

Air Enforcement: Tennessee Air Pollution Control Board Proposed Order/Civil Penalty Addressing Newport Concrete Company



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The Tennessee Air Pollution Control Board ("Board") issued a proposed Technical Secretary's Order and Assessment of Civil Penalty ("Order") on March 15th to Hommel Concrete Company ("HCC"). See APC22-0192.

The Order describes HCC as the owner or operator of a portable drum mix asphalt plant and a concrete batch plant located in Newport, Tennessee.

The portable drum mix asphalt plant is stated to have been issued a construction permit on June 17, 2016. An amended permit was subsequently issued. Further, an operating permit is stated to have been issued in 2017.

The Board's Division of Air Pollution Control ("Division") is stated to have conducted a site visit at the drum mix asphalt plant on June 9, 2022. HCC is stated to have indicated that the drum mix asphalt plant had operated since the initial startup date of April 1, 2020. The Division subsequently requested that HCC submit records for the daily and monthly asphalt production for the period of April 1, 2020, through June 20, 2022.

The Division is stated to have discovered the following violations:

- Failure to maintain a record of the type of fuel used, operating hours, monthly average asphalt production rate, and asphalt production rate during all intervals of the 12-consecutive months for October 1, 2020, through September 30, 2022
- Exceedance of the concrete production rate of 20,000 cubic yards of concrete per calendar year as indicated in a table in the Order

The Order proposes to assess a civil penalty of \$3,000. Certain appeal rights are provided by the Order.

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