



## Air Pollution Control Hearing Officer Annotated Docket

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

**9:00 a.m. – May 11, 2023**

Hearing Officer: Holly Fic  
Air Quality Staff: Shibi Paul, Compliance and Enforcement Manager <sup>SP</sup>  
Anna Sutowska, Air Quality Supervisor  
Pamela Thompson, Senior Secretary <sub>SP</sub>

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. 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. HEAVY DUTY, AN LLC (DCOP #39412)**

**NOV #9831** – 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 Richard Wyse while performing a routine inspection during a Dust Advisory period on February 21, 2023, at the MacDonald Highlands PA7, Phase I & II Blasting construction project, located southwest of Stephanie Street and MacDonald Ranch Drive, in Clark County, Nevada.

Violation(s) Alleged:  
Violation #1 – Sections 94.14(a)(3)

Recommended Penalty: \$3,000.00

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

2. **HI-AM, INC. (General Permit, Source ID: 9739)**

**NOV #9828** – For failing to conduct and maintain records of Phase I vapor recovery system inspections, as identified by Air Quality Specialist Michael Newell during an onsite full compliance evaluation on January 25, 2023 of the gasoline dispensing operation located at 1625 North Lamb Boulevard, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$1,015.00

- Violation #1 – 2015 Permit condition II.D.2
- 2015 Permit condition IV.C.3(a through g)
- 2015 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

**FOUND IN VIOLATION.**

**PENALTY ASSESSED: \$1,015.00**

3. **LHOIST NORTH AMERICA OF ARIZONA, INC. (Part 70 Operating Permit, Source ID: 3)**

**NOV #9829** – For exceeding the PM<sub>10</sub> emission rates and concentration for the baghouse collection system DC-5006 during performance testing on December 14 through 15, 2022, and operating the baghouse collection system after a failed performance test, as identified by Senior Air Quality Specialist Scott Rowsell during an offsite partial compliance evaluation on February 15, 2023 of the lime and lime products manufacturing operation known as Lhoist North America of Arizona Apex Plant, located at 12101 North Las Vegas Boulevard, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$5,720.00

- Violation #1 – Permit condition III.C.1.a
- Permit Table III-A-2
- Permit condition III.E.3
- Permit Appendix A.3, Table A-3

**FOUND IN VIOLATION.**

**PENALTY ASSESSED: \$5,720.00**

**RECESS AT 9:08 a.m.**

RESUMED AT 9:19 a.m.

B. CONTESTED CASES

*Stationary Sources Violations:*

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

**NOV #9844** – For allowing an uncovered and loaded on-road haul truck to leave the Facility, as identified by Senior Air Quality Specialist Camon Liddell while performing routine patrol on April 8, 2023 of the gypsum processing operation located at 8360 Nevada Highway 159, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$3,500.00

Violation #1 – 2022 Permit condition III.C.3.y

**GYPSUM RESOURCES, LLC DID NOT APPEAR.**

**FOUND IN VIOLATION.**

**PENALTY ASSESSED: \$3,500.00**

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

**NOV #9832** – For installing five Bryan, 21.0 MMBtu/hr boilers without first obtaining a revised permit authorizing the modification; and 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 Senior Air Quality Specialist Scott Rowsell during an onsite partial compliance evaluation on February 16, 2023 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: \$22,321.48

Violation #1 – 2019 Permit condition 5.1.9

Violation #2 – 2019 Permit condition 4.2.11.b

2019 Permit Table 4-2

**NEVADA DEPARTMENT OF CORRECTIONS REQUESTED A CONTINUANCE OF NOV #9832.**

**HEARING OFFICER CONTINUED NEVADA DEPARTMENT OF CORRECTIONS' CASE TO JULY 20, 2023.**

3. **TROPICANA AVE CAR WASH1, LLC (Minor Source Permit, Source ID: 17965)**  
**NOV #9843** – 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 March 29, 2023 of the gasoline dispensing operation known as US Gas #5, located at 6100 West Charleston Boulevard, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$1,310.00

Violation #1 – 2021 Permit condition 4.2.4.c  
2021 Permit Table 4-1

**TROPICANA AVE CAR WASH1, LLC DID NOT CONTEST NOV #9843.**

**FOUND IN VIOLATION.**  
**PENALTY ASSESSED: \$1,310.00**

**III. ADJOURNMENT                    9:21 a.m.**

Signature:   
Shibi Paul (May 16, 2023 08:00 PDT)

Email: SPaul@ClarkCountyNV.gov