



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 21, 2021

Hearing Officer: Lona Webb

Air Quality Staff: Shibi Paul, Compliance and Enforcement Manager
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).

Social distancing will be practiced during this meeting. Attendees will be asked to keep appropriate spacing (six (6) feet) away from each other. The use of masks/face coverings by all attendees during the hearing is required.

In order to limit the size of the meeting, each case on the contested portion of the docket has been assigned a time to be heard.

I. CALL TO ORDER 9:06 a.m.

II. NOTICES OF VIOLATION

A. 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. (Source ID: 9306)

NOV #9486 – For failing to conduct and maintain records of Phase II Vapor Recovery Equipment inspections; and for operating with cracked/damaged hoses, as identified by Air Quality Specialist Mike Murphy while conducting an onsite Full Compliance Evaluation during the time period of August 16, 2019 through September 22, 2020 at the gasoline dispensing operation known as 7-Eleven #29633 located at 4890 West Tropicana Avenue, in Clark County, Nevada.

Violation(s) alleged: Recommended Penalty: \$2,270.00
Violation #1 – 2019 Permit condition 4.1.4(a through i)
2019 Permit condition 4.3.2.b
Violation #2 – 2019 Permit condition 2.1.6.c

FOUND IN VIOLATION.

PENALTY ASSESSED: \$2,270.00

Violation #1 – 2019 Permit condition 4.1.4(a through i) - \$720.00

2019 Permit condition 4.3.2.b

Violation #2 – 2019 Permit condition 2.1.6.c - \$1,550.00

2. **AMH NV DEVELOPMENT, LLC (DCOP #52292)**
NOV #9492 – For failing to implement all control measures necessary to maintain soil stability 24 hours a day, seven days a week, as identified by Senior Air Quality Specialist Andrew Kirk and Air Quality Specialist Katrinka Byers during routine and follow-up inspections on October 7 and 12, 2020 at the Craig Ranch - Village C construction project located at 4726 Tree Swing Street, in Clark County, Nevada.

Violation(s) alleged: Recommended Penalty: \$2,500.00
Violation #1 – Section 94.9.2

FOUND IN VIOLATION.
PENALTY ASSESSED: \$2,500.00

3. **B & H CONSTRUCTION, INC. (DCOP #50751)**
NOV #9509 – For allowing tracked out soil to extend greater than 50 feet in length onto a paved roadway, as identified by Carlton Monroe while performing a complaint investigation during a Construction Notice period on November 18, 2020 at the Wardelle Apartments construction project located at the southeast corner of Harris Avenue and Wardelle Street, in Clark County, Nevada.

Violation(s) alleged: Recommended Penalty: \$1,750.00
Violation #1 – Section 94.11.6

FOUND IN VIOLATION.
PENALTY ASSESSED: \$1,750.00

4. **BEAZER HOMES HOLDINGS LLC (DCOP #50269)**
NOV #9495 – For allowing tracked out soil to extend greater than 50 feet in length onto a paved roadway, as identified by Air Quality Specialist Carlton Monroe during a routine inspection on October 21, 2020 at the Rancho Crossing construction project located on Rancho Drive between Craig Road and Alexander Road, in Clark County, Nevada.

Violation(s) alleged: Recommended Penalty: \$1,750.00
Violation #1 – Section 94.11.6

FOUND IN VIOLATION.
PENALTY ASSESSED: \$1,750.00

5. **CENTURY COMMUNITIES OF NEVADA, LLC (DCOP #48768)**
NOV #9497 – For failing to implement all control measures necessary to maintain soil stability 24 hours a day, seven days a week, as identified by Senior Air Quality Specialist Andrew Kirk during routine and follow-up inspections on September 21 and 23, 2020 at the Sedona construction project located at the northeast corner of Ann Road and Goldfield Street, in Clark County, Nevada.

Violation(s) alleged: Recommended Penalty: \$4,500.00
Violation #1 – Section 94.9.2

FOUND IN VIOLATION.
PENALTY ASSESSED: \$4,500.00

6. **GREYSTONE NEVADA, LLC (DCOP #48767)**

NOV #9491 – For failing to implement all control measures necessary to maintain soil stability 24 hours a day, seven days a week, as identified by Air Quality Specialist Mike Englehart during a routine inspection on October 2, 2020 at the Edgewood construction project located Northwest of Hollywood Boulevard and Vegas Valley Drive, in Clark County, Nevada.

Violation(s) alleged:

Recommended Penalty: \$2,250.00

Violation #1 – Section 94.9.2

FOUND IN VIOLATION.

PENALTY ASSESSED: \$2,250.00

7. **KB HOME LAS VEGAS INC. (DCOP #49391)**

NOV #9488 – For failing to implement all control measures necessary to maintain soil stability 24 hours a day, seven days a week, as identified by Senior Air Quality Specialist Andrew Kirk violations during routine and follow-up inspections on October 5 and 7, 2020 at the Village 4 at Tule Springs construction project located at East Deer Springs Way and Lawrence Street, in Clark County, Nevada.

Violation(s) alleged:

Recommended Penalty: \$5,500.00

Violation #1 – Section 94.9.2

FOUND IN VIOLATION.

PENALTY ASSESSED: \$5,500.00

8. **KB HOME LAS VEGAS INC. (DCOP #52438)**

NOV #9493 – For failing to fully implement Best Available Control Measures resulting in a fugitive dust plume to cross the property line, as identified by Air Quality Specialist Allan Gutierrez while performing a routine inspection during a Construction Notice period on September 18, 2020 at the Echo Park construction project located southwest of Ford Avenue and Durango Drive, in Clark County, Nevada.

Violation(s) alleged:

Recommended Penalty: \$6,000.00

Violation #1 – Section 94.11.3(c)

FOUND IN VIOLATION.

PENALTY ASSESSED: \$6,000.00

9. **KB HOME LAS VEGAS INC. (DCOP #47847)**

NOV #9494 – For failing to implement all control measures necessary to maintain soil stability 24 hours a day, seven days a week, as identified by Air Quality Specialist Carlton Monroe during an inspection on October 23, 2020 at the Tule Springs construction project located at Dorrell Lane and Clayton Street, in Clark County, Nevada.

Violation(s) alleged:

Recommended Penalty: \$2,750.00

Violation #1 – Section 94.9.2

FOUND IN VIOLATION.

PENALTY ASSESSED: \$2,750.00

10. LAYTON CONSTRUCTION COMPANY, LLC (DCOP #52391)

NOV #9496 – For failing to fully implement Best Available Control Measures resulting in a fugitive dust plume to extend more than 100 feet from the point of origin, as identified by Senior Air Quality Specialist Andrew Kirk and Air Quality Specialist Katrinka Byers violations during a complaint investigation and follow-up inspections on October 6, 7, 13, and 14, 2020 at the North Las Vegas VGT1 construction project located at 5802 East Tropical Parkway, in Clark County, Nevada.

Violation(s) alleged:

Recommended Penalty: \$9,000.00

Violation #1 – Section 94.11.3(b)

FOUND IN VIOLATION.

PENALTY ASSESSED: \$9,000.00

11. LAYTON CONSTRUCTION COMPANY, LLC (DCOP #52391)

NOV #9504 – For allowing tracked out soil to extend greater than 50 feet in length onto a paved roadway, as identified by Air Quality Specialist Katrinka Byers during routine and follow-up inspections on October 27 and 29, 2020 at the North Las Vegas VGT1 construction project located at 5802 East Tropical Parkway, in Clark County, Nevada.

Violation(s) alleged:

Recommended Penalty: \$2,000.00

Violation #1 – Section 94.11.6

FOUND IN VIOLATION.

PENALTY ASSESSED: \$2,000.00

12. LAYTON CONSTRUCTION COMPANY, LLC (DCOP #52391)

NOV #9506 – For allowing tracked out soil to extend greater than 50 feet in length onto a paved roadway; for failing to implement all control measures necessary to maintain soil stability 24 hours a day; for causing a fugitive dust plume that exceeded 50% opacity as measured using the Instantaneous Method; and for failing to fully implement Best Available Control Measures resulting in a fugitive dust plume to extend more than 100 feet from the point of origin, as identified by Air Quality Specialist Katrinka Byers, Senior Air Quality Specialist Andrew Kirk, Senior Air Quality Specialist Anita Karr, and Air Quality Specialist Carlton Monroe during a routine inspection, complaint investigation and follow-up inspections on October 19, 21, 22, and 23, 2020 at the North Las Vegas VGT1 construction project located at 5802 East Tropical Parkway, in Clark County, Nevada.

Violation(s) alleged:

Recommended Penalty: \$9,000.00

Violation #1 – Section 94.11.6

Violation #2 – Section 94.9.2

Violation #3 – Section 94.11.1

Violation #4 – Section 94.11.3(b)

FOUND IN VIOLATION.

PENALTY ASSESSED: \$9,000.00

Violation #1 – Section 94.11.6 - \$1,000.00

Violation #2 – Section 94.9.2 - \$1,000.00

Violation #3 – Section 94.11.1 - \$2,000.00

Violation #4 – Section 94.11.3(b) - \$5,000.00

13. PRIORITY GRADING LLC (DCOP #51334)

NOV #9482 – For failing to implement all control measures necessary to maintain soil stability 24 hours a day, seven days a week, and by failing to maintain a trackout control device in effective condition at all access points where paved and unpaved access intersect, as identified by Air Quality Specialist Carlton Monroe during routine and follow-up inspections on September 4 and 9, 2020 at the Craig Simmons Carwash construction project located at 2930 Craig Road, in Clark County, Nevada.

Violation(s) alleged:

Recommended Penalty: \$2,500.00

Violation #1 – Section 94.9.2

FOUND IN VIOLATION.

PENALTY ASSESSED: \$2,500.00

14. RICHMOND AMERICAN HOMES OF NEVADA, INC. (DCOP #51841)

NOV #9485 – For failing to implement all control measures necessary to maintain soil stability 24 hours a day, seven days a week, as identified by Air Quality Specialist Heath Richards during a complaint investigation on September 8, 2020 at the Pewter Valley construction project located at Pyle Avenue and Haven Street, in Clark County, Nevada.

Violation(s) alleged:

Recommended Penalty: \$3,500.00

Violation #1 – Section 94.9.2

FOUND IN VIOLATION.

PENALTY ASSESSED: \$3,500.00

15. ROSENDIN ELECTRIC, INC. (DCOP #51353)

NOV #9487 – For failing to implement all control measures necessary to maintain soil stability 24 hours a day, seven days a week; and for failing to fully implement Best Available Control Measures resulting in a fugitive dust plume to extend more than 100 feet from the point of origin, as identified by Air Quality Specialist Mike Englehart during routine and follow-up inspections on August 20, 21, 25, 26, 27, and 28, 2020, and September 1, 2, 3, 4, and 8, 2020 at the Techren 4 construction project located southwest of Highway 95 and I-11, in Clark County, Nevada.

Violation(s) alleged:

Recommended Penalty: \$16,000.00

Violation #1 – Section 94.9.2

Violation #2 – Section 94.11.3(b)

FOUND IN VIOLATION.

PENALTY ASSESSED: \$16,000.00

Violation #1 – Section 94.9.2 - \$10,500.00

Violation #2 – Section 94.11.3(b) - \$5,500.00

16. ROSENDIN ELECTRIC, INC. (DCOP #51662)

NOV #9510 – For failing to implement all control measures necessary to maintain soil stability 24 hours a day, seven days a week; and for failing to fully implement Best Available Control Measures resulting in a fugitive dust plume to extend more than 100 feet from the point of origin, as identified by Air Quality Specialist Mike Englehart, Senior Air Quality Specialist Andrew Kirk, and Senior Air Quality Specialist Anita Karr during routine and follow-up inspections on August 11, 12, 13, 17, 18, 19, 20, 21, 25, 26, 27, and 28, 2020, and September 1, 2, 3, 4, 8, 11, 15, 16 and 17, 2020 at the Techren 5 construction project located southwest of US Highway 95 and Black Hills Drive, in Clark County, Nevada.

Violation(s) alleged:

Recommended Penalty: \$27,500.00

Violation #1 – Section 94.9.2

Violation #2 – Section 94.11.3(b)

FOUND IN VIOLATION.

PENALTY ASSESSED: \$27,500.00

Violation #1 – Section 94.9.2 - \$22,500.00

Violation #2 – Section 94.11.3(b) - \$5,000.000

17. SIERRA READY MIX LIMITED LIABILITY COMPANY (Source ID: 15791)

NOV #9479 – For allowing the discharge of controllable particulate matter from Emission Unit: A25; for failing to conduct and maintain records of daily visual emission checks; and for failing to conduct and maintain records of daily visual water spray system inspections, as identified by Air Quality Specialist Pat Ringgenberg during an onsite Full Compliance Evaluation on September 15, 2020 at the Sierra Ready Mix synthetic minor stationary source consisting of a sand and gravel operation located 4.7 miles south of Prison Road near Jean, in Clark County, Nevada.

Violation(s) alleged:

Recommended Penalty: \$19,725.00

Violation #1 – 2019 Permit condition 2.2.15

Violation #2 – 2018 Permit conditions IV.C.1 and IV.E.1.a

2019 Permit conditions 4.1.1 and 4.3.1.a

Violation #3 – 2018 Permit conditions IV.C.6 and IV.E.1.b

2019 Permit conditions 4.1.6 and 4.3.1.d

FOUND IN VIOLATION.

PENALTY ASSESSED: \$19,725.00

Violation #1 – 2019 Permit condition 2.2.15 - \$3,000.00

Violation #2 – 2018 Permit conditions IV.C.1 and IV.E.1.a - \$4,275.00

2019 Permit conditions 4.1.1 and 4.3.1.a

Violation #3 – 2018 Permit conditions IV.C.6 and IV.E.1.b - \$12,450.00

2019 Permit conditions 4.1.6 and 4.3.1.d

18. TERRIBLE HERBST, INC. (Source ID: 9076)

NOV #9484 – For failing to conduct and pass subsequent vapor recovery system tests on or before the three year anniversary date of the previous successful tests, as identified by Air Quality Specialist Josh Kelley during an onsite Full Compliance Evaluation on October 1, 2020 at the gasoline dispensing operation known as Terrible’s #376 located at 5722 South Eastern Avenue, in Clark County, Nevada.

Violation(s) alleged:

Recommended Penalty: \$10,770.00

- Violation #1 – 2015 Permit condition IV.D.4.b
- 2015 Permit Table IV-D-1
- 2018 Permit condition IV.D.4.b
- 2018 Permit Table IV-D-1
- June 2020 Permit condition 4.2.4.b
- June 2020 Permit Table 4-1

**FOUND IN VIOLATION.
PENALTY ASSESSED: \$10,770.00**

19. TERRIBLE HERBST, INC. (Source ID: 9858)

NOV #9489 – For failing to conduct and pass subsequent vapor recovery system tests on or before the three year anniversary date of the previous successful tests, as identified by Air Quality Specialist Josh Kelley during an offsite Partial Compliance Evaluation on September 23, 2020 at the gasoline dispensing operation known as Terrible Herbst #325 located at 12325 State Highway 160, in Clark County, Nevada.

Violation(s) alleged:

Recommended Penalty: \$9,340.00

- Violation #1 – 2015 Permit condition IV.D.4.b
- 2015 Permit Table IV-D-1
- 2020 Permit condition 4.2.6.b
- 2020 Permit Table 4-1

**FOUND IN VIOLATION.
PENALTY ASSESSED: \$9,340.00**

B. CONTESTED CASES

Construction and Vacant Land Violations:

1. **B & R BUILDERS, INC. D/B/A BRESLIN BUILDERS (DCOP #50830)**

NOV #9505 – For allowing tracked out soil to extend greater than 50 feet in length onto a paved roadway; and for constructing stockpiles over 8 feet in height within 60 feet of occupied buildings, as identified by Senior Air Quality Specialist Anita Karr and Air Quality Specialist Heath Richards during a complaint investigation and follow-up inspections on October 20, 21 and 22, 2020 at the Eastern Storage Center construction project located at 10835 South Eastern Avenue, in Clark County, Nevada.

Violation(s) alleged:

Recommended Penalty: \$5,500.00

Violation #1 – Section 94.11.6

Violation #2 – Section 94.8.4

FOUND IN VIOLATION.

PENALTY ASSESSED: \$5,500.00

Violation #1 – Section 94.11.6 - \$4,250.00

Violation #2 – Section 94.8.4 - \$1,250.00

2. **R&O CONSTRUCTION COMPANY (DCOP #52984)**

NOV #9508 – For failing to implement all control measures necessary to maintain soil stability 24 hours a day, seven days a week; and for allowing tracked out soil to extend greater than 50 feet in length onto a paved roadway, as identified by Air Quality Specialist Katrinka Byers and Senior Air Quality Specialist Anita Karr during routine and follow-up inspections on November 2 and 3, 2020 at the Tropical Speedway Commerce Center II construction project located on the northwest corner of Beasley Drive and Tropical Parkway, in Clark County, Nevada.

Violation(s) alleged:

Recommended Penalty: \$4,000.00

Violation #1 – Section 94.9.2

Violation #2 – Section 94.11.6

R&O CONSTRUCTION COMPANY PRESENTED AN ADDITIONAL DOCUMENT AS EXHIBIT 1.

AIR QUALITY PRESENTED AN ADDITIONAL DOCUMENT AS EXHIBIT H.

FOUND IN VIOLATION.

PENALTY ASSESSED: \$3,500.00

Violation #1 – Section 94.9.2 - \$2,500.00

Violation #2 – Section 94.11.6 - \$1,000.00

RECESSED AT 11:45 a.m.

RESUMED AT 11:52 a.m.

Stationary Sources Violations:

3. **GYPSUM RESOURCES, LLC (Source ID: 17286)**

NOV #9501 – For failing to operate the baghouse, on the crushers, screen, and surge bin, to effectively control particulate matter at all times the process equipment was operating, as identified by Senior Air Quality Specialist Scott Rowsell and Air Quality Specialist II Mike Murphy while conducting a complaint investigation on November 5, 2020 at Gypsum Resources, LLC’s major stationary source consisting of a gypsum processing operation located at 8360 Nevada Highway 159, in Clark County, Nevada.

Violation(s) alleged:

Recommended Penalty: \$10,000.00

Violation #1 – 2020 Permit condition III.C.3.f and g
2020 Permit Table III-C-2

FOUND IN VIOLATION.

PENALTY ASSESSED: \$10,000.00

4. **POLY-WEST, INC. (Source ID: 15534)**

NOV #9498 – For allowing the discharge of such quantities of air contaminants from the Facility to cause excessive odors constituting a nuisance, as identified by Senior Air Quality Specialist Scott Rowsell during a nuisance odor complaint investigation on October 22, 2020 of Poly-West, Inc.’s minor stationary source consisting of a plastic bag manufacturing operation at 251 Conestoga Way, in Clark County, Nevada.

Violation(s) alleged:

Recommended Penalty: \$1,250.00

Violation #1 – Permit condition 2.2.14

POLY-WEST, INC. REQUESTED A CONTINUANCE.

HEARING OFFICER CONTINUED POLY-WEST, INC.’S CASE TO MARCH 18, 2021.

5. POLY-WEST, INC. (Source ID: 15534)

NOV #9503 – For operating the Facility with an unpermitted activity throughout the Full Compliance Evaluation Period; for allowing actual VOC emissions to exceed the PTE from 2019 Permit Table 3-1 during calendar year 2019 and 2020 Permit Table 3-1 during calendar year 2020; and for allowing actual VOC emissions to exceed the EU PTE from 2019 Permit and 2020 Permit Table 3-2 during calendar years 2019 and 2020, as identified by Senior Air Quality Specialist Camon Liddell during an onsite Full Compliance Evaluation on November 4, 2020 at Poly-West, Inc.’s minor stationary source consisting of a plastic bag manufacturing operation located at 251 Conestoga Way, in Clark County, Nevada.

Violation(s) alleged:

Recommended Penalty: \$22,080.00

Violation #1 – 2014 Permit condition II.A.9
2018 Permit condition 5.1.8
2019 Permit condition 5.1.9
2020 Permit condition 5.1.10

Violation #2 – 2019 Permit and 2020 Permit condition 3.2.1

Violation #3 – 2019 Permit and 2020 Permit condition 3.2.2

POLY-WEST, INC. REQUESTED A CONTINUANCE.

HEARING OFFICER CONTINUED POLY-WEST, INC.’S CASE TO MARCH 18, 2021.

Asbestos Violations:

6. 2441 HIGHLAND DRIVE, LLC AND ELLIOT ZORENSKY, INDIVIDUALLY (Project #202003)

NOV #9490 – For failing to thoroughly inspect the Facility for the presence of asbestos-containing materials prior to conducting renovation activities; for failing to notify Air Quality 10 working days prior to the removal of Regulated Asbestos-Containing Materials (RACM) from the Facility; for failing to remove all RACM from the Facility prior to renovation; for failing to adequately wet all removed RACM; for failing to have at least one onsite representative trained in the provisions of the NESHAP asbestos regulations and the means of complying with them; for allowing visible emissions and failing to seal all ACWM in leak tight containers while wet; and for failing to label waste containers with warning labels, as identified by Air Quality Specialist II Whitney Francis during a routine patrol on August 6, 2020 at a commercial building located at 2411 Highland Drive, in Clark County, Nevada.

Violation(s) alleged:

Recommended Penalty: \$8,750.00

Violation #1 – Section 13.1, 40 CFR 61 Subpart M, §61.145(a)

Violation #2 – Section 13.1, 40 CFR 61 Subpart M, §61.145(b)(1)

Section 13.1, 40 CFR 61 Subpart M, §61.145(b)(3)(i)

Violation #3 – Section 13.1, 40 CFR 61 Subpart M, §61.145(c)(1)

Violation #4 – Section 13.1, 40 CFR 61 Subpart M, §61.145(c)(6)(i)

Violation #5 – Section 13.1, 40 CFR 61 Subpart M, §61.145(c)(8)

Violation #6 – Section 13.1, 40 CFR 61 Subpart M, § 61.150(a) and §61.150(a)(1)(iii)

Violation #7 – Section 13.1, 40 CFR 61 Subpart M, §61.150(a)(1)(iv)

2441 HIGHLAND DRIVE, LLC AND ELLIOT ZORENSKY, INDIVIDUALLY REQUESTED A CONTINUANCE.

HEARING OFFICER CONTINUED 2441 HIGHLAND DRIVE, LLC AND ELLIOT ZORENSKY’S CASE TO MARCH 18, 2021.

7. **MARSHALL CONSTRUCTION, LLC, KEN MARSHALL, INDIVIDUALLY AND PETERSEN PROPERTIES NEVADA LLC (Project #202001)**

NOV #9502 – For failing to thoroughly inspect the Facility for the presence of asbestos-containing materials prior to conducting demolition activities; for failing to notify Air Quality 10 working days prior to demolition activities at the Facility; and for burning combustible material in an open fire at the Facility, as identified by Air Quality Specialist II Whitney Francis during a complaint investigation on February 12, 2020 at a building located at 1940 North Moapa Valley Boulevard, Logandale, in Clark County, Nevada.

Violation(s) alleged: Recommended Penalty: \$2,650.00
Violation #1 – Section 13.1, 40 CFR 61 Subpart M, §61.145(a)
Violation #2 – Section 13.1, 40 CFR 61 Subpart M, §61.145(b)(1)
Section 13.1, 40 CFR 61 Subpart M, §61.145(b)(3)(i)
Violation #3 – Section 42.1

FOUND IN VIOLATION.

PENALTY ASSESSED: \$2,650.00

Violation #1 – Section 13.1, 40 CFR 61 Subpart M, §61.145(a) - \$1,150.00
Violation #2 – Section 13.1, 40 CFR 61 Subpart M, §61.145(b)(1) - \$1,000.00
Section 13.1, 40 CFR 61 Subpart M, §61.145(b)(3)(i)
Violation #3 – Section 42.1 - \$500.00

8. **D.R. HORTON, INC. (DCOP #52239, Project #201070)**

NOV #9499 – For failing to thoroughly inspect the structure located at 585 Welpman Way for the presence of asbestos-containing materials prior to conducting demolition activities; and for failing to notify Air Quality 10 working days prior to demolition activities at the Facility, as identified by Air Quality Specialist II Kevin Adoor during an investigation October 20, 2020 at a structure near Battista Lane and East Larson Lane, in Clark County, Nevada.

Violation(s) alleged: Recommended Penalty: \$8,000.00
Violation #1 – Section 13.1, 40 CFR 61 Subpart M, §61.145(a)
Violation #2 – Section 13.1, 40 CFR 61 Subpart M, §61.145(b)(1)
Section 13.1, 40 CFR 61 Subpart M, §61.145(b)(3)(i)

D.R. HORTON, INC. CHANGED ITS PLEA TO NOT CONTESTING NOV #9499.

FOUND IN VIOLATION.

PENALTY ASSESSED: \$8,000.00

Violation #1 – Section 13.1, 40 CFR 61 Subpart M, §61.145(a) - \$2,000.00
Violation #2 – Section 13.1, 40 CFR 61 Subpart M, §61.145(b)(1) - \$6,000.00
Section 13.1, 40 CFR 61 Subpart M, §61.145(b)(3)(i)

III. ADJOURNMENT 12:45 p.m.