



Calaveras County
AIR POLLUTION CONTROL DISTRICT

891 Mountain Ranch Road, San Andreas, CA 95249
(209) 754-6399 FAX (209) 754-6722

Brian S. Moss ♦ Environmental Management Agency Administrator, Air Pollution Control Officer

July 23, 2015

CB Asphalt
Attn: Shawn Simmons
39 California Street, PMB 118
Valley Springs, CA 95252

Ford Construction
Attn: Jerry Middleton
300 W. Pine Street
Lodi, CA 95240

Re: Asphalt Plant located at Foothill Materials, Valley Springs, CA (APN: 050-003-001)

Thank you for meeting with both Calaveras County Air Pollution Control District (District) and Environmental Health Department staff on July 21, 2015 at the Ford Construction Company Hogan Quarry. The purpose of the meeting was to view the asphalt plant and discuss its proposed operation. All components of the plant were noted as being on site and appeared to be in start-up configuration. Please be aware that the District has not yet issued an Authority to Construct (ATC) to construct the asphalt plant. Proceeding with construction prior to receiving the ATC is a violation of District Rule 401.

Rule 401 Permit Required: Any person building, altering, or replacing any source of air contaminants shall first obtain an Authority to Construct from the Air Pollution Control Officer. An Authority to Construct shall remain in effect until the Permit to Operate for that source for which the application was filed is either granted or denied or until termination pursuant to this regulation.

Violation of Rule 401 is punishable with a fine of \$1,000.00 or imprisonment in the county jail for not more than six months, or both. Each day the violation occurs is considered as a separate offence (Health and Safety Code {H&SC} Section 42400). The District is therefore directing CB Asphalt and Ford Construction that all work cease until an ATC is obtained from the District for the asphalt plant, or be faced with the penalties listed above that may also include referral to the District Attorneys Office.

If you choose to operate the plant without first obtaining a Permit to Operate, this may result in a fine of \$75,000.00 or imprisonment in a county jail for not more than one year, or both. Each day the violation occurs is a separate offence (H&SC 42402.3).

A handwritten signature in black ink, appearing to read "Brian S. Moss".

Brian S. Moss, Administrator
Environmental Management Agency
Director of Environmental Health/Air Pollution Control Officer

Cc: Steve Kearney, Supervisor District 5