

19-37 Aggregates

Head Line: The Rock Eater

Sub Title: Big Time Expansion, over at Aggregates

By Line: By Rhonda Bigovich, TRT Staff Writer

Loren Norton program manager of Hoopa Valley Roads Aggregates; and is proud to announce. "We have asphalt!" the first time asphalt has been made on the Hoopa Valley Reservation.

"A note to concerned Tribal members," Norton said. "Bare with us, you will smell the oil, but it will only be two to three weeks out of the year. Not 365 days out of the year!"

Tribal members near the plant have been calling into Aggregates office worrying about air quality.

"It is no more harmful than driving behind a semi-truck," Norton said. "We do have an air quality permit, and are being supervised."

Asphalt is the black top layer you find on concrete roads. It takes a certain kind of machine to make this type substance. Hoopa Aggregates has it, a 90 thousand dollar machine.

"It is called the VSI Crusher," Norton said. "What it does is it takes rock material and then crushes it. This special machine makes cubicle squares and in turn making quality road chip asphalt material."

This new obtainable material will allow for Hoopa Aggregates to fix more local roads without the high prices of buying the materials else where.

"It was hard to convince the council to come up with \$90,000 dollars for the new piece of equipment," Norton said. "However the first run with this machine and it paid for it's self."

"We are right in the middle of two of the bigger contracts we have ever done," Norton said. "We are also tied in with a really good contractor."

Which is imperative to do big business, the Hoopa Valley Tribe needed to partner in with a good contractor.

"The company name is Tide Water Contracting, from Brookings, Oregon," Norton said. "They sent one the contractors here to Hoopa, wit the machine, to show our crew how to operate this new machine."

Now Norton's men at roads department are fluent with the VSI crusher, aggregates can do more things on their own as well.

"The two projects on the table now will produce a hefty pay of approximately \$200,000 each," Norton said. "With this investment, we will have the ability to produce a multitude of materials."

"The more recent project we have been working on for the last two weeks, are assisting the Yurok Tribe and Humboldt County with supplies to pave the Bald Hill Roads," Norton said.

Very excited, Norton said, "This has been the most truck activity this plant has ever seen,"

"We work with 17 trucks, and load at least 54 loads a day," Norton said. At that time they had to have two ticket girls weighing the truck loads going out.

"The second big project we will be working on next is, we will be providing material's to resurface the road on Hwy 96. From Hostler Creek to Rock Chutes," Norton said. "This will happen after the last of Hoopa's ceremonial dances end."

"The future looks pretty bright for Hoopa Roads and aggregate, this had been its biggest expansion plan to date," Norton said. "Right now we have 18 staff members and out of that 15 are tribal members," Norton said. "Most of them are permanent jobs, but we will still have to do the seasonal layoffs."

He feels that roads and aggregates has gotten a bad reputation, and is trying to turn the business around.

"A lot of people don't know what we have here, or what we do," Norton said. "We are sitting on almost \$2,000,000 worth of resources here."

"We have always made money, and we have always given our 15 percent to the Tribe's general account," Norton said.

With the equipment on the plant now, aggregates has a good chance to be a very called upon source for materials.

"Right now we operate with 3 crushers. The Jaw crusher, it takes big rocks and breaks it into 6th of an inch size of rock," Norton said. "The cone crusher, which used to be our primary machine, it made concrete aggregate used for fill."

"With the wash plant, that will deliver five different products. It screens and washes river run products," Norton said. For now this is a complete set. "We are there," Norton said. "September 12th I will have been here for a year."

"We are trying to upgrade our roads, with our own materials, not from companies outside of the Hoopa Valley," Norton said.

"I love my job, it is what I was trained to do," Norton said.

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Pull Quotes-

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19-44 Asphalt

HEADLINE: Hoopa Asphalt Plant: Prosperity and Pollution

SUBHEAD: Exhaust From Plant Has Community Seeing Red, Not Green

BYLINE: By KRISTAN KORNS, Two Rivers Tribune

The Hoopa Tribal Roads Department is looking at the most profitable year in its history, as Highway 96 is being resurfaced with 40,000 tons of asphalt from the new Hot Mix Asphalt (HMA) machine at the aggregate plant in Campbell Field.

Roads Director Loren Norton said the operation made over \$70,000 profit for the Tribe in just five days of operation on one of several road projects.

“We’re making good money for the Tribe,” Norton said.

“We’re in partnership with Tidewater Contractors Incorporated,” Norton said. “They pay us to rent the space and they’ve been assisting us to meet Caltrans specifications to do road surfacing materials.”

Tidewater also pays the Roads Department for the washed sand and specially-sized rock chips used to make the asphalt, which come from the newly-paid-off Vertical Shaft Impact (VSI) crusher.

Melvin Marshall Jr., who operates the VSI crusher, said, “This is history in the making; we’re making a new product from our natural resources to generate revenue. I think it’s one of the best things for the Tribe and this valley.”

That feeling isn’t shared by everyone; particularly Campbell Field residents who are unhappy with the exhaust coming from the asphalt plant.

“It frikken smells horrible,” said Rhonda Bigovich. “It’s so thick in the air you can taste it. It feels like it’s sticking to your lungs.”

Dorcas Brazil said, “I’m at the first driveway on the left before the plant. At times, the smell is really intense; it feels like you’re breathing oil or tar.”

“I’d like to ask, ‘is breathing the fumes harmful?’” Brazil said. “It’s making the Tribe money, which is good, but what are the side effects? Have they done tests on the air?”

According to the U.S. Department of Transportation, the exhaust from asphalt plants contains sulfur dioxide, carbon monoxide, oxides of nitrogen, volatile organic compounds, particulate matter and dozens of other chemicals in smaller concentrations.

The North Coast Unified Air Quality Management District (NCUAQMD) issues permits for operations

that affect air quality in Humboldt, Del Norte, or Trinity counties. Each permit lists the maximum allowable outputs of each chemical per hour, day, and year.

Deputy Air Pollution Control Officer Brian Wilson said, "We received complaints from people who live in the valley questioning the appearance of the smoke and smell, but it's outside of our jurisdiction because of the Tribe's sovereign status."

Ken Norton, Director of Hoopa's Tribal Environmental Protection Agency (TEPA), said that his agency also had complaints from people living in Campbell Field.

"We had a lot of inquiries about the safety of air emissions from the asphalt plant," Ken Norton said, "but we don't have the monitoring devices at this time to evaluate industrial emissions."

"The equipment we monitor throughout the reservation is for smoke generated from large fires, and we just check for particulates in the air," Ken Norton said.

Because of the lack of both industrial monitoring equipment and trained personnel to operate it, TEPA does not have Title 5 authority to issue permits for industrial sites.

"They would have to apply for a permit through EPA Region 9 out of San Francisco," Ken Norton said.

The General Manager of Tidewater Contractors Incorporated, Scott Darger, said, "We've been in contact with the EPA and we'll be going through the process to get a permit. We have up to 12 months per EPA regulations."

The *TRT* contacted the EPA's Region 9 last week to ask about the details of Tidewater's contacts with them and the status of their application.

Margot Perez-Sullivan, with the EPA's Press Office, responded by email, "The Tribe has asked the EPA to provide technical assistance, given this is the first asphalt facility on Hoopa Tribal lands."

"As such, the EPA is working closely with the Tribe to provide assistance. Federal permits may be required," Perez-Sullivan wrote on Monday, October 28. "Specific permitting requirements for this facility, based on their size, operations, siting, and other technical details are being determined."

Patty Clary, the executive director of Californians for Alternatives to Toxics, lives less than two miles from the new asphalt plant.

"There have been days over here where it's so bad that I have to come inside," Clary said. "I'm particularly concerned that this could be really hard on the health of elders."

Darger said the asphalt plant's emission control system made the exhaust safe to breathe.

"No emission system is 100 percent, but it brings it down to a safe level," Darger said.

“The drum mix plant is equipped with a wet scrubber that introduces a fine mix of water to clean the air stream,” Darger said. “So what you see come out of the top of the stack is steam.”

Tidewater Contractors Inc. previously operated the exact same asphalt plant in Del Norte County, with a permit from the NCUAQMD.

“We’ve had that plant set up before at Crockett Bar in Smith River, California, directly adjacent to the Smith River,” Darger said. “It’s portable, but if Loren gets his way, it won’t be. He wants it here for the foreseeable future.”

Loren Norton said the superior grade of rock chips produced by the aggregates plant’s new crusher, combined with how easy it was to transport hot asphalt from the plant to projects in the area, meant that Tidewater and Hoopa Tribal Roads would have the inside track on millions of dollars of resurfacing contracts over the next few years.

“In Hoopa alone there are over \$5 million in Caltrans projects coming up,” Loren Norton said. “The Yurok Tribe also has another \$3 million project coming up to do the remainder of Bald Hill Road, and there’s a \$4 million project to do Highway 169 from Weitchpec down to Johnson’s.”

Asphalt has to be applied to road projects when it is still hot; usually above 285 degrees. The closer the plant is to where the asphalt will be used, the more asphalt can be loaded onto each truck and the fewer trucks are needed.

The contractors that were awarded the project for the Highway 169 project have already contacted Hoopa Tribal Roads to ask about purchasing asphalt and concrete.

Loren Norton said the partnership with Tidewater had already led to more jobs for tribal members, both at the asphalt plant and on each of the paving projects. The Roads Department’s profits go directly into the Tribe’s general fund.

“We want the support of the community for these jobs and the revenue they can bring in,” Loren Norton said, adding that the Tribe could also use the plant for long-needed improvements of its own in the valley.

“We could pave the lot behind the NF and in between Early Childhood and Records, and pave in front of the new Credit Building and in front of the new police station,” Loren Norton said. “We can use asphalt to pave roads for elders.”

On Thursday, October 24, workers at the plant were taking steps to try and reduce the smell coming from the plant because of complaints from several neighbors.

Grant Pedro was operating the controls inside a booth just a few feet from where the asphalt mixture was being heated by a loud jet of orange flame.

"We didn't know if it was going to work, so we just ordered a little bit to try it," Pedro said, pointing at an empty barrel of additive designed to reduce the smell.

The directions said to add one gallon of additive to every 12,000 gallons of oil for the asphalt, and their entire test sample was used up by mid-morning on Thursday.

"It worked great and really takes the smell away, so we ordered more," Pedro said.

Public Hearing

A public hearing on the asphalt plant was held that night, on Thursday, October 24, because of complaints from Campbell Field residents.

Hoopa Tribal Chairwoman Danielle Vigil-Masten, Loren Norton, Ken Norton, Darger, and several Council members were joined by approximately 50 Campbell Field residents. The crowd was too large to fit inside the Council Chambers and spilled out into the Neighborhood Facilities (NF) lobby.

The Chairperson and Council members present said they didn't hold any votes to approve operating the asphalt plant.

Vigil-Masten said, "This was done by the previous administration. I have an obligation to my people to protect their health and I'm here to listen to people's concerns."

Councilmember Diana McCovey-Ferris said, "As a councilmember, I knew nothing about this until it started. I have family members who live there and it made me nauseous when I went to visit."

Councilmember Ollie Mae Davis asked, "Was this approved by a previous council?"

Loren Norton said, "No. There was no council action. I got approval from Leonard and then I went to Tribal EPA to find out what we need to do to bring in an asphalt plant."

Sherlette Colegrove looked at Loren Norton and said, "You know there's supposed to be an LPA process and public hearings before doing anything."

Leslie Hunt said, "It seems like there's an LPA process for almost every little thing; dog walking, dog licking, dog biting, but not for an asphalt plant?"

The atmosphere at the public hearing grew tense and the discussion heated up as the residents of Campbell Field expressed their frustration with the situation.

Monda Doolittle said, "TCCC members are getting headaches every single day because of your plant, and the smoke isn't white. It's black."

Tahsanchat Cooper, director of Hoopa AmeriCorps/Tribal Civilian Community Corps (TCCC), said, "We have people with headaches who are throwing up, and we're blowing black stuff out of our noses

when we sneeze.”

Wanda Benedict looked at Tidewater Contractor’s General Manager and said, “Personally, I don’t think that stuff is good to be breathing. What if something happens to us later and they say, ‘hey, you shouldn’t have been breathing that stuff.’ What happens then?”

Darger said, “There are asphalt plants throughout the entire United States. How would we have all these paved roads if it was harmful?”

Norma McAdams said, “They are everywhere, and the number one cause of death in the country in cancer.”

Darger said, “We have basically five or six more days of running and we’ll be done for the year.”

Loren Norton and Darger explained that it would take two more days of full operation to finish making the asphalt to resurface Highway 96 from Hostler Creek to the gorge, and another few days of partial operation to finish smaller parts of the project.

“If we don’t get the job done on time, it could cost us several thousand dollars a day in fines,” Darger said, and added that the rains were supposed to start in ten days, and could continue for weeks.

After more than three hours of discussion, the hearing started to wind down.

Vigil-Masten said, “One of our first actions when the new Council came in was to take fluoride – a cancer causing agent – out of the water supply. Our responsibility in the constitution is to promote and ensure that our people can live a healthy lifestyle.”

Councilmember Wendy “Poppy” George said, “There are two decisions to be made; for the long term I wouldn’t support having the asphalt plant on the reservation. For the short term, we need to look at all the information and see how much the fines would cost if we shut down now.”

Councilmember Shane McCullough said, “This is very difficult for me. I was for bringing the plant here, but now – with what I’ve heard here – I can’t vote for it to stay in the valley.”

“But, I was taught to be a man of my word,” McCullough said. “We have a contract and we have five or six days of running to finish it out.”

Warren Tamarius, who used to work for the Roads Department, said, “Next year, with proper planning, you could have a clean plant.”

Tamarius said the three main problems were the use of a massive diesel generator running 24-hours-a-day to power the asphalt plant, the lack of filters, and an inversion layer in the fall months that traps the exhaust in the valley instead of letting it blow away.

“Put in a power pole to stop using a diesel generator in there, and clean things up with state-of-the-art

air filters,” Tamarius said. “Now you have a good snapshot of what you need to do before next summer for the business to be a success.”

Council Decision

The Hoopa Tribal Council met in a closed session in the morning on Friday, October 25, and voted to allow the asphalt plant to operate the last few days needed to finish out the Highway 96 contract.

Vigil-Masten said, “There’s a contract in place so the Council met this morning and voted to relocate the residents for the last two days of full operation because it will cost less than breaking the contract.”

Department managers met that afternoon to iron out a plan to relocate elders and the residents who are most affected to the Tsewenaldin Inn, and to bring the other Campbell Field residents into the NF Building where filtered air will be provided during the last few days of the asphalt plant’s production run.

It’s unclear whether the Tribal Council and Chairwoman will eventually decide to either relocate the asphalt plant off the reservation, or to put in a new power pole and filters to try and operate it without disturbing the residents of Campbell Field.

Loren Norton said, “Road resurfacing projects are where most of the federal money is going. That’s what we need to do if we want to stay in business.”

-END-

October 31, 2013

Dear Editor,

Does anyone remember the 1991 Gulf War? I do, because my younger sister was in the California National Guard at the time, and was sent to do a tour of duty in Saudi Arabia, dodging SCUD missiles and breathing diesel exhaust and burning petroleum products. Now twenty years later, she's dying of inoperable lung cancer. The VA has recognized her condition as "service-related." I just got back from visiting her in Ukiah. We don't expect her to reach her 50th birthday in February. The hardest part of watching my sister die is what it's doing to my mother, losing her little girl in the cruelest way.

I realize this story doesn't make my family any different from most families in Hoopa who have suffered the death of loved ones by illness, but I am appalled that anyone thinks it's okay to operate an asphalt batch plant in the Valley. The World Health Organization has just issued a report that confirms air pollution causes cancer. The toxins being emitted here are "known to the State of California to cause cancer." Campbell Field residents have already been sickened. The question isn't "if" the pollution that comes from the batch plant operation will cause tribal members to develop cancer or other lung disease. It is only a question of "who" and "when."

By products of burning petroleum cannot be made adequately safe or clean to breathe. Yes, apparently a lot of money can be made. That's like saying it's acceptable to trade the health and lives of Hupa people for money. I may be out of line to say it, but personally, I don't believe that. Running that operation on the Valley floor is dangerous and wrong.

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From HVTC Action sheet for the March 26, 2013 Council meeting.

MEMBERS PRESENT: LEONARD E. MASTEN JR., CHAIRMAN, DIANA FERRIS, HAYLEY HUTT, BYRON NELSON JR., RYAN JACKSON, AUGUSTINE MONTGOMERY, AND SGT. AT ARMS, WILLIAM CARPENTER JR.

MOTION #12 TO APPROVE A MOTION AUTHORIZING THE PURCHASE OF A VERTICAL SHAFT IMPACT CRUSHER (VSI) FROM SUPPLIES ADVANCED CRUSHER TECHNOLOGIES, AS A NEW ADDITION TO THE AGGREGATE PLANT'S CRUSHING CIRCUIT. THE PURCHASE AMOUNT REQUESTED IS NINETY THOUSAND DOLLARS (\$90,000) AS A BUDGET EXPENDITURE FROM GRAVEL ENTERPRISE FUND, CAPITAL ADDITIONS. CONTINGENT UPON FUNDING IDENTIFICATION FROM THE FISCAL DEPARTMENT. MSC: HUTT/FERRIS. MOTION CARRIED.