

Air Enforcement: Tennessee Air Pollution Control Board Proposed Order Related to Murfreesboro Concrete Batch Plant



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The Tennessee Air Pollution Control Board (“Board”) issued a Proposed Technical Secretary’s Order and Assessment of Civil Penalty (“Order”) to Nashville Ready Mix, Inc. (“NRMI”) for alleged violation of a Tennessee Air rule. See Division of Air Pollution Control Case No. APC 20-0092.

The Order states that NRMI operates a concrete batch plant (“Plant”) in Murfreesboro, Tennessee.

The Technical Secretary of the Board is stated to have issued a construction permit to NRMI for a Plant operation on November 19, 2019.

The Division of Air Pollution Control (“Division”) of the Board is stated to have received a start-up certification from NRMI on or about January 3, 2020. Such certification is stated to have indicated December 1, 2019, as the date of initial start-up for the Plant operation.

Nevertheless, NRMI is stated to have submitted an operating permit application on November 26, 2019. The Order therefore states that September 2019 was the date construction began and was completed for the Plant operation. As a result, NRMI is stated to have constructed the Plant operation prior to receiving the construction permit.

Monthly concrete production logs for the 2019 calendar year were stated to have been submitted to the Division on July 3rd. production of the concrete for October and November of 2019 were provided.

The Order alleges that by constructing an air contaminant source not specifically exempted by Division Rule 1200-03-09-.04 without first receiving the necessary construction permit, NRMI violated Division Rule 1200-03-09-.01(1)(a).

A civil penalty of \$1,500 is assessed.

The Order provides certain appeal rights.

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