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ADEQ Director Owens and Attorney General Goddard Announce \$10,000 Penalty Against Granite Express, LLC for Air Quality Violations at its Phoenix Facility

PHOENIX (Jan. 15, 2009) – Arizona Department of Environmental Quality Director Steve Owens and Attorney General Terry Goddard announced today that Granite Express, LLC will pay \$10,000 under a consent judgment with ADEQ for air quality violations at the company's facility at 7th Street and Happy Valley in Phoenix, including failure to control dust emissions.

Granite Express crushes and screens rock for decorative and landscaping purposes, and uses portable equipment throughout Arizona. In April 2005, ADEQ inspected the company's facility at 7th Street and Happy Valley in response to a complaint from the Maricopa County Air Quality Department. ADEQ found that the company failed to install a baghouse on its equipment to control dust emissions and that unfiltered dust was venting directly to the atmosphere.

ADEQ issued a Notice of Violation (NOV) in May 2005, but found during an inspection that August that while the company did install a baghouse, it failed to install the filter bags that the baghouse needs to control dust emissions. In addition, ADEQ found that the company exceeded its approved hours of operation on several days during the summer of 2005.

In September 2005, during a third inspection, ADEQ found the filters still missing from the baghouse. Also, a device that minimizes particulate emissions from the baghouse was not plugged in. A second NOV was issued that month. In addition, the company operated the equipment, and a facility near Wickenburg, without the necessary permits. ADEQ issued a second NOV in September 2005. Granite Express showed that it had the necessary equipment and permits as of Oct. 12, 2005.

"Granite Express's failure to properly maintain its particulate-control device in a manner that prevents excess fugitive dust emissions increased public exposure to harmful dust emissions," Director Owens said.

"Environmental enforcements such as this are critical for protecting Arizona citizens' health and quality of life," Goddard said. "I appreciate the great work done on this case by Director Owens and the staff at my office and ADEQ. I am committed to enforcing the law and ensuring that Arizona's natural resources are managed with care."

The consent judgment is subject to court approval.