voter in Lincoln County, Tennessee. Our county is in the path of the growth of the whiskey industry. Massive barrel houses are being built in our county without appropriate permits or inspections and no air pollution controls. We know these barrelhouses are not of the same design as those that are eligible for the fugitive emissions exemption in the Clean Air Act. They have no windows, and are temperature and humidity controlled using HVAC. They are also a massive 85,000 square feet and are being built in clusters of a dozen or more. The combined emissions are frightening in their volume. We believe that Brown Forman is in violation of their Title V permit. We need action from the Environmental Protection Agency. I am writing to request that you send an inspector to 844 Lynchburg Highway, Mulberry Tennessee to evaluate these new barrel houses for fugitive emissions status. I am confident that you will find they are not eligible for the exemption and require air pollution control systems. Please stop the excessive ethanol emissions. Stop the knowingly and willfully creation of the whiskey fungus public nuisance. Stop the risk to the public safety. The EPA exists for just such a purpose. I am asking that your agency hold the distilled spirits industry to the same standards as any other industry. Don't give whiskey a pass. Thank you
Violation Still Occurring? Yes
State DEP/DEQ/DEM Notified? No

The State of Tennessee Division of Air Pollution Control does not regulate indoor or outdoor fungus or mold including the microflora *baudoinia compniacensis*, an organism commonly found in the environment surrounding a distillery's maturation warehouses. Additionally, the Division does not regulate odors. However, if an odor complaint is associated with a process or air emissions source, the Division will conduct a site investigation to ensure the odor is not a result of deviation from a permit condition.

Major source operating Permit 572445 was issued on June 7, 2018 for facility 64-0013 for beverage alcohol manufacturing. New whisky maturation warehouses are being constructed under the authority provided in that operating permit. The facility currently has submitted a minor modification application to the current permit to add an additional 23 whisky maturation warehouses. That minor modification is currently under review. Please note that changes contained in a minor modification application are allowed to occur upon submission of a minor modification application. Also, the facility has a pending major source operating renewal application. The facility is required to operate in accordance with the provisions of the existing permit until a renewal is issued.

The mention of filtration and thus design of the barrel houses associated with this complaint has been referred to our permitting section who are working with the facility to obtain additional information needed. This request was sent certified mail to the facility on December 8, 2022, with a deadline for information submission within 60 days of letter receipt. Additional information was received on February 13, 2023, submitted as confidential business information. The Division has reviewed the design of the newer barrel houses associated with this complaint, and at this time does not identify any non-compliance with applicable state and federal air quality regulations and their major source permit. If you need additional details regarding this matter, Mr. John Fuss is the team member in permitting working on this case and will be the best point of contact. He can be reached at 615-532-0535 or John.Fuss@tn.gov.

The Division of Air Pollution Control conducts routine inspections of all major sources biennially. Additional inspections may be completed between routine inspections if; complaints are received, deviations from permit conditions occur, or other reason for concern. The facility inspection consists of a records review and facility tour, observing all emissions points and processes. This ensures compliance or identifies deviation for all permit conditions. Major source facilities are also required to submit annual and semi-annual compliance reports which require identification of compliance or deviation from all permit conditions. The most recent inspection of facility 64-0013 was on March 16, 2023. The facility was found to be in compliance with all conditions of permit 572445.

We appreciate your concern for the air quality in Tennessee. If further clarification or assistance is needed, feel free to contact me at 931-840-4159 or by email at Hattie.B.Benet@tn.gov.

Sincerely,

Hattie Benet



Hattie Benet | Inspector
Division of Air Pollution Control
Columbia Environmental Field Office
1421 Hampshire Pike Columbia TN 38401
931-840-4159
Hattie.B.Benet@TN.gov
tn.gov/environment

[How was my Service?](#)

We value your opinion. Please take a few minutes to [complete our customer service survey](#).

From: Bill McCabe <Bill.McCabe@tn.gov>
Sent: Monday, April 3, 2023 7:21 AM
To: Hattie B. Benet <Hattie.B.Benet@tn.gov>
Subject: FW: (CAA - FY23-268862-3714-CV) Regional Tip and/or Complaint - Tennessee

JDD complaint.

From: Tammy Gambill <Tammy.Gambill@tn.gov>
Sent: Monday, April 3, 2023 7:12 AM
To: Bill McCabe <Bill.McCabe@tn.gov>
Cc: Martie Carpenter <Martie.Carpenter@tn.gov>
Subject: FW: (CAA - FY23-268862-3714-CV) Regional Tip and/or Complaint - Tennessee

From: Gala, Chetan <Gala.Chetan@epa.gov>
Sent: Saturday, April 1, 2023 5:37 PM
To: Tammy Gambill <Tammy.Gambill@tn.gov>; Kevin McLain <Kevin.McLain@tn.gov>
Cc: Groendyke, Todd <Groendyke.Todd@epa.gov>; Kler, Denis <Kler.Denis@epa.gov>; Ferrando, Emily (she/her/hers) <Ferrando.Emily@epa.gov>; Chatfield, Ethan <chatfield.ethan@epa.gov>
Subject: [EXTERNAL] FW: (CAA - FY23-268862-3714-CV) Regional Tip and/or Complaint - Tennessee

Good evening.

Please refer to the email chain for a complaint/tip concerning alleged emissions from whisky barrel houses of Brown Forman, Mulberry, TN.

Sincerely,

Chetan Gala

Life Scientist | South Air Enforcement Section
Enforcement And Compliance Assurance Division (ECAD)
U.S. Environmental Protection Agency, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, S.W.,
Atlanta, Georgia 30303
(404) 562-9746 | gala.chetan@epa.gov

From: kler.denis@epa.gov <kler.denis@epa.gov>
Sent: Friday, March 31, 2023 7:07 AM
To: Gala, Chetan <Gala.Chetan@epa.gov>
Subject: FWD: (CAA - FY23-268862-3714-CV) Regional Tip and/or Complaint - Tennessee

03/31/2023

SUBJECT: FWD: (CAA - FY23-268862-3714-CV) Regional Tip and/or Complaint - Tennessee
FROM: kler.denis@epa.gov
TO: gala.chetan@epa.gov
CC:

Please send to state and R5.

-----Original Message-----

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