

**BOX ELDER COUNTY**  
**October 20, 1994**

The Board of Planning Commissioners of Box Elder County, Utah, met in regular session in the Commission Chambers of the Box Elder County Courthouse, 01 South Main Street, in Brigham City, Utah, at 7:00 p.m. on October 20, 1994.

The meeting was called to order by Chairman Richard Kimber with the following members present, constituting a quorum:

Chairman Richard Kimber  
Commissioner Allen Jensen  
Deanne Halling  
Stan Reese  
Jon Thompson  
Louis Douglas  
Marie Korth, Recorder/Clerk - Ex Officio  
Denton Beecher, Surveyor - Ex Officio

Excused: David Tea

**AGENDA: (Attachment No. 1)**

Mr. Kimber called the meeting to order at 7:00 p.m. and stated that he may have to leave before the end of the meeting in which event Jon Thompson would then act as Chairman.

**APPROVAL OF MINUTES:**

Chairman Kimber presented the Minutes of September 8, 1994, for approval. Jon Thompson made a motion to approve as written. Mr. Reese seconded. None opposed. It was unanimous.

**LETTER FROM DAVIS COUNTY SOLID WASTE: (Attachment No. 2)**

Chairman Kimber read a letter addressed to Denton Beecher, Zoning Administrator, from LeGrand W. Bitter, Director of Davis County Solid Waste Management and Energy Recovery Special Service District. Due to conflict schedules of several members of the Legislative Committee, Mr. Bitter asked that the agenda item for a Conditional Use Permit Application scheduled for October 20th be moved to November 17th. Mr. Douglas made a motion to accept the letter from Mr. Bitter to Mr. Beecher and move the agenda item to November 17th. Commissioner Jensen seconded. None opposed. It was unanimous.

**LETTERS FROM BEAR RIVER WATER CONSERVANCY DISTRICT:  
(Attachments No. 3 and No. 4)**

Chairman Kimber read two letters written to him from BRWCD. The first letter expressed support for the proposed North Blue Creek landfill site, but the second withdrew that support because of the close proximity of various wells in the area.

**MINOR SUBDIVISIONS:**

Greg Hansen of Hansen & Associates was present at the meeting. He said the Planning Commission will be inundated with many minor subdivisions and suggested the Planning Commission let the county surveyor, engineer and planning staff review the one-lot minor subdivisions, thus relieving them coming before the Planning Commission. This would help free up the Planning Commission time.

**Pettingill Minor:**

Denton Beecher presented the final plans for the Pettingill Minor Subdivision at 8815 South Highway 89 in South Willard. He said they have obtained the Health Department and Flood Control's approval. Ms. Halling made a motion to accept the final plans and authorize the appropriate signature. Mr. Thompson seconded. None opposed. It was unanimous.

**J. F. Hill Acres Minor:**

Mr. Beecher presented the J. F. Hill Acres Minor Subdivision consisting of two five-acre lots located between the Crossroads Intersection and 3rd East in Tremonton City. The Planning Commission requested that the building permit require the homes be built far enough back to allow future widening of the road. Mr. Reese made a motion to approve the J. F. Hill Acres Minor Subdivision. Mr. Douglas seconded. None opposed. It was unanimous.

**Leonard Minor:**

Mr. Beecher presented the Leonard Minor Subdivision consisting of one lot in Penrose, north of Sunset Park Subdivision. The request is for conditional approval subject to the Health Department's approval. A 20-foot wide private right-of-way will also require approval.

Mr. Reese made a motion to approve the Leonard Hill Minor Subdivision, conditional that the County assume no responsibility for improvements and upon the Health Department's approval. The motion also authorized Chairman Kimber to sign the documents when ready. Commissioner Jensen seconded. None opposed. It was unanimous.

**Amendment River Farm Minor:**

Mr. Beecher presented a Second Amendment to the River Farm Minor Subdivision. River Farm was amended earlier to eliminate all of the lots that were originally designated and created four new lots. The owner, Farrell Williams, would now like to sell off one of the lots in order to create a new lot with an irrigation ditch.

Mr. Reese made a motion to accept the Second Amendment to the River Farm Minor Subdivision. Mr. Douglas seconded. None opposed. It was unanimous.

**Lucille Manning Potter Minor:**

Mr. Beecher presented the Lucille Manning Potter Minor Subdivision north of the Belmont LDS Church. When the descriptions were originally created, the owner's home was not located on the desired lot description. Also, the owner would like to sell some

of the property to a sibling and in doing so, would like to create three lots.

Mr. Reese made a motion to accept the Lucille Manning Potter Minor Subdivision and approve the authorized signature. Mr. Thompson seconded. None opposed. It was unanimous.

**Duane Adams Minor:**

Mr. Beecher presented a one-lot subdivision east of the LDS Church in Thatcher. An old home on a parcel of ground is being sold, and a lot needs to be created for that existing home.

Mr. Thompson made a motion to approve the Duane Adams Minor Subdivision and to authorize the chairman to sign. Mr. Reese seconded. None opposed. It was unanimous.

**Robinson Minor:**

Mr. Beecher presented the Robinson Minor Subdivision on SR13 north of Garland. He said this plan came before the Planning Commission some time ago but was only conditionally approved. The proper approvals have now been obtained. Commissioner Jensen made a motion to approve the Robinson Minor Subdivision. Mr. Reese seconded. None opposed. It was unanimous.

**Amended Stokes Minor:**

Mr. Beecher presented the Stokes Minor Subdivision, west of the 9600 North. He said lots 1, 2, and 3 were approved some time ago. The owner would like to build a home there, and in order to do so, he must release a piece of the property and create another lot by amendment.

Mr. Thompson made a motion to approve the Amended Stokes Minor Subdivision and authorize the chairman to sign. Mr. Douglas seconded. None opposed. It was unanimous.

**Ricky Collom Minor:**

Mr. Beecher presented the Ricky Collom Minor Subdivision which is located on 9600 North. After a short discussion, Mr. Thompson moved to approve the subdivision and authorize the Chairman to sign. Mr. Reese seconded. None opposed. It was unanimous.

**SUBDIVISIONS:**

**Grant Thompson Subdivision:**

Mr. Beecher stated that before the plat for the Grant Thompson Subdivision, east of Corinne, can be recorded, they must first vacate a portion of the old River Bank Tract. Jon Thompson made a motion to recommend that the County Commission vacate specified lots in the River Bank Tract Subdivision and hold a public hearing regarding such.

There was a discussion regarding proper notification of property owners. Ms. Korth said if the property owners don't sign the petition, then all property owners in the subdivision must be notified. Mr. Douglas then seconded the motion. None opposed. It was unanimous.

**Mountain View Ranchettes:**

Mr. Beecher presented the Mountain View Ranchettes Subdivision. There was a discussion regarding the width of the road bordering the subdivision. Greg Hansen stated that the Planning Commission gave final approval of the subdivision in August of 1994, conditional upon meeting an escrow for road improvements and proper approval of the extra right-of-way width. Mr. Beecher said Mr. Hansen submitted an estimate of \$8,000 for improvements to the road, and the escrow for this amount must be created and signed over to the County before the subdivision can be finally approved. There must also be a title report and Health Department approval.

Jon Thompson made a motion to approve the Mountain View Ranchettes Subdivision subject to receipt of the escrow account, title insurance, and the Health Department and the County Attorney's approval. Ms. Halling seconded. None opposed. It was unanimous.

**Fairbanks Estates:**

Mr. Beecher presented a concept submittal for Fairbanks Estates in South Willard which includes ten lots in the first phase. The first lot, already approved for a minor subdivision for Michael Fairbanks, would be incorporated as one of the ten.

Commissioner Jensen made a motion to approve the concept plan for the Fairbanks Estates Subdivision. Mr. Reese seconded. None opposed. It was unanimous.

**DAQ REPORT ON AIR QUALITY:**

**Letter from Parson Companies (Attachment No. 5)**

Mr. Beecher submitted a letter addressed to him from R. Fay Facer, Vice President of Jack B. Parson Companies, which served as a cover letter for an enclosed air quality "Complaint and Annual" inspection report from the Division of Air Quality made August 16, 1994. Mr. Facer pointed out in his letter that "...from this report, the crushing operation is well within the air quality standards." Mr. Beecher confirmed that the County Commission did receive a copy of the inspection report as is recorded in their minutes. He briefly reviewed the report (see attachment) with the commissioners wherein Jeff Dean, Compliance Manager with DAQ, explains the process at the operation, the results of his findings, and his field notes. Mr. Beecher pointed out that in each case, the opacity limit observed by the inspector was 5 percent maximum, which is well below the 20 percent maximum allowed by the air quality set forth in sections 4.5.1, 4.5.2, and 4.1.1 of the State Air Quality Code.

Chairman Kimber asked Mr. Facer if he wanted to comment about the report. Mr. Facer responded, "Not unless you have questions."

Mr. Thompson asked Mr. Beecher if it were a fair statement to assume from the report that Jack B. Parson is not violating any air quality standards as set forth by Federal Air Quality and State Air Quality.

Mr. Beecher responded, "I'm not an expert to answer that, but according to the report as I read the report as a novice, yes, they are."

Mr. Thompson made a motion that the record show that the inspection report was requested, and it has been received and entered into the minutes of this meeting. Mr. Douglas seconded. None opposed. It was unanimous.

**Rebuttal to Report: (Attachment No. 6)**

Mr. Gary Coleman said that the report refers to "crusher" but says nothing about the air quality. "They do not have an air quality/ air test stand on the site, nor have they ever had. They only monitor this crusher and the equipment...they are just verifying that this is a very good crusher that they have. They are putting water onto the belt crusher system, but it has nothing to do with the air quality. There is no test station." He used the Darrell Nielsen (DN) pit to illustrate a similar situation. He compared the three-hour inspection at the Parson pit to a week-long, daily monitored inspection of the DN pit utilizing a test station.

Mr. Kimber asked Mr. Coleman to explain the difference between the two. Mr. Coleman again responded, "All they're doing is verifying his crusher passes the standard of what they require. Donna Ball interjected, "It's an emissions inventory...they've taken a monitor and inventoried the crusher and things that are on the site...from that base they figure out just how much output there would be from that equipment, if it is watered on the belts and the crusher as it should...then they inventory and guess what it's going to be."

Ms. Ball said she referred to the Darrell Nielsen (DN) pit in Willard because J. B. Parson Companies and their attorney have reflected back to it in all of their meetings. She also referred to the White Pit in South Willard. Ms. Ball said she and several others met with Russell Roberts of the Department of Air Quality (DAQ) regarding alleged inspections of the DN pit. She asked Mr. Roberts, "Did you ever monitor that air quality when the crusher and gravel was operating? - and he said, 'no'." Ms. Ball then quoted from a letter dated August 9, 1994, from DAQ Quality: "The Division of Air Quality has never monitored the ambient air quality associated with the White pit." She stated that during the time the DN pit was being monitored (June to September of 1990) the equipment was not in operation in order to avoid monitoring: "The highest PM value measured was 37 which was basically background level, suggesting no impact from the two gravel pits in the area. Of course there was no impact because they never started up the operation."

Ms. Ball played a brief portion from a tape which she said contained 15 minutes of Mr. Fay Facer claiming that the gravel pits do not hurt anyone. She quoted from the Planning Commission minutes that the air quality is monitored at random by DAQ, but when she went to the DAQ office the first time, the White Pit was not on their computer and was not in their file. The only thing

that could be found was an emission inventory.

Mr. Coleman played a brief portion of a telephone conversation between he and Jim Stephens of the DAQ wherein Mr. Stephens confirmed the DN pit was not in operation during the monitoring period and that when the pit operators claim the air quality is clean, they may be referring to a visual inspection that was made by DAQ.

Ms. Ball said she was not satisfied with the County Commission's response to her request to clarify the term "grandfather pre-existing pit" and of their response to complaints that were issued by Mr. Parkin's attorney in a previous commission meeting. She said the "Notice of Publication" was also insufficient and that Parson's application was never completed. It appeared to be lacking several elements required to comply with the 19 conditions imposed by the application. She felt these violations were serious.

Attachment No. 6 is an outline of allegations Mr. Coleman spoke about with his comment after each assertion. He quoted from various sections under 7.6 of the Land Use and Management Code for Box Elder County.

Ms. Ball said she spoke with an individual on the Weber County Planning Commission to get an opinion if she were simply over-reacting with her concerns of the watershed, flood, recharge system and pecculation. She declined to name the individual but said he was puzzled by Box Elder County. She believes from the beginning, ten years ago, she and her neighbors have been deliberately misled by the flood district people. Ms. Ball again stressed that she sees this as a serious situation of not only what is happening to the mountainside, but also of what the County and Planning Commissions' and Mr. Beecher's actions or inaction "of what they are supposed to do."

At this point, Chairman Kimber left because of another commitment and Mr. Thompson filled in as Acting Chairman.

Elmer Ward said he has not seen an air quality inspector at the Parson pit and that "early in the morning you can just see the dust." He claimed the Planning Commission has not answered a 175 signature petition or various correspondence including a letter dated April 5, 1994 which specifically asked for an April 15th response. He felt the Planning Commission did not properly notify adjoining landowners regarding matters concerning their property involving a berm and canal. He asked Mr. Beecher if he knew the status of it.

Mr. Beecher responded, "All I can tell you is what the design engineers told us at the Planning Commission. We asked for an outlet overflow structure and a drainage system, and both the design engineer and the flood control engineer told the Planning Commission that the water would be contained within the area and there would be no effluence off the property."

Mr. Ward referred to a previous request for a \$20M bond for protection from damages being done. He said the answer received through the minutes was a \$20,000 performance bond requirement. He expressed grave concern about contamination to the existing aquifer supplied by a great flow of water from McGuire Canyon in South Willard. He quoted a personal statement concerning the Willard (Parson) crushing operation written by Kenneth L. Alkena, Director of Utah Division of Environmental Health dated June 17, 1989 wherein Mr. Alkena stated he was "deeply concerned over the entire matter...based upon almost 20 years of public service, it is my personal opinion that the property and the quality of life of the people of Willard will and in all probability be negatively impacted. I respectfully suggest that the Commission address critical-related issues of the potential harm to area of wildlife, underground water, as well as possible damage caused by improper drainage in violation of pertinent conservation technology...."

Mr. Thompson assured Mr. Ward that the Planning Commission is concerned with the health, safety, and welfare of the citizens of Willard City and surrounding areas and that is why the conditions were issued when the permit was granted to extract gravel. He said not long ago each of the allocated violations were addressed during a planning meeting. He said:

1) the water problem is a very legitimate and viable concern and consequently the Planning Commission asked the water quality people to assess the situation which they are in the process of doing. They report, however, is still forth coming;

2) Regarding the drainage, it would be difficult for a lay person to determine what is safe and what is not and what has been done. Therefore they have tried to rely on the best council available who have reported there is no danger imposed by the current operation;

3) The bond issue was not meant to address the liability of any damage caused by someone else by the Parson operation. The performance bond is imposed for the regeneration and revegetation, etc. of the property when the operation is complete. The liability part is carried by Parson;

4) The design would encroach on a well in South Willard and a motion was passed by the Planning Commission that the encroachment come no closer until after the water study had been made to determine if it would contaminate or cause any problem with the aquifer.

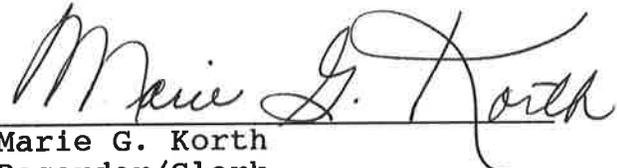
Ms. Ball concluded by saying that with twelve gravel pits from the south end of Brigham City to the Willard, both working and abandoned, indicates that Willard has done their fair share of gravel.

Commissioner Jensen made a motion to adjourn at 9:00 p.m. Louis Douglas seconded. None opposed. It was unanimous.

Passed and adopted in regular session this 17th day of  
November, 1994.

  
Richard D. Kimber, Chairman

ATTEST:

  
Marie G. Korth  
Recorder/Clerk

BOX ELDER COUNTY PLANNING COMMISSION  
COUNTY COMMISSION CHAMBERS  
BOX ELDER COUNTY COURTHOUSE  
BRIGHAM CITY, UTAH  
October 20, 1994

1. Public Agenda for the Box Elder County Planning Commission Meeting scheduled for October 20, 1994, at 7:00 p.m.
2. Notice given to the newspaper this 19th day of October, 1994.
3. Approval of the Minutes of September 8, 1994.
4. Scheduled Delegations:
  - A. Letter from LeGrand Bitter removing the Special Service District from Agenda and asking to be on Agenda in November.
  - B. Letters from Bear River Water Conservancy District
  - C. Pettingill Minor Subdivision
  - D. J. F. Hill Acres Minor Subdivision
  - E. Leonard ~~Hill~~ Minor Subdivision
  - F. Thompson Subdivision, Preliminary
  - G. <sup>Mt View</sup> ~~Barker~~ Subdivision, Preliminary
  - H. Ned Fairbanks - Concept Plan, Fairbanks Estate Subdivision
  - I. Farrell Williams Minor Subdivision
  - J. Lucille Potter Minor Subdivision
  - K. Duane Adams Minor Subdivision
  - L. Robinson Minor Subdivision
  - M. Letter from Parsons & DAQ, Report on Air Quality
  - N. Donna Ball, Gay Pettingill, Reed Pettingill, Gary Coleman, Dawn Scothern, Elmer Ward  
Rebuttal to Parsons, as requested by Donna Ball
  - O.
  - P.
5. Old Business:
  - A. One Lot Minor Subdivision Proposal
  - B.



DAVIS COUNTY SOLID WASTE MANAGEMENT  
AND ENERGY RECOVERY SPECIAL SERVICE DISTRICT  
650 East Highway 193 / Layton, Utah 84041  
(801) 771-3032 / FAX: 771-8615



CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

October 17, 1994

Denton Beecher  
Zoning Administrator  
Box Elder County  
Courthouse  
Brigham City, UT 84302

Re: Conditional Use Permit Application

Dear Mr. Beecher:

It has come to my attention that several members of the Legislative Committee are unable to attend the Planning Commission Meeting scheduled for October 20th at 7:00 p.m. because of prior commitments. The legislators on the committee feel very strongly about being able to attend any and all meetings at which the Conditional Use Permit Application will be addressed. In addition, events have been scheduled to address concerns of the people in that locality. It is the desire of the committee that these activities be completed prior to the Planning Commission addressing this issue. Consequently, we request that the issue of the Conditional Use Permit Application be removed from the October 20th meeting agenda and placed on the November 17th agenda.

If there are any changes in either the agenda or dates and times of the meetings, please inform the District by calling my office at 771-3032. Otherwise, we will assume that the Conditional Use Permit Application has been removed from the October 20th meeting agenda and placed on the November 17th meeting agenda.

Sincerely,

Davis County Solid Waste Management and  
Energy Recovery Special Service District

LeGrand W. Bitter, Director

LWB/SAR

cc: Rep. Eli Anderson  
Rep. Marda Dillree  
Chairman Robert Arbuckle  
Vice-Chairman Kay Chandler  
Mayor Lyle Nesson

Sandy/Letters-10/94



**BEAR RIVER WATER CONSERVANCY DISTRICT**

**102 EAST FOREST STREET  
BRIGHAM CITY, UT 84302  
PHONE (801) 723-7034  
FAX (801) 734-2728**



September 16, 1994

Chairman Richard Kimber  
Box Elder County Planning Commission  
01 South Main Street  
Brigham City, Utah 84302-2599

Re: North Blue Creek Landfill Site

Dear Richard,

The Bear River Water Conservancy District would like to go on record as supporting the newly proposed North Blue Creek landfill site as suggested by the Municipal Waste Siting Task Force. We appreciate the Task Force's efforts and would like to express our thanks to them for locating alternative sites for the landfill that do not propose a threat to our water sources.

Sincerely,

Frank O. Nishiguchi  
General Manager

FON/vj



## BEAR RIVER WATER CONSERVANCY DISTRICT

102 EAST FOREST STREET  
BRIGHAM CITY, UT 84302  
PHONE (801) 723-7034  
FAX (801) 734-2728

October 12, 1994

Chairman Richard Kimber  
Box Elder County Planning Commission  
01 South Main Street  
Brigham City, Utah 84302

Dear Richard,

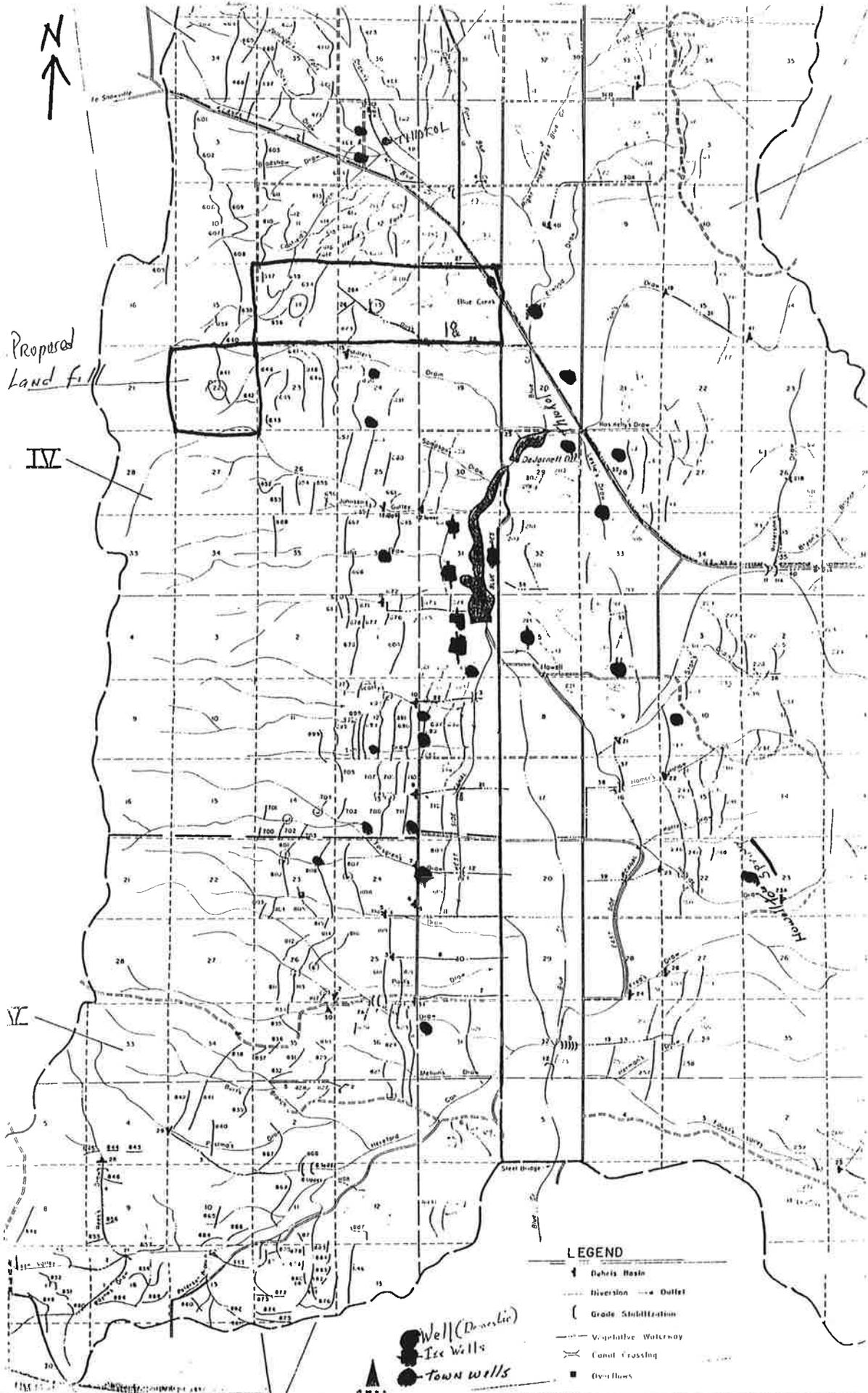
It has been brought to my attention by Mayor Lyle Nessen of Howell that the Blue Creek Landfill site is in close proximity of the Howell City's water source, the Blue Creek Spring and other various wells. In considering the information furnished on the enclosed map we feel the preservation of their water source is vital. Therefore, we must withdraw our support of the Blue Creek Landfill site.

Sincerely,

A handwritten signature in dark ink, appearing to read "Frank", written in a cursive style.

Frank O. Nishiguchi  
General Manager

cc: Mayor Lyle Nessen  
Eli Anderson  
Richard Kimber



Proposed  
Land fill

IV

V

**LEGEND**

- ☐ Debris Basin
- Diversion --- Outlet
- ( ) Grade Stabilization
- Vegetative Waterway
- Canal Crossing
- Overflows

Well (Domestic)  
Ice wells  
Town wells



Jack B Parson Companies

September 30, 1994

Mr. Denton Beecher  
Box Elder County Planning Commission  
Box Elder Court House  
Brigham City, Utah 84302

Re: Utah Division of Air Quality Inspection  
McGuire Pit - South Box Elder County

Dear Mr. Beecher,

Enclosed is a copy of the inspection report covering the D.A.Q. inspection made August 16, 1994. As you can see by this report the crushing operation is well within the air quality standards.

We felt it important you have a copy of this to help you respond to the unfounded allegations you've received regarding our operation.

The Division of Air Quality indicated they have also sent a copy of this to Mrs. Ball.

Please see that the County Commissioners get the copy enclosed for them. If you feel it appropriate we'd like the Planning Commission members to have a copy as well.

Sincerely,

R. Fay Facer  
Vice President

cc: Box Elder County Commissioners  
Randy Anderson



## MEMORANDUM

DAQC-982-94

TO: File - **JACK B. PARSON COMPANIES**

THROUGH: Jeff Dean, Compliance Manager

FROM: Jim Stephens, ES

DATE: August 24, 1994

SUBJECT: **JACK B. PARSON COMPANIES**, B, Crusher, McQuire Canyon Pit, South Box Elder County, 777 00194

---

Type of Inspection: Complaint and Annual

Date of Inspection: August 16, 1994

Multiple Inspection Source: No

Source Location: South Box Elder County, Utah

Source Contacts: Russell Sorter, Operator and Paul Glauser, Environmental Contact

Operating Status:

The crushing plant was operating at the design rate of 400 tons per hour. The crusher operates with 11 water sprays. The water sprays have been placed at positions on the crushing equipment where the operator feels the sprays will be most effective in controlling dust.

Process Description:

The crushing plant utilizes pre-wet raw bank material. The bank material is pre-wet by 5 rainbirds. The crusher operates with 3 sizing screens which produces 4 products. The products are:

- 1) 1/4 inch minus select rock
- 2) #4 manufactured fines
- 3) 5/8 inch plant mix
- 4) 1/2 inch rock

Water sprays have been attached at the following locations:

- 1) 3 water sprays on No. 1 cone
- 2) 2 water sprays on No. 2 cone
- 3) 1 water spray on No. 3 cone
- 4) 2 water sprays on jaw
- 5) 1 water spray on No. 1 screen
- 6) 1 water spray on No. 2 and 3 screens
- 7) 1 water spray on plant mix belt

Other equipment operating at the pit are:

- 1) dozer (diesel)
- 2) front end loader (diesel)
- 3) water truck (gasoline)
- 4) stationary electrical generator (diesel)

Attached to this inspection are 3 pictures taken during the inspection. The pictures were taken while the crusher was operating at the design rate of 400 tons per hour.

Applicable Regulations: Section 4.5.1, Section 4.5.2, Section 4.1.1, UACR, and Jack B. Parson Companies Dust Control Plan dated July 11, 1994. No approval order has been issued to this source .

<u>Source</u>	<u>Opacity Observed</u>	<u>Opacity Limit</u>	<u>Operating Parameters</u>	<u>Applicable Regulations</u>
Jaw	<5%	20%	400 t/hr	Sec 4.5.1 UACR
Feeder	0%	20%	400 t/hr	Sec 4.5.1 UACR
#1 Cone	5%	20%	80 t/hr	Sec 4.5.1 UACR
#2 Cone	5%	20%	80 t/hr	Sec 4.5.1 UACR
#3 Cone	<5%	20%	60 t/hr	Sec 4.5.1 UACR
#1 Screen	0%	20%	400 t/hr	Sec 4.5.1 UACR
#2 Screen	0%	20%	120 t/hr	Sec 4.5.1 UACR
#3 Screen	0%	20%	120 t/hr	Sec 4.5.1 UACR
Storage Piles	0%	minimize (20%)	NA	Sec 4.5.2 UACR
Conveyor Drop Points	0%	20%	400 T/HR	Sec 4.5.1 UACR
Grizzly	0%	minimize (20%)	400 T/HR	Sec 4.5.2 UACR
Mobile Equipment	5%	minimize (20%)	400 T/HR	Sec 4.5.2 UACR
Diesel Powered Equip	5%	20%	NA	Sec 4.1.1 UACR

Dust Control Plan:

Condition

1) Haul Roads - The main haul road from US89 to the stockpile area is paved. The unpaved pit area is water sprayed regularly as needed with an on-site water truck. We are also using a magnesium chloride "heavy" water application on the more traveled unpaved haul areas and particularly at the scale and paved road approaches.

Status The main haul road is paved and is washed off with the water truck daily. The road was clear of aggregate material at the time of inspection. The unpaved pit area and traveled pit roads were being water sprayed with the on-site water truck at the time of inspection. Magnesium chloride had been applied to the more traveled unpaved haul roads. The company is in compliance with Condition 1 of their dust control plan.

2) Water system - We utilize an on site 10,000 gallon water storage tank as a source to charge our water trucks and portable crushing components when operating. We are in the process of piping well water to the excavation area which will charge the storage tank, pre-wet the excavation area during crushing, and provide water for the crusher. The on-site water truck is equipped with a remote water cannon which is used to spray the stock piles during dry and windy periods. This equipment is also used regularly and as needed to clean the paved haul roads. The unpaved haul areas are also water sprayed as needed to control dust emissions. Our crushing components are now equipped with "fine mist" spray heads which better control fugitive dust when the crusher is operating.

Status The company utilizes two on-site water storage tanks, a 10,000 gallon tank and an 8,000 gallon tank to charge the on-site water truck, the crushing components and to pre-wet the raw material excavation area. The on-site water truck is equipped with a water cannon to spray storage piles during dry and windy periods. The crusher is also equipped with "fine mist" spray heads. The company is in compliance with Condition 2 of the dust control plan.

3) Berms - Berms have been established on the South and West perimeters of the mined areas in phase I. The South and West berms will be vegetated this fall. We have planted some 75 cottonwood trees, with a drip system, on these berms which will provide both a sight barrier and wind break.

Status Berms have been established on the south and west perimeters of the mined area of phase I.. Cottonwood trees have been planted. The berms and the trees do provide both a sight barrier and wind break. The company is

in compliance with Condition 3 of the dust control plan.

4. Side Slopes - The permanent side slopes will be vegetated as they are established.

Status I was told that the side slopes of the pit will be vegetated as they are established. The established slopes that now exist on the south and west perimeters of the pit will be vegetated this fall. The company is in compliance with Condition 4 of the dust control plan.

Emission Inventory: Engineer estimates of uncontrolled emissions:

TSP - 783.1  
PM10 - 490.8  
SO2 - 17.2  
NOx - 18.8  
VOC - 16.5

Source Inspection Summary Evaluation:

The source was operating at the design rate of 400 tons per hour during the inspection. I was told that 400 tons per hour is normally operation for this crusher, and that the crusher was in normal operating mode for this pit, water sprays and all. I observed very little dust being generated by pit operations during the inspection. The crusher operator was very much aware of the potential dust that could be generated by a crushing operation, and was doing his very best to control it. Water sprays had been located on the crushing equipment where the most good could be obtained. The surface moisture of the raw material after pre-wetting is 10 - 12%. The crusher utilizes a diesel powered generator for electrical power.

Current Recommendation:

The source was operating within established limits provided by the UACR. No further compliance actions should required at this time.

Attachments: VEOs, ITM, 3 pictures taken during the inspection

Inspectors Signature:





STATE OF UTAH DEPARTMENT OF HEALTH  
 DIVISION OF ENVIRONMENTAL HEALTH  
 BUREAU OF AIR QUALITY  
 AIR POLLUTION SOURCE EVALUATION REPORT

TYPE OF INSPECTION FOLLOW-UP ( ) INITIAL ( ) ANNUAL (X) STACK TEST ( ) SURVEILLANCE ( ) CEM COMPLAINTS ( )  
 DATE 8-16-94 TIME ARR 10:45AM TIME DPT 1:30PM PAGE 1

OBSERVATION & WEATHER CONDITIONS

COMPANY: JACK B. PEARSON COMPANIES  
 CONTACT: RUSSELL SOTER (OPERATOR)  
 LOCATION: MACUIPER CANYON PIT/BOX FEEDER  
 PHONE #: 479-5970  
 INDUSTRY: AGGREGATE CRUSHER COS CLASS.  
 SOURCE: JAW CRUSHER 30-42  
 HEIGHT OF DISCHARGE POINT: 8 FT DIMENSIONS: NA

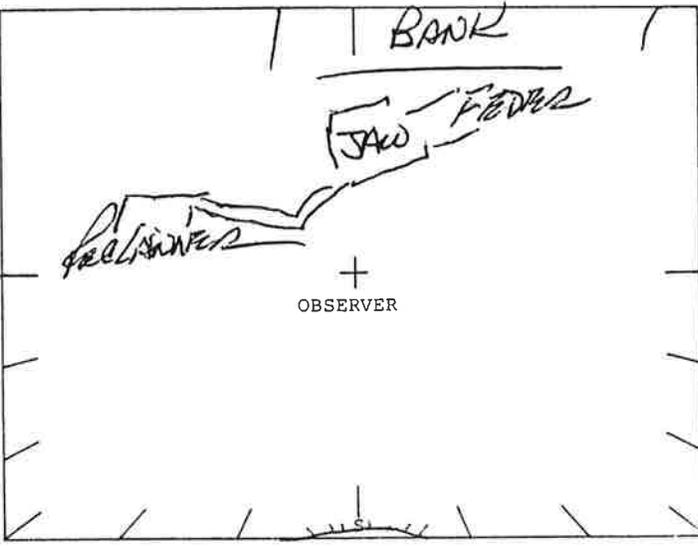
OBSERVERS DISTANCE TO SOURCE: 100 FEET  
 BACKGROUND DESCRIPTION: PIT AND BLUE SKY  
 PLUME DESCRIPTION:  
 COLOR: GRAY LENGTH: 7 FEET  
 STEAM PLUME: Y (N) ATTACHED: Y (N) LENGTH OF STEAM  
 PLUME: NA

OPERATING PARAMETERS OF SOURCE-NORMAL (YES X) (NO )  
 ACTUAL: 400 T/HOUR DESIGN: 400 T/HOUR  
 TYPE BURNER FUEL: NA  
 CONTROL FACILITY: ROCK + WATER SPRAY

WX CONDITION:  
 WIND DIRECTION: SOUTH WIND SPEED: 10 MPH  
 AMBIENT TEMP: 85°F RELATIVE HUMIDITY: 40%

APPLICABLE REGULATIONS/APPROVAL ORDER(S)/LIMITATIONS/CONDITIONS MET:

SECTION 4.5.1 UACR 20% (X)  
 Y/N  
 Y/N  
 Y/N  
 Y/N  
 Y/N



STACK TEST INFORMATION

MAXIMUM ALLOWABLE EMISSION RATE: NA  
 LAST TEST DATE: NA NEXT TEST DUE DATE: NA

OBSERVER: Jim Stephens  
 OBSERVER CERTIFICATION DATE: April 1994  
 OBSERVER SIGNATURE: Jim Stephens  
 COPY OF REPORT GIVEN TO: RUSSELL SOTER  
 CONTACT SIGNATURE: Paul Clausen

COMMENTS:

Water truck worked on site  
4 products: 4 minus, 20, 40, 80 MAX  
5/8 bent mix - 12" back - jaw bank is  
soaked overnight with 5 ton  
biogas - pit is located in hole out  
of wind - pit up - 3 levels - 1 jaw - 3 cones  
4th product conveyor and deep pits - with  
transfer points - direct to regulated  
frontend loader and 1 dozen 11 dump

OPACITY READINGS

No.	Hr:min.	SECONDS				AVG.
		0	15	30	45	
1	11 : 31	15	15	15	15	
2	: 32	15	15	15	15	
3	: 33	15	15	15	15	
4	: 34	15	15	15	15	
5	: 35	15	15	15	15	
6	: 36	15	15	15	15	15
1	11 : 31	0	0	0	0	
2	: 32	0	0	0	0	
3	: 33	0	0	0	0	
	: 34	0	0	0	0	
	: 35	0	0	0	0	
	: 36	0	0	0	0	0%

Jaw crusher  
pit

STANDARD (2880793)  
 SOURCE: COIN CRUSHER  
 HGT. OF DISCH: 6 FT DIMENSION NA

(23F1579)  
 SOURCE: COIN CRUSHER  
 HGT. OF DISCH: 6 FT DIMENSION NA

(461) PAGE 2  
 SOURCE: COIN CRUSHER  
 HGT. OF DISCH: 6 FT DIMENSION NA

OPERATING PARAMETERS NORMAL (Y/N)  
 ACTUAL: 80 T/Hour  
 DESIGN: 400 T/Hour  
 CONTROL FACILITY: Water Spray 3pts  
 TYPE BURNER FUEL: NA

OPERATING PARAMETERS NORMAL (Y/N)  
 ACTUAL: 80 T/Hour  
 DESIGN: 400 T/Hour  
 CONTROL FACILITY: Water Spray 2pt  
 TYPE BURNER FUEL: NA

OPERATING PARAMETERS NORMAL (Y/N)  
 ACTUAL: 60 T/Hour  
 DESIGN: 300 T/Hour  
 CONTROL FACILITY: Water Spray (undec)  
 TYPE BURNER FUEL: NA

APPLICABLE REG/A.O. LIMIT/COND. MET:  
Sec 4.5.17A(2) 20% (Y/N)  
 \_\_\_\_\_ Y/N  
 \_\_\_\_\_ Y/N  
 \_\_\_\_\_ Y/N  
 \_\_\_\_\_ Y/N

APPLICABLE REG/A.O. LIMIT/COND. MET:  
Sec 4.5.17A(2) 20% (Y/N)  
 \_\_\_\_\_ Y/N  
 \_\_\_\_\_ Y/N  
 \_\_\_\_\_ Y/N  
 \_\_\_\_\_ Y/N

APPLICABLE REG/A.O. LIMIT/COND. MET:  
Sec 4.5.17A(2) 20% (Y/N)  
 \_\_\_\_\_ Y/N  
 \_\_\_\_\_ Y/N  
 \_\_\_\_\_ Y/N  
 \_\_\_\_\_ Y/N

ALLOWABLE EMISSION RATE NA  
 LAST TEST DATE NA DUE DATE NA  
 DISTANCE TO SOURCE 75 FEET  
 BACKGROUND DESCRIPTION Ry + Pit  
 PLUME COLOR LTN / LENGTH 5 FT  
 STEAM PLUME Y(N) ATTACHED Y(N)  
 LENGTH OF STEAM PLUME NA  
 WIND SPEED 10 MPH / DIRECTION South  
 AMB. TEMP. 85°F R.H. 40

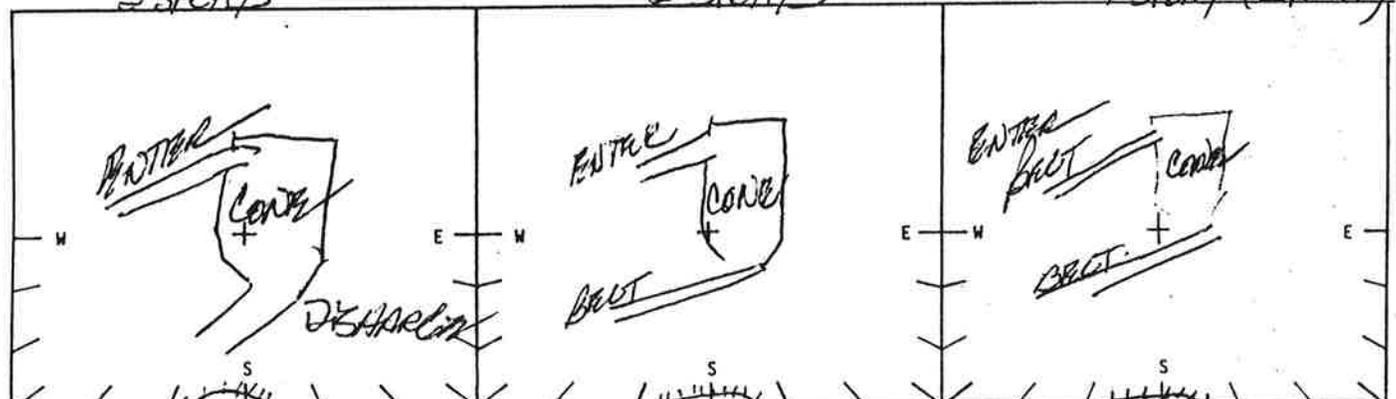
ALLOWABLE EMISSION RATE NA  
 LAST TEST DATE NA DUE DATE NA  
 DISTANCE TO SOURCE 100 FEET  
 BACKGROUND DESCRIPTION Ry + Pit  
 PLUME COLOR LTN / LENGTH 4 FT  
 STEAM PLUME Y(N) ATTACHED Y(N)  
 LENGTH OF STEAM PLUME NA  
 WIND SPEED 10 MPH / DIRECTION South  
 AMB. TEMP. 85°F R.H. 40

ALLOWABLE EMISSION RATE NA  
 LAST TEST DATE NA DUE DATE NA  
 DISTANCE TO SOURCE 100 FEET  
 BACKGROUND DESCRIPTION Ry + Pit  
 PLUME COLOR LTN / LENGTH 3 FT  
 STEAM PLUME Y(N) ATTACHED Y(N)  
 LENGTH OF STEAM PLUME NA  
 WIND SPEED 10 MPH / DIRECTION South  
 AMB. TEMP. 85°F R.H. 40

3 SPRAYS

2 SPRAYS

1 SPRAY (bottom)



#	HR:MIN	SECONDS					F	HR:MIN	SECONDS					#	HR:MIN	SECONDS				
		0	15	30	45	AVG.			0	15	30	45	AVG.			0	15	30	45	AVG.
1	12:20	0	0	0	0		12:46	0	0	0	0		1:04	0	0	0	0			
2	21	0	0	0	0		47	0	0	0	0		06	0	0	0	0			
3	22	0	0	0	0		48	0	0	0	0		07	0	0	0	0			
4	23	0	0	0	0		49	0	0	0	0		08	0	0	0	0			
5	24	0	0	0	0		50	0	0	0	0		09	0	0	0	0			
6	25	0	0	0	0	0%	1:51	0	0	0	0		1:10	0	0	0	0	0%		
1	12:26	5	5	5	5		46	5	5	5	5		1:04	5	5	5	5			
2	27	5	5	5	5		47	5	5	5	5		05	5	5	5	5			
3	28	5	5	5	5		48	5	5	5	5		06	5	5	5	5			
4	29	5	5	5	5		49	5	5	5	5		07	5	5	5	5			
5	30	5	5	5	5		50	5	5	5	5		08	5	5	5	5			
6	31	5	5	5	5	5%	51	5	5	5	5		09	5	5	5	5	5%		

ENTRANCE

13 CHARL



4310692  
 SOURCE: SCREEN  
 HGT. OF DISCHG 8FT DIMENSION 6x20'

OPERATING PARAMETERS NORMAL (Y/N)  
 ACTUAL 400 T/HOUR  
 DESIGN: 500 T/HOUR  
 CONTROL FACILITY: SEA WATER SPRAY  
 TYPE BURNER FUEL: NA

APPLICABLE REG/A.O. LIMIT/COND. MET:  
SEC 4.5.1 NAACP 20% (Y/N)  
 \_\_\_\_\_ Y/N  
 \_\_\_\_\_ Y/N  
 \_\_\_\_\_ Y/N  
 \_\_\_\_\_ Y/N

ALLOWABLE EMISSION RATE NA  
 LAST TEST DATE NA DUE DATE NA  
 DISTANCE TO SOURCE 100 FEET  
 BACKGROUND DESCRIPTION FIT + SKY  
 PLUME COLOR INU /LENGTH NA  
 STEAM PLUME Y(N) ATTACHED Y(N)  
 LENGTH OF STEAM PLUME NA  
 WIND SPEED 10 MPH /DIRECTION South  
 AMB. TEMP. 85°F R.H. 40 %

#2 3450308  
 SOURCE: SCREEN  
 HGT. OF DISCHG 8FT DIMENSION 6x6'

OPERATING PARAMETERS NORMAL (Y/N)  
 ACTUAL 130 T/HOUR  
 DESIGN: 400 T/HOUR  
 CONTROL FACILITY: SEA WATER SPRAY  
 TYPE BURNER FUEL: NA

APPLICABLE REG/A.O. LIMIT/COND. MET:  
SEC 4.5.1 NAACP 20% (Y/N)  
 \_\_\_\_\_ Y/N  
 \_\_\_\_\_ Y/N  
 \_\_\_\_\_ Y/N  
 \_\_\_\_\_ Y/N

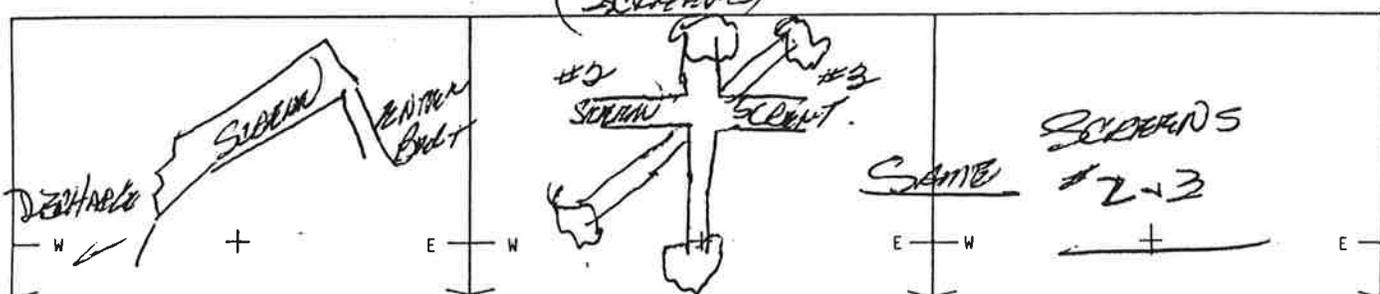
ALLOWABLE EMISSION RATE NA  
 LAST TEST DATE NA DUE DATE NA  
 DISTANCE TO SOURCE 100 FEET  
 BACKGROUND DESCRIPTION FIT + SKY  
 PLUME COLOR INU /LENGTH NA  
 STEAM PLUME Y(N) ATTACHED Y(N)  
 LENGTH OF STEAM PLUME NA  
 WIND SPEED 10 MPH /DIRECTION South  
 AMB. TEMP. 85°F R.H. 40 %

3420489 PAGE 3  
 SOURCE: SCREEN  
 HGT. OF DISCHG 8FT DIMENSION 6x16'

OPERATING PARAMETERS NORMAL (Y/N)  
 ACTUAL 150 T/HOUR  
 DESIGN: 400 T/HOUR  
 CONTROL FACILITY: SEA WATER SPRAY  
 TYPE BURNER FUEL: NA

APPLICABLE REG/A.O. LIMIT/COND. MET:  
SEC 4.5.1 NAACP 20% (Y/N)  
 \_\_\_\_\_ Y/N  
 \_\_\_\_\_ Y/N  
 \_\_\_\_\_ Y/N  
 \_\_\_\_\_ Y/N

ALLOWABLE EMISSION RATE NA  
 LAST TEST DATE NA DUE DATE NA  
 DISTANCE TO SOURCE 100 FEET  
 BACKGROUND DESCRIPTION FIT + SKY  
 PLUME COLOR INU /LENGTH NA  
 STEAM PLUME Y(N) ATTACHED Y(N)  
 LENGTH OF STEAM PLUME NA  
 WIND SPEED 10 MPH /DIRECTION South  
 AMB. TEMP. 85°F R.H. 40 %



#	HR:MIN	SECONDS					%	#	HR:MIN	SECONDS					%	#	HR:MIN	SECONDS					%
		0	15	30	45	AVG.				0	15	30	45	AVG.				0	15	30	45	AVG.	
1	11:46	0	0	0	0		1	12:03	0	0	0	0		1	12:03	0	0	0	0				
2	47	0	0	0	0		2	04	0	0	0	0		2	04	0	0	0	0				
3	48	0	0	0	0		3	05	0	0	0	0		3	05	0	0	0	0				
4	49	0	0	0	0		4	06	0	0	0	0		4	06	0	0	0	0				
5	50	0	0	0	0		5	07	0	0	0	0		5	07	0	0	0	0				
6	51	0	0	0	0	0%	6	08	0	0	0	0	0%	6	08	0	0	0	0	0%			
1	52	0	0	0	0		1	09	0	0	0	0		1	09	0	0	0	0				
2	53	0	0	0	0		2	10	0	0	0	0		2	10	0	0	0	0				
3	54	0	0	0	0		3	11	0	0	0	0		3	11	0	0	0	0				
4	55	0	0	0	0		4	12	0	0	0	0		4	12	0	0	0	0				
5	56	0	0	0	0		5	13	0	0	0	0		5	13	0	0	0	0				
6	57	0	0	0	0	0%	6	14	0	0	0	0	0%	6	14	0	0	0	0	0%			

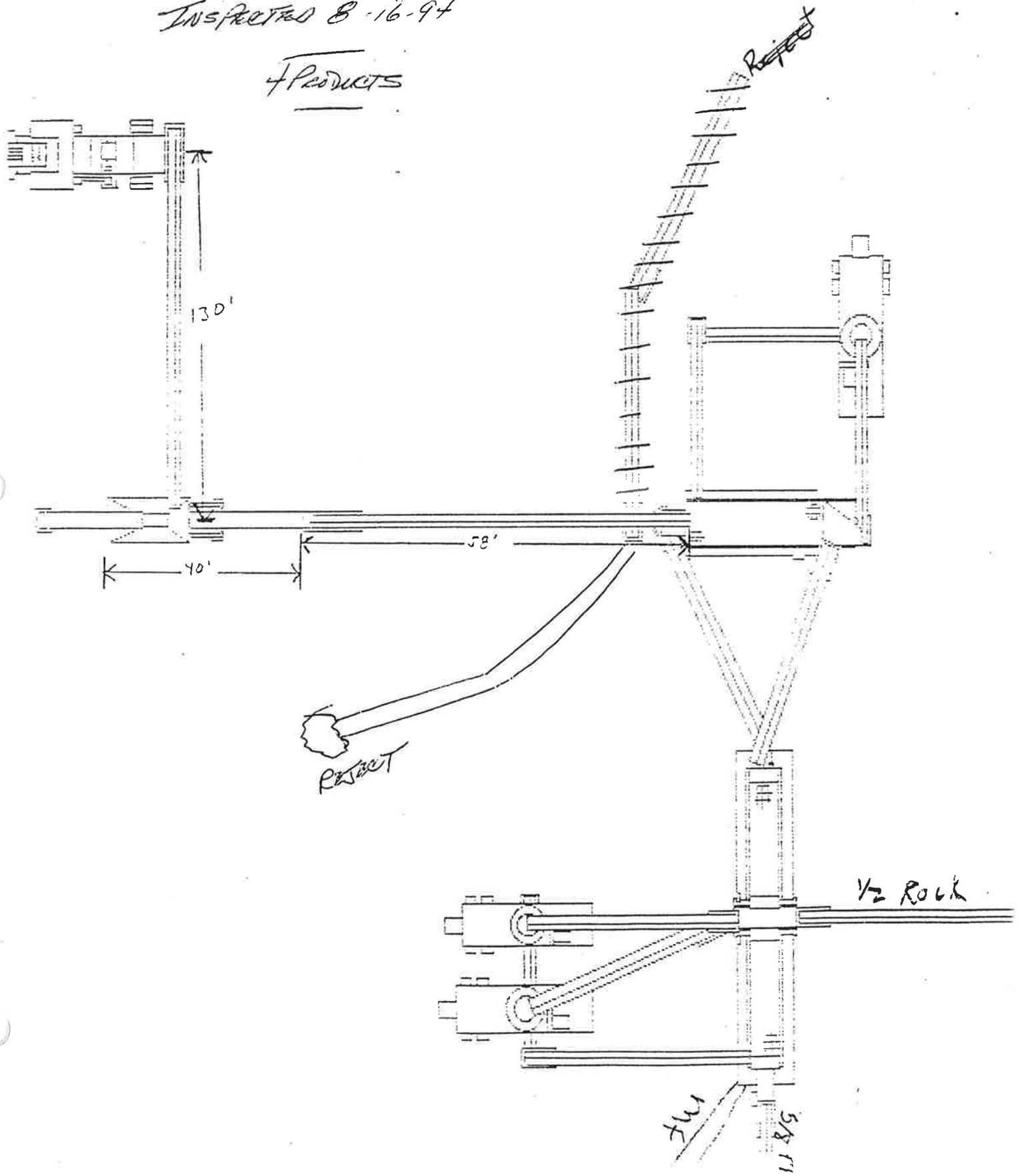


Throughout the Cedarapids Plant Simulator, everything has been done to provide as accurate information as possible regarding equipment and related material. However, various factors can affect ratings and actual results. Therefore, data produced should be considered as resulting from theoretically perfect conditions rather than actual field results.

Maguire Pit Set up 1994

INSPECTED 8-16-94

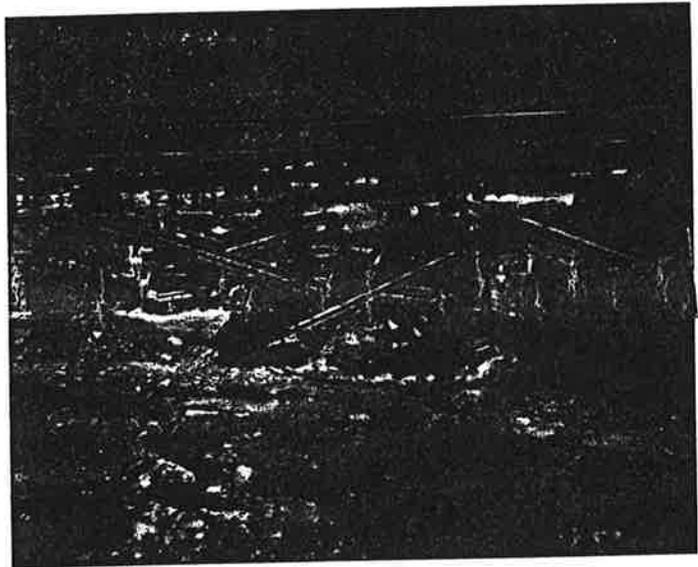
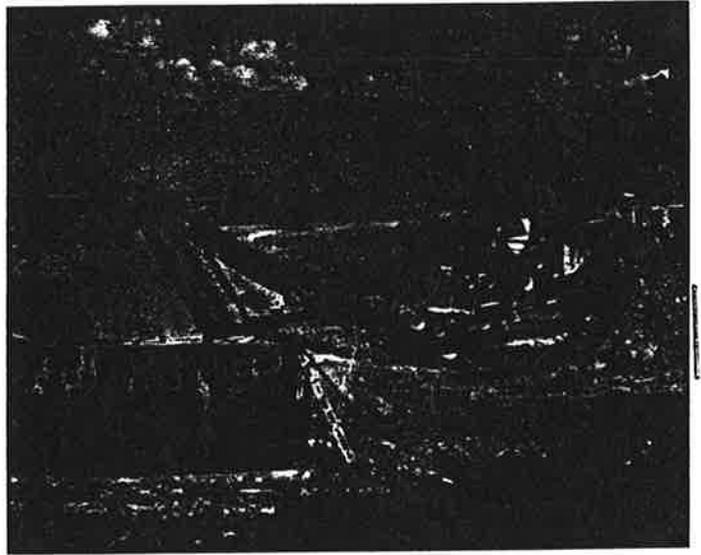
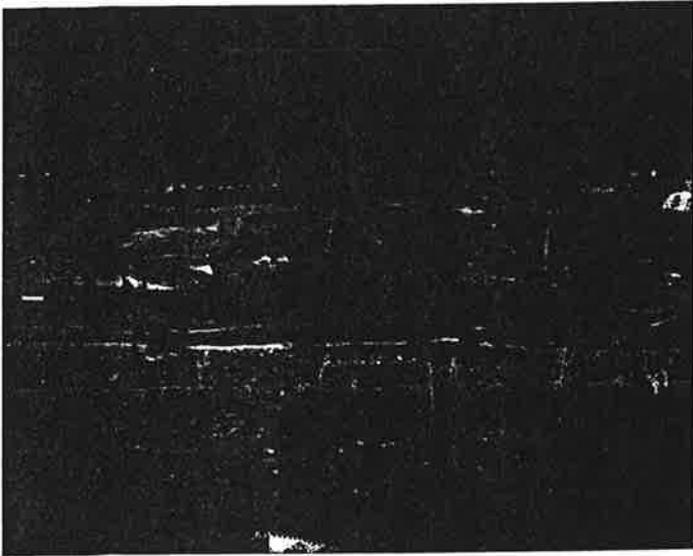
PRODUCTS



Notes & Comments

Page \_\_\_\_\_ of \_\_\_\_\_

Date \_\_\_\_\_



Jack B. Hanson's crushing operation, McQuinn Rd,  
So. Box, Elder County, August 16, 1994, 1 pm, 400 tons

2001 Hanson

7.6 Under Landfills and Excavations Special Requirements

September 18 thru September 24 Parson Co was running trucks until 12 Midnight. and I have been told they are still running after midnight.

Land Use and Management Code 7.6.6.2.1 All grading and excavation near a residential neighborhoods shall be carried on between the hours of 7:00 a.m. to 5:30 p.m. ( we are zoned RR-20 Rural Residential 20,000 sq. ft.)

7.6.6.10 Topsoil is to be stockpiled during rough grading and used on cut and fill slopes.

7.6.6.16.1 The provisions of this chapter shall not be construed as permitting the removal of topsoil solely for resale.

In the summers of 1991 and 1992 Parson Co. came to the East of our Mobile Home Court and removed top soil and dirt and hauled this off to the Payless building in Pleasant View.

All plant materials must be approved by the planing commission prior to issuance of a conditional use permit.

There was no permit issued in this case as it was claimed to be a to be a grandfatherd pit the land use and and Management Code spells this out.

5.8 A Pre-existing Non-Conforming use may be continued - provisions

The utilization may continue unless the structure is vacated or the use ceased for a continuous period in excess of 365 calendar days.

No such non-conforming use of land may in anyway be expanded or extended either in the same or on adjoining property.

Air photo taken in 1982 shows this ground was not excavated.

7.6.6.14.1.1 No excavation shall be made with a cut face steeper in slope than 2 horizontal to 1 vertical. A cliff exists on White pit now.

August 16, 1994 from 10:45 a.m. to 1:50 p.m. that is 3 hours and 5 minutes exactly. The Division of Environmental Health, Bureau Air Quality did an air pollution evaluation on the Parson pit in South Willard.

Person doing this report was Jim Stephens, the compliance Manager is Jeff Dean.

Th only thing from this report that was done was a visual monitoring of the crusher itself and no air or dust monitoring equipment was ever used.

To go to the local news paper and say the air quality test past with flying colors is a lie and a fraud.

There was no air monitoring test stand put up, not one filter report made, or recording of the data.

But this done on the Nielson pit during the summer of 1990. This test was done for done each day for a week or so, and not a 3 hour and 5 minute check as was the case here.

Gary W. Coleman  
Coleman Mobile Home Court  
8615 So Hwy. 89 # 16-No.  
Willard, Utah 84340-9319  
phone 782 5468