



## Air Pollution Control Hearing Officer Annotated Docket

Clark County Building Department – Presentation Room  
4701 West Russell Road, Las Vegas, NV

**9:00 a.m. – January 19, 2023**

Hearing Officer: Lona Webb  
Air Quality Staff: Shibi Paul, Compliance and Enforcement Manager <sup>SP</sup><sub>SP</sub>  
Anna Sutowska, Air Quality Supervisor  
Ross Grover, Senior Air Quality Specialist  
Pamela Thompson, Senior Secretary

The Presentation Room is accessible to individuals with disabilities. With 24-hour advance request, a sign language interpreter or TDD may be made available; phone (702) 455-3126, TDD (702) 385-7486, or TT/TDD: Relay Nevada 711, Toll-Free (800) 326-6868 or (800) 877-1219 (Spanish).

### **I. CALL TO ORDER 9:00 a.m.**

### **II. NOTICES OF VIOLATION**

A. SETTLED CASES: The Hearing Officer may approve or disapprove the settlement agreements. If a settlement agreement is approved, the Hearing Officer will enter an order requiring compliance with the settlement agreement, including setting a deadline for payment of any penalty. If a settlement agreement is disapproved, the notice of violation will be rescheduled for hearing at a subsequent meeting.

#### **1. UNITED STATES AIR FORCE, CREECH AIR FORCE BASE, 432<sup>nd</sup> WING (Part 70 Operating Permit, Source ID: 473)**

**NOV #9740** – For modifying the source with four new diesel-fired emergency generators and one reclassified diesel-fired generator, without first obtaining an Authority to Construct from the Control Officer authorizing the modification; and for failing to install adaptors that are designed to prevent the over-tightening or loosening of fittings during normal delivery operations on Emission Units: J001 and J002, as identified by Senior Air Quality Specialist Scott Rowsell during an onsite full compliance evaluation on May 3, 2022 of the operations of ancillary equipment and activities at the federally-owned military installation known as Creech Air Force Base located along East Highway 95 North, in Clark County, Nevada.

Violation(s) Alleged: Recommended Penalty: \$23,378.72  
Violation #1 – April 2020 Permit and 2021 Permit condition II.B.1  
Violation #2 – 2021 Permit condition III.A.4.g.vii

*Continued from 9/15/2022 & 11/17/2022*

**HEARING OFFICER APPROVED THE PROPOSED SETTLEMENT AGREEMENT FOR NOV #9740, WHICH INCLUDES A TOTAL SUM OF \$11,689.36 TO BE PAID IN FULL WITHIN 120 DAYS OF THE SIGNED ORDER.**

B. NON-CONTESTED CASES: The Hearing Officer may approve or disapprove Air Quality staff's proposed order levying the recommended penalty. If the proposed order is disapproved, the notice of violation will be rescheduled for hearing at a subsequent meeting.

1. **7-ELEVEN, INC. (General Permit, Source ID: 18040)**

**NOV #9788** – For failing to conduct and maintain records of Phase I vapor recovery system inspections; for failing to conduct and maintain records of Phase II vapor recovery system inspections; and for allowing the Total Hydrocarbon levels from the jack screw assembly on Emission Unit: A02 to exceed 10,000 ppm above background as methane when measured with a portable hydrocarbon detection instrument, as identified by Senior Air Quality Specialist Mike Murphy during an onsite full compliance evaluation on November 30, 2022 of the gasoline dispensing operation known as 7-Eleven #38852 located at 529 East Lone Mountain Road, in Clark County, Nevada.

Violation(s) Alleged: Recommended Penalty: \$6,625.00

Violation #1 – 2020 General Permit condition 4.1.4(a through g)

2020 General Permit condition 4.3.2.b

Violation #2 – 2020 General Permit condition 4.1.5(a through k)

2020 General Permit condition 4.3.2.b

Violation #3 – 2020 General Permit condition 2.1.6.d

**FOUND IN VIOLATION.**

**PENALTY ASSESSED: \$6,625.00**

**Violation #1 – 2020 General Permit condition 4.1.4(a through g) - \$1,345.00**

**2020 General Permit condition 4.3.2.b**

**Violation #2 – 2020 General Permit condition 4.1.5(a through k) - \$3,780.00**

**2020 General Permit condition 4.3.2.b**

**Violation #3 – 2020 General Permit condition 2.1.6.d - \$1,500.00**

2. **BURKE CONSTRUCTION GROUP, INC. (DCOP #52042)**

**NOV #9768** – For failing to employ Best Available Control Measures and comply with soil stabilization standards 24 hours a day, seven days a week, as identified by Air Quality Specialist Mike Englehart during a routine and follow-up inspections on October 6, and 7, 2022, at the Uncommons construction project, located southeast of South Durango Drive and Roy Horn Way, in Clark County, Nevada.

Violation(s) Alleged: Recommended Penalty: \$2,250.00

Violation #1 – Sections 94.13(a) and (b)

**FOUND IN VIOLATION.**

**PENALTY ASSESSED: \$2,250.00**

3. **CEMEX CONSTRUCTION MATERIALS SOUTH, LLC (Minor Source Permit, Source ID: 15914)**

**NOV #9781** – For allowing the handling of material in a manner which allowed controllable particulate matter to become airborne from the Fly Ash Silo, Emission Unit: A07, as identified by Air Quality Specialist Michael Newell during an onsite partial compliance evaluation on November 7, 2022 of the concrete batch plant operation located at 14998 South Las Vegas Boulevard, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$1,500.00

Violation #1 – 2021 Permit condition 2.2.20

**FOUND IN VIOLATION.**

**PENALTY ASSESSED: \$1,500.00**

4. **CONTECH BUILDERS LLC AND TIER 1 DEMOLITION LLC (Project #222003)**

**NOV #9770** – For failing to thoroughly inspect the structures prior to conducting demolition activities; and for failing to notify Air Quality 10 working days prior to commencement of demolition activities at the Facility, as identified by Air Quality Specialist II Whitney Francis during an inspection on October 10, 2022 of the commercial buildings located at 6101 Boulder Highway, Las Vegas, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$2,000.00

Violation #1 – Section 13.1, 40 CFR §61.145(a)

Violation #2 – Section 13.1, 40 CFR §61.145(b)(1)

Section 13.1, 40 CFR §61.145(b)(3)(i)

**FOUND IN VIOLATION.**

**PENALTY ASSESSED: \$2,000.00**

**Violation #1 – Section 13.1, 40 CFR §61.145(a) - \$1,000.00**

**Violation #2 – Section 13.1, 40 CFR §61.145(b)(1) - \$1,000.00**

**Section 13.1, 40 CFR §61.145(b)(3)(i)**

5. **DG PARTNERS, LLC (Minor Source Permit, Source ID: 17993)**

**NOV #9780** – For installing and operating a partially enclosed screw conveyor and a partially enclosed vertical elevator without first obtaining a revised permit authorizing the modifications, as identified by Air Quality Specialist Michael Newell during an onsite full compliance evaluation on November 3, 2022 of the grain processing operation known as Ponderosa Dairy located at 2055 East Highway 168, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$3,100.00

Violation #1 – 2020 Permit condition 5.1.10

**FOUND IN VIOLATION.**

**PENALTY ASSESSED: \$3,100.00**

6. **DISCOVERY BUILDERS NEVADA, LLC (DCOP #54968)**

**NOV #9783** – For failing to employ Best Available Control Measures and comply with soil stabilization standards 24 hours a day, seven days a week, as identified by Air Quality Specialist Mike Englehart while performing a complaint investigation during a Construction Notice period on November 2, 2022, at The Summit Club – Lot 10 construction project, located at 11255 Summit Club Drive, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$1,500.00

Violation #1 – Sections 94.13(a) and (b)

**FOUND IN VIOLATION.**

**PENALTY ASSESSED: \$1,500.00**

7. **GREYSTONE NEVADA, LLC (DCOP #51640)**

**NOV #9771** – For failing to employ Best Available Control Measures and comply with soil stabilization standards 24 hours a day, seven days a week, as identified by Senior Air Quality Specialist Andrew Kirk while performing a routine inspection during a Construction Notice period on November 7, 2022, at the Valley Vista 3.4 construction project, located on the northeast corner of Decatur Boulevard and Elkhorn Road, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$2,000.00

Violation #1 – Sections 94.13(a) and (b)

**FOUND IN VIOLATION.**

**PENALTY ASSESSED: \$2,000.00**

8. **GREYSTONE NEVADA, LLC (DCOP #50631)**

**NOV #9772** – For failing to employ Best Available Control Measures and comply with soil stabilization standards 24 hours a day, seven days a week, as identified by Senior Air Quality Specialist Andrew Kirk while performing a routine inspection during a Construction Notice period on November 7, 2022, at the Valley Vista 5.1 construction project, located on the southwest corner of Elkhorn Road and Aviary Way, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$2,000.00

Violation #1 – Sections 94.13(a) and (b)

**FOUND IN VIOLATION.**

**PENALTY ASSESSED: \$2,000.00**

9. **GREYSTONE NEVADA, LLC (DCOP #55182)**

**NOV #9789** – For failing to employ Best Available Control Measures and comply with soil stabilization standards 24 hours a day, seven days a week; and failing to fully implement Best Available Control Measures resulting in a fugitive dust plume to extend more than 100 feet, as identified by Air Quality Specialist Canduella Rowsell while performing a complaint investigation during a Construction Notice period on November 7, 2022, and a routine inspection during a Construction Notice period on December 1, 2022, at the Farm and Torrey Pines construction project, located at 7465 North Torrey Pines Drive, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$6,500.00

Violation #1 – Sections 94.13(a) and (b)

Violation #2 – Section 94.14(a)(3)

**FOUND IN VIOLATION.**

**PENALTY ASSESSED: \$6,500.00**

**Violation #1 – Sections 94.13(a) and (b) - \$2,500.00**

**Violation #2 – Section 94.14(a)(3) - \$4,000.00**

10. **HOLCIM-SWR, INC. D/B/A AGGREGATE INDUSTRIES-SWR, INC. (DCOP #55016)**

**NOV #9766** – For allowing soil to be tracked out more than 50 feet onto a paved surface, as identified by Air Quality Specialist Mike Englehart during a routine inspection on October 6, 2022, at the Decatur Blvd. Rehabilitation Project construction site located on Decatur Boulevard between Tropicana Avenue and south of CC215, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$1,000.00

Violation #1 – Section 94.14(d)

**FOUND IN VIOLATION.**

**PENALTY ASSESSED: \$1,000.00**

11. **INSIGHT PARK HIGHLANDS, LLC (DCOP #54801)**

**NOV #9794** – For failing to employ Best Available Control Measures and comply with soil stabilization standards 24 hours a day, seven days a week, as identified by Air Quality Specialist Canduella Rowsell while performing a complaint investigation during a Construction Notice period on November 2, 2022, at the Insight Park Highlands, LLC construction project, located at the northwest corner of West Dorrell Lane and Revere Street, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$2,187.50

Violation #1 – Sections 94.13(a) and (b)

**FOUND IN VIOLATION.**

**PENALTY ASSESSED: \$2,187.50**

12. **LAS VEGAS PAVING CORPORATION (Part 70 Operating Permit, Source ID: 17333)**  
**NOV #9778** – For allowing the storing of material in a manner which allowed controllable particulate matter to become airborne and extend over 100 yards in length, as identified by Air Quality Specialist Patricia Ringgenberg while on routine patrol during a Dust Advisory period on October 22, 2022 at the aggregate crushing and screening plant operation located at 12101 North Las Vegas Boulevard, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$5,000.00

Violation #1 – Section 41.1.2

**FOUND IN VIOLATION.**

**PENALTY ASSESSED: \$5,000.00**

13. **MAVERIK, INC. (General Permit, Source ID: 16926)**  
**NOV #9765** – For failing to conduct and maintain records of Phase I vapor recovery system inspections; for failing to conduct and maintain records of Phase II vapor recovery system inspections; and for failing to conduct an initial vapor recovery system test within 180 days of startup of new equipment, as identified by Air Quality Specialist Ryan O’Connor during an onsite full compliance evaluation on October 13, 2022 of the gasoline dispensing operation known as Maverik Store #434 located at 6510 South Fort Apache Road, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$5,020.00

Violation #1 – 2017 Permit condition II.D.2

2017 Permit condition IV.C.3(a through g)

2017 Permit condition IV.E.2.a

2020 General Permit condition 4.1.4(a through g)

2020 General Permit condition 4.3.2.b

2020 General Permit condition 4.3.4

Violation #2 – 2017 Permit condition II.D.2

2017 Permit condition IV.C.4(a through h)

2017 Permit condition IV.E.2.a

Violation #3 – 2020 General Permit condition 4.2.4.a

**FOUND IN VIOLATION.**

**PENALTY ASSESSED: \$5,020.00**

**Violation #1 – 2017 Permit condition II.D.2**

**- \$1,225.00**

**2017 Permit condition IV.C.3(a through g)**

**2017 Permit condition IV.E.2.a**

**2020 General Permit condition 4.1.4(a through g)**

**2020 General Permit condition 4.3.2.b**

**2020 General Permit condition 4.3.4**

**Violation #2 – 2017 Permit condition II.D.2**

**- \$715.00**

**2017 Permit condition IV.C.4(a through h)**

**2017 Permit condition IV.E.2.a**

**Violation #3 – 2020 General Permit condition 4.2.4.a**

**- \$3,080.00**

**14. RICHMOND AMERICAN HOMES OF NEVADA, INC. (DCOP #54456)**

**NOV #9767** – For failing to employ Best Available Control Measures (BACM) and comply with soil stabilization standards 24 hours a day, seven days a week; and for failing to fully implement BACM resulting in a fugitive dust plume to extend more than 100 feet and cross the property line, as identified by Senior Air Quality Specialist Andrew Kirk, and Air Quality Specialists Canduella Rowsell and Satyra George during a routine and follow-up inspections on October 17, 19, 20, and 21, 2022, at the Fullerton Cove construction project, located northwest of West Dorrell Lane and Revere Street, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$16,312.50

Violation #1 – Sections 94.13(a) and (b)

Violation #2 – Sections 94.14(a)(3) and (4)

**FOUND IN VIOLATION.**

**PENALTY ASSESSED: \$16,312.50**

**Violation #1 – Sections 94.13(a) and (b) - \$10,312.50**

**Violation #2 – Sections 94.14(a)(3) and (4) - \$6,000.00**

**15. RICHMOND AMERICAN HOMES OF NEVADA, INC. (DCOP #53555)**

**NOV #9782** – For failing to obtain a Dust Control Operating Permit prior to engaging in construction activities, as identified by Air Quality Specialist Mike Englehart during a routine inspection on November 3, 2022, at the Pebble & Tenaya construction project, located at Pebble Road and Tenaya Way, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$500.00

Violation #1 – Section 94.4.1(a)

**FOUND IN VIOLATION.**

**PENALTY ASSESSED: \$500.00**

**16. RICHMOND AMERICAN HOMES OF NEVADA, INC. (DCOP #54746)**

**NOV #9785** – For failing to employ Best Available Control Measures and comply with soil stabilization standards 24 hours a day, seven days a week, as identified by Air Quality Specialist Satyra George while performing a routine inspection during a Construction Notice period on November 2, 2022, at the Zenith Point construction project, located at East Centennial Parkway and North Lamb Boulevard, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$3,250.00

Violation #1 – Sections 94.13(a) and (b)

**FOUND IN VIOLATION.**

**PENALTY ASSESSED: \$3,250.00**

**17. RICHMOND AMERICAN HOMES OF NEVADA, INC. (DCOP #54878)**

**NOV #9786** – For allowing soil to be tracked out more than 50 feet onto a paved surface, as identified by Air Quality Specialist Canduella Rowsell while performing a complaint investigation during a Construction Notice period on November 7, 2022 and a follow-up inspection during a Construction Notice on November 9, 2022, at the Dove Point Place construction project, located at Rancho Drive and Rainbow Boulevard, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$6,500.00

Violation #1 – AQR Section 94.14(d)

**FOUND IN VIOLATION.**

**PENALTY ASSESSED: \$6,500.00**

**18. TERRIBLE HERBST, INC. (Minor Source Permit, Source ID: 17979)**

**NOV #9763** – For failing to apply for a Permit Transfer and Name Change prior to beginning operations of the Facility, as identified by Senior Air Quality Specialist Camon Liddell during an onsite full compliance evaluation on October 13, 2022 of the gasoline dispensing operation known as Pit Stop Chevron St. Rose Pkwy/Coronado located at 2605 St. Rose Parkway, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$2,000.00

Violation #1 – Section 12.1.3.1.a

Section 12.12.2.a

**FOUND IN VIOLATION.**

**PENALTY ASSESSED: \$2,000.00**

**19. TERRIBLE HERBST, INC. (Minor Source Permit, Source ID: 9944)**

**NOV #9764** – For failing to conduct an initial vapor recovery system test after the decommissioning of the Phase II vapor recovery system and within 180 days of issuance of the December 2020 Permit, as identified by Air Quality Specialist Michael Newell during an onsite full compliance evaluation on October 12, 2022 of the gasoline dispensing operation known as Terrible Herbst #326 located at 9430 Peace Way, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$7,480.00

Violation #1 – December 2020 Permit condition 4.2.2 and

December 2020 Permit Table 4-2

**FOUND IN VIOLATION.**

**PENALTY ASSESSED: \$7,480.00**



**20. THE QUIKRETE COMPANIES, LLC (Minor Source Permit, Source ID: 324)**

**NOV #9769** – For failing to utilize the bin vents on two silos, Silo F, Emission Unit (EU): D10 and Q-Line, EU: C02b, to effectively control particulate dust emissions while the processing equipment was in operation; and for allowing the handling of material in a manner which allowed controllable particulate matter to become airborne, as identified by Senior Air Quality Specialist Mike Murphy during a complaint investigation on October 27, 2022 of the concrete, sand, grout, decorative rock, and cement bagging operation located at 112 West Brooks Avenue, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$8,250.00

Violation #1 – 2021 Permit condition 2.2.7

Violation #2 – 2021 Permit condition 2.2.22

**FOUND IN VIOLATION.**

**PENALTY ASSESSED: \$8,250.00**

**Violation #1 – 2021 Permit condition 2.2.7 - \$6,600.00**

**Violation #2 – 2021 Permit condition 2.2.22 - \$1,650.00**

**21. VT CONSTRUCTION, INC. (DCOP #56021)**

**NOV #9790** – For failing to fully implement Best Available Control Measures (BACM) resulting in a fugitive dust plume to extend more than 100 feet; for failing to employ BACM and comply with soil stabilization standards 24 hours a day, seven days a week; and for failing to obtain a Dust Control Operating Permit prior to engaging in construction activities, as identified by Senior Air Quality Specialist Camon Liddell and Air Quality Specialist Allan Gutierrez while performing routine patrol during a Dust Advisory period on October 22, 2022, and follow-up inspections on October 24, 25, and 26, 2022, at the Sloan Yard construction project, located on Arville Street just south of Sloan Road, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$9,312.50

Violation #1 – Sections 94.14(a)(3)

Violation #2 – Sections 94.13(a) and (b)

Violation #3 – Section 94.4.1(a)

**FOUND IN VIOLATION.**

**PENALTY ASSESSED: \$9,312.50**

**Violation #1 – Sections 94.14(a)(3) - \$3,500.00**

**Violation #2 – Sections 94.13(a) and (b) - \$5,312.50**

**Violation #3 – Section 94.4.1(a) - \$500.00**

**22. WESTERN TRADES CONSTRUCTION, INC. D/B/A BEACON SOUTHWEST (Project #221078)**

**NOV #9777** – For failing to thoroughly inspect the facility for the presence of asbestos-containing materials prior to commencing renovation activities, as identified by Air Quality Specialist II Kevin Adoor during routine patrol on October 18, 2022 when he observed renovations occurring at a commercial building located at 4800 South Maryland Parkway, Suites H and J, in Las Vegas, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$1,200.00

Violation #1 – Section 13.1, 40 CFR §61.145(a)

**FOUND IN VIOLATION.**

**PENALTY ASSESSED: \$1,200.00**

C. CONTESTED CASES

**Construction and Vacant Land Violations:**

1. **AHUSA SERIES 2 LLC (DCOP #53484)**

**NOV #9784** – For failing to employ Best Available Control Measures and comply with soil stabilization standards 24 hours a day, seven days a week, as identified by Air Quality Specialist Satyra George during a routine and follow-up inspections on October 18, 26, and 27, 2022, and a follow-up inspection during a Construction Notice period on November 2, 2022, at the Inspiration at The Village construction project, located at Manor Green Lane and Corwood Green Lane, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$5,500.00

Violation #1 – Sections 94.13(a) and (b)

**FOUND IN VIOLATION.**

**PENALTY ASSESSED: \$4,750.00**

2. **CHAD POOL (DCOP #55694)**

**NOV #9773** – For failing to employ Best Available Control Measures and comply with soil stabilization standards 24 hours a day, seven days a week, as identified by Air Quality Specialist Canduella Rowsell while performing a complaint investigation during a Dust Advisory period on October 22, 2022, and a follow-up inspection on October 26, 2022, at the Four Views Project South construction site, located on the northeast corner of Log Cabin Way and Four Views Street, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$2,750.00

Violation #1 – Sections 94.13(a) and (b)

**CHAD POOL DID NOT APPEAR.**

**FOUND IN VIOLATION.**

**PENALTY ASSESSED: \$2,750.00**

3. **GENERAL BUILDING DYNAMICS, LLC (DCOP #51791)**

**NOV #9774** – For failing to fully implement Best Available Control Measures resulting in a fugitive dust plume to extend more than 100 feet, as identified by Air Quality Specialist Nahulu Kahananui while performing a routine inspection during a Construction Notice period on November 8, 2022, at the Stephanie Industrial Park construction project, located at 5450 South Stephanie Street, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$3,000.00

Violation #1 – Section 94.14(a)(3)

**FOUND IN VIOLATION.**

**HEARING OFFICER ASSESSED A \$3,000.00 PENALTY, \$500.00 OF WHICH IS TO BE HELD IN ABEYANCE UNTIL 1/19/2024. IF GENERAL BUILDING DYNAMICS, LLC DOES NOT VIOLATE AQRs BEFORE 1/19/2024, THEN THE SUSPENDED AMOUNT OF \$500.00 WILL BE WAIVED.**

4. **GOLD ROSE CONSTRUCTION, LLC (DCOP #54434)**  
**NOV #9793** – For failing to employ Best Available Control Measures and comply with soil stabilization standards 24 hours a day, seven days a week, as identified by Air Quality Specialists Canduella Rowsell and Damon Lindsay while performing routine and follow-up inspections on November 29, and 30, 2022, December 2, 2022, and a follow-up inspection during a Construction Notice period on December 1, 2022, at the Balmoral Manor Estates construction project, located on the southeast corner of Wittig Avenue and Maverick Street, in Clark County, Nevada.

Violation(s) Alleged: Recommended Penalty: \$6,000.00  
Violation #1 – Sections 94.13(a) and (b)

**GOLD ROSE CONSTRUCTION, LLC DID NOT APPEAR.**

**FOUND IN VIOLATION.**  
**PENALTY ASSESSED: \$6,000.00**

5. **HADFIELD DEVELOPMENT, INC. D/B/A HADFIELD BUILDING CORPORATION (DCOP #54821)**  
**NOV #9775** – For failing to fully implement Best Available Control Measures resulting in a fugitive dust plume to extend more than 110 feet, as identified by Air Quality Specialist Allan Gutierrez while performing a routine inspection during a Dust Advisory period on October 22, 2022, at the Badura Warehouse construction project, located at 7610 West Arby Avenue, in Clark County, Nevada.

Violation(s) Alleged: Recommended Penalty: \$3,000.00  
Violation #1 – Section 94.14(a)(3)

**FOUND IN VIOLATION.**  
**PENALTY ASSESSED: \$3,000.00**

6. **IMC INDUSTRIES, LLC (DCOP #55724)**  
**NOV #9796** – For failing to employ Best Available Control Measures and comply with soil stabilization standards 24 hours a day, seven days a week; and for failing to install a Dust Control Operating Permit sign prior to commencing construction activities, as identified by Senior Air Quality Specialist Katrinka Byers and Air Quality Specialist Heath Richards while performing routine and follow-up inspections on November 18 and 22, 2022, and December 8 and 9, 2022, at the Trust Homes construction project, located at the northwest corner of Mesa Verde Lane and Placid Street, in Clark County, Nevada.

Violation(s) Alleged: Recommended Penalty: \$3,500.00  
Violation #1 – Sections 94.13(a) and (b)  
Violation #2 – Section 94.11(a)

**IMC INDUSTRIES, LLC DID NOT CONTEST NOV #9796.**

**FOUND IN VIOLATION.**  
**PENALTY ASSESSED: \$3,500.00**  
**Violation #1 – Sections 94.13(a) and (b) - \$2,500.00**  
**Violation #2 – Section 94.11(a) - \$1,000.00**

7. **KHRR LLC D/B/A KINGDOM HOME (DCOP #55628)**

**NOV #9776** – For failing to fully implement Best Available Control Measures resulting in a fugitive dust plume to extend more than 100 feet and cross a property line, as identified by Air Quality Specialist Canduella Rowsell while performing a complaint investigation during a Dust Advisory period on October 22, 2022, at the HMS - SFR construction project, located on the southeast corner of Ruston Road and Four Views Street, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$3,000.00

Violation #1 – Sections 94.14(a)(3) and (4)

**FOUND IN VIOLATION.**

**PENALTY ASSESSED: \$3,000.00**

8. **RAO CONSTRUCTION AND DEVELOPMENT LLC (DCOP #52902)**

**NOV #9795** – For failing to obtain a Dust Control Operating Permit prior to engaging in construction activities, as identified by Air Quality Specialists Satyra George and Allan Gutierrez during a complaint investigation on July 27, 2022, and a follow-up inspection on July 28, 2022 at the Bicentennial Marketplace construction project, located at 3243 Bicentennial Parkway, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$1,000.00

Violation #1 – Section 94.4.1(a)

**FOUND IN VIOLATION.**

**PENALTY ASSESSED: \$1,000.00**

**RECESS AT 10:51 a.m.**

*Stationary Sources Violations:*

9. **GYPSUM RESOURCES, LLC (Part 70 Operating Permit, Source ID: 17286)**

**NOV #9779** – For installing a Terex VSI crusher without first obtaining a revised permit authorizing the modification; for failing to submit a 24-hour notification and 72-hour report for a deviation with excess emissions which occurred on four separate dates May 17, 18, 20, and 23, 2022; for failing to report a deviation in the 2022, 1<sup>st</sup> semi-annual report and a deviation in the 2021, 1<sup>st</sup> and 2<sup>nd</sup> semi-annual reports; for failing to limit the blasting operations to an average 25,000 square feet per blast in any consecutive 12-month period (Emission Unit (EU): A001); for operating EU: A34 when the associated ductwork was either not connected to the baghouse (Control Device (CD): D01) or the ductwork for the baghouses (CDs: D01 and D02) was leaking for 72 separate dates from January 1, 2022 through September 22, 2022, and 6 separate dates from September 23 through 30, 2022; for failing to maintain the pressure drop across the baghouses, CD: D01 and D02, within ½” to 8” water column for 18 differential pressure readings from January 1, 2022, through September 22, 2022; for failing to conduct and maintain records of Method 22 Evaluations twice per day on all EUs for 41 occurrences over 35 separate dates from January 1, 2022 through September 22, 2022, and 11 occurrences over seven separate dates from September 23, 2022 through September 30, 2022; for failing to conduct and maintain records of daily monitoring of the pressure drop across each baghouse (CDs: D01 and D02) on 13 days between January 17, 2022, and September 9, 2022; and for failing to conduct a Method 9 Visual Emission Evaluation on the overburden removal (EU: A002) and drilling operations (EU: A003) within 60 days of the EUs becoming operational, as identified by Senior Air Quality Specialist Scott Rowsell during an onsite full compliance evaluation of the Facility on September 22, 2022 and an offsite partial compliance evaluation on November 30, 2022 of the gypsum processing operation located at 8360 Nevada Highway 159, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$42,912.45

Violation #1 – Permits condition II.B.1

Violation #2 – 2022 Permit condition II.D.7(a and b)

2022 Permit condition III.F.5.o

2022 Permit condition III.G.5

2022 Permit Table III-G-1

Violation #3 – 2020 Permit and 2022 Permit condition II.D.8

2020 Permit and 2022 Permit conditions III.G.4.a

Violation #4 – 2020 Permit and 2022 Permit condition III.C.2.e

Violation #5 – 2022 Permit condition III.C.3(e, f, and i)

Violation #6 – 2020 Permit and 2022 Permit condition III.C.3.j

Violation #7 – 2020 Permit and 2022 Permit condition III.D.1

2020 Permit and 2022 Permit condition III.F.2

2020 Permit and 2022 Permit condition III.F.4.a

Violation #8 – 2020 Permit condition III.D.23

2022 Permit condition III.D.24

Violation #9 – 2020 Permit condition III.E.4.a

2020 Permit condition III.E.6

2020 Permit Table III-E-1

*\*Continued on the next page.*

***GYPSUM RESOURCES, LLC continued***

**HEARING OFFICER FOUND GYPSUM RESOURCES, LLC IN VIOLATION, WHICH INCLUDES A \$42,882.45 PENALTY, \$1,000.00 OF WHICH BE HELD IN ABEYANCE UNTIL 1/19/2024. IF GYPSUM RESOURCES, LLC DOES NOT VIOLATE 2022 PERMIT CONDITION II.B.1 OR A SIMILAR CONDITION IN ANY APPLICABLE PERMIT[S], WHICH PROHIBITS THE CONSTRUCTION OR MODIFICATION OF A PART 70 SOURCE WITHOUT FIRST OBTAINING AN ATC PERMIT FROM THE CONTROL OFFICER, BEFORE 1/19/2024, THEN THE SUSPENDED AMOUNT OF \$1,000.00 WILL BE WAIVED.**

**FOUND IN VIOLATION.**

**PENALTY ASSESSED: \$42,882.45**

<b>Violation #1 – Permits condition II.B.1</b>	<b>- \$12,862.45</b>
<b>Violation #2 – 2022 Permit condition II.D.7(a and b)</b>	<b>- \$1,500.00</b>
<b>2022 Permit condition III.F.5.o</b>	
<b>2022 Permit condition III.G.5</b>	
<b>2022 Permit Table III-G-1</b>	
<b>Violation #3 – 2020 Permit and 2022 Permit condition II.D.8</b>	<b>- \$4,000.00</b>
<b>2020 Permit and 2022 Permit conditions III.G.4.a</b>	
<b>Violation #4 – 2020 Permit and 2022 Permit condition III.C.2.e</b>	<b>- \$3,120.00</b>
<b>Violation #5 – 2022 Permit condition III.C.3(e, f, and i)</b>	<b>- \$10,080.00</b>
<b>Violation #6 – 2020 Permit and 2022 Permit condition III.C.3.j</b>	<b>- \$1,670.00</b>
<b>Violation #7 – 2020 Permit and 2022 Permit condition III.D.1</b>	<b>- \$2,410.00</b>
<b>2020 Permit and 2022 Permit condition III.F.2</b>	
<b>2020 Permit and 2022 Permit condition III.F.4.a</b>	
<b>Violation #8 – 2020 Permit condition III.D.23</b>	<b>- \$3,240.00</b>
<b>2022 Permit condition III.D.24</b>	
<b>Violation #9 – 2020 Permit condition III.E.4.a</b>	<b>- \$4,000.00</b>
<b>2020 Permit condition III.E.6</b>	
<b>2020 Permit Table III-E-1</b>	

**10. TURANO NEVADA BAKING LLC (Synthetic Minor Source Permit, Source ID: 17908)**

**NOV #9787** – For failing to operate the catalytic oxidizer, Emission Unit (EU): D01, with a minimum Volatile Organic Compound destruction efficiency of 85%, at all times when the baking process, EU: A01, was in operation, and for operating the catalytic oxidizer, EU: D01, below the minimum temperature of 600°F while the baking process, EU: A01, was in operation; and for exceeding the actual emissions from EU: D01 during the baking process, EU: A01, of 1.75 lbs/hr from 11:37 p.m. on November 1, 2022, to 8:10 a.m. on November 2, 2022, as identified by Senior Air Quality Specialist Jeff Robb on December 8, 2022 during an offsite partial compliance evaluation to review the excess emissions event, which occurred on November 1 through 2, 2022 at the commercial manufacturer of bread and bread products operation located at 490 East Bruner Avenue, in Clark County, Nevada.

***\*Continued on the next page.***

**TURANO NEVADA BAKING LLC continued**

Violation(s) Alleged:

Recommended Penalty: \$2,812.50

Violation #1 – July 2022 Permit condition 2.2.6

July 2022 Permit condition 4.1.11

Violation #2 – July 2022 Permit condition 3.2.3

July 2022 Permit Table 3-3

**FOUND IN VIOLATION.**

**HEARING OFFICER ASSESSED A \$2,812.50 PENALTY: \$2,250.00 FOR VIOLATION #1 AND \$562.50 FOR VIOLATION #2. \$250.00 OF THE PENALTY FOR VIOLATION #1 WILL BE HELD IN ABEYANCE UNTIL 1/19/2024. IF TURANO NEVADA BAKING LLC DOES NOT VIOLATE ITS PERMIT CONDITIONS BEFORE 1/19/2024, THEN THE SUSPENDED AMOUNT OF \$250.00 WILL BE WAIVED.**

**III. ADJOURNMENT 12:40 p.m.**

Signature:   
Shibi Paul (Jan 24, 2023 12:47 PST)

Email: SPaul@ClarkCountyNV.gov