



Douglas A. Ducey
Governor

ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY



Misael Cabrera
Director

CERTIFIED MAIL
Return Receipt Requested

Case ID #: 185709

September 20, 2019

Asphalt Paving & Supply, Inc.
Attention: Chris J. Graff
2425 N Glassford Hill Rd
Prescott Valley, AZ 86314

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

NOTICE OF VIOLATION

The Arizona Department of Environmental Quality (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, administrative order or civil judgment. ADEQ discovered the violations alleged below during an inspection completed on September 12, 2019.

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

1. **Permit 69486 - Attachment A, Section VI.A**

The Permittee shall complete and submit to the Director an annual emissions inventory questionnaire. The questionnaire is due by March 31 or ninety days after the Director makes the inventory form available each year, whichever occurs later, and shall include emission information for the previous calendar year.

The ADEQ inspector confirmed the facility did not complete an annual emissions inventory questionnaire for 2018.

II. LEGAL AUTHORITY and NATURE OF OTHER ALLEGED VIOLATION(S)

1. **Permit 69486 - Attachment C: Section I.D.4.a**

If the initial performance test has not been conducted earlier, the Permittee shall, within 180 days of issuance of coverage under this permit, conduct initial performance test for particulate matter (PM) in accordance with EPA Reference Method 5 to show compliance with Conditions I.D.1.a(1).

If there is a record of initial performance test performed earlier, the Permittee shall, within 12 months of issuance coverage under this permit, conduct performance test for particulate matter (PM) in accordance with EPA Reference Method 5 from the drum dryer to show compliance with Conditions I.D.1.a.(1).

Main Office

1110 W Washington Street ● Phoenix, AZ 85007
(602) 771-2300

Southern Regional Office

400 W Congress Street ● Suite 433 ● Tucson, AZ 85701
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The ADEQ inspector confirmed the facility did not conduct a performance test since the issuance of the air quality hot mix asphalt plant general permit.

III. DOCUMENTING COMPLIANCE

1. Within 7 calendar days of receipt of this Notice, please submit documentation that the violation(s) never occurred, or documentation showing the facility has submitted an annual emission inventory questionnaire for 2018 to ADEQ air quality emission inventory team.
2. Within 14 calendar days of receipt of this Notice, please submit documentation that the violation(s) never occurred, or a performance test protocol to ADEQ to schedule a performance test to demonstrate compliance with the particulate matter emission limit required by air quality permit #69486.

David Demchik can be contacted at (602)771-8544 or demchik.david@azdeq.gov.

The performance test protocol shall be submitted to:

Attention: David Demchik
Facilities Emissions Control Section
Arizona Department of Environmental Quality
1110 W. Washington St.
Phoenix, AZ 85007

IV. SUBMITTING COMPLIANCE DOCUMENTATION

Please send all compliance documentation and any other written correspondence regarding this Notice to ADEQ at the following address:

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

V. STATEMENT OF CONSEQUENCES

Significant Violations

1. The time frames within this Notice for achieving and documenting compliance for the violation(s) alleged in Section I of this Notice are firm limits. Failure to achieve or document compliance for the violation(s) alleged in Section I of this Notice within the time frames established in this Notice will result in an administrative compliance order or civil action requiring compliance within a reasonable time frame, substantial civil penalties, and/or the suspension or revocation of an applicable permit/license. ADEQ will agree to extend the time frames for achieving and documenting compliance for the violation(s) alleged in Section I of this Notice only in a compliance schedule negotiated in the context of an administrative

consent order or civil consent judgment.

2. Achieving compliance does not preclude ADEQ from seeking civil penalties, and/or suspending or revoking an applicable permit/license for the violation(s) alleged in Section I of this Notice as allowed by law.

Other Violations

3. ADEQ may take any enforcement action authorized by law for the violation(s) alleged in Section II of this Notice, if the violation(s) are not corrected, or if ADEQ determines that the violation(s) have not been corrected in the time frames within this Notice.

VI. OFFER TO MEET

ADEQ is willing to meet regarding this Notice. To obtain additional information about this Notice or to schedule a meeting to discuss this Notice, please contact Adam Bankhead at (602) 771-4267.

David Kim, Manager
Air Quality Compliance Unit

Adam Bankhead
Air Quality Compliance Unit