

Katie Hobbs  
Governor

# ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY



Karen Peters  
Cabinet Executive Officer  
Executive Deputy Director

Case ID #: 217249

December 26, 2023

Gold Paradise Peak Inc.  
Attention: Songqiang Chen  
1660 S Amphlett Blvd  
Ste 104  
San Mateo, CA 94402

Subject: 570 Adit Waste/Tailings Senator Highway, Place ID 185727  
LAT: 34d, 25', 39.7308" N LNG: 112d, 25', 47.046" W

## 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 Gold Paradise Peak Inc. as the owner/operator of 570 Adit Waste/Tailings Senator Highway 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 08, 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 81366 (AZMS81366) - Multi-Sector General Permit AZMSG2019-002; Part 2.2.1.2.3**

**Failure to maintain all control measures that are used to achieve effluent limits in this permit in effective operating conditions, as well as all industrial equipment and systems, in order to minimize pollutants in stormwater discharge.**

ADEQ conducted a follow-up onsite inspection at Senator Mine (570 Adit Waste/Tailings Senator Highway) on November 8, 2023. During the onsite inspection, ADEQ observed damaged silt fence and straw wattles at the toe of the slope of the waste/tailings pile. Material from the waste/tailings pile was observed to be toppling over the silt fence and straw wattles.

Straw wattles along the bench terrace in the waste/tailings pile were observed partially

#### Main Office

1110 W Washington Street ● Phoenix, AZ 85007  
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#### Southern Regional Office

400 W Congress Street ● Suite 433 ● Tucson, AZ 85701  
(520) 628-6733

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covered with material. Covering the straw wattles with material diminishes the effectiveness of the control measure to reduce sediment transport from runoff.

## 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 7 calendar days of receipt of this Notice, please submit photographic documentation that control measures at the toe of the slope of the waste/tailings pile and along the bench terrace in the waste/tailings pile have been repaired and/or replaced. In accordance with Part 2.2.1.2.3, all control measures shall be installed properly.

## III. SUBMITTING COMPLIANCE EVIDENCE

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

Arizona Department of Environmental Quality, Attention: Steven Saeed, SWP Inspections & Compliance Enforcement Unit, 400 W Congress, Ste 433, Tucson, AZ 85701 MC: 5415B-2

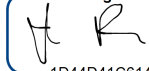
## IV. STATEMENT OF CONSEQUENCES

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 Steven Saeed at (520) 628-6743.

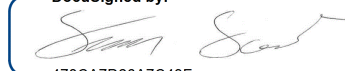
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For Leigh Padgitt

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Leigh Padgitt, Manager  
SWP Inspections & Compliance  
Enforcement Unit

Steven Saeed  
SWP Inspections & Compliance  
Enforcement Unit