




## Air Pollution Control Hearing Officer Annotated Docket

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

9:00 a.m. – September 19, 2018

Hearing Officer: Lona Webb

Air Quality Staff: Shibi Paul, Compliance and Enforcement Manager   
Anna Sutowska, Air Quality Supervisor  
Jeffrey Robb, Senior Air Quality Specialist  
Pamela Thompson, Senior Secretary

The Presentation Room is accessible to individuals with disabilities. With 48-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. INES G. ESQUIVEL TRUST (DCOP #47032; APNs #103-13-010-035 and 036)**

**NOV #9101** – For constructing and operating an unpaved parking/storage lot after January 1, 2003 in hydrographic basin 216, as identified by Air Quality Specialist Cris B. Melo during observations between February 5 and March 15, 2018, at Assessor's Parcel Nos. 103-13-010-035 and 036 northwest of Apex Harbor Lane and Apex Great Basin Way, in Clark County, Nevada.

Violation(s) alleged:

Violation #1 – Section 92.3.1.1

**HEARING OFFICER APPROVED THE PROPOSED SETTLEMENT AGREEMENT, WHICH INCLUDES A \$5,000.00 PENALTY TO BE PAID IN FULL WITHIN 30 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. **424 S 11<sup>th</sup>, LLC (Project #181035)**

**NOV #9148** – For failure to thoroughly inspect the facility for the presence of asbestos containing materials prior to commencing renovation activities, as identified during inspections by Air Quality Specialists Kevin Adoor and Whitney Francis on July 10, 2018 at a facility owned and/or operated by 424 S 11<sup>th</sup>, LLC located at 424 South 11<sup>th</sup> Street, in Clark County, Nevada.

Violation(s) alleged:

Recommended Penalty: \$2,000.00

Violation #1 – Section 13.1, 40CFR61 Subpart M, 61.145(a)

**FOUND IN VIOLATION.**

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

2. **CLEARWATER PAPER CORPORATION (Source ID: 807)**

**NOV #9139** – For constructing and operating an unpermitted fire pump, as identified by Air Quality Specialist Syed S. Hyder during a full compliance evaluation conducted on June 15 and 18, 2018 of the paper mill (excluding pulping) operation at 3901 North Donna Street, in Clark County, Nevada.

Violation(s) alleged:

Recommended Penalty: \$2,000.00

Violation #1 – Section 12.1.3.1

**FOUND IN VIOLATION.**

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

3. **D. R. HORTON, INC. (DCOP #46976)**

**NOV #9128** – For failing to maintain site soils in a stabilized condition 24 hours a day, seven days a week, as identified during a routine inspection by Air Quality Specialist Katrinka Byers on May 16, 2018 at the Arden Estates construction site at West Meranto Avenue and Montessouri Street, in Clark County, Nevada.

Violation(s) alleged:

Recommended Penalty: \$1,000.00

Violation #1 – Section 94.9.2

**FOUND IN VIOLATION.**

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

4. **DALE'S TEXACO, INC. (Source ID: 9069)**

**NOV #9143** – For failure to conduct and pass vapor recovery system testing before the deadline of three years from the previous successful tests, as identified during an offsite partial compliance evaluation conducted by Air Quality Specialist Tim Fogarty on July 18, 2018 of the gasoline dispensing operation identified as Dale's Sinclair at 1625 Nevada Highway, in Clark County, Nevada.

Violation(s) alleged:

Recommended Penalty: \$2,000.00

Violation #1 – Permit Condition IV-D-4-b

**FOUND IN VIOLATION.**

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

5. **GREYSTONE NEVADA, LLC (DCOP #48766)**

**NOV #9145** – For failure to maintain site soils in a stabilized condition 24 hours a day, seven days a week, and for allowing tracked out soil debris to accumulate on paved surfaces that resulted in plumes of fugitive dust, as identified during an initial inspection by Air Quality Specialist Carlton Monroe on June 21, 2018 at the Morning Ridge construction site northwest of Donna Street and Centennial Parkway, in Clark County, Nevada.

Violation(s) alleged:

Violation #1 – Section 94.9.2

Violation #2 – Section 94.11.6

Recommended Penalty: \$3,000.00

**FOUND IN VIOLATION.**

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

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

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

6. **GREYSTONE NEVADA, LLC (DCOP #46557)**

**NOV #9153** – For failure to maintain site soils in a stabilized condition 24 hours a day, seven days a week, as identified during a complaint investigation by Air Quality Specialist Cris B. Melo on June 21, 2018, at the Remington construction site at 1094 Langston Ranch Avenue, in Clark County, Nevada.

Violation(s) alleged:

Violation #1 – Section 94.9.2

Recommended Penalty: \$1,000.00

**FOUND IN VIOLATION.**

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

7. **J. A. TIBERTI CONSTRUCTION CO., INC. D/B/A J. A. TIBERTI CONSTRUCTION (DCOP #47283)**

**NOV #9132** – For failure to fully implement control measures which resulted in wind-blown fugitive dust that traveled over 100 feet and crossed the property boundary, as identified by Air Quality Specialist Allan Gutierrez during a complaint investigation on April 16, 2018 at the Southwest Regional Park construction site at 8400 West Robindale Road, in Clark County, Nevada.

Violation(s) alleged:

Violation #1 – Section 94.11.3

Recommended Penalty: \$2,000.00

**FOUND IN VIOLATION.**

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

8. **KB HOME LAS VEGAS, INC. (DCOP # 48486)**

**NOV #9127** – For allowing mud or dirt to be tracked out onto a paved road which extended more than 50 feet from the site’s exit; and failing to employ control measures necessary to maintain soil stability, as identified during routine and follow-up inspections by Senior Air Quality Specialist Anita Karr, on April 4 and 5, 2018 at the Amizade construction site southwest of Russell Road and Durango Drive, in Clark County, Nevada.

Violation(s) alleged:

Violation #1 – Section 94.11.6

Violation #2 – Section 94.9.2

Recommended Penalty: \$3,000.00

**FOUND IN VIOLATION.**

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

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

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

9. **KIEWIT INFRASTRUCTURE WEST CO. (DCOP #46133)**

**NOV #9146** – For failure to fully implement Best Available Control Measures and handling a material that resulted in fugitive dust from construction activities that traveled more than 100 feet from the point of origin, as identified by Air Quality Specialist Carlton Monroe during a routine inspection on July 6, 2018 at the Project Neon construction site at 301 South Martin Luther King Boulevard, in Clark County, Nevada.

Violation(s) alleged:

Violation #1 – Section 94.11.3(b)

Recommended Penalty: \$2,000.00

**FOUND IN VIOLATION.**

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

10. **KITTRELL JENSEN CONTRACTORS, LLC (DCOP #48224)**

**NOV #9136** – For failure to apply control measures necessary to maintain site soils in a stabilized condition 24 hours a day, seven days a week, as identified by Senior Air Quality Specialist Anita Karr during a routine inspection on April 6, 2018 at the SVV Building construction site at West Sunset Road and Hinson Street, in Clark County, Nevada.

Violation(s) alleged:

Violation #1 – Section 94.9.2

Recommended Penalty: \$1,000.00

**FOUND IN VIOLATION.**

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

11. **LAS VEGAS PAVING CORPORATION (DCOP #48415)**

**NOV #9126** – For failure to implement control measures which resulted in fugitive dust from construction activities that traveled over the property boundary, as identified by Air Quality Specialist Ross Grover during a routine inspection on May 7, 2018 at the NDOT 3684 construction site at Interstate 15 and US Highway 93, in Clark County, Nevada.

Violation(s) alleged:

Violation #1 – Section 94.11.3

Recommended Penalty: \$2,000.00

**FOUND IN VIOLATION.**

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

**12. LAS VEGAS PAVING CORPORATION (Source ID: 17802)**

**NOV #9130** – For exceeding opacity limitation on a baghouse stack discharge; operating a dust storage silo without a binvent; failure to conduct daily visual emission checks of the Facility; failure to monitor the pressure drop across the baghouse; failure to conduct monthly inspections of the interior of the baghouse; failure to conduct daily visual emissions checks of the baghouse discharge; failure to conduct daily visual emissions checks of the binvents; failure to conduct monthly inspections of the binvents for air leaks; failure to maintain records of visible emissions checks on the Facility, the baghouse and the binvents; failure to maintain records of the baghouse pressure differential readings; failure to maintain monthly records of baghouse and binvent inspections; and failure to cease operations while correcting the problem causing the excess emissions, as identified by Senior Air Quality Specialist Camon Liddell during a full compliance evaluation conducted on May 24, 2018, of the asphalt paving mixtures and blocks operation at 14075 Grand Valley Parkway, in Clark County, Nevada.

Violation(s) alleged:

Recommended Penalty: \$9,500.00

- Violation #1 – Permit Condition IV-A-2-a
- Violation #2 – Permit Condition IV-B-2
- Violation #3 – Permit Condition IV-C-1
  - Permit Condition IV-C-10
  - Permit Condition IV-C-11
  - Permit Condition IV-C-13
  - Permit Condition IV-C-14
  - Permit Condition IV-C-15
- Violation #4 – Permit Condition IV-E-1-a
  - Permit Condition IV-E-1-c
  - Permit Condition IV-E-1-e
- Violation #5 – Permit Condition IV-C-13

**FOUND IN VIOLATION.**

**PENALTY ASSESSED: \$9,500.00**

- Violation #1 – Permit Condition IV-A-2-a - \$4,000.00**
- Violation #2 – Permit Condition IV-B-2 - \$2,000.00**
- Violation #3 – Permit Condition IV-C-1 - \$1,000.00**
  - Permit Condition IV-C-10**
  - Permit Condition IV-C-11**
  - Permit Condition IV-C-13**
  - Permit Condition IV-C-14**
  - Permit Condition IV-C-15**
- Violation #4 – Permit Condition IV-E-1-a - \$500.00**
  - Permit Condition IV-E-1-c**
  - Permit Condition IV-E-1-e**
- Violation #5 – Permit Condition IV-C-13 - \$2,000.00**

**13. LAS VEGAS PAVING CORPORATION (Source ID: 70)**

**NOV #9141** – For installing and operating a 4,000-gallon above ground gasoline storage tank/dispensing equipment without revising the permit prior to installation and operation; operating baghouses on multiple emission units with a differential pressure greater than the permitted operational limitation; and failure to conduct and maintain records of quarterly Method 22 observations on all baghouses, as identified by Senior Air Quality Specialist Camon Liddell during a full compliance evaluation conducted on June 12, 2018 of the construction sand and gravel/asphalt paving mixtures and blocks manufacturing operation at 9325 South Jones Boulevard, in Clark County, Nevada.

Violation(s) alleged:

Recommended Penalty: \$6,500.00

- Violation #1 – 2015 Permit Condition II-A-9
- Violation #2 – 2015 Permit Condition IV-B-12
- Violation #3 – 2013 & 2015 Permit Condition IV-D-11  
2013 Permit Condition IV-F-4-a  
2015 Permit Condition IV-F-1-a

**FOUND IN VIOLATION.**

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

- Violation #1 – 2015 Permit Condition II-A-9 - \$2,000.00**
- Violation #2 – 2015 Permit Condition IV-B-12 - \$4,000.00**
- Violation #3 – 2013 & 2015 Permit Condition IV-D-11 - \$500.00**  
**2013 Permit Condition IV-F-4-a**  
**2015 Permit Condition IV-F-1-a**

**14. LAS VEGAS PAVING CORPORATION (Source ID: 186)**

**NOV #9154** – For handling material in a manner which allowed controllable particulate matter to become airborne, as identified during a partial compliance evaluation conducted by Air Quality Specialist Patricia Ringgenberg on May 17, 2018 of the asphalt paving mixtures/construction sand and gravel operations on Cape Horn Drive near Eastgate Road, in Clark County, Nevada.

Violation(s) alleged:

Recommended Penalty: \$4,000.00

- Violation #1 – Section 41.1.2

**FOUND IN VIOLATION.**

**PENALTY ASSESSED: \$4,000.00**

**15. PARDEE HOMES OF NEVADA (DCOP #47791)**

**NOV #9135** – For allowing mud or dirt to be tracked out onto a paved road which extended more than 50 feet from the site's exit; and failure to apply control measures necessary to stabilize site soils 24 hours a day, seven days a week, as identified during a complaint investigation and follow-up inspection by Senior Air Quality Specialist Mike Englehart, on April 10 and 20, 2018 at the Tule Springs Village 3 construction site northwest of Revere Street and Deer Springs Way, in Clark County, Nevada.

*\*Continued on the next page.*

**PARDEE HOMES OF NEVADA continued**

Violation(s) alleged:

Violation #1 – Section 94.11.6

Violation #2 – Section 94.9.2

Recommended Penalty: \$3,000.00

**FOUND IN VIOLATION.**

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

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

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

**16. PIER CONSTRUCTION & DEVELOPMENT, LLC (DCOP #44580)**

**NOV #9122** – For failure to maintain site soils in a stabilized condition 24 hours a day, seven days a week, as identified by Air Quality Specialists Katrinka Byers and Carlton Monroe during an inspection on April 2, 2018 at the Silverado West Apartments construction site at 244 East Silverado Ranch Boulevard, in Clark County, Nevada.

Violation(s) alleged:

Violation #1 – Section 94.9.2

Recommended Penalty: \$1,000.00

**FOUND IN VIOLATION.**

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

**17. PN II, INC. (DCOP #48702)**

**NOV #9144** – For failure to maintain site soils in a stabilized condition 24 hours a day, seven days a week, as identified by Air Quality Specialist Cris B. Melo during a complaint investigation on July 9, 2018 at the Sedona Ranch construction site at North Commerce Street and El Campo Grande Avenue, in Clark County, Nevada.

Violation(s) alleged:

Violation #1 – Section 94.9.2

Recommended Penalty: \$1,000.00

**FOUND IN VIOLATION.**

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

**18. SOUTHWEST GAS CORPORATION (DCOP #49020)**

**NOV #9137** – For failure to maintain site soils in a stabilized condition 24 hours a day, seven days a week; and failure to install a Dust Control Operating Permit Sign prior to commencing construction activities, as identified during a routine inspection by Air Quality Specialist Cris B. Melo on May 29, 2018 at the WR #3591972 - L Line Mop Increase construction site at 980 Wigwam Parkway, in Clark County, Nevada.

Violation(s) alleged:

Violation #1 – Section 94.9.2

Violation #2 – Section 94.7.7.1

Recommended Penalty: \$1,250.00

**FOUND IN VIOLATION.**

**PENALTY ASSESSED: \$1,250.00**

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

**Violation #2 – Section 94.7.7.1 - \$250.00**

**19. SWINERTON BUILDERS (DCOP #48472)**

**NOV #9129** – For failure to maintain site soils in a stabilized condition 24 hours a day, seven days a week, as identified by Air Quality Specialist Cris B. Melo during a routine inspection on May 29, 2018 at the Techren Solar Facility construction site at Black Hills Drive and US Highway 95, in Clark County, Nevada.

Violation(s) alleged:

Violation #1 – Section 94.9.2

Recommended Penalty: \$1,000.00

**FOUND IN VIOLATION.**

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

**20. SWINERTON BUILDERS (DCOP #48472)**

**NOV #9142** – For failure to fully implement Best Available Control Measures that resulted in plumes of fugitive dust that traveled more than 100 feet from the point of origin; and failure to maintain site soils in a stabilized condition 24 hours a day, seven days a week, as identified by Air Quality Specialists Katrinka Byers and Ross Grover during a complaint investigation and follow-up inspection on July 3 and 7, 2018 at the Techren Solar Facility construction site at Black Hills Drive and US Highway 95, in Clark County, Nevada.

Violation(s) alleged:

Violation #1 – Section 94.11.3(b)

Violation #2 – Section 94.9.2

Recommended Penalty: \$3,000.00

**FOUND IN VIOLATION.**

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

**Violation #1 – Section 94.11.3(b) - \$2,000.00**

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

**C. CONTESTED CASES**

***Construction and Vacant Land Violations:***

**1. BURKE CONSTRUCTION GROUP, INC. (DCOP #49069)**

**NOV #9151** – For failure to implement control measures that resulted in fugitive dust from construction activities that traveled more than 100 feet from the point of origin; and failure to maintain site soils in a stabilized condition 24 hours a day, seven days a week, as identified by Air Quality Specialist Carlton Monroe during initial and follow-up inspections on May 17 and 24, 2018 at the Castle Peak – Henli Bay construction site at the southeast corner of Azure Avenue and Beesley Drive, in Clark County, Nevada.

Violation(s) alleged:

Violation #1 – Section 94.11.3(b)

Violation #2 – Section 94.9.2

Recommended Penalty: \$3,000.00

**FOUND IN VIOLATION.**

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

**Violation #1 – Section 94.11.3(b) - \$500.00**

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



**2. THE PENTA BUILDING GROUP, LLC (DCOP #46358)**

**NOV #9133** – For failure to implement control measures which resulted in wind-blown fugitive dust that traveled over the property boundary, as identified by Air Quality Specialist Allan Gutierrez while performing an inspection during a Construction Notice period on April 12, 2018 at the Wynn Plaza Development construction site at 3131 Las Vegas Boulevard, in Clark County, Nevada.

Violation(s) alleged:

Recommended Penalty: \$2,000.00

Violation #1 – Section 94.11.3

**FOUND IN VIOLATION.**

**PENALTY ASSESSED: \$1,750.00**

***Stationary Sources Violations:***

**3. GYPSUM RESOURCES, LLC (Part 70 Source ID: 17286)**

**NOV #9110** – For operating emission units without required emission control equipment; creating dust plumes in excess of 100 yards in length from the crushing and screening plant; allowing controllable particulate matter to become airborne from the crushing and screening plant; failure to cover haul trucks after loading; operating on Sundays and beyond Saturday & weekday operational limitations; failure to perform all required monitoring and inspections; failure to maintain records onsite from required inspections; failure to submit the 2017 annual compliance certification to the Control Officer before January 30, 2018; submitted the 2<sup>nd</sup> semi-annual report to the Control Officer 58 days late; failure to submit the 2017 annual emissions inventory report on or before March 31, 2018; submitted the 2017 2<sup>nd</sup> semi-annual report without all required information and responsible official signature; and failure to submit required deviation reports for operating emission units without required emission control equipment, as identified during a multiple compliance evaluations between December 27, 2017 and April 5, 2018 by Senior Air Quality Specialist Scott Rowsell, of the nonmetallic mineral processing facility identified as Blue Diamond Hill Gypsum at 8360 Nevada Highway 159, in Clark County, Nevada.

Violation(s) alleged:

Recommended Penalty: \$852,200.00

Violation #1 – Part 70 Permit Condition III-B-3 (6, 7, 8, 10)

Violation #2 – Part 70 Permit Condition III-B-3-30

Violation #3 – Section 41.1.2

Violation #4 – Part 70 Permit Condition III-B-3-25

Violation #5 – ATC Permit Condition IV-A-3(a and b)  
Part 70 Permit Condition III-B-2(a and b)

Violation #6 – ATC Permit Condition V-A (1, 2, 3, 7,  
8, 10, 15a, 16, 17, 18, 20, 21, 22)  
Part 70 Permit Condition III-C (1, 2, 3,  
7, 8, 10, 19a, 20, 21, 22, 24, 25, 26)

Violation #7 – ATC Permit Condition V-C-4(a, b, c, e, j and l)  
ATC Permit Condition V-C-5(a, e and i)  
Part 70 Permit Condition III-E-4(a, b, c, g, l and n)  
Part 70 Permit Condition III-E-5(j and l)

Violation #8 – Part 70 Permit Condition II-D-6  
Part 70 Permit Condition III-F-5(c)  
Part 70 Permit Condition III-F-6  
Part 70 Permit Condition II-C-5(a)

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***GYPSUM RESOURCES, LLC continued***

Violation #9 – Part 70 Permit Condition III-F-3  
Part 70 Permit Condition III-F-5(a)  
Violation #10 – Part 70 Permit Condition II-D-7(a and b)

*\*Continued from 7/18/18*

**HEARING OFFICER FOUND GYPSUM RESOURCES, LLC IN VIOLATION, WHICH INCLUDES A \$676,400.00 PENALTY, \$200,000.00 OF WHICH BE HELD IN ABEYANCE FOR THE PERIOD OF 9/19/18 THROUGH 3/1/19. IF GYPSUM RESOURCES, LLC DOES NOT VIOLATE ANY EMISSIONS LIMITATIONS OR STANDARDS DURING THE PERIOD OF 9/19/18 THROUGH 3/1/19, THEN THE SUSPENDED AMOUNT WILL BE WAIVED.**

**4. GYPSUM RESOURCES, LLC (Part 70 Source ID: 17286)**

**NOV #9134** – For operating emission units without required emission control equipment (repeat violation); failure to submit required deviation reports for operating emission units without required emission control equipment (repeat violation); failure to submit the 2017 annual compliance certification report on or before January 30, 2018 (repeat violation); failure to submit the 2017 annual emission inventory report on or before March 31, 2018 (repeat violation); failure to perform all required monitoring and inspections (repeat violation); failure to maintain records onsite from required inspections (repeat violation); failure to submit two prior notifications of “like kind” equipment replacement to Air Quality; failure to apply control measures to prevent a dust plume and have a water truck available during blasting operations; failure to limit gypsum material throughput to 50,000 tons per month; failure to limit blasting operations to 700,000 square feet during three consecutive 12-month periods; and failure to limit blasting agent (ANFO) to 75 tons during eleven consecutive 12-month periods, as identified during a multiple compliance evaluations between April 20, 2018 and June 21, 2018 by Senior Air Quality Specialist Scott Rowsell and Air Quality Specialist Syed Hyder, of the nonmetallic mineral processing facility identified as Blue Diamond Hill Gypsum at 8360 Nevada Highway 159, in Clark County, Nevada.

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Violation(s) alleged: Recommended Penalty: \$144,700.00  
Violation #1 – Permit Conditions III-B-3, 6 through 8 and 10  
Violation #2 – Permit Condition II-D-7-a  
Permit Condition II-D-7-b  
Permit Condition III-F-6  
Violation #3 – Permit Condition II-D-6  
Permit Condition II-C-5-a  
Violation #4 – Permit Conditions III-C-1, 2, 3, 6 and 21  
Violation #5 – Permit Conditions III-E-4-a, h, l, and m  
Permit Conditions III-E-5-g, h, and i  
Violation #6 – Section 12.5.2.12(a)(2)  
Violation #7 – Permit Conditions III-B-3(30 and 31)  
Violation #8 – HOO Condition 2(b)  
Violation #9 – Permit Condition III-B-2-d  
Violation #10 – Permit Condition III-B-2-e

**FOUND IN VIOLATION.**

**PENALTY ASSESSED: \$75,200.00**

<b>Violation #1 – Permit Conditions III-B-3, 6 through 8 and 10</b>	<b>- \$35,000.00</b>
<b>Violation #2 – Permit Condition II-D-7-a</b>	<b>- \$200.00</b>
<b>Permit Condition II-D-7-b</b>	
<b>Permit Condition III-F-6</b>	
<b>Violation #3 – Permit Condition II-D-6</b>	<b>- \$6,000.00</b>
<b>Permit Condition II-C-5-a</b>	
<b>Violation #4 – Permit Conditions III-C-1, 2, 3, 6 and 21</b>	<b>- \$10,000.00</b>
<b>Violation #5 – Permit Conditions III-E-4-a, h, l, and m</b>	<b>- \$10,000.00</b>
<b>Permit Conditions III-E-5-g, h, and i</b>	
<b>Violation #6 – Section 12.5.2.12(a)(2)</b>	<b>- \$3,000.00</b>
<b>Violation #7 – Permit Conditions III-B-3(30 and 31)</b>	<b>- \$2,000.00</b>
<b>Violation #8 – HOO Condition 2(b)</b>	<b>- \$2,000.00</b>
<b>Violation #9 – Permit Condition III-B-2-d</b>	<b>- \$1,500.00</b>
<b>Violation #10 – Permit Condition III-B-2-e</b>	<b>- \$5,500.00</b>

**5. NEVADA READY MIX CORPORATION (Source ID: 99)**

**NOV #9152** – For allowing tracked out soil onto a paved roadway that extended more than 50 feet in length and resulted in plumes of fugitive dust from vehicular traffic; and failure to prevent controllable visible emissions from a cement silo, as identified by Air Quality Specialist Mike Murphy during a complaint investigation conducted on July 17, 2018 of the ready mix concrete batch plant operation identified as Nevada Ready Mix Corporation at 601 West Bonanza Road, in Clark County, Nevada.

Violation(s) alleged: Recommended Penalty: \$4,000.00  
Violation #1 – Permit Condition IV-B-13  
Permit Condition IV-B-16  
Violation #2 – Section 41.1.2

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**FOUND IN VIOLATION.**

**PENALTY ASSESSED: \$3,750.00**

**Violation #1 – Permit Condition IV-B-13 - \$1,750.00**  
**Permit Condition IV-B-16**  
**Violation #2 – Section 41.1.2 - \$2,000.00**

**Recess at 10:06 a.m.**

**Resumed at 10:16 a.m.**

**6. NEVADA SYSTEM OF HIGHER EDUCATION (Source ID: 634)**

**NOV #9124** – For installing and operating two unpermitted emission units; installing and operating an emission unit with a higher rating than permitted; installing and operating cooling tower pumps with higher ratings than permitted; exceeding annual hours of operation limitations for 12 EUs; failing to conduct and maintain records of total dissolved solids of the cooling tower circulation water; submitting the 1<sup>st</sup> 2016 semi-annual report to the Control Officer 43 days late and failing to include a summary of the incinerator usage and hours of operation for the cooling towers; submitting the 2<sup>nd</sup> 2016 semi-annual report to the Control Officer 2 days late and failing to include a summary of the incinerator usage and hours of operation for the cooling towers; submitting the 1<sup>st</sup> 2017 semi-annual report to the Control Officer four days late and failing to include a summary of the incinerator usage and hours of operation for the cooling towers; and submitting the 2<sup>nd</sup> 2017 semi-annual report to the Control Officer sixteen days late and failing to include a summary of the incinerator usage and hours of operation for the cooling towers, as identified by Senior Air Quality Specialist Camon Liddell and Air Quality Specialist Mike Murphy during a full compliance evaluation conducted on April 23, 24 and 25, 2018 of the colleges, universities, and professional schools operation identified as the UNLV Campus at 4505 South Maryland Parkway, in Clark County, Nevada.

Violation(s) alleged:

Recommended Penalty: \$10,650.00

Violation #1 – 2018 Permit Condition II-A-8  
Violation #2 – 2016 Permit Conditions IV-A-3-a and c  
Violation #3 – 2016 Permit Condition IV-C-7  
2018 Permit Condition IV-C-7  
2016 & 2018 Permit Condition IV-E-1-c  
Violation #4 – October 2015 Permit Condition II-C-7-b  
October 2015 Permit Condition II-C-7-c  
2016 & 2018 Permit Condition II-C-6-b  
2016 & 2018 Permit Condition II-C-6-c

**NEVADA SYSTEM OF HIGHER EDUCATION REQUESTED A CONTINUANCE.**

**HEARING OFFICER CONTINUED NEVADA SYSTEM OF HIGHER EDUCATION TO NOVEMBER 8, 2018.**

7. **QUARRY 187, LLC (Source ID: 83)**

**NOV #9147** – For installing and operating five unpermitted emission units (EUs) without a permit revision authorizing installation and operation; exceeding the annual production limitation during calendar year 2017; failing to monitor and maintain records of annual vehicle miles traveled by haul trucks on haul roads, and the length of the onsite haul road; failing to conduct initial opacity performance tests on fourteen permitted and five unpermitted EUs within 180 days of each EU's startup; and failing to include all EUs in the annual emission report and submitting inaccurate calculations for other EUs in the annual emission inventory report, as identified during a full compliance evaluation conducted by Senior Air Quality Specialist Camon Liddell on June 7, 2018 of the non-metallic mineral processing operation and concrete batching operation identified as Quarry 187 two miles south of Railroad Pass and west of US Highway 95, in Clark County, Nevada.

Violation(s) alleged:

Recommended Penalty: \$15,500.00

Violation #1 – Permit Condition II-A-8

Violation #2 – Permit Condition IV-A-3-a

Violation #3 – Permit Condition IV-C-8

Permit Condition IV-E-1-d

Permit Condition IV-E-2-b

Violation #4 – Section 14.1 &

40 CFR Part 60, Subpart A, §60.11(e)(1)

Permit Condition IV-D-2-a

Violation #5 – Permit Condition II-C-5-b-ii

Permit Condition II-C-5-b-iii

Permit Condition IV-E-2-f

**QUARRY 187, LLC PRESENTED EVIDENCE AS EXHIBIT A.**

**AIR QUALITY WITHDREW VIOLATION #2 REDUCING THE RECOMMENDED PENALTY AMOUNT TO \$13,500.00.**

**HEARING OFFICER FOUND QUARRY 187, LLC IN VIOLATION, WHICH INCLUDES A \$12,000.00 PENALTY, \$500.00 OF WHICH BE HELD IN ABEYANCE UNTIL OCTOBER 18, 2018. IF QUARRY 187, LLC RESUBMITS THE CORRECTED 2017 ANNUAL EMISSIONS INVENTORY REPORT BY OCTOBER 18, 2018, THEN THE SUSPENDED AMOUNT WILL BE WAIVED.**

**8. REBEL LAND AND DEVELOPMENT, LLC (Source ID: 9415)**

**NOV #9131** – For failure to conduct follow-up performance testing of the vapor recovery system within three years of the previous tests; failure to maintain Phase I vapor recovery equipment by operating without a gasket on the fill side cap; and failure to maintain Phase I vapor recovery equipment by operating the pressure/vacuum vent valve without a cap, as identified by Air Quality Specialist Mike Murphy during a full compliance evaluation conducted on May 31, 2018 of the gasoline dispensing operation identified as Rebel Store #2140 at 3380 East Tropicana Avenue, in Clark County, Nevada.

Violation(s) alleged:

Recommended Penalty: \$4,000.00

Violation #1 – Permit Condition IV-D-1

Violation #2 – Permit Condition IV-B-1-a-iii

Permit Condition IV-B-1-b-x

**REBEL LAND AND DEVELOPMENT, LLC PRESENTED EVIDENCE AS EXHIBIT D.**

**FOUND IN VIOLATION.**

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

**Violation #1 – Permit Condition IV-D-1 - \$1,500.00**

**Violation #2 – Permit Condition IV-B-1-a-iii - \$1,500.00**

**Permit Condition IV-B-1-b-x**

**Recess at 11:19 a.m.**

**Resumed at 11:28 a.m.**

**9. VALLEY HEALTH SYSTEMS LLC (Source ID: 17800)**

**NOV #9138** – For constructing and operating three unpermitted generators and one unpermitted boiler; failing to conduct burner efficiency tests on boilers; and failing to maintain records of visible emission checks at the facility, as identified by Air Quality Specialist Syed S. Hyder during a full compliance evaluation conducted on June 4 and 7, 2018 of the hospital operation identified as the Henderson Hospital at 1050 West Galleria Drive, in Clark County, Nevada.

Violation(s) alleged:

Recommended Penalty: \$10,000.00

Violation #1 – Permit Condition II-A-8

Violation #2 – Permit Condition IV-C-7

Violation #3 – Permit Condition IV-E-1-a

**AIR QUALITY AMENDED NOV #9138 TO EXCLUDE THREE UNPERMITTED 757 HORSEPOWER GENERATORS FROM VIOLATION #1 REDUCING THE RECOMMENDED PENALTY AMOUNT FOR VIOLATION #1 TO \$2,000.00 AND NOV #9138 TO \$4,000.00.**

**FOUND IN VIOLATION.**

**PENALTY ASSESSED: \$2,500.00**

**Violation #1 – Permit Condition II-A-8 - \$1,000.00**

**Violation #2 – Permit Condition IV-C-7 - \$1,000.00**

**Violation #3 – Permit Condition IV-E-1-a - \$500.00**

**III. ADJOURNMENT 1:40 p.m.**