



Air Pollution Control Hearing Officer Meeting Annotated

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

9:00 a.m. – November 21, 2024

Hearing Officer: Holly Fic
Air Quality Staff: Shibi Paul, Compliance and Enforcement Manager
Anna Sutowska, Air Quality Supervisor
Sheenaleigh Lucas, Senior Air Quality Specialist

The Presentation Room is accessible to individuals with disabilities. With a 48-hour advance request, a sign language interpreter or other reasonable efforts to assist and accommodate persons with physical disabilities, may be made available by calling: (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. STATUS CHECK:

1. MBT NEVADA, LLC (Prior Minor Source Permit, Source ID: 17392)

NOV # 10022 – For operating a source of air pollutants, without first having obtained a Minor Source Permit that authorized such operation, as identified by Air Quality Specialist Jeremy Shockley and Senior Air Quality Specialist Mike Murphy during a complaint investigation on March 4, 2024, at the crude petroleum production operation located at 526 Parkson Road, in Clark County, Nevada.

Violation(s) Alleged:

Violation #1 – Section 12.1.3.1(a)

Continued from 7/18/2024 & 9/19/2024

MBT NEVADA, LLC'S MINOR SOURCE PERMIT APPLICATION HAS NOT YET BEEN DEEMED COMPLETE. HOWEVER, THEY HAVE MADE GOOD FAITH EFFORTS TO RESOLVE AIR QUALITY PERMITTING SECTION'S QUESTIONS; THEREFORE, THE MATTER IS CONSIDERED RESOLVED.

B. POST-HEARING CASES

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

NOV #8731 – For failing to operate pollution control equipment as stipulated in their permit and generating fugitive dust plumes which traveled greater than 100 yards on multiple occasions; for failing to pave interior plant haul roads as permitted; for exceeding opacity limits as determined during a Visible Emissions Evaluation (VEE); for exceeding annual throughput production limitations; for failing to take reasonable precautions to prevent fugitive dust; for failing to utilize water sprays in the process; for failure to maintain personnel onsite certified to conduct VEEs; for failure to conduct initial performance testing before the regulatory deadline; for failing to conduct required inspections and monitoring; for failure to maintain monthly records of vehicle miles traveled (VMT); for failure to maintain monthly records of generator activity; for exceeding annual throughput for the blasting area, the ANFO usage, the truck loading usage, and VMT; for failing to comply with New Source Review permitting requirements; and for operating without a Part 70 Operating Permit as identified during a full compliance evaluation conducted on July 16 and 21, 2015 for the period of September 10, 2013 through July 21, 2015 at the Blue Diamond Hill Gypsum non-metallic mineral processing plant, located at 14000 Blue Diamond Road, in Clark County, Nevada.

Violation(s) alleged:

- Violation #1 - Permit Condition IV-B-4
- Violation #2 - Permit Conditions II-A-9 and IV-A-1-a
- Violation #3 - Permit Condition IV-A-2-a
- Violation #4 - Permit Condition IV-A-3-b Settlement Agreement/Order
- Violation #5 - Permit Condition IV-B-1
- Violation #6 - Permit Condition IV-B-2
- Violation #7 - Permit Condition IV-B-4
- Violation #8 - Permit Condition IV-C-18
- Violation #9 - Permit Condition IV-D-2-a
- Violation #10 - Permit Condition IV-E-4-a
- Violation #11 - Permit Condition IV-E-5-c
- Violation #12 - Permit Condition IV-E-5-d
- Violation #13 - Permit Condition 11-C-6-b-iii
- Violation #14 - Section 12.3
- Violation #15 - Section 12.5

HEARING OFFICER APPROVED THE AMENDED AUGUST 15, 2016 ORDER FOR NOV #8731.

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

NOV #8762 – For failing to implement control measures when handling, transporting, or storing any material to prevent the release of a dust plume that extends 100 yards or more horizontally or vertically from the point of origin, identified during a complaint investigation conducted on February 18, 2016 at the Gypsum Resources, LLC, Blue Diamond Hill Gypsum facility, located at 14000 Blue Diamond Road, in Clark County, Nevada.

Violation(s) Alleged:

- Violation #1 – Permit Condition IV-B-4

HEARING OFFICER APPROVED THE AMENDED AUGUST 15, 2016 ORDER FOR NOV #8762.

C. SETTLED CASES:

1. **NEVADA SYSTEM OF HIGHER EDUCATION (Synthetic Minor Source Permit, Source ID: 634)**

NOV #10018 – For installing and operating a 3,330 gallon per minute BAC Cooling Tower, two 4.0 MMBtu/hr Patterson Kelly Boilers, two 1.99 MMBtu/hr Lochnivar Boilers, and one 755 hp Cummins emergency generator with associated engine without first obtaining a revised permit authorizing the modification; and for allowing the actual emissions from two boilers (Emission Units (EUs): LLB04 and RAJ01) to exceed the potential to emit limit in any consecutive 12-month period, and for failing to limit the operation of two boilers (EUs: LLB04 and RAJ01) to 3,600 hours in any consecutive 12-month period, as identified by Senior Air Quality Specialist Michael Newell and Air Quality Specialist Joshua Frye during an on-site full compliance evaluation on February 21, 2024 at the public university known as University of Nevada, Las Vegas located at 4505 South Maryland Parkway, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$36,411.00

Violation #1 – 2020 Permit condition 5.1.10
2021 Permit condition 5.1.10
2022 Permit condition 5.1.10

Violation #2 – 2022 Permit condition 3.2.2
2022 Permit Table 3-2
2022 Permit condition 3.1.1

Continued from 7/18/2024, 9/19/2024, & 10/29/2024

HEARING OFFICER APPROVED THE PROPOSED SETTLEMENT AGREEMENT FOR NOV #10018, WHICH INCLUDES A TOTAL SUM OF \$12,000.00 TO BE PAID IN FULL WITHIN 30 DAYS OF THE SIGNED ORDER.

D. 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: 9819)**

NOV #10097 – For failing to conduct and maintain records of Phase I vapor recovery system inspections; and for failing to conduct and maintain records of daily Phase II vapor recovery system inspections, as identified by Air Quality Specialist Adam Mancini during an on-site full compliance evaluation of the gasoline dispensing operation known as 7-Eleven #32404, located at 1400 West Horizon Ridge Parkway, in Clark County, Nevada.

***Continued on the next page.**

Violation(s) Alleged:	Recommended Penalty: \$5,640.00
<ul style="list-style-type: none"> Violation #1 – 2019 Permit condition 4.1.3(a through g) 2019 Permit condition 4.3.2.b 2019 Permit condition 4.3.4 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 	
<ul style="list-style-type: none"> Violation #2 – 2019 Permit condition 4.1.4(a through g) 2019 Permit condition 4.3.2.b 2019 Permit condition 4.3.4 2020 General Permit condition 4.1.5(a through k) 2020 General Permit condition 4.3.2.b 2020 General Permit condition 4.3.4 	

**FOUND IN VIOLATION.
PENALTY ASSESSED: \$5,640.00**

<ul style="list-style-type: none"> Violation #1 – 2019 Permit condition 4.1.3(a through g) 2019 Permit condition 4.3.2.b 2019 Permit condition 4.3.4 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 	- \$1,810.00
<ul style="list-style-type: none"> Violation #2 – 2019 Permit condition 4.1.4(a through g) 2019 Permit condition 4.3.2.b 2019 Permit condition 4.3.4 2020 General Permit condition 4.1.5(a through k) 2020 General Permit condition 4.3.2.b 2020 General Permit condition 4.3.4 	- \$3,830.00

2. BURKE CONSTRUCTION GROUP, INC. (DCOP #57894)

NOV #10092 – 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 Noel Crandal while performing a complaint investigation during a Construction Notice period on August 22, 2024, and follow-up inspection on August 27, 2024, at the Cedar Arts construction project, located on 125 West Imperial Avenue with a staging area located northeast of Colorado Avenue and 4th Street, in Clark County, Nevada.

Violation(s) Alleged:	Recommended Penalty: \$4,250.00
<ul style="list-style-type: none"> Violation #1 – Sections 94.13(a) and (b) 	

**FOUND IN VIOLATION.
PENALTY ASSESSED: \$4,250.00**

3. **CHOI'S CONVENIENCE & GAS, LTD. (General Permit, Source ID: 17142)**
NOV #10089 – For failing to conduct and maintain records of Phase I vapor recovery system inspections, as identified by Senior Air Quality Specialist Camon Liddell during an on-site full compliance evaluation on September 19, 2024 of the gasoline dispensing operation known as Choice located at 8095 South Rainbow Boulevard, in Clark County, Nevada.

Violation(s) Alleged: Recommended Penalty: \$1,020.00
Violation #1 – 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

FOUND IN VIOLATION.
PENALTY ASSESSED: \$1,020.00

4. **CIVIL WERX LLC (DCOP #56805)**
NOV #10101 – For failing to fully implement Best Available Control Measures resulting in a fugitive dust plume to extend more than 100 feet in length and cross a property line, as identified by Air Quality Specialists Kalyn Bubbico, Marc Miller, and Canduella Rowsell during a routine inspection on October 2, 2024, at the Silver Peak construction project, located in Boulder City near the intersection of Highway 95 and State Route 165, in Clark County, Nevada.

Violation(s) Alleged: Recommended Penalty: \$2,000.00
Violation #1 – Sections 94.14(a)(3) and (4)

FOUND IN VIOLATION.
PENALTY ASSESSED: \$2,000.00

5. **CROWN CORK AND SEAL USA, INC. (Synthetic Minor (80) Source Permit, Source ID: 18135)**
NOV #10081 – For failing to demonstrate a destruction efficiency of at least 98 percent for emissions from the Nestec Regenerative Thermal Oxidizer; for failing to submit the semiannual report for the first half of 2024 on or before July 30, 2024; and for failing to conduct the initial EPA Method 204 Permanent Total Enclosure test for the emissions from the IC Spray and Ink Dot at the surface coating operation (Emission Unit: D01) within 180 days after initial startup, as identified by Senior Air Quality Specialist Mike Murphy during an offsite partial compliance evaluation on August 5, 2024 of the aluminum can manufacturing process located at 1775 West Pioneer Boulevard in Clark County, Nevada.

Violation(s) Alleged: Recommended Penalty: \$13,560.00
Violation #1 – 2023 Permit condition 4.2.6
2024 Permit condition 4.2.6
Violation #2 – 2024 Permit condition 4.4.5.b
Violation #3 – 2024 Permit condition 4.2.2.a

FOUND IN VIOLATION.
PENALTY ASSESSED: \$13,560.00

Violation #1 – 2023 Permit condition 4.2.6	- \$5,340.00
2024 Permit condition 4.2.6	
Violation #2 – 2024 Permit condition 4.4.5.b	- \$1,680.00
Violation #3 – 2024 Permit condition 4.2.2.a	- \$6,540.00

6. **FORTE SPECIALTY CONTRACTORS, LLC (DCOP #57445)**
NOV #10102 – 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 Heath Richards during a routine inspection on October 9, 2024, and a follow-up inspection on October 10, 2024, at the HD Sunset & Decatur - Phase 2 construction project, located at Sunset Road and Hauck Street, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$2,500.00

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

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

7. **FORTE SPECIALTY CONTRACTORS, LLC (DCOP #57289)**
NOV #10104 – 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 Heath Richards during a routine inspection on October 9, 2024, and a follow-up inspection on October 10, 2024, at the HD Sunset & Decatur - Phase 1 construction project, located at Sunset Road and Hauck Street, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$2,812.50

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

FOUND IN VIOLATION.
PENALTY ASSESSED: \$2,812.50

8. **HARMONY HOMES NEVADA LLC (DCOP #55133)**
NOV #10099 – 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 Michael Englehart while performing a complaint investigation prior to a Construction Notice period on September 11, 2024, at the Azure and North 5th construction project, located at the intersection of East Azure Avenue and North 5th Street, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$1,250.00

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

FOUND IN VIOLATION.
PENALTY ASSESSED: \$1,250.00

9. **LAS VEGAS PAVING CORPORATION (Minor Source Permit, Source ID: 105)**

NOV #10088 – For installing and operating a 227.3 hp Yamabiko, model 6HK1X, continuous-duty diesel-fired generator (engine) and a tunnel feeder that feeds to Belt 59 conveyor belt (Emission Unit (EU): E007), and for installing a Caterpillar 691 hp, Model 3456, continuous-duty diesel-fired generator engine without first obtaining a revised permit authorizing the modifications; and for exceeding the 0.04 gr/dscf (90 mg/dscm) emission limitation for PM₁₀ on the CMI baghouse that controls the Drum Dryer (EU: B012a) during a performance test, and operating the EU after a failed test, as identified by Senior Air Quality Specialist Camon Liddell during an onsite full compliance evaluation on September 17, 2024 at the nonmetallic mineral processing and asphalt manufacturing operation known as Las Vegas Paving, Lone Mountain, located west of CR215 on Lone Mountain Road, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$23,160.00

- Violation #1 – 2021 Permit condition 5.1.10
 - February 2022 Permit condition 5.1.10
 - December 2022 Permit condition 5.1.10
- Violation #2 – December 2022 Permit condition 3.2.3
 - December 2022 Permit Table 3-3

FOUND IN VIOLATION.

PENALTY ASSESSED: \$23,160.00

- Violation #1 – 2021 Permit condition 5.1.10** - **\$19,410.00**
 - February 2022 Permit condition 5.1.10**
 - December 2022 Permit condition 5.1.10**
- Violation #2 – December 2022 Permit condition 3.2.3** - **\$3,750.00**
 - December 2022 Permit Table 3-3**

10. **NEVADA DEPARTMENT OF CORRECTIONS (Synthetic Minor (80) Source Permit, Source ID: 1516)**

NOV #10086 – For failing to conduct and maintain records of monthly visual emission (VE) checks for two Bryan, 21.0 MMBtu/hr diesel- fueled boilers (Emission Units (EUs): A05 and A06), and for failing to conduct and maintain records of quarterly VE checks for four diesel-fired generators (EUs: B01 through B04); for failing to conduct 11 Burner Efficiency Tests on the diesel-fired boilers (EUs: A01 through A12); for failing to conduct and maintain records of Phase I vapor recovery system inspections after each delivery and for failing to conduct and maintain records of gasoline delivery times; and for failing to report deviations that did not results in excess emissions in the 2022, 2023, and 2024 semi-annual reports, as identified by Senior Air Quality Specialist Scott Rowsell during an onsite full compliance evaluation on September 4, 2024 of the men’s correctional facility known as High Desert State Prison, located at 22010 Cold Creek Road, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$20,625.00

- Violation #1 – 2023 Permit condition 4.1.2
 - 2023 Permit condition 4.1.3
 - 2023 Permit condition 4.3.1.a
 - 2023 Permit condition 4.3.3

**Continued on the next page.*

NEVADA DEPARTMENT OF CORRECTIONS *continued*

- Violation #2 – 2019 Permit condition 4.1.7(a through e)
 - 2019 Permit condition 4.1.8
 - 2019 Permit condition 4.3.1.f
 - 2019 Permit condition 4.3.3
 - 2023 Permit condition 4.1.12
 - 2023 Permit condition 4.3.1.h
 - 2023 Permit condition 4.3.3
- Violation #3 – 2019 Permit condition 4.1.15(a through g)
 - 2019 Permit condition 4.3.1.m
 - 2019 Permit condition 4.3.3
 - 2019 Permit condition 4.3.1.1
 - 2023 Permit condition 4.1.21(a through h)
 - 2023 Permit condition 4.3.1.c
 - 2023 Permit condition 4.3.3
 - 2023 Permit condition 4.3.1.1
- Violation #4 – 2019 Permit condition 4.4.9
 - 2023 Permit condition 4.4.7

FOUND IN VIOLATION.

PENALTY ASSESSED: \$20,625.00

- Violation #1 – 2023 Permit condition 4.1.2 - \$870.00**
 - 2023 Permit condition 4.1.3
 - 2023 Permit condition 4.3.1.a
 - 2023 Permit condition 4.3.3
- Violation #2 – 2019 Permit condition 4.1.7(a through e) - \$16,500.00**
 - 2019 Permit condition 4.1.8
 - 2019 Permit condition 4.3.1.f
 - 2019 Permit condition 4.3.3
 - 2023 Permit condition 4.1.12
 - 2023 Permit condition 4.3.1.h
 - 2023 Permit condition 4.3.3
- Violation #3 – 2019 Permit condition 4.1.15(a through g) - \$1,755.00**
 - 2019 Permit condition 4.3.1.m
 - 2019 Permit condition 4.3.3
 - 2019 Permit condition 4.3.1.1
 - 2023 Permit condition 4.1.21(a through h)
 - 2023 Permit condition 4.3.1.c
 - 2023 Permit condition 4.3.3
 - 2023 Permit condition 4.3.1.1
- Violation #4 – 2019 Permit condition 4.4.9 - \$1,500.00**
 - 2023 Permit condition 4.4.7

11. SWITCH, LTD. (Synthetic Minor (80) Source Permit, Source ID: 18024)

NOV #10084 – For installing and operating a 173 hp John Deere Fire Pump Engine without first obtaining a minor source permit authorizing the construction and operation, as identified by Senior Air Quality Specialist Camon Liddell during an off-site partial compliance evaluation on September 23, 2024 of the data center operation located at 5660 West Badura Avenue, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$3,104.94

Violation #1 – 2024 Permit condition 5.1.10

FOUND IN VIOLATION.

PENALTY ASSESSED: \$3,104.94

12. TAYLOR MORRISON OF NEVADA, LLC (DCOP #57613)

NOV #10096 – For failing to fully implement Best Available Control Measures resulting in a fugitive dust plume to cross a property line, as identified by Air Quality Specialist Canduella Rowsell while performing a complaint investigation during a Construction Notice period on August 22, 2024, at the Cadence Parcel L - Opus construction project, located at East Warm Springs Road and Grand Cadence Drive, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$3,000.00

Violation #1 – Section 94.14(a)(4)

FOUND IN VIOLATION.

PENALTY ASSESSED: \$3,000.00

13. TOLL NORTH LV LLC (DCOP #54131)

NOV #10087 – For using rotary brushes on a street sweeper without sufficient water resulting in a fugitive dust plume to extend more than 100 feet; and 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 and Air Quality Specialist Michael Englehart while performing a complaint investigation on September 9, 2024, follow-up inspections on September 12, 18, and 19, 2024, and a follow-up inspection during a Construction Notice period on September 16, 2024, at the Jones & Elkhorn construction project, located at the southeast corner of North Jones Boulevard and Elkhorn Road, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$9,500.00

Violation #1 – Section 94.14(a)(3)

Section 94.14(c)

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

FOUND IN VIOLATION.

PENALTY ASSESSED: \$9,500.00

Violation #1 – Section 94.14(a)(3)

- \$3,000.00

Section 94.14(c)

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

- \$6,500.00

14. TRADEWINDS BUILDING AND DEVELOPMENT, INC. D/B/A TRADEWINDS CONSTRUCTION (DCOP #51065)

NOV #10094 – 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 an inspection during a Construction Notice period on August 22, 2024, at the Ahern Lot Rough Grading construction project, located northeast of Eastgate Road and Lake Mead Parkway, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$1,875.00

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

FOUND IN VIOLATION.

PENALTY ASSESSED: \$1,875.00

E. CONTESTED CASES

Construction and Vacant Land Violations:

1. AIMS BUILDING SERVICES LLC. (DCOP #56888)

NOV #10062 – For failing to employ Best Available Control Measures and comply with soil stabilization standards 24 hours a day, seven days a week; and for allowing soil to be tracked out greater than 50 feet in length onto a paved surface, as identified by Senior Air Quality Specialist Andrew Kirk during a routine inspection on July 13, 2024, and follow-up inspection on July 15, 2024, at the Sedona Market construction project, located at the northwest corner of East Ann Road and North 5th Street, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$3,750.00

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

Violation #2 – Section 94.14(d)

Continued from 9/19/2024

AIMS BUILDING SERVICES LLC. CHANGED ITS PLEA AND IS NOT CONTESTING NOV #10062.

FOUND IN VIOLATION.

PENALTY ASSESSED: \$3,750.00

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

Violation #2 – Section 94.14(d) - \$1,250.00

2. **CIVIL WERX, LLC (DCOP #56727)**

NOV #10093 – For failing to employ Best Available Control Measures and comply with soil stabilization standards 24 hours a day, seven days a week; and for allowing soil to be tracked out greater than 50 feet in length onto a paved surface, as identified by Senior Air Quality Specialist Andrew Kirk during a routine inspection on September 12, 2024, and follow-up inspection during a Construction Notice period on September 16, 2024, at the Verizon Belmont Data Center construction project, located at 2650 Belmont Street, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$2,750.00

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

Violation #2 – Section 94.14(d)

CIVIL WERX, LLC CHANGED ITS PLEA AND IS NOT CONTESTING NOV #10093.

FOUND IN VIOLATION.

PENALTY ASSESSED: \$2,750.00

Violation #1 – Sections 94.13(a) and (b) - \$1,250.00

Violation #2 – Section 94.14(d) - \$1,500.00

3. **CONSTRUCTION MANAGEMENT AND DEVELOPMENT - NEVADA, LLC AND BH&G HOLDINGS, LLC (DCOP #56375)**

AMENDED NOV #10014 – For failing to obtain a Dust Control Operating Permit while performing construction activities, as identified by Air Quality Specialist Mike Englehart during an expired permit inspection on February 28, 2024, a follow-up inspection during a Dust Advisory period on April 4, 2024, a follow-up inspection during a Construction Notice period on April 12, 2024, and a follow-up inspection on April 17, 2024, at The Apex @ Galleria construction project located at 55 East Galleria Drive, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$2,000.00

Violation #1 – Section 94.4.1

Continued from 7/18/2024 & Rescheduled from 9/19/2024

CONSTRUCTION MANAGEMENT AND DEVELOPMENT - NEVADA, LLC AND BH&G HOLDINGS, LLC DID NOT APPEAR.

FOUND IN VIOLATION.

PENALTY ASSESSED: \$2,000.00

4. **D.R. HORTON, INC. (DCOP #53904)**

NOV #10085 – 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 Noel Crandall while performing an inspection during a Construction Notice period on August 22, 2024, and a follow-up inspection on August 26, 2024, at the Battista Welpman construction project, located at 590 East Welpman Way, Henderson, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$5,937.50

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

D.R. HORTON, INC. DID NOT CONTEST NOV #10085.

FOUND IN VIOLATION.

PENALTY ASSESSED: \$5,937.50

5. **GVS CONSTRUCTION LLC (DCOP #55865)**

NOV #10091 – 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 Damon Lindsay while performing a complaint investigation on September 11, 2024, at the Skylark-Custom Home construction project, located on the southwest corner of Eldora Avenue and South Bronco Street, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$1,500.00

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

GVS CONSTRUCTION LLC DID NOT CONTEST NOV #10091.

FOUND IN VIOLATION.

PENALTY ASSESSED: \$1,500.00

6. **IMC INDUSTRIES, LLC D/B/A TRUST HOME BUILDERS AND RYAN BIRD, INDIVIDUALLY (DCOP #57499)**

NOV #10098 – 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 obtain a DCOP prior to commencing construction activities, as identified by Air Quality Specialist Kalyn Bubbico during a routine inspection on October 3, 2024, at the Grimaldi-9 construction project, located at 9 Rue Grimaldi Way, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$2,250.00

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

Violation #2 – Section 94.4.1(a)

IMC INDUSTRIES, LLC D/B/A TRUST HOME BUILDERS AND RYAN BIRD DID NOT APPEAR.

FOUND IN VIOLATION.

PENALTY ASSESSED: \$2,250.00

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

Violation #2 – Section 94.4.1(a) - \$750.00

7. **ROCHE CONSTRUCTORS, INC. (DCOP #58057)**

NOV #10100 – 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 Richard Wyse during a routine inspection on October 11, 2024, at the Walter Bracken Elementary School Replacement construction project, located at 1200 North 27th Street, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$1,500.00

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

ROCHE CONSTRUCTORS, INC. DID NOT CONTEST NOV #10100.

FOUND IN VIOLATION.

PENALTY ASSESSED: \$1,500.00

8. **SEQUOIA HOMES DEVELOPMENT LLC (DCOP #56798)**

NOV #10090 – 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 on September 12, 2024, at the Whispering Sands & Garehime Customs construction project, located at the southwest corner of Whispering Sands Drive and Garehime Street, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$1,250.00

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

SEQUOIA HOMES DEVELOPMENT LLC DID NOT CONTEST NOV #10090.

FOUND IN VIOLATION.

PENALTY ASSESSED: \$1,250.00

Stationary Sources Violations:

9. **JENSEN ENTERPRISES, INC. (Synthetic Minor Source Permit, Source ID: 408)**

NOV #10082 – For failing to conduct and maintain records of daily visual emissions checks at the Bruce Facility and Losee Facility, for failing to conduct and maintain records of daily visual observations of the bin vents (Emission Units (EUs): LOS07, LOS08, LOS19, LOS20, LOS38, BRU06, BRU08, BRU17, BRU18, and BRU19), for failing to conduct and maintain records of daily visual observations of the baghouse (EUs: LOS12, LOS24 and LOS37) and/or stack discharges, and for failing to conduct and maintain records of daily visual observations of the dust socks on the batch mixer (EU: BRU12) and the weigh hoppers 1-6 (EUs: BRU20, BRU21, BRU22, BRU24, BRU25, and BRU26); for failing to conduct and maintain records of monthly external inspections of each baghouse and failing to conduct and maintain records of visual interior inspections of the baghouses for air leaks at least monthly (EUs: LOS12, LOS24, and LOS37) and failing to conduct and maintain records of monthly visual inspections of the binvents for air leaks (EUs: LOS07, LOS08, LOS19, LOS20, LOS38, BRU06, BRU08, BRU17, BRU18, and BRU19); for failing to maintain the pressure drop across the baghouse (EUs: LOS12, LOS24, and LOS37) within the range of 1.0 to 8.0 inches of water column; and for failing to conduct and maintain records of daily monitoring for the pressure drop across each baghouse cell with the installation and operation of a pressure differential (Magnehelic) gauge per manufacturer’s specifications, as identified by Senior Air Quality Specialist Michael Murphy during an onsite full compliance evaluation on July 9, 2024 of the precast concrete manufacturer, located at 3840 Bruce Street and 3853 Losee Road, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$18,510.00

Violation #1 – June 2022 Permit and 2023 Permit condition 4.1.2

June 2022 Permit and 2023 Permit condition 4.3.1.a

June 2022 Permit and 2023 Permit condition 4.3.3

June 2022 Permit condition 4.1.14

June 2022 Permit condition 4.1.17

2023 Permit condition 4.1.16

2023 Permit condition 4.1.19

June 2022 Permit condition 4.1.13

2023 Permit condition 4.1.15

June 2022 Permit condition 4.1.20

2023 Permit condition 4.1.22

**Continued on the next page.*

JENSEN ENTERPRISES, INC. continued

- Violation #2 – June 2022 Permit condition 4.1.11
 - June 2022 Permit condition 4.3.1.b
 - 2023 Permit condition 4.1.11(a through c)
 - 2023 Permit condition 4.3.1.b
 - June 2022 Permit condition 4.1.15
 - June 2022 Permit condition 4.1.18
 - June 2022 Permit condition 4.3.3
 - 2023 Permit condition 4.1.17
 - 2023 Permit condition 4.1.20
 - 2023 Permit condition 4.3.3
- Violation #3 – June 2022 Permit and 2023 Permit condition 2.2.8
- Violation #4 – June 2022 Permit and 2023 Permit condition 4.1.10
 - June 2022 Permit and 2023 Permit condition 4.3.1.f
 - June 2022 Permit and 2023 Permit condition 4.3.3

JENSEN ENTERPRISES, INC. DID NOT CONTEST NOV #10082.

FOUND IN VIOLATION.

PENALTY ASSESSED: \$18,510.00

- Violation #1 – June 2022 Permit and 2023 Permit condition 4.1.2** - \$8,497.50
 - June 2022 Permit and 2023 Permit condition 4.3.1.a**
 - June 2022 Permit and 2023 Permit condition 4.3.3**
 - June 2022 Permit condition 4.1.14**
 - June 2022 Permit condition 4.1.17**
 - 2023 Permit condition 4.1.16**
 - 2023 Permit condition 4.1.19**
 - June 2022 Permit condition 4.1.13**
 - 2023 Permit condition 4.1.15**
 - June 2022 Permit condition 4.1.20**
 - 2023 Permit condition 4.1.22**
- Violation #2 – June 2022 Permit condition 4.1.11** - \$1,755.00
 - June 2022 Permit condition 4.3.1.b**
 - 2023 Permit condition 4.1.11(a through c)**
 - 2023 Permit condition 4.3.1.b**
 - June 2022 Permit condition 4.1.15**
 - June 2022 Permit condition 4.1.18**
 - June 2022 Permit condition 4.3.3**
 - 2023 Permit condition 4.1.17**
 - 2023 Permit condition 4.1.20**
 - 2023 Permit condition 4.3.3**
- Violation #3 – June 2022 Permit and 2023 Permit condition 2.2.8** - \$2,422.50
- Violation #4 – June 2022 Permit and 2023 Permit condition 4.1.10** - \$5,835.00
 - June 2022 Permit and 2023 Permit condition 4.3.1.f**
 - June 2022 Permit and 2023 Permit condition 4.3.3**

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

NOV #10083 – For failing to operate the Natural Gas-Fired Catalytic Oxidizer, Emission Unit (EU): D01, with a minimum volatile organic compound (VOC) destruction efficiency of 85 percent during a performance test on May 1, 2024, and operating EU: D01 between May 1, 2024, and September 12, 2024, after the failed test; and for exceeding the VOC emission rate of 1.75 lb/hr during a performance test of EU: D01 on May 1, 2024, and operating EU: D01 between May 1, 2024, and September 12, 2024, after the failed test, as identified by Senior Air Quality Specialist Camon Liddell during an off-site partial compliance evaluation on September 12, 2024 of the commercial manufacturer of bread and bread products located at 490 East Bruner Avenue, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$16,800.00

Violation #1 – July 2022 Permit condition 2.2.6

Violation #2 – July 2022 Permit condition 3.2.3

July 2022 Permit Table 3-3

TURANO NEVADA BAKING LLC REQUESTED A CONTINUANCE OF NOV #10083.

HEARING OFFICER CONTINUED TURANO NEVADA BAKING LLC’S CASE TO JANUARY 2025.

III. ADJOURNMENT 9:33 a.m.