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# Air Enforcement: U.S. Environmental Protection Agency and North Attleborough, Massachusetts Concrete Production Facility Enter into Consent Agreement

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The United States Environmental Protection Agency (“EPA”) and Boro Sand and Stone, Corp. (“Boro”) entered into a January 30th Consent Agreement and Final Order (“CA”) addressing alleged violations of a Clean Air Act air permit. See Docket No. CAA-01-2020-0003.

The CA provides that Boro owns and operates a facility (“Facility”) producing and selling concrete products, washed sand and stone in Attleborough, Massachusetts.

The Facility’s processes are stated to include crushing and washing stone and other materials. The activities also include recycling reclaimed materials, including concrete rubble and asphalt, by crushing them to create an aggregate that is used in concrete products.

EPA is stated to have conducted a Clean Air Act inspection of the Facility on August 23, 2018.

The CA provides that the Facility’s Recycle Plant Rock Crusher is an affected facility as defined by the Clean Air Act New Source Performance Standard (“NSPS”) Subpart OOO.

Alleged violations identified by the inspection are stated to include:

- Failure to Provide Notice of Startup as required by NSPS
- Failure to Perform EPA Method 9 Testing as required by NSPS

The Facility is also stated to be subject to the Clean Air Act National Emission Standard for Hazardous Air Pollutants (“NESHAP”) Subpart ZZZZ.

Additional alleged violations include:

- Failure to Submit Notifications and Reports as required by NESHAP
- Failure to Perform Initial Performance Test or Compliance Demonstration as required by NESHAP
- Failure to Meet Emission Limits as required by NESHAP

Boro neither admits nor denies the facts and allegations contained in the CA.

A civil penalty of \$15,050 is assessed.

A copy of the CA can be downloaded [here](#).

