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ADEQ Director Owens Announces \$175,000 Penalty for Rinker Materials for Air Quality Violations in Gila, Pima and Yuma Counties

PHOENIX (Dec. 20, 2007) --Arizona Department of Environmental Quality (ADEQ) Director Steve Owens today announced that United Metro Materials, Inc. and Tanner Companies (Yuma), Inc., doing business as Rinker Materials, will pay a \$175,000 civil penalty for air quality violations at five facilities in Gila, Pima and Yuma counties.

Owens said that Rinker Materials has entered into a consent judgment with ADEQ and is paying the penalty for more than 18 notices of violation that have been issued to the company since 2001, including failure to install air pollution control devices such as watering systems.

“Rinker Materials’ failure to comply with the law put its workers and the citizens of Arizona at risk,” Director Owens said. “These were serious violations of our air quality laws.”

Rinker Materials manufactures asphalt, sand, gravel and concrete for road paving, landscaping, and other construction projects at more than 60 facilities in Arizona.

At Rinker plants ADEQ inspectors found a lack of pollution controls resulted in dust emissions of more than 50 per cent opacity, or smoke’s ability to limit visibility. The EPA standard for opacity is 20 per cent in nonattainment areas, or areas which have not yet achieved federal standards for PM10 (particulate matter 10 microns or smaller).

Many Rinker sites are located in PM10 nonattainment or limited attainment areas.

In addition, some Rinker plants exceeded production limits. A plant in Marana, north of Tucson in Pima County, produced more than 270 tons of asphalt per hour, though the limit is 164 tons/hour. The plant exceeded the limit for longer than six hours. The Marana facility also burned oil at excessive temperatures, causing it to smoke.

“The company also operated equipment without the proper permits and, in many cases, exceeded what the permits allow,” Owens said.