



Katie Hobbs  
Governor

# ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY



Karen Peters  
Cabinet Executive Officer  
Executive Deputy Director

## Air Quality Field Inspection Report

<b>Company Name:</b> Minerals Research, Inc. RP: 37790	<b>Inspection Report No.:</b> 434451
<b>Place Name:</b> Cottonwood Slag Crushing-Recycling <b>Place ID No.:</b> 137664 old air portable 172594	<b>Inspector(s):</b> Rob Verville, Cameron Collins and others
<b>County:</b> Yavapai	<b>Arrival Date and Time:</b> 11/7/2023 10:00 AM
<b>Physical Location:</b> 705 E Birch St., Cottonwood, AZ 86326	<b>Reason for Inspection:</b> <input type="checkbox"/> Complaint Complaint No.: <input checked="" type="checkbox"/> Full Inspection <input type="checkbox"/> Partial Inspection <input type="checkbox"/> Follow-Up Original Inspection Report No.:
<b>Mailing Address:</b> 4620 S Coach Dr., Tucson, AZ 85714	
<b>Coordinates (for new locations):</b> Latitude: Longitude:	<b>Was Inspection Announced?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>Permit No.:</b> Consent Order A-12-23 <b>Permit Expiration Date:</b>	<b>Operational Status:</b> Not Operating
<b>Onsite Contact Person(s)/Title(s)/Number(s):</b> Carl Harris, Ops., Stephan Gosselin, Manager via phone Chelsea Wagner, Operations Support	<b>Type of Source:</b> Copper Slag Processing-Recycling
<b>Other Names for Site/Facility:</b>	<b>Last Inspection:</b> 9/20/23, Insp ID: 431270
<b>Inspection Report Issued:</b> Via email at facility	<b>Facility Initial:</b> <b>ADEQ Initial:</b>
<b>Results of Inspection:</b> <input type="checkbox"/> No alleged deficiencies were noted during the inspection. No ADEQ action will result from this inspection. <input type="checkbox"/> 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. <input checked="" type="checkbox"/> 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: <input type="checkbox"/> Committed intentionally. <input checked="" type="checkbox"/> Not correctable within a reasonable period of time as determined by the agency. <input type="checkbox"/> 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. <input type="checkbox"/> A significant risk to any person, the public health, safety or welfare or the environment. <input type="checkbox"/> No compliance determination was made during the inspection, information has been requested.	



**Comments:**

ADEQ and Minerals Research, Inc. (MRI) entered a Consent Order on October 12, 2023, (Docket No. A-12-23).

Prior to entering the site, the ADEQ inspector conducted offsite observations for visible emissions. The ADEQ inspector did not observe any visible emissions from offsite. The ADEQ inspectors conducted the observations from locations to the east and north of the facility. During the offsite observations, it did not appear the processing plant was operating.

The ADEQ inspectors drove into the site and parked at the front office. The entrance road into the site was wetted. The front office door was locked. The ADEQ inspectors walked to the back office trailer. The ADEQ inspectors met an employee in the back office trailer, the lead inspector introduced himself and inquired if Mr. Gosselin or Mr. Harris were available. The employee stated he contacted Mr. Harris and Mr. Harris would be with the ADEQ inspectors shortly. The ADEQ inspectors waited outside of the back office trailer. After a few minutes Mr. Harris arrived. Mr. Harris explained that Mr. Gosselin was not at the site. Mr. Harris stated the plant is not operating, the well pump motor had burned up and they were awaiting the replacement pump. Mr. Harris stated they have city water, but not sufficient volume to fill the storage tank and operate the plant with adequate dust control.



The ADEQ inspectors explained the purpose of the inspection, was related to the Consent Order. The group proceeded to the front office trailer and met Chelsea Wagner, Operations Support. The ADEQ inspector requested supporting documentation required in the Consent Order. Mr. Harris and Ms. Wagner provided the requested documentation, with the exception of the items indicated in the Exit Debrief. Specifically, pressure differential monitoring and the front-end loader bucket scale calibration.

During the physical plant inspection, the processing plant was not operating. During the physical plant inspection, the inspectors were shown where the Air Wash was removed and the conveyor extended, and a non-mechanical Deduster Box had been upgraded to assist with dust control. The ADEQ inspector inspected under the conveyors and observed the previous buildup of material had been removed and the area and equipment under the screens had been cleaned.


The plant was not operating, the inspectors were unable to inspect the crushing, screening, conveying and material transfer operations.

**Compliance Order (CO) Inspection Checklist**

CO Section	Action	Status
<b>Compliance Schedule</b>		
III.A	Excluding trivial activities and qualifying routine maintenance, repair or replacement MRI shall not modify or install new process equipment without prior approval from ADEQ.	Mr. Harris stated no equipment changes.  During the physical inspection, Mr. Harris showed the inspectors where the Air Wash had been removed and the conveyor extended.  Mr. Harris stated, the Deduster Box was upgraded to assist with the unit not clogging from the dust control material.  The Deduster is a non-mechanical device that assists with dust control and is ducted to the baghouse.

III.B	MRI shall operate all associated control equipment as listed in Attachment 1 at all times when the process equipment is in operation.	
<b>Administratively Complete Air Quality Permit Application</b>		
III.C	MRI shall submit to ADEQ an administratively complete air quality permit application for a Class II Permit.	<p>Source emailed the permit application to ADEQ on 10/31/23.</p> <p>Jeff Christensen, ADEQ Permit Engineer, confirmed receipt of a copy of the permit and dust control plan.</p>
<b>Dust Control Plan</b>		
III.D	<p>MRI shall submit to ADEQ a Dust Control Plan</p> <p>At minimum, the dust control plan shall include operation and maintenance procedures for proper operation of the Primary and Secondary Crushing and Screening Plants along with preventative measures to minimize fugitive dust from process equipment, storage piles, and the blasting operation.</p> <p>a. Minerals Research, Inc. will update this plan as necessary and will submit to ADEQ a copy of updated plans.</p> <p>b. ADEQ will notify Minerals Research, Inc. of any deficiencies in the plan as necessary and will work with Minerals Research, Inc. on corrective actions as needed.</p>	Source emailed the permit with dust control plan to ADEQ on 10/31/23.
<b>Until ADEQ Issues A Class II Permit</b>		
III.E.a.i	MRI shall be limited to the following throughput f  &S to 2,000 TPD	The primary C&S operation is not currently at the facility. Source is unsure when the primary crusher will be at the site.
III.E.a.ii	MRI shall be limited to t  throughput for Secondary C&S to 190 TPD	<p>The source maintains a Daily Production Report that indicates the amount of material processed daily. No day has exceeded the 190 TPD limit.</p> <p>The source developed a secondary production log on October 22, 2023.</p>
III.E.a.iii	MRI shall maintain records of daily operating hours and total daily material processed (TPD), as measured using a calibrated weigh scale.	<p>The source has two reports that indicate daily material processed and operating hours.</p> <p>The source has a calibrated Truck Scale.</p> <p>Mr. Harris stated the front-end loaders have been weighed on the truck scale to obtain an average weight of</p>

		<p>specific products for bucket counts.</p> <p>Mr. Harris contacted Tyler Bowers, Mechanic, regarding the front-end loader bucket scale and any documentation he may have. Mr. Bowers reported back he did not have a certification and he did not observe a certification sticker on the scale unit in the front-end loader.</p> <p>Mr. Bowers stated would with Caterpillar on the front-end loader bucket scale calibration.</p> <p>On 11/9/23, Mr. Gosselin provided a printout from an Empire Caterpillar technician describing the calibration process. The documentation does not readily identify the unit calibrated.</p>
III.E.b	<p>During each production shift, MRI shall inspect process equipment and associated control equipment to ensure proper capture and control and prevent excessive emissions from becoming airborne. If fugitive emissions due to leaks are observed, Minerals Research, Inc. shall pause operations of the affected unit until all leaks are resolved.</p>	<p>Source provided Shift Inspection/Daily Report.</p>
III.E.c	<p>Within thirty (30) days of the effective date of this order, and monthly thereafter, Minerals Research, Inc. shall perform fluorescent dye testing on each baghouse (BH-600 and BH-601) to ensure a leak-free baghouse.</p>	<p>Fluorescent dye test conducted 10/11/2023. Report indicates one bag replaced and two holes plugged on BH-600 (unit 356).</p> <p>The ADEQ inspector spoke with Stephan Gosselin on 11/9/23 to verify both units had been dye tested. Mr. Gosselin stated the second unit was schedule to be inspected the night of 11/9/23.</p> <p>On 11/13/2023, Mr. Harris provided documentation of fluorescent dye testing on BH-601 (unit 464). Testing was conducted 11/10/2023.</p>

III.E.c.i	No later than one-hundred and twenty (120) days from the effective date of this order, Minerals Research, Inc. shall conduct initial performance tests of each baghouse (BH-600 and BH-601), to demonstrate compliance with the PM10 emissions limits identified in Condition III.E.d.	Source is aware of requirement. Performance test due by 2/9/2024.  Source should be preparing for and scheduling with performance test company. A test protocol is due prior to testing.
III.E.c.ii	Method 201A shall be used to determine compliance with the PM10 emissions limit for BH-600. However, for PM10 compliance purposes, in lieu of Method 201A and with prior approval from ADEQ, Method 5 can be used followed by particle size speciation. Alternatively, Minerals Research, Inc. may elect to assume all PM emissions measured by Method 5 are PM10.	Source is aware of requirement.
III.E.c.iii	Method 201A in conjunction with Method 202 shall be used to determine compliance with the PM10 emissions limit for BH-601. However, for PM10 compliance purposes, in lieu of Method 201A and with prior approval from ADEQ, Method 5 can be used followed by particle size speciation. Alternatively, Minerals Research, Inc. may elect to assume all PM emissions measured by Method 5 are PM10.	Source is aware of requirement.
III.E.d	Baghouse PM10 Emissions Limits: BH-600 = 0.0051 lbs/ton; BH-601 = 0.0146 lbs/ton	Source is aware of the requirement.
III.E.e	Within thirty (30) days MRI shall install a pressure differential monitor to measure the differential pressure (dP) from the inlet and outlet of each baghouse (BH-600 and BH-601) in inches of water.	Source Daily Production Report indicates differential pressure monitoring.
III.E.e.i	Minerals Research, Inc. shall record the dP on a daily basis, for every production day.	Recorded on Daily Production Report.
III.E.e.ii	Minerals Research, Inc. shall maintain each dP within the manufacturer's recommended values. 	Ms. Wagner stated she has contacted the manufacturer to determine the recommended range.  Ms. Wagner stated MRI, Trinity and the filter manufacturer are scheduling a video meeting to discuss the baghouses and pressure drop and determine the next step.  The manufacturer is Donaldson Filtration Solutions.
III.E.e.iii	dP values observed outside of the manufacturer's recommended values shall be investigated and resolved in a timely fashion. For any resolutions requiring more than seventy-two (72) hours from the time of discovery, Minerals Research, Inc. shall submit to ADEQ, for approval, within two (2) business days from discovery, a plan for corrective actions.	Ms. Wagner stated MRI is working with the manufacturer to determine the operating range.
III.E.f	Except as required by paragraph "j" below (40 CFR Part 60, Subpart UUU Requirements), Minerals Research, Inc. shall not cause, allow or permit to be emitted into the atmosphere, any plume or effluent, which exceeds 20% opacity.	Plant was not operating during the inspection.

		The source provided daily VE monitoring records, for each shift.
III.E.g	MRI shall not cause opacity of emissions greater than 40% from any fugitive dust non-point sources (open areas, roadways & streets, storage piles, and material handling).	No opacity issues observed during the inspection.
III.E.h	MRI shall monitor and record daily opacity from all process equipment and fugitive sources for each production day.	Plant was not operating during the inspection. The source provided daily VE monitoring records, for each shift.
III.E.h.i	MRI shall have on site a certified EPA Reference Method 9 visible emissions observer.	Source provide Method 9 field certification cards (smoke school) for six operators.
III.E.h.ii	Minerals Research, Inc. shall conduct daily instantaneous surveys of visible emissions from both process sources in operation and fugitive dust sources.	Source provided records for review.
III.E.h.iii	If any instantaneous survey appears greater than the applicable opacity standard, Minerals Research, Inc. shall immediately conduct a six-minute EPA Reference Method 9 observation of the visible emissions.	Ms. Wagner stated no instantaneous visible emission monitoring has required a Method 9.
III.E.h.iv	MRI shall record the name of the observer, date of the observation, and results of the observation for all instantaneous and Method 9 observations.	The form has the correct information.
III.E.i	MRI shall employ reasonable precautions to prevent excessive emissions from becoming airborne. Reasonable precautions can include, but is not limited to, housekeeping, use of dust suppressants, water spray, and tarps. Records of reasonable precaution activities shall be maintained for each production day.	Source provide copies of the water truck wetting log.
<b><i>Subpart UUU Requirements for Fluid Bed Dryer</i></b>		
III.E.j.i	The Fluid Bed Dryer (BH-601 exhaust) shall not discharge into the atmosphere particulate matter in excess of 0.025 grains per dry standard cubic foot (gr/dscf).	Source is aware of requirement. Performance test due by 2/9/2024.
III.E.j.ii	The Fluid Bed Dryer (BH-601 exhaust) shall be limited to 10 percent opacity.	Unit not operating during the inspection.
III.E.j.iii	To demonstrate compliance, MRI shall conduct an initial performance test of the Fluid Bed Dryer (BH-601 exhaust) no later than one-hundred and twenty (120) days from the effective date of this order. 1. Method 5 shall be used to determine compliance with the particulate matter concentration in subparagraph "i" above. The sampling time and volume for each test run shall be at least 2 hours and 1.70 dscm. 2. Method 9 and the procedures in § 60.11 shall be used to determine opacity from the stack emissions. 3. Performance tests shall be conducted during representative operations of the source. 4. A test plan (protocol) shall be submitted to ADEQ at least 14 working days prior to the test. 5. Minerals Research, Inc. shall provide safe sampling platforms, sampling ports adequate for the test methods required, and any utilities necessary to complete the performance test.	Source is aware of requirement. Performance test due by 2/9/2024.  Source should be preparing for the performance test.

	<p>6. Each performance test shall consist of three separate runs using the applicable test method. Each run shall be conducted for the time and under the conditions specified in the applicable standard. For the purpose of determining compliance with an applicable standard, the arithmetic mean of the results of the three runs shall apply.</p> <p>7. A written report of the results of performance tests conducted shall be submitted within 4 weeks after the test is performed. All performance testing reports shall be submitted in accordance with the Arizona Testing Manual and A.A.C. R18-2-312.A.</p>	
III.E.k	All excess emissions, including exceedances of any emissions and opacity limits, shall be reported to ADEQ as outlined in A.A.C. R18-2-310.01.A, B, and C.	Ms. Wagner stated no excess emissions.
III.E.l	MRI shall retain records of all required monitoring data and support information required by this order for a period of at least five (5) years from the date of monitoring.	Source is maintaining records.
III.E.m	MRI shall furnish to ADEQ, within a reasonable time, any information that ADEQ requests in writing to determine compliance with this order. All records required by this order shall also be made available to ADEQ upon request.	

### Status Reports

IV.A	<p>MRI 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 and ending with the first status report filed after ADEQ issues the permit referenced in section III.B of this order. Each written status report shall be for the previous calendar month and shall:</p> <ol style="list-style-type: none"> <li>1. Describe what measures that have been taken under Section III of this Consent Order;</li> <li>2. Certify when compliance with the requirements of Section III of this Order are achieved;</li> <li>3. Be accompanied by evidence showing compliance, as appropriate. Evidence showing compliance can include documents, photographs, or copies of any other supporting information that Minerals Research, Inc. deems necessary.</li> </ol>	<p>First written status report due 11/10/2023.</p> <p>On Friday, November 10, 2023, Michael Vick transmitted the status report to several ADEQ recipients, via email.</p>
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### Site Access

VI.	<p>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.</p>	ADEQ inspectors were provided access to the facility.

**Exit Debrief:**

- Provide the ADEQ inspector with documentation on the front-end loader bucket scale calibration.
- Provide the ADEQ inspector with documentation of the differential pressure range recommended by the manufacturer.

**Inspection Follow Up & Additional Requested Documentation**

November 9, 2023

The ADEQ inspector spoke with Stephan Gosselin, Plant Manager, via phone on November 9, 2023. Mr. Gosselin explained the operation of the Deduster Box, the fluorescent dye testing of the two baghouses, that only one baghouse has been tested and the second baghouse is scheduled, and providing the front-end loader bucket scale calibration from Caterpillar.

Mr. Gosselin stated the second dust collector/baghouse will be fluorescent dye tested the night of 11/9/23. The fluorescent dye testing documentation will be emailed to the ADEQ inspector.

Mr. Gosselin stated Caterpillar confirmed calibration of the front-end loader bucket scale. The calibration documentation will be emailed to the ADEQ inspector.

November 13, 2023

The ADEQ inspector spoke with Mr. Harris on 10/13/2023 and inquired about the Caterpillar bucket scale documentation submitted to ADEQ on 11/10/2023. The calibration documentation does not clearly identify the unit calibrated. The ADEQ inspector requested documentation to identify the front-end loader calibrated by Caterpillar (e.g., work order, serial number, equipment ID, etc.).

The ADEQ inspector also requested documentation of conducting the fluorescent dye test on BH-601.

On 11/13/2023, Mr. Harris provided documentation of baghouse BH-601 (unit 464) fluorescent dye testing being conducted on 11/10/2023.

#### **Documentation Request**

- Provide the ADEQ inspector with documentation for the front-end loader bucket scale calibration statement from the Caterpillar tech that connects the front-end loader to the certification.
- Provide the ADEQ inspector with documentation of the differential pressure range recommended by the manufacturer, or provide an update with the manufacturer to determine the range.

#### **Attachments:**

Notice of Inspection Rights  
Photograph Log



## ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY NOTICE OF INSPECTION RIGHTS

FACILITY INFORMATION	ADEQ INFORMATION
<b>Facility Name (Customer):</b> Cottonwood Slag Crushing-Recycling	<b>Date of Inspection:</b> 11/7/2023 10:00 AM
<b>Facility Location (Place):</b> 705 E Birch St., Cottonwood, AZ 86326	<b>County:</b> Yavapai
<b>Mailing Address:</b> 4620 S Coach Dr., Tucson, AZ 85714	<b>Inspector:</b> Rob Verville
	<b>Telephone:</b> (602) 320-1814
<b>Responsible Party:</b> Minerals Research, Inc. RP: 37790	<b>Accompanied by:</b> Edwin Slade, Jean Ziga, Jeff Christensen
	<b>ADEQ Follow-up Contact:</b> Rob Verville
<b>On-Site Representative:</b> Carl Harris	<b>Telephone:</b>
<b>Title:</b> Operations	
<b>Telephone:</b>	<b>Email:</b> rgv@azdeq.gov
<b>Email:</b>	

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: Consent Order A-12-23

- 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: Consent Order A-12-23

- 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](http://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](http://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.

\_\_\_\_\_  
Signature of ADEQ Representative

## INSPECTION RIGHTS

- I understand that I can accompany the ADEQ representative(s) on the premises, except during confidential interviews.
- I understand that I have right to, on request:
  - Copies of any original documents taken during the inspection, and that ADEQ will provide copies of those documents at ADEQ's expense;
  - A split of any samples taken during the inspection, if the split of the samples would not prohibit an analysis from being conducted or render an analysis inconclusive;
  - Copies of any analysis performed on samples taken during the inspection and that ADEQ would provide copies of this analysis at ADEQ's expense;
  - Copies of any documents to be relied on to determine compliance with licensure or regulatory requirements if the agency is otherwise permitted by law to do so.
- I also understand that:
  - Each person who is interviewed by an ADEQ inspector during the inspection must be informed that:
  - participation in an interview is voluntary, unless legally compelled to participate;
  - they have the right to have an attorney or other experts in their field present during the interview to represent or advise the regulated person;
  - the ADEQ inspector may not take any adverse action or treat less favorably or draw any inference as a result of the regulated person's decision to be represented by an attorney or advised by any other experts in their field;
  - statements made by the person may be included in the inspection report; and
  - they have the right to 24 hours to review and revise any written witness statement drafted by the ADEQ inspector on which the ADEQ inspector requests that person's signature.
  - If the information and documents provided to the ADEQ inspector become a public record, trade secrets and proprietary and confidential information may be redacted, unless the information and documents are not confidential pursuant to statute.
  - Each person interviewed during the inspection must be informed that statements made by the person may be included in the inspection report;
  - Each person whose conversation is tape recorded during the inspection must be informed that the conversation is being tape recorded;
  - If an administrative order is issued or a permit decision is made based on the results of the inspection, I have the right to appeal that administrative order or permit decision. I understand that my administrative hearing rights are set forth in Arizona Revised Statutes § 41-1092 et seq. and my rights relating to an appeal of a final agency decision are found in Arizona Revised Statutes § 12-901 et seq;
  - If I have any questions or concerns about this inspection, I may contact the person listed as the ADEQ Follow-up Contact on the front of this form; ADEQ's Ombudsman at (602) 771-4322 (toll free inside Arizona at (800) 2345677, extension, 771-4322); or the Arizona Ombudsman-Citizens' Aid office at (602) 277-7292 (toll free at (800) 872-2879);
  - If I have any questions concerning my rights to appeal an administrative order or permit decision, I may contact Edwin Slade, ADEQ's Office of Administrative Counsel at (602) 771-2212 (toll free inside Arizona at (800) 234-5677, extension 771-2212).

41-1001.01. Regulatory bill of rights; small businesses

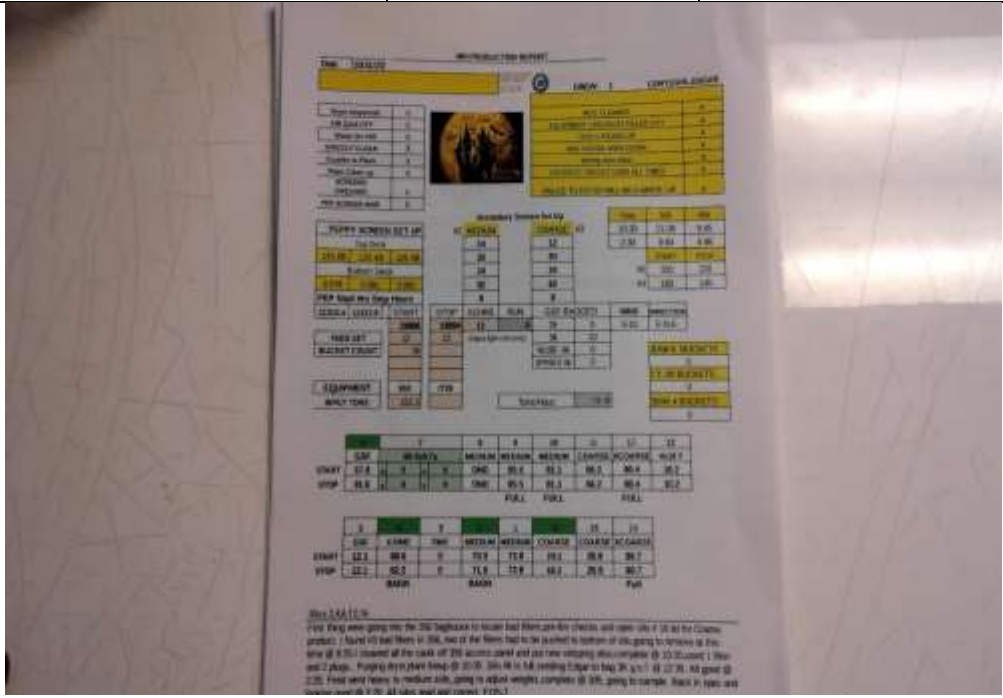
A. To ensure fair and open regulation by state agencies, a person:

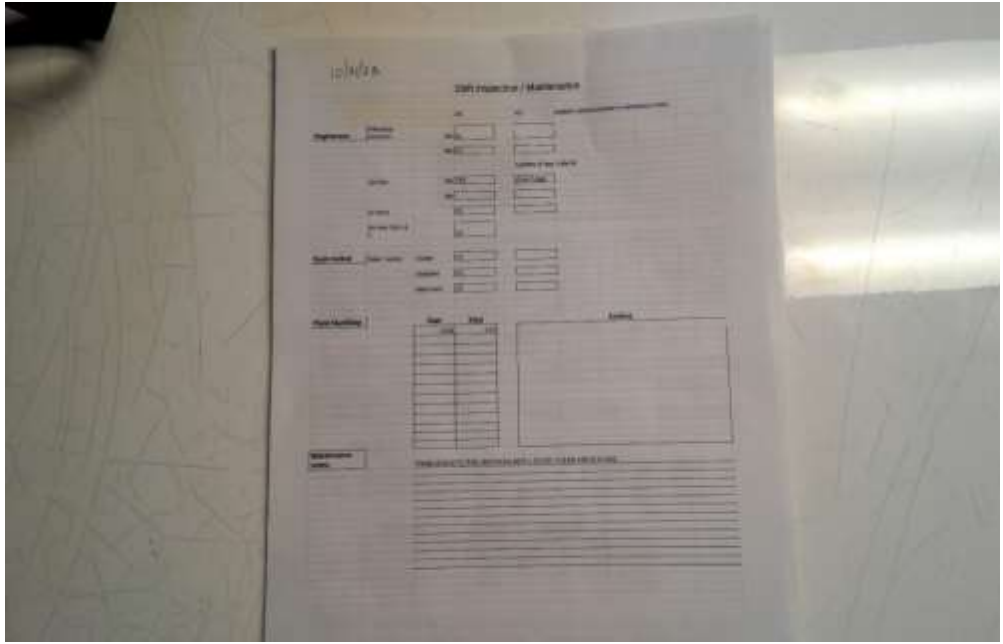
1. Is eligible for reimbursement of fees and other expenses if the person prevails by adjudication on the merits against an agency in a court proceeding regarding an agency decision as provided in section 12-348.
2. Is eligible for reimbursement of the person's costs and fees if the person prevails against any agency in an administrative hearing as provided in section 41-1007.
3. Is entitled to have an agency not charge the person a fee unless the fee for the specific activity is expressly authorized as provided in section 41-1008.
4. Is entitled to receive the information and notice regarding inspections and audits prescribed in section 41-1009.
5. May review the full text or summary of all rulemaking activity, the summary of substantive policy statements and the full text of executive orders in the register as provided in article 2 of this chapter.
6. May participate in the rulemaking process as provided in articles 3, 4, 4.1 and 5 of this chapter, including:
  - (a) Providing written comments or testimony on proposed rules to an agency as provided in section 41-1023 and having the agency adequately address those comments as provided in section 41-1052, subsection D, including comments or testimony concerning the information contained in the economic, small business and consumer impact statement.
  - (b) Filing an early review petition with the governor's regulatory review council as provided in article 5 of this chapter.
  - (c) Providing written comments or testimony on rules to the governor's regulatory review council during the mandatory sixty-day comment period as provided in article 5 of this chapter.
7. Is entitled to have an agency not base a licensing decision in whole or in part on licensing conditions or requirements that are not specifically authorized by statute, rule or state tribal gaming compact as provided in section 41-1030, subsection B.
8. Is entitled to have an agency not make a rule under a specific grant of rulemaking authority that exceeds the subject matter areas listed in the specific statute or not make a rule under a general grant of rulemaking authority to supplement a more specific grant of rulemaking authority as provided in section 41-1030, subsection C.
9. May allege that an existing agency practice or substantive policy statement constitutes a rule and have that agency practice or substantive policy statement declared void because the practice or substantive policy statement constitutes a rule as provided in section 41-1033.
10. May file a complaint with the administrative rules oversight committee concerning:
  - (a) A rule's, practice's or substantive policy statement's lack of conformity with statute or legislative intent as provided in section 41-1047.
  - (b) An existing statute, rule, practice alleged to constitute a rule or substantive policy statement that is alleged to be duplicative or onerous as provided in section 41-1048.
11. May have the person's administrative hearing on contested cases and appealable agency actions heard by an independent administrative law judge as provided in articles 6 and 10 of this chapter.
12. May have administrative hearings governed by uniform administrative appeal procedures as provided in articles 6 and 10 of this chapter and may appeal a final administrative decision by filing a notice of appeal pursuant to title 12, chapter 7, article 6.
13. May have an agency approve or deny the person's license application within a predetermined period of time as provided in article 7.1 of this chapter.
14. Is entitled to receive written notice from an agency on denial of a license application:
  - (a) That justifies the denial with references to the statutes or rules on which the denial is based as provided in section 41-1076.
  - (b) That explains the applicant's right to appeal the denial as provided in section 41-1076.
15. Is entitled to receive information regarding the license application process before or at the time the person obtains an application for a license as provided in sections 41-1001.02 and 41-1079.
16. May receive public notice and participate in the adoption or amendment of agreements to delegate agency functions, powers or duties to political subdivisions as provided in section 41-1026.01 and article 8 of this chapter.
17. May inspect all rules and substantive policy statements of an agency, including a directory of documents, in the office of the agency director as provided in section 41-1091.
18. May file a complaint with the office of the ombudsman-citizens aide to investigate administrative acts of agencies as provided in chapter 8, article 5 of this title.
19. Unless specifically authorized by statute, may expect state agencies to avoid duplication of other laws that do not enhance regulatory clarity and to avoid dual permitting to the extent practicable as prescribed in section 41-1002.
20. May have the person's administrative hearing on contested cases pursuant to title 23, chapter 2 or 4 heard by an independent administrative law judge as prescribed by title 23, chapter 2 or 4.

B. The enumeration of the rights listed in subsection A of this section does not grant any additional rights that are not prescribed in the sections referenced in subsection A of this section.

C. Each state agency that conducts audits, inspections or other regulatory enforcement actions pursuant to section 41-1009 shall create and clearly post on the agency's website a small business bill of rights. The agency shall create the small business bill of rights by selecting the applicable rights prescribed in this section and section 41-1009 and any other agency-specific statutes and rules. At the request of an authorized on-site representative of the regulated small business, the agency shall provide a written document of the small business bill of rights. In addition to the rights listed in this section and section 41-1009, the agency notice of the small business bill of rights shall include the process by which a small business may file a complaint with the agency employees who are designated to assist members of the public or regulated community pursuant to section 41-1006. The notice must provide the contact information of the agency's designated employees. The agency notice must also state that if the regulated person has already made a reasonable effort with the agency to resolve the problem and still has not been successful, the regulated person may contact the office of ombudsman-citizens aide.

## Air Quality Field Inspection Photograph Log

<b>Site Location:</b> Cottonwood Slag Crushing-Recycling - 705 E Birch St., Cottonwood, AZ 86326		<b>Photographer:</b> Rob Verville	<b>Camera:</b> HP Elite x2
<b>Weather:</b> clear			
<b>Photo No.</b> 1	<b>Date:</b> 11/7/2023		
<b>Direction Photo Taken:</b> Down			
<b>Photo Description:</b> A copy of a Daily Production report.			

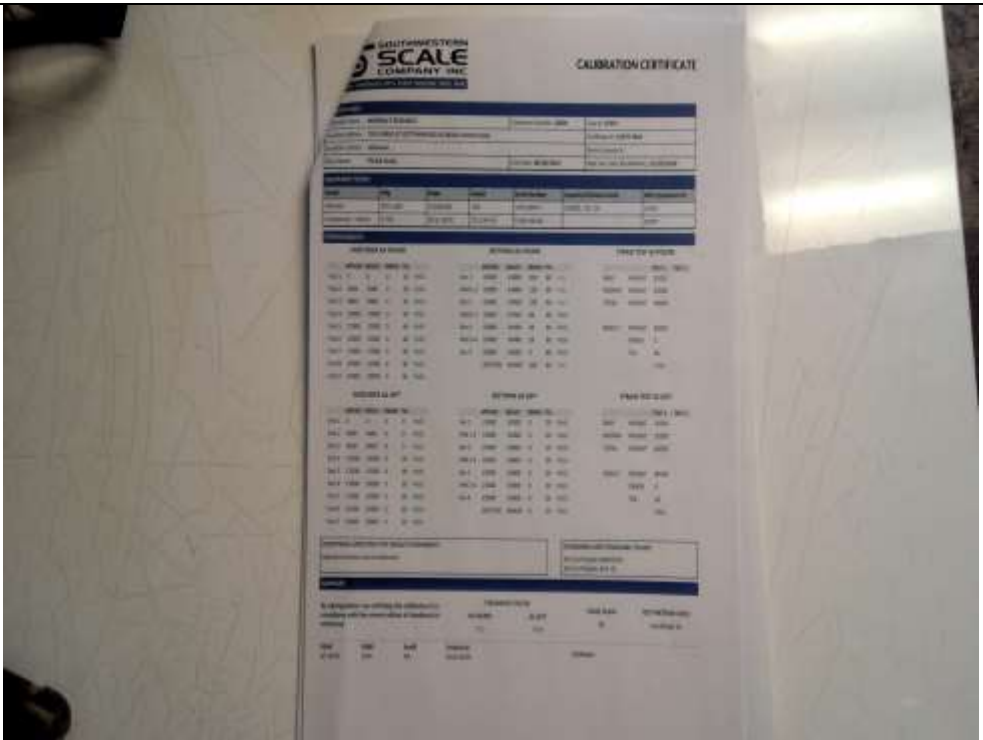
<b>Photo No.</b> 2	<b>Date:</b> 11/7/2023		
<b>Direction Photo Taken:</b> Down			
<b>Photo Description:</b> A second style daily report being used since the consent order was signed. The documentation only indicates Unit 356 was inspected. The ADEQ inspector verified with Stephan Gosselin that the second unit will be Dye Tested the night of 11/9/23.			

**Photo No.**  
3

**Date:**  
11/7/2023

**Direction Photo Taken:**  
Down

**Photo Description:**  
Truck scale calibration certification from Southwestern Scale Company.

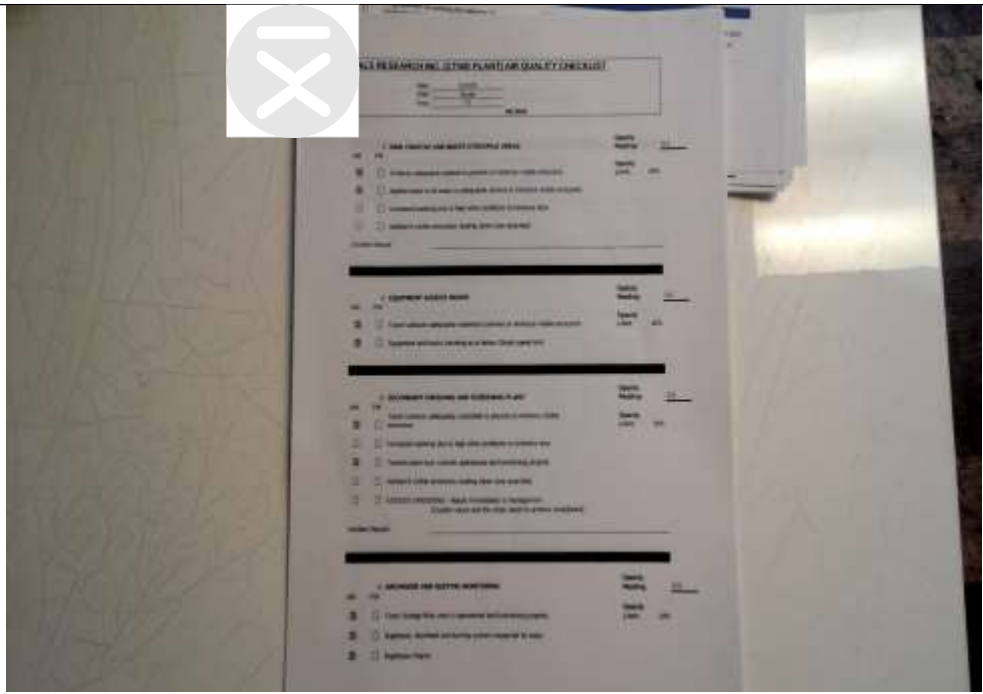


**Photo No.**  
4

**Date:**  
11/7/2023

**Direction Photo Taken:**  
Down

**Photo Description:**  
Visible emission monitoring report.





<b>Photo No.</b> 7	<b>Date:</b> 11/7/2023
<b>Direction Photo Taken:</b> East	
<b>Photo Description:</b> Entrance road into site from Birch Street.  Standing water is visible in the depressions in the road.	



<b>Photo No.</b> 8	<b>Date:</b> 11/7/2023
<b>Direction Photo Taken:</b> Northeast	
<b>Photo Description:</b> Conveyor system and crusher in background, in front of slag pile.  Plant was not operating during the inspection.	



<b>Photo No.</b> 9	<b>Date:</b> 11/7/2023
<b>Direction Photo Taken:</b> Northeast	
<b>Photo Description:</b> Processing plant.  Screening decks, conveyors, ducts, heater, silos, dust collectors, exhaust fans.  Wetting can be seen in on the ground around the plant.	



<b>Photo No.</b> 10	<b>Date:</b> 11/7/2023
<b>Direction Photo Taken:</b> Southeast	
<b>Photo Description:</b> Processing plant.	



<b>Photo No.</b> 11	<b>Date:</b> 11/7/2023
<b>Direction Photo Taken:</b> Northeast	
<b>Photo Description:</b> Conveyors and silos in background.  The plant is not operating.  The ground has been wetted.	



<b>Photo No.</b> 12	<b>Date:</b> 11/7/2023
<b>Direction Photo Taken:</b> Northwest	
<b>Photo Description:</b> The area the Air Wash was removed and additional conveyor length installed.  The Deduster box was upgraded.	



<b>Photo No.</b> 13	<b>Date:</b> 11/7/2023
<b>Direction Photo Taken:</b> Southwest	
<b>Photo Description:</b> Crack observed in the duct near the feeder.	



<b>Photo No.</b> 14	<b>Date:</b> 11/7/2023
<b>Direction Photo Taken:</b> Choose an item.	
<b>Photo Description:</b> Method 9 Smoke School Card.  Method 9 field certification cards photographed by Cameron Collins and converted to PDF and sent to the lead inspector.	



THIS CERTIFICATE IS TO ACKNOWLEDGE THAT

**Jesse Bauer**

SUCCESSFULLY PARTICIPATED IN VISIBLE EMISSIONS TRAINING ON THE DATE BELOW, AND IS QUALIFIED TO EVALUATE VISIBLE EMISSIONS FOR A PERIOD OF 6 MONTHS FROM THE DATE OF CERTIFICATION.

10/24/23	Phoenix, AZ	4/23/24	 <b>Bradley Singleton</b> INSTRUCTOR
DATE	LOCATION	EXPIRATION	

SERVICES@SINGLETONSMOKE.COM | 615-572-2075

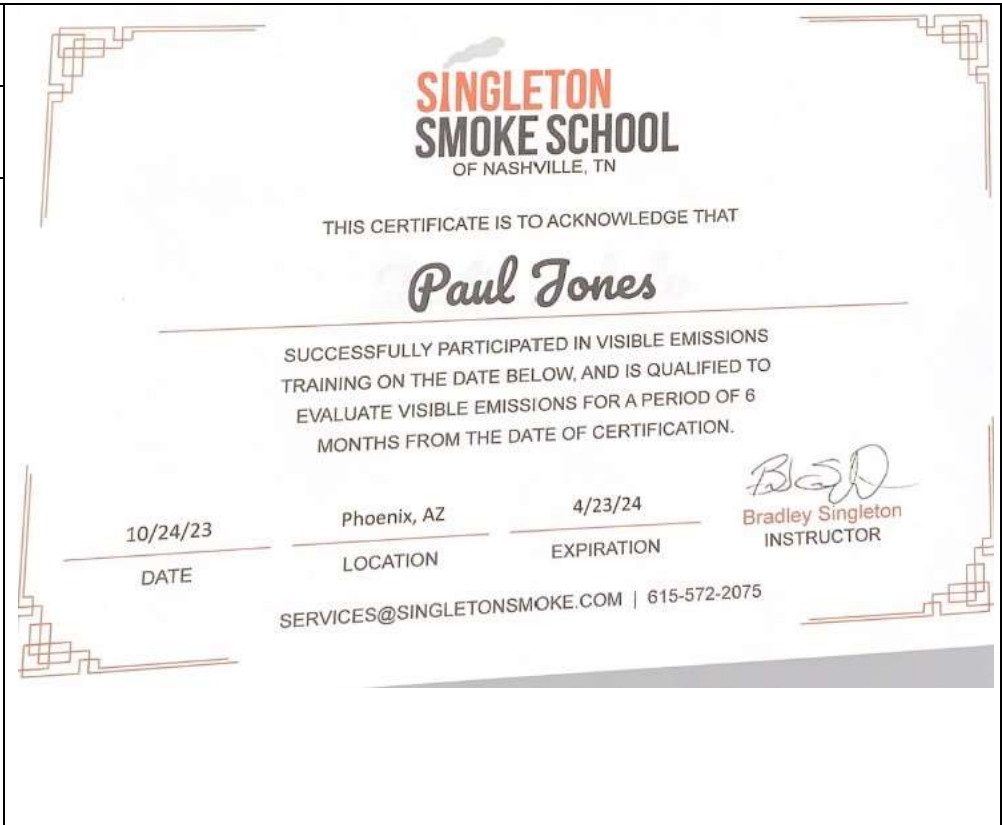
<b>Photo No.</b> 15	<b>Date:</b> 11/7/2023
<b>Direction Photo Taken:</b> Choose an item.	
<b>Photo Description:</b> Method 9 Smoke School Card.	



<b>Photo No.</b> 16	<b>Date:</b> 11/7/2023
<b>Direction Photo Taken:</b> Choose an item.	
<b>Photo Description:</b> Method 9 Smoke School Card.	



<b>Photo No.</b> 17	<b>Date:</b> 11/7/2023
<b>Direction Photo Taken:</b> Choose an item.	
<b>Photo Description:</b> Method 9 Smoke School Card.	



<b>Photo No.</b> 18	<b>Date:</b> 11/7/2023
<b>Direction Photo Taken:</b> Choose an item.	
<b>Photo Description:</b> Method 9 Smoke School Card.	



<b>Photo No.</b> 19	<b>Date:</b> 11/7/2023
<b>Direction Photo Taken:</b> Choose an item.	
<b>Photo Description:</b> Method 9 Smoke School Card.	



<b>Photo No.</b> 20	<b>Date:</b> 11/13/2023
<b>Direction Photo Taken:</b> Choose an item.	
<b>Photo Description:</b> Mr. Gosselin provided the documentation indicating an Empire Caterpillar technician checked and calibrated a bucket scale. Caterpillar: 950G Front-end loader. Document Provided by Source.  Provide documentation additional documentation that connects the Caterpillar technicians statement to the front-end loader (e.g., unit serial number, work order, etc.).	

Interr

**RESULTANT DAMAGE :**

REPAIR PROCESS COM OVE MACHINE OUT TO THE YARD. PARKED BY WE D CHECKED MY SURROUNDINGS BEFO NG CALIBRATIONS. CONNECTED COMM 3 ADAPTE TO MACHINE AND ONTO ET ON MY LAPTOP. OPENED ET WENT TO IMPLEMENT AND ENABLED PRODUCT MEASUREMENT. OPENED PAYLOAD CALIBRATIONS AND FOLLOWED INSTRUCTIONS. CALIBRATION WITH BUCKET EMPTY FIRST WAS A SUCCES. CALLED THE YARD TO ASSIST ME ON GETTING THE WEIGHT ONTO BUCKET. YARD EE CAME WITH FORKLIFT AND SET THE 16,368 WEIGHT IN BUCKET. STARTED CALIBRATIONS BY INSTRUCTIONS. CALIBRATION WAS A SUCCES. ROLLED OFF WEIGHT. ZERO WENT ONTO MACHINE MONITOR AND ZEROD BUCKET. WITH CALIBRATIONS COMPLETE I CREATED A PSR AND UPLOADED TO DOCUMENTS.

ID#: 4865      DATE:05/25/23

**COMPLICATIONS :**

