

April 19, 2024

Dear Concerned Resident,

You have received this correspondence because you had a sign in your yard, Stop The Mine.

Attached you will find correspondence from ADEQ (Arizona Department of Environmental Quality). A records request from ADEQ shows an Air Quality Field Inspection Report for Asphalt, Paving and Supply occurring 11/7/23 (Inspection report No: 434642). On 11/29/23, Notice of Violation (Case ID #216557) was mailed to Asphalt, Paving & Supply, Inc.

On 1/29/2024, a Consent Order (Docket No. A-02-24) was signed stating that "By June 28, 2024, the ordered baghouse must be received, installed and operational. Asphalt Paving and Supply, Inc. DBA Arrowhead Materials has agreed to notify ADEQ is the manufacturer delivery date has been delayed."

"On February 28, 2024, Fain Signature Group released drone footage of the proposed Government Tank Quarry site for public consumption." This is the proposed rock and gravel location. In the description for the video, "The video has been provided to allow the general public to view the remote site being zoned and the surrounding area." Notice it says "being zoned," not rezoned. What is a Government Tank Quarry? I don't find the definition on the internet and the name is not from the ADEQ.

<https://youtu.be/mWdw6Sms89Y?feature=shared>

<https://fainsignaturegroup.com/new-projects-and-updates/faqs-of-proposed-sand-and-gravel-project/>

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Katie Hobbs
Governor

ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY



Karen Peters
Director

Case ID #: 216557

November 29, 2023

Asphalt Paving & Supply, Inc.
Attention: Pete Thompson
2425 N Glassford Hill Rd
Prescott Valley, AZ 86314

Subject: Asphalt Paving & Supply Inc. DBA Arrowhead Materials, Place ID 165561
2400 N Glassford Hill Rd / Prescott Valley, AZ 86314

NOTICE OF VIOLATION

This Notice of Violation (NOV) is an informal compliance assurance tool used by the Arizona Department of Environmental Quality (ADEQ) to put a responsible party (such as a facility owner or operator) on notice that the Department alleges a significant violation of an environmental requirement has occurred and this notice describes the facts known to ADEQ at the time of issuance. ADEQ has reason to believe that Asphalt Paving & Supply, Inc. as the owner/operator of equipment located at 165228 Physical Property For Air Portable Location has violated a requirement of the Arizona Revised Statutes (A.R.S.), a rule within the Arizona Administrative Code (A.A.C.), or an applicable permit, license, or administrative order. ADEQ identified the violations alleged below during an inspection or file review completed on November 07, 2023. See the Evidence of Compliance section below for the actions necessary to demonstrate resolution of the alleged violation(s).

ADEQ reserves the right to take a formal enforcement action, such as issuing an administrative order or filing a civil lawsuit, regardless of whether the Department has issued an NOV. Neither ADEQ's issuance of an NOV nor its failure to do so precludes the Department from pursuing these remedies. However, the timeliness of a complete response to this notice will be considered by ADEQ in determining if and how to pursue such remedies.

If this NOV is a result of an inspection then the NOV also serves as a monthly status update as required by A.R.S. § 41-1009(J).

I. LEGAL AUTHORITY and NATURE OF ALLEGED VIOLATION(S)

1. Permit 69486 - Attachment "B" Condition III.A.

"The Permittee shall not operate a co-located concrete batch plant with a truck mix product loading operation without operating a baghouse to control emissions at the product loading point. [A.A.C. R18-2-306.01 and -331.A.3.a]"

On November 7, 2023, during an on-site inspection of Asphalt Paving Supply, the ADEQ staff observed the permitted Hot Mix plant and documented the truck mix loadout operation was not equipped with a required baghouse or dust collector.

2. Permit 69486 - Attachment "A" Condition IV. D.

"All equipment covered by this General Permit shall be clearly marked with a serial number or other equipment number that is listed on the ATO for that piece of equipment." During the inspection ADEQ Air Compliance Staff observed and documented a Concrete Batch Plant that was not listed in the equipment list of the ATO or Permit documents issued on June 24, 2022.

Main Office

Southern Regional Office

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II. EVIDENCE OF COMPLIANCE

If you believe this Notice contains violations that did not occur, please submit evidence within 10 calendar days of receipt of this Notice demonstrating that the violation(s) never occurred. Upon receipt of such evidence, if ADEQ agrees that the violations(s) did not occur, ADEQ will either rescind or amend the Notice. ADEQ will provide you with the conclusion of its evaluation.

Otherwise, please provide evidence of compliance by meeting the conditions below. If ADEQ recommends a condition to assist you in achieving compliance, it will clearly note that the condition is recommended to be met and is not required by law.

1. Within 14 calendar days of receipt of this Notice, please submit a statement on whether you will proceed with the option to operate a baghouse at the point of truck mix loadout or the option to request a permit change. This statement must be signed by the designated Responsible Official for the facility. Please note that failure to adhere to the deadlines outlined in this NOV may be grounds for escalation to formal enforcement and potentially revocation of your current permit by ADEQ.
2. Within 30 calendar days of receipt of this Notice, please submit a purchase order documenting the purchase of a baghouse for use on controlling emissions from the truck mix loadout operation.
3. Within 90 calendar days of receipt of this Notice, please submit evidence that the baghouse was received, installed, and operational. Please submit documentation that includes a photo of the baghouse and certification letter signed by the designated Responsible Official for the facility.
4. Within 97 calendar days of receipt of this Notice, please submit modifications through the myDEQ portal of the Authorization to Operate (ATO) to reflect the "Concrete Batch Plant with Baghouse" on the equipment list.

III. SUBMITTING COMPLIANCE EVIDENCE

Please send all compliance evidence and any other written correspondence regarding this Notice by email to ebertz.katie@azdeq.gov or by mail to the following address:

Arizona Department of Environmental Quality, Attention: Katie Ebertz, Air Quality Compliance Unit, 1110 W Washington St, Phoenix, AZ 85007 MC: N/A

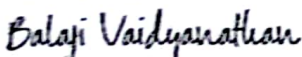
IV. STATEMENT OF CONSEQUENCES

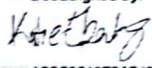
Timely and good faith efforts to achieve and provide evidence of compliance within the time frames established in this Notice will be considered in determining whether ADEQ will further pursue unilateral

formal enforcement, including an administrative compliance order or civil action requiring compliance within a reasonable time frame, civil penalties, and/or the suspension or revocation of an applicable permit/license. If you cannot meet the time frames established in this Notice, negotiate a compliance schedule in an administrative consent order or judgment. Failure to do so will be cause for ADEQ to pursue unilateral formal enforcement.

V. OFFER TO MEET

ADEQ is willing to meet regarding this Notice and can provide information on how to return to compliance. To obtain additional information about this Notice or to schedule a meeting to discuss this Notice, please contact Katie Ebertz at (602) 771-2324.

DocuSigned by:

A3AAB4E34243405
Balaji Vaidyanathan, Manager
AQD Facilities Emissions Control Section

DocuSigned by:

1C2C3518F2A7421
Katie Ebertz
Air Quality Compliance Unit



Katie Hobbs
Governor

ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY



Karen Peters
Cabinet Executive Officer
Executive Deputy Director

Air Quality Field Inspection Report

Company Name: Asphalt Paving & Supply, INC.	Inspection Report No.: 434642
Place Name: APS Prescott Place ID No.: 165228 (Old:165561)	Inspector(s): Cameron Collins , Rob Verville
County: Yavapai	Arrival Date and Time: 11/7/2023 8:30 AM
Physical Location: 2400 N Glassford Hill Rd Prescott Valley, AZ 86314	Reason for Inspection: ☐ Complaint Complaint No.: ☐ Full Inspection ☒ Partial Inspection ☐ Follow-Up Original Inspection Report No.: Click here.
Mailing Address: 2425 N Glassford Hill Rd Prescott Valley, AZ 86314	
Coordinates (for new locations): Latitude: Longitude:	
Permit No.: 69486 Permit Expiration Date: 4/21/2027	Was Inspection Announced? ☐ Yes ☒ No
Onsite Contact Person(s)/Title(s)/Number(s): Ben Dilcher/Project Superintendent Chris Mathern/Materials Manager	Operational Status: Operating
	Type of Source: Class II GP HMAP
Other Names for Site/Facility: Click here to enter text.	Last Inspection: 8/23/2022
Inspection Report Issued: Via email from ADEQ office	Facility Initial: ADEQ Initial:
Results of Inspection: ☐ No alleged deficiencies were noted during the course of the inspection. No ADEQ action will result from this inspection. ☐ Alleged deficiencies were noted during the course of the inspection and all deficiencies were corrected by the close of business on the final day of inspection. No ADEQ action will result from this inspection. ☒ Alleged deficiencies were noted during the course of the inspection. Additional correspondence regarding this inspection may be forthcoming.	
If applicable, ADEQ documents its initial determination that the alleged deficiencies are: ☐ Committed intentionally. ☐ Not correctable within a reasonable period of time as determined by the agency. ☐ Evidence of a pattern of noncompliance as demonstrated by alleged deficiencies previously identified in an inspection report or other written notice at the same premises. ☒ A significant risk to any person, the public health, safety or welfare or the environment.	

Comments:

While fueling at the Prescott Valley ADEQ fueling station the ADEQ inspectors observed visible emissions (VE) from equipment and operations near the Asphalt Paving & Supply (AP&S) hot mix asphalt (HMA) and concrete batch plants (CBP). As the inspectors completed fueling, the VE near the hot plant dissipated, the VE from the concrete batch plant continued. The ADOT fueling station is elevated above the HMA & CBP operations and the sun angle from the fueling station is incorrect for a visible emission observation.

The ADEQ inspectors drove down to the AP&S office and entered the building and met the receptionist. The ADEQ inspectors requested to speak with Chris Mathern, Materials Manager. The receptionist contacted Mr. Mathern and notified him that ADEQ was in the building. The receptionist informed the ADEQ inspectors Mr. Mathern was on his way. A few minutes later, Mr. Mathern and Ben Dilcher, Project Superintendent arrived and introduced themselves to the ADEQ inspectors. The ADEQ inspectors introduced themselves also, Rob Verville, Cameron Collins and Jean Ziga.

The ADEQ inspectors conducted an in-briefing and explained observing the VE from the ADOT fueling station. The group walked out to the parking lot and observed the CBP. The VE was continuing and the ADEQ inspector collected photographs of the CBP and VE. The ADEQ inspector observed the CBP truck loadout did not have a dust collector/baghouse or shroud around the truck loadout area. After observing the operations and collecting photographs, the group retreated into a conference room. The Notice of Inspection was presented to and signed by Mr. Mathern. The ADEQ inspectors inquired if the CBP had a dust collector/baghouse. Mr. Mathern stated the CBP did not have a dust collector/baghouse. The group had a discussion regarding the permit requirement for a dust collector/baghouse on the CBP. Mr. Mathern stated he was unaware of the dust collector/baghouse requirement. A discussion ensued regarding the previous environmental manager whom passed away. Mr. Dilcher stated he was given myDEQ rights by the Primary Responsible Official (PRO). Mr. Mathern stated himself and Mr. Dilcher are carrying the environmental load.

ADEQ discussed and explained the process for compliance, an inspection report would be provided to the facility, a Notice would also be prepared and issued to the facility for no dust collector/baghouse. Ms. Ziga explained the Consent Order process for ADEQ and AP&S to enter into a legally binding agreement that spells out the compliance conditions and timeframes. The ADEQ inspectors left the facility.

After the inspection, Ms. Ziga conducted a myDEQ database search and determined the facility does not have a concrete batch plant on its air quality permit #: 69486.

A database review located ATO: 125350, dated 10/6/2020, lists two concrete batch plants, capacity 85 cubic yards per hour, flyash and cement, both units with Serial/ID: c6394p. Annual operating hours 1506.5. Email contact: cgraff@nicnd.com

ATO: 128170, Hot Mix Asphalt Plant GP Renewal, dated 6/24/2022, lists no concrete batch plant. A water heater possibly associated with the batch plant is on the equipment list, Serial/ID: c6394p. Annual operating Hours 3964.0. Email contact: cgraff@nicnd.com

The email contact for both ATOs is Chris Graff, Environmental Manager that passed away.

Exit Debrief:

- Excessive dust was observed coming from the concrete batch plant.
- The concrete batch plant is not equipped with a baghouse.
- The Concrete Batch Plant is not listed in the facility's current permit.

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For air quality permit concerns and assistance, please contact Karla Murrieta, ADEQ, Air Permits Manager at office (602) 771-2283 or Murrieta.Karla@azdeq.gov.

Air permit documents and questions can also be submitted to airpermits@azdeq.gov.

Attachments:

Notice of Inspection Rights

Photograph Log

Choose an item.

Choose an item.



ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY NOTICE OF INSPECTION RIGHTS

FACILITY INFORMATION	ADEQ INFORMATION
Facility Name (Customer): 165228	Date of Inspection: 11/7/2023 12:00 AM
Facility Location (Place): 2400 N Glassford Hill Rd Prescott Valley, AZ 86314	County: Yavapai
	Inspector: Cameron Collins
Mailing Address: 2425 N Glassford Hill Rd Prescott Valley, AZ 86314	Telephone: (602) 540-9735
	Accompanied by: Rob Verville Jean Ziga
Responsible Party: Asphalt Paving & Supply, INC.	
On-Site Representative: Chris Mathern	ADEQ Follow-up Contact Cameron Collins
Title: Materials Manager	Air Compliance Unit
Telephone: 928-772-6363	Telephone: (602) 540-9735
Email: cmathern@nicnd.com	Email: collins.cameron@azdeq

The ADEQ representative(s) identified above were present at the above address on the above listed date and time. Upon entry to the premises, the ADEQ representative(s) met with me, presented photo identification indicating that they are ADEQ employees and explained:

☒ That the purpose of the inspection is to determine:

☐ Compliance with Title 49 of the Arizona Revised Statutes, Title 18 of the Arizona Administrative Code* and/or:

Arizona Revised Statutes: Title 49, Chapter 3
Arizona Administrative Code: Title 18, Chapter 2
Permit/Agreement Number: 69486

☐ Qualification for a license issued pursuant to:

Arizona Revised Statutes: Title 49, Chapter 3
Arizona Administrative Code: Title 18, Chapter 2

☐ That this inspection is conducted pursuant to the authority granted in Arizona Revised Statutes § 49-104(B)(8) and/or:

Arizona Revised Statutes: § 41-1009
Arizona Administrative Code: Title 18, Chapter 2
Permit/Agreement Number: 69486

☐ That the state shall not be barred by the statutes of limitations of actions, according to A.R.S. § 12-510, except as provided in A.R.S. § 12-529 concerning certain claims based on navigability of watercourses. According to 28 U.S.C. § 2462, the U.S. government must commence an action within 5 years after the date the claim first accrued.

☐ Possible applicability of Small Business Bill of Rights pursuant to Arizona Revised Statutes § 41-1001(21)

That the fee for this inspection is: No fee for the inspection

*The Arizona Revised Statutes (A.R.S.) can be found on the internet: www.azleg.state.az.us/ArizonaRevisedStatutes.asp while the Arizona Administrative Code (A.A.C.) can be found at www.azsosaz.gov/public_services/Table_of_Contents.htm

While I have the right to refuse to sign this form, the ADEQ representatives may still proceed with the inspection

☒ I have read this notice and discussed any questions or concerns with the ADEQ representatives and I have received the Small Business Bill of Rights

11/7/2023

Signature of Regulated Person or Authorized On-Site Representative

☐ The regulated person or authorized on-site representative refused to sign.

Name of Regulated Person or Authorized On-Site Representative

Title

☐ The regulated person or an authorized on-site representative was not present at the facility.

Click here to enter a date.

Signature of ADEQ Representative

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Air Quality Field Inspection Photograph Log

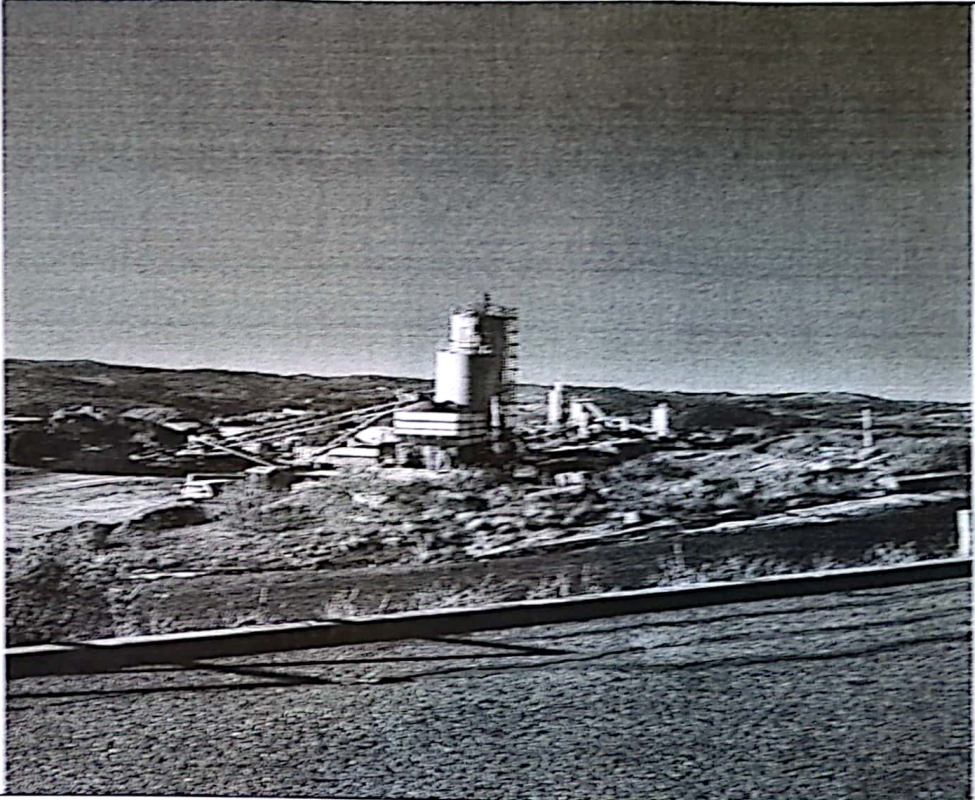
Site Location: 165228 - 2400 N Glassford Hill Rd Prescott Valley, AZ 86314		Photographer: Cameron Collins	Camera: Samsung Cell Phone
Weather: Clear			
Photo No. 1	Date: 11/7/2023		
Direction Photo Taken: Southwest			
Photo Description: View of Cement Batch Plant			

Photo No. 2	Date: 11/7/2023	
Direction Photo Taken: South		
Photo Description: South facing view of cement batch plant. Dust can be observed coming from plant during loading operations.		

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Photo No. 3	Date: 11/7/2023
Direction Photo Taken: South	
Photo Description: View of Loadout operation during truck loading event. Excessive dust not being controlled.	

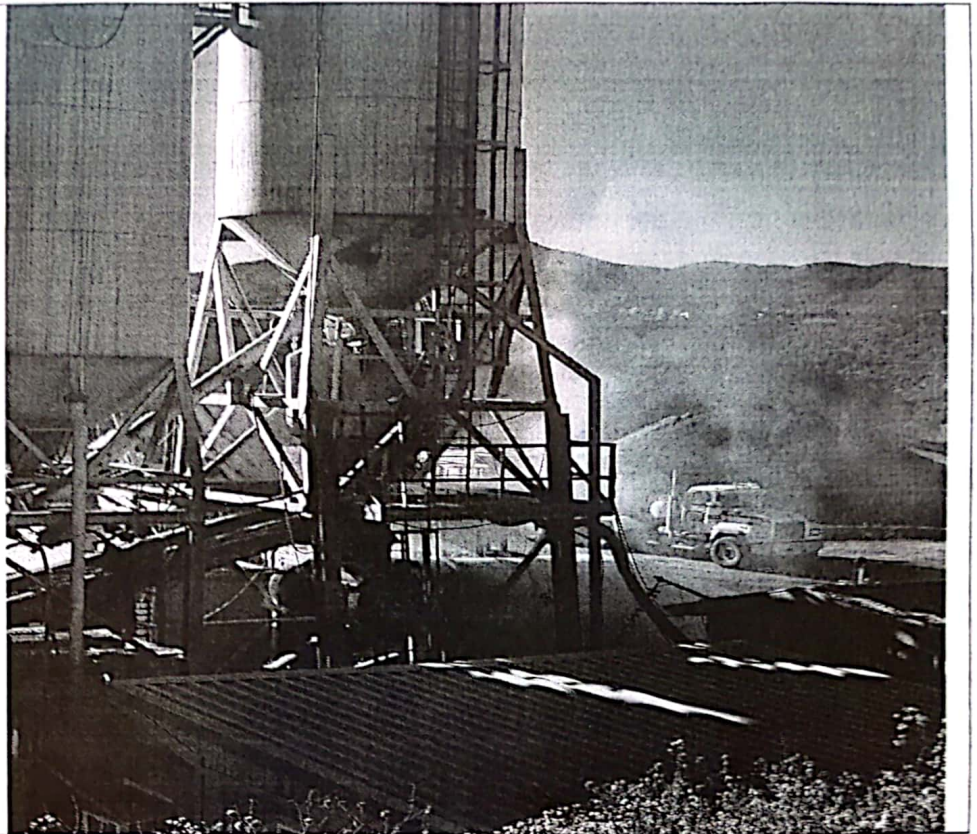
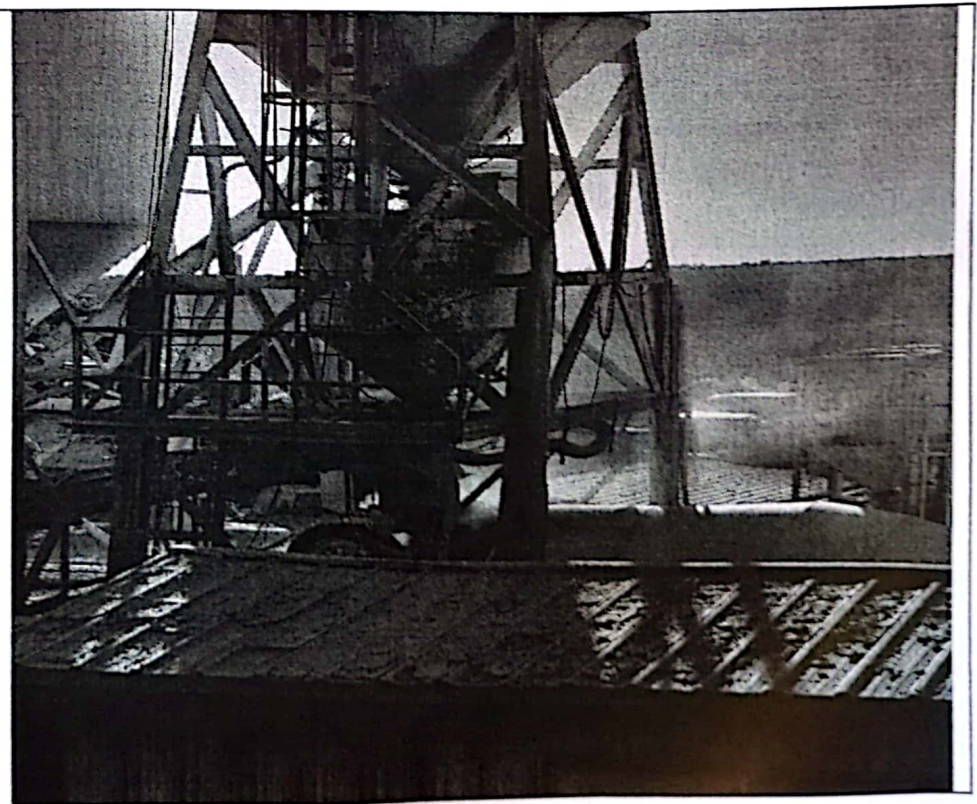


Photo No. 4	Date: 11/7/2023
Direction Photo Taken: South	
Photo Description: Load out area of cement batch plant. Excessive dust coming from load out area. A baghouse, hood, or any other controls were not observed to be equipped to the cement batch plant.	





CONSENT ORDER

Docket No. A-02-24

Place ID 165561

- A. Asphalt Paving & Supply, Inc. DBA Arrowhead Materials is the operator of the Hot Mix Asphalt General Permit Plant, located at 2400 N Glassford Hill Rd, Prescott Valley, AZ 86314 in Yavapai County.
- B. Pete Thompson is a representative of Asphalt Paving & Supply, Inc. DBA Arrowhead Materials and certifies that he is fully authorized to execute this Consent Order on behalf of Asphalt Paving & Supply, Inc. DBA Arrowhead Materials and to legally bind Asphalt Paving & Supply, Inc. DBA Arrowhead Materials to this Consent Order.
- C. The Director of Arizona Department of Environmental Quality (ADEQ) has jurisdiction of this action's subject matter and is authorized to issue this Consent Order pursuant to the Arizona Revised Statutes (A.R.S.) § 49-461, § 41-1004, and § 41-1092.07(F)(5).
- D. Asphalt Paving & Supply, Inc. DBA Arrowhead Materials agrees that the Director of ADEQ has jurisdiction of this action's subject matter.
- E. This Consent Order contains the full terms of the agreement between Asphalt Paving & Supply, Inc. DBA Arrowhead Materials and ADEQ.
- F. Asphalt Paving & Supply, Inc. DBA Arrowhead Materials voluntarily agrees to this Consent Order based only on the terms contained in the Consent Order.
- G. Asphalt Paving & Supply, Inc. DBA Arrowhead Materials understands that agreeing to this Consent Order does not resolve any liability that it may have for civil penalties for a violation of any State or Federal environmental law.

Initials DS

- H. Asphalt Paving & Supply, Inc. DBA Arrowhead Materials understands that agreeing to this Consent Order does not mean it admits to any civil or criminal liability, or waives any right or assertion of any defense available to Asphalt Paving & Supply, Inc. DBA Arrowhead Materials under applicable law.
- I. Asphalt Paving & Supply, Inc. DBA Arrowhead Materials does not admit the validity of any Agency Determinations and Findings contained in this Consent Order.
- J. Asphalt Paving & Supply, Inc. DBA Arrowhead Materials agrees not to dispute the validity or terms of this Consent Order in any future proceeding to enforce the terms of this Consent Order.
- K. Asphalt Paving & Supply, Inc. DBA Arrowhead Materials retains the right to dispute the validity of any Agency Determinations and Findings contained in this Consent Order in any proceeding other than a proceeding to enforce the terms of this Consent Order.

II. AGENCY DETERMINATIONS AND FINDINGS

The Director makes the following Agency Determinations and Findings that Asphalt Paving & Supply, Inc. DBA Arrowhead Materials has violated requirements of ADEQ issued Air Quality Control Permit No.69486.

- A. Attachment "B", Condition III.A.3: Facility Wide Requirements [A.A.C. R18-2-306.01 and -331.A.3.a] [Material Permit Condition]:
The Permittee shall not operate a co-located concrete batch plant with a truck mix product loading operation without operating a baghouse to control emissions at the product loading point.
- B. On November 7, 2023, ADEQ conducted an air quality inspection for Asphalt Paving & Supply DBA Arrowhead Materials located at 2425 N Glassford Hill Rd, in Prescott Valley, Arizona. The facility operates a Concrete Batch Plant with a truck mix process that is not vented to any pollution control equipment as required by their general permit.
- C. On November 29, 2023, ADEQ issued NOV Case 216557 to Asphalt Paving & Supply, Inc. DBA Arrowhead Materials requiring the company to install and operate a baghouse, also known as a dust collector, at the product loading point for the truck mix concrete batch plant within 90 calendar days of receipt of the Notice.
- D. Asphalt Paving & Supply, Inc. DBA Arrowhead Materials confirmed NOV issuance on

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Initials 

November 29, 2023, and thus established the deadline to operate a baghouse on February 27, 2024.

- E. On December 1, 2023, Asphalt Paving & Supply, Inc. DBA Arrowhead Materials responded to ADEQ provided a proof of purchase documentation for the baghouse with an expected delivery date of June 18th, 2024. Asphalt Paving & Supply, Inc. DBA Arrowhead Materials requested additional time to acquire and operate the baghouse at the point of truckload mix.
- F. On December 11, 2023, to assess compliance with the NAAQS, ADEQ completed an air modeling analysis for Asphalt Paving & Supply, Inc. DBA Arrowhead Materials to establish interim maximum daily throughput limits that will protect the particulate matter (PM) ambient air quality standards.

III. COMPLIANCE SCHEDULE

ADEQ has established the compliance requirements. ADEQ and Asphalt Paving & Supply, Inc. DBA Arrowhead Materials have agreed on the completion deadlines. Asphalt Paving & Supply, Inc. DBA Arrowhead Materials agrees to comply with the provisions of this Consent Order as follows:

- A. Except for the condition identified in Section II, A of this order, and Asphalt Paving & Supply DBA Arrowhead Materials shall comply with the requirements for its Concrete Batch Plant, Crushing & Screening Plant, and the Hot Mix Asphalt Plant.
- B. Asphalt Paving & Supply, Inc. DBA Arrowhead Materials shall comply with the following operational requirements until the termination of the Consent Order:
 - a. Concrete Batch Plant production shall be limited to 400 cubic yards per day
 - b. Crushing and Screening Plant production shall be limited to 3,250 tons per day
 - c. Hot Mix Asphalt Plant production shall be limited to 3,500 tons per day
 - d. Maintain daily production records for each day of operation for the Concrete Batch Plant, the Crushing and Screening plant, and the Hot Mix Asphalt.
 - e. The above production records shall be made available to ADEQ upon request.
- ★ C. By June 28, 2024, the ordered baghouse must be received, installed, and operational. Asphalt Paving & Supply, Inc. DBA Arrowhead Materials has agreed to notify ADEQ is the manufacturer delivery date has been delayed. Asphalt Paving & Supply, Inc. DBA Arrowhead Materials shall submit to ADEQ, documentation showing the control

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Initials 

equipment, including photos and certification by the designated Responsible Corporate Official for the facility.

- D. Within 7 days of completing requirement III.C above (equipment is installed and operational), Asphalt Paving & Supply, Inc. DBA Arrowhead Materials shall update its Authorization To Operate (ATO) through myDEQ. Please Add/Delete/Modify equipment as necessary to ensure that all required equipment is included and accurately reflected. Asphalt Paving & Supply, Inc. DBA Arrowhead Materials shall notify ADEQ upon completion of this condition.

IV. STATUS REPORTS

- A. Until this Consent Order is terminated, Asphalt Paving & Supply, Inc. DBA Arrowhead Materials agrees to submit a written status report to ADEQ by the 10th of every month, beginning the first month following the effective date of this Consent Order. Each written status report shall be for the previous calendar month and shall identify the status of each item in Section III of this Consent Order.
- B. ADEQ will review the status reports and inform Asphalt Paving & Supply, Inc. DBA Arrowhead Materials in writing of any disputes. Asphalt Paving & Supply, Inc. DBA Arrowhead Materials must incorporate all required modifications, changes or other alterations that ADEQ requests within a reasonable time specified by ADEQ.

V. COMPLIANCE WITH OTHER LAWS

- A. This Consent Order does not include issues regarding releases, contamination, sources, operations, facilities or processes not expressly stated by the terms of this Consent Order, and does not interfere with the rights that the State of Arizona or Asphalt Paving & Supply, Inc. DBA Arrowhead Materials have under any federal or Arizona environmental statutes and rules regarding such issues.
- B. This Consent Order is not a permit of any kind, does not modify any permit of any kind, nor is it an agreement to issue a permit of any kind under federal, state or local law.
- C. This Consent Order does not alter, modify or revoke federal, state, or local law.
- D. This Consent Order is not a defense to any action to enforce any such permits or laws.
- E. Asphalt Paving & Supply, Inc. DBA Arrowhead Materials has an obligation to:
1. Apply for, obtain, and comply with all applicable permits.
 2. Comply with federal, state or local laws.
 3. Comply with the terms of this Consent Order.

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Initials 

VI. SITE ACCESS

Upon presenting credentials to authorized personnel on duty, ADEQ may at any time enter the premises at the Facility in order to observe and monitor compliance with the provisions of this Consent Order. This right of entry is in addition to ADEQ's rights under applicable law.

VII. CORRESPONDENCE

- A. Asphalt Paving & Supply, Inc. DBA Arrowhead Materials shall send all correspondence by email, mail, or hand delivery, such as documents, materials, plans, notices, or other items under this Consent Order, to:

Arizona Department of Environmental Quality
Air Compliance Unit
Attention: Katie Ebertz, Compliance Officer
1110 West Washington Street
Phoenix, Arizona 85007-2935
Telephone: 602-771-2324
Email: Ebertz.Katie@azdeq.gov

- B. Any submission to ADEQ is treated as submitted when ADEQ receives it.

- C. ADEQ shall send all correspondence by email, mail, or hand delivery under this Consent Order to:

Pete Thompson, Area Manager/Vice President
Asphalt Paving & Supply, Inc. DBA
Arrowhead Materials
2425 N Glassford Hill Rd
Prescott Valley, AZ 86314
Telephone: (928) 474-2231
Email: pthompson@nicnd.com

VIII. RESERVATION OF RIGHTS

- A. ADEQ agrees to this Consent Order based solely upon currently available information. If additional information is discovered, which indicates that the actions under this Consent Order are or will be inadequate to protect human health, safety, or the environment, or to conform with applicable federal or state laws, ADEQ has the right to require further action.

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Initials 

B. ADEQ has the right to:

1. Seek civil penalties for any and all violations of A.R.S. Title 49 or the applicable rules, occurring before the effective date of this Consent Order;
2. Disapprove Asphalt Paving & Supply, Inc. DBA Arrowhead Material's work that fails to comply with this Consent Order;
3. Take enforcement action for any and all violations of this Consent Order; and,
4. Take enforcement action for any and all violations of A.R.S. Title 49 or the applicable rules, occurring after the effective date of this Consent Order.

C. As to this Consent Order, Asphalt Paving & Supply, Inc. DBA Arrowhead Materials waives all rights to appeal this Order under A.R.S. Title 41, pursuant to the ability to waive this right based on A.R.S. § 41-1004.

IX. VIOLATIONS OF ORDER

If Asphalt Paving & Supply, Inc. DBA Arrowhead Materials fails to comply with this Consent Order, Asphalt Paving & Supply, Inc. DBA Arrowhead Materials can be liable for other administrative or judicial sanctions, including civil penalties under A.R.S. § 49-463, the same as if for a violation of any State or Federal environmental law.

X. SEVERABILITY

If a court of law declares that any provision of this Consent Order is invalid or unenforceable, all other provisions of this Consent Order remain in full force and effect.

XI. MODIFICATIONS

Any modifications of this Consent Order must be in writing and Asphalt Paving & Supply, Inc. DBA Arrowhead Materials and ADEQ both must approve the modifications.

XII. EFFECTIVE DATE

The effective date of this Consent Order is the date this Consent Order is signed by ADEQ and Asphalt Paving & Supply, Inc. DBA Arrowhead Materials. If ADEQ and Asphalt Paving & Supply, Inc. DBA Arrowhead Materials sign on different dates, the later date is the effective date

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Initials 

VI. SITE ACCESS

Upon presenting credentials to authorized personnel on duty, ADEQ may at any time enter the premises at the Facility in order to observe and monitor compliance with the provisions of this Consent Order. This right of entry is in addition to ADEQ's rights under applicable law.

VII. CORRESPONDENCE

- A. Asphalt Paving & Supply, Inc. DBA Arrowhead Materials shall send all correspondence by email, mail, or hand delivery, such as documents, materials, plans, notices, or other items under this Consent Order, to:

Arizona Department of Environmental Quality
Air Compliance Unit
Attention: Katie Ebertz, Compliance Officer
1110 West Washington Street
Phoenix, Arizona 85007-2935
Telephone: 602-771-2324
Email: Ebertz.Katie@azdeq.gov

- B. Any submission to ADEQ is treated as submitted when ADEQ receives it.

- C. ADEQ shall send all correspondence by email, mail, or hand delivery under this Consent Order to:

Pete Thompson, Area Manager/Vice President
Asphalt Paving & Supply, Inc. DBA
Arrowhead Materials
2425 N Glassford Hill Rd
Prescott Valley, AZ 86314
Telephone: (928) 474-2231
Email: pthompson@nicnd.com

VIII. RESERVATION OF RIGHTS

- A. ADEQ agrees to this Consent Order based solely upon currently available information. If additional information is discovered, which indicates that the actions under this Consent Order are or will be inadequate to protect human health, safety, or the environment, or to conform with applicable federal or state laws, ADEQ has the right to require further action,

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Initials 

B. ADEQ has the right to:

1. Seek civil penalties for any and all violations of A.R.S. Title 49 or the applicable rules, occurring before the effective date of this Consent Order;
2. Disapprove Asphalt Paving & Supply, Inc. DBA Arrowhead Material's work that fails to comply with this Consent Order;
3. Take enforcement action for any and all violations of this Consent Order; and,
4. Take enforcement action for any and all violations of A.R.S. Title 49 or the applicable rules, occurring after the effective date of this Consent Order.

C. As to this Consent Order, Asphalt Paving & Supply, Inc. DBA Arrowhead Materials waives all rights to appeal this Order under A.R.S. Title 41, pursuant to the ability to waive this right based on A.R.S. § 41-1004.

IX. VIOLATIONS OF ORDER

If Asphalt Paving & Supply, Inc. DBA Arrowhead Materials fails to comply with this Consent Order, Asphalt Paving & Supply, Inc. DBA Arrowhead Materials can be liable for other administrative or judicial sanctions, including civil penalties under A.R.S. § 49-463, the same as if for a violation of any State or Federal environmental law.

X. SEVERABILITY

If a court of law declares that any provision of this Consent Order is invalid or unenforceable, all other provisions of this Consent Order remain in full force and effect.

XI. MODIFICATIONS

Any modifications of this Consent Order must be in writing and Asphalt Paving & Supply, Inc. DBA Arrowhead Materials and ADEQ both must approve the modifications.

XII. EFFECTIVE DATE

The effective date of this Consent Order is the date this Consent Order is signed by ADEQ and Asphalt Paving & Supply, Inc. DBA Arrowhead Materials. If ADEQ and Asphalt Paving & Supply, Inc. DBA Arrowhead Materials sign on different dates, the later date is the effective date

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Initials 

of this Consent Order.

XIII. PARTIES BOUND

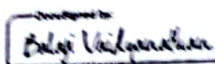
Asphalt Paving & Supply, Inc. DBA Arrowhead Materials is responsible, and will remain responsible, for carrying out all activities required under this Consent Order, regardless of change in ownership, corporate status, or partnership status, or transfer of assets or real or personal property relating to the subject of this Consent Order, unless:

- A. The Party to whom the right, title, or interest has been sold, transferred, or assigned agrees in writing to fulfill the obligations of this Consent Order; and,
- B. ADEQ approves the provisions transferring the obligation.

XIV. TERMINATION

- A. ADEQ will notify Asphalt Paving & Supply, Inc. DBA Arrowhead Materials in writing that this Consent Order is ended when ADEQ determines that Asphalt Paving & Supply, Inc. DBA Arrowhead Materials has demonstrated that all of the terms of this Consent Order have been completed or satisfied.
- B. If ADEQ denies a request for termination, ADEQ will notify Asphalt Paving & Supply, Inc. DBA Arrowhead Materials in writing and describe which terms of the Consent Order havenot been completed to ADEQ's satisfaction.
- C. ADEQ reserves the right to terminate this Consent Order unilaterally at any time for any reason, but will notify Asphalt Paving & Supply, Inc. DBA Arrowhead Materials in writing as to the reason(s) for termination.

Signed this 1/29/2024


Balaji Vaidyanathan, Section Manager
Facilities Emissions Control
Arizona Department of Environmental Quality

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Initials 

CONSENT TO ORDER

Pete Thompson, on behalf of Asphalt Paving & Supply, Inc. DBA Arrowhead Materials acknowledges that he has read all of the Consent Order. Asphalt Paving & Supply, Inc.

DBA Arrowhead Materials agrees:

- A. With the statements made,
- B. To this Consent Order with the Arizona Department of Environmental Quality, and,
- C. That Asphalt Paving & Supply, Inc. DBA Arrowhead Materials will comply with this Consent Order and waive any right to appeal.

Signed this 1/29/2024.

Consolidated by:


Pete Thompson
Asphalt Paving & Supply, Inc. DBA Arrowhead Material

I HEREBY CERTIFY that on 1/30/2024, the **ORIGINAL** was filed in the facility file located at:

Arizona Department of Environmental Quality
1110 W Washington St
Phoenix, AZ 85007-2935

I HEREBY CERTIFY that on 1/30/2024, a true and correct copy was emailed, if provided, or sent via USPS regular mail to:

Pete Thompson
Asphalt Paving & Supply, Inc.
DBA Arrowhead Materials
2425 N Glassford Hill Rd
Prescott Valley, AZ 86314
Telephone: (928) 237-6076

I HEREBY CERTIFY that on 1/30/2024, a true and correct copy was emailed, if provided, or sent via USPS regular mail to:

Arizona Department of Environmental Quality
Office of Administrative Counsel

8/9

Initials 

Curtis Cox, Chief Counsel, Environmental Enforcement Section, Office of the Attorney General
Sean Sandy, Unit Manager, Air Compliance Unit
Katie Ebertz, Case Manager, Air Compliance Unit

ATTN: Amy Miller
Director, Enforcement and Compliance Assurance
US EPA Region 9
75 Hawthorne Street
San Francisco, CA 94105

Consolidated by
Nedie O'Brien

Administrative Hearing Officer

9/9

Initials _____



Asphalt Paving & Supply, Inc

2425 N. Glassford Hill Rd. Prescott Valley AZ 86314-2236
Phone • (928) 772-6363 Fax • (928) 772-7313

~~December 1, 2023~~

Katie Ebertz
Air Quality Compliance Officer
ADEQ
Air Quality Compliance Unit
1110 W. Washington Str.
Phoenix, AZ 85007

RE; Asphalt Paving & Supply Inc. DBA Arrowhead Materials, Place ID 165561

Ms. Ebertz,

Thank you for taking the time to speak with me regarding Case ID #216557. Please accept this letter and the attached documents as evidence of compliance as requested by the Notice of Violation.

- 1- Asphalt Paving & Supply Inc./DBA Arrowhead Materials. Will proceed with the option to operate a baghouse at the point of truck mix loadout.
- 2- Please find the attached Deposit Invoices as well as a copy of the check that paid the deposit for the needed improvements to our facility. The equipment has been ordered and we also took this opportunity to upgrade our silo baghouses as well.
- 3- As discussed, please find the attached document in regards to the long lead times to acquire the new dust collection system for our concrete batch plant. During our conversation you mentioned entering into a bi-lateral agreement "Consent Order". Please send that over for our review/signatures.

Should you need further documentation, please reach out to me and I will keep you posted as things progress.

Sincerely,

Pete Thompson-Vice President
Asphalt Paving & Supply Inc.

Cc: Ben Dilcher
file

1/16



DHE, Inc. Concrete Equipment
145 Gandy Dancer Dr. Tracy CA 95377
Office 209.835.2222 | Fax 209.835.4222
www.dhenoble.com



December 1, 2023

To whom it may concern,

This letter is intended to serve as proof of order by Asphalt Paving & Supply, Inc. of the following items, with their corresponding estimated delivery dates:

- One (1) CON-E-CO Model PJ-980D Mixer Truck Dust Collector
 - Estimated delivery date: June 18th, 2024
- Two (2) CON-E-CO Model PJC-300S Silo Dust Collectors
 - Estimated delivery date: December 8th, 2023

If you have any questions or require additional information, please don't hesitate to call.

Thank you,

Cody B. Stauffer
DHE, Inc. Concrete Equipment
(530) 615 8465
cstauffer@dhenoble.com



Dave Humphrey Enterprises, Inc.

145 Gandy Dancer Drive
145 Gandy Dancer Drive
Tracy, CA 95377

Deposit Invoice

Date	Invoice #
11/9/2023	30306

Phone #	Fax #	E-mail	Web Site
(209) 835-2222	(209) 835-4222	sales@dhenoble.com	www.dhenoble.com

Name/Address:

Asphalt Paving & Supply
2425 North Glassford Hill Rd
Prescott Valley AZ 86314

Ship To:

Asphalt Paving & Supply
2425 North Glassford Hill Rd
Prescott Valley, AZ 86314
Attn: Dale @ concrete plant

Payment Method	REP	Ship Date	Ship Via	F.O.B.	P.O. No.	S.O. No.
Please see terms...	CBS		Motor Frt.		90-0040	38320
Item	Description			Ordered	Price	Amount
#-Non Shop	Reference CON-E-CO s/n# C6394 Model PJC-300S dust control system 8 each filter cartridges - 8"Ø x 40" long 304 ft² cleaning area High pressure air - pulse jet cleaning system 1,520 C.F.M. capacity Motor protected with circuit breaker 120 volt electrical system NEMA 3R enclosure U.L. listed panel Solenoid valves mounted on manifold Manifold includes regulator and filter Manual pushbutton control Weld on adaptor flange Spring loaded pressure relief valve with weld on flange			0.8	9,140.00	7,312.00
TERMS	Estimated 3-4 week lead time. TERMS: 40% DEPOSIT WITH SIGNED SALES ORDER AND APPROVED CREDIT. NET DUE READINESS TO SHIP AND PRIOR TO			0		0.00T

Thank you.

Subtotal

Payments/Credits

Deposit Due

Amount	OT
7312.00	11923
9018	2
10882	CDM

3/10



Dave Humphrey Enterprises, Inc.

145 Gandy Dancer Drive
145 Gandy Dancer Drive
Tracy, CA 95377

Deposit Invoice

Date	Invoice #
11/9/2023	30306

Phone #	Fax #	E-mail	Web Site
(209) 835-2222	(209) 835-4222	sales@dhenoble.com	www.dhenoble.com

Name/Address:

Asphalt Paving & Supply
2425 North Glassford Hill Rd
Prescott Valley AZ 86314

Ship To:

Asphalt Paving & Supply
2425 North Glassford Hill Rd
Prescott Valley, AZ 86314
Attn: Dale @ concrete plant

Payment Method	REP	Ship Date	Ship Via	F.O.B.	P.O. No.	S.O. No.
Please see terms...	CBS		Motor Frt.		90-0040	38320
Item	Description			Ordered	Price	Amount
	SHIPMENT. PLUS APPLICABLE TAX AND FREIGHT. This proposal/quotation is valid for thirty (30) days. Shipping date is subject to material availability at time of order. THIS QUOTE MAY BE SUBJECT TO THE IMPOSITION OF A STEEL SURCHARGE AT TIME OF ORDER BASED ON COST INCREASES OF STEEL. THIS ORDER DOES NOT INCLUDE ANY INSTALLATION OR START-UP FIELD SERVICES. Please let us know if you will be requiring these additional services for additional charges. If ordered and Command/Alkon scheduled installation is delayed, please notify us in writing at least 10 business days prior to the installation date, otherwise the penalty of 100% of quoted labor will be invoiced. Dave Humphrey Enterprises, Inc. Terms and Conditions apply to Products and Services					

Thank you.

Subtotal

Payments/Credits

Deposit Due



Dave Humphrey Enterprises, Inc.

145 Gandy Dancer Drive
145 Gandy Dancer Drive
Tracy, CA 95377

Deposit Invoice

Date	Invoice #
11/9/2023	30306

Phone #	Fax #	E-mail	Web Site
(209) 835-2222	(209) 835-4222	sales@dhenoble.com	www.dhenoble.com

Name/Address:

Asphalt Paving & Supply
2425 North Glassford Hill Rd
Prescott Valley AZ 86314

Ship To:

Asphalt Paving & Supply
2425 North Glassford Hill Rd
Prescott Valley, AZ 86314
Attn: Dale @ concrete plant

Payment Method	REP	Ship Date	Ship Via	F.O.B.	P.O. No.	S.O. No.
Please see terms...	CBS		Motor Frt.		90-0040	38320

Item	Description	Ordered	Price	Amount
	Sold and/or quoted. If it is acceptable to you, sign and return this quotation as authorization to proceed with the order. DHE Inc. Terms are available at https://www.dhenoble.com/services. We appreciate your interest in the equipment and services of DHE Inc. Thank you for the order.			

Thank you.	Subtotal	\$7,312.00
	Payments/Credits	\$0.00
	Deposit Due	\$7,312.00



Dave Humphrey Enterprises, Inc.

145 Gandy Dancer Drive
145 Gandy Dancer Drive
Tracy, CA 95377

Deposit Invoice

Date	Invoice #
11/9/2023	30307

Phone #	Fax #	E-mail	Web Site
(209) 835-2222	(209) 835-4222	sales@dhenoble.com	www.dhenoble.com

Name/Address:

Asphalt Paving & Supply
2425 North Glassford Hill Rd
Prescott Valley AZ 86314

Ship To:

Asphalt Paving & Supply
2425 North Glassford Hill Rd
Prescott Valley, AZ 86314
Attn: Dale @ concrete plant

Payment Method	REP	Ship Date	Ship Via	F.O.B.	P.O. No.	S.O. No.
Please see terms...	CBS		Motor Frt.		90-0040	38321
Item	Description			Ordered	Price	Amount
#-Non Shop	Model PJ-880D dust control system 68 each filter bags - 6"Ø x 10'-0" long 980 ft² cleaning area High pressure air - pulse jet cleaning system PBI 15 direct suction blower 15 H.P. TEFC motor 5,880 C.F.M. capacity at 8" water All welded steel enclosure Collection hopper Vibrator 1/2" single solenoid valve Support structure furnished to grade Roof railing with ladder, glide lock and cage to grade Furnished with standard handrail height 480 volt - 3Ø - 60HZ NEMA 3R enclosure U.L. listed panel Solenoid valves mounted on manifold Manifold includes regulator and filter			0.4	69,490.00	27,798.00

Thank you.

433200	11923	9018	2
10882			

Subtotal

Payments/Credits

Deposit Due



Dave Humphrey Enterprises, Inc.

145 Gandy Dancer Drive
145 Gandy Dancer Drive
Tracy, CA 95377

Deposit Invoice

Date	Invoice #
11/9/2023	30307

Phone #	Fax #	E-mail	Web Site
(209) 835-2222	(209) 835-4222	sales@dhenoble.com	www.dhenoble.com

Name/Address:

Asphalt Paving & Supply
2425 North Glassford Hill Rd
Prescott Valley AZ 86314

Ship To:

Asphalt Paving & Supply
2425 North Glassford Hill Rd
Prescott Valley, AZ 86314
Attn: Dale @ concrete plant

Payment Method	REP	Ship Date	Ship Via	F.O.B.	P.O. No.	S.O. No.
Please see terms...	CBS		Motor Frt.		90-0040	38321

Item	Description	Ordered	Price	Amount
#-Non Shop	Magnehelic gage mounted on collector Automatic control panel with manual override 75'-0" control cable 10.00 / foot Additional control cable Automatic Return System	0.4	13,560.00	5,424.00
TERMS	Rotary vane feeder (rated at 1.41CFM per minute) 3" Return Line 6.7HP turbine blower Automatic recycle control TERMS:40% DEPOSIT WITH SIGNED SALES ORDER AND APPROVED CREDIT. NET DUE READINESS TO SHIP AND PRIOR TO SHIPMENT. PLUS APPLICABLE TAX AND FREIGHT. This proposal/quotation is valid for thirty (30) days. Shipping date is subject to material availability at time of order. THIS QUOTE MAY BE SUBJECT TO THE IMPOSITION OF A STEEL SURCHARGE AT TIME OF ORDER BASED ON COST INCREASES	0		0.00T

Thank you.	Subtotal
	Payments/Credits
	Deposit Due

7/10



Dave Humphrey Enterprises, Inc.

145 Gandy Dancer Drive
145 Gandy Dancer Drive
Tracy, CA 95377

Deposit Invoice

Date	Invoice #
11/19/2023	35321

Phone #	Fax #	E-mail	Web Site
(209) 835-2222	(209) 835-4222	sales@dhenoble.com	www.dhenoble.com

Name/Address:

Asphalt Paving & Supply
2425 North Glassford Hill Rd
Prescott Valley AZ 86314

Ship To:

Asphalt Paving & Supply
2425 North Glassford Hill Rd
Prescott Valley, AZ 86314
Attn: Dale @ concrete plant

Payment Method	REP	Ship Date	Ship Via	F.O.B.	P.O. No.	S.O. No.
Please see terms...	CBS		Motor Frt.		60-0040	35321

Item	Description	Ordered	Price	Amount
	OF STEEL THIS ORDER DOES NOT INCLUDE ANY INSTALLATION OR START-UP FIELD SERVICES. Please let us know if you will be requiring these additional services for additional charges. If ordered and Command/Alkon scheduled installation is delayed, please notify us in writing at least 10 business days prior to the installation date, otherwise the penalty of 100% of quoted labor will be invoiced. Dave Humphrey Enterprises, Inc. Terms and Conditions apply to Products and Services Sold and/or quoted. If it is acceptable to you, sign and return this quotation as authorization to proceed with the order. DHE Inc. Terms are available at https://www.dhenoble.com/services. We appreciate your interest in the equipment			

Thank you.

Subtotal

Payments/Credits

Deposit Due



Dave Humphrey Enterprises, Inc.

145 Gandy Dancer Drive
145 Gandy Dancer Drive
Tracy, CA 95377

Deposit Invoice

Date	Invoice #
11/9/2023	30307

Phone #	Fax #	E-mail	Web Site
(209) 835-2222	(209) 835-4222	sales@dhenoble.com	www.dhenoble.com

Name/Address:

Asphalt Paving & Supply
2425 North Glassford Hill Rd
Prescott Valley AZ 86314

Ship To:

Asphalt Paving & Supply
2425 North Glassford Hill Rd
Prescott Valley, AZ 86314
Attn: Dale @ concrete plant

Payment Method	REP	Ship Date	Ship Via	F.O.B.	P.O. No.	S.O. No.
Please see terms...	CBS		Motor Frt.		90-0040	38321

Item	Description	Ordered	Price	Amount
	and services of DHE Inc. Thank you for the order.			

Thank you.

Subtotal **\$33,220.00**

Payments/Credits **\$0.00**

Deposit Due **\$33,220.00**

Ph 928-772-6363

12 Asphalt Paving & Supply, Inc.
2425 N Glassford Hill Road
Prescott Valley, AZ 86314
ap@nlicnd.com
Ph 928-772-6363
928-759-9103

VOID AFTER 90 DAYS

PAY ***Forty thousand five hundred thirty-two and xx / 100 Dollars***

DAVE HUMPHREY ENTERPRISES, INC.
145 GANDY DANCER DRIVE
TRACY CA 95377

10/10



Description



Public Virtual Tour for Proposed Government Tank Quarry

4
Likes

1,525
Views

Feb 28
2024

On February 28th, 2024, Fain Signature Group released drone footage of the proposed Government Tank Quarry site for public consumption. The video has been provided to allow the general public to view the remote site being zoned and the surrounding area. As leadership and elected officials visit the site for tours, this video provides the public with a similar experience as the public is unable to tour the site due to the