



## 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 16, 2020

Hearing Officer: Lona Webb

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

88

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 9:03 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. REBEL OIL COMPANY, INCORPORATED (Source ID: 15983)

**NOV #9362** – For failing to route emissions to the vapor recovery system during unloading of ethanol from railroad tank cars to the 30,000 underground storage tank; for operating Emission Unit (EU): A01 without connections to the vapor recovery system; for constructing and operating four racing gasoline storage tanks without a permit authorizing construction and operation; for failing to route emissions of racing gasoline to the vapor recovery system during loading of tanker trucks, and failing to operate emissions control devices for individual EUs; for failing to maintain monthly visual emissions check records for January, February, April, May, June and July 2019 to demonstrate that visual emissions checks were conducted; for failing to maintain fire pump testing records for January, February, April, May, June and July 2019; for failing to submit the 2017 annual report on or before March 31, 2018 and failing to submit the 2018 annual report on or before March 31, 2019; and for failing to report throughput and emissions from EUs: A01, A05 and B01, and reported incorrect emissions for EUs that operated without the required control equipment, as identified by Air Quality Specialist II Syed Hyder during a partial compliance evaluation conducted on August 21, 2019 of the petroleum bulk station and terminal operation of Rebel Oil Company, Inc. located at 5095 East El Campo Grande Avenue, in Clark County, Nevada.

*\*Continued on the next page.*

**REBEL OIL COMPANY, INCORPORATED continued**

Violation(s) alleged:

Recommended Penalty: \$30,465.00

- Violation #1 – 2017 Permit conditions IV.B.6 and IV.B.9  
2017 Permit Table IV-B-1  
February 2019 Permit condition 2.2.3
- Violation #2 – 2017 Permit condition IV.B.5
- Violation #3 – 2017 Permit condition II.A.8
- Violation #4 – 2017 Permit conditions IV.B.6 and IV.B.9  
2017 Permit Table IV-B-1  
February 2019 Permit condition 2.2.2 for Loading Racks
- Violation #5 – February 2019 and July 2019 Permit condition 4.1.1  
2017 Permit condition IV.C.1
- Violation #6 – February 2019 Permit condition 4.3.1.e  
July 2019 Permit condition 4.3.1.h
- Violation #7 – 2017 Permit condition II.C.5.a.ii
- Violation #8 – 2017 Permit condition II.C.5.b.iii

*Continued from 11/7/2019*

**HEARING OFFICER APPROVED THE PROPOSED SETTLEMENT AGREEMENT FOR NOV #9362, WHICH INCLUDES A \$30,465.00 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. BEAZER HOMES HOLDINGS LLC (DCOP #50269)**

**NOV #9374** – For failing to implement control measures necessary to maintain soil stability 24 hours a day, seven days a week, as identified by Air Quality Specialist Cris Melo while performing a complaint investigation on October 17, 2019 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 94.9.2

**FOUND IN VIOLATION.**

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

2. **ED'S STATIONS INC. (Source ID: 9132)**

**NOV #9360** – For failing to conduct vapor recovery system tests within 180 days of the issuance of the 2017 Permit, as identified by Air Quality Specialist Josh Kelley during a full compliance evaluation conducted on August 28, 2019 of the gasoline dispensing operation known as Ed's AM PM located at 333 East Charleston Boulevard, in Clark County, Nevada.

Violation(s) alleged:

Recommended Penalty: \$4,550.00

Violation #1 – 2017 Permit condition IV.D.4.c

**FOUND IN VIOLATION.**

**PENALTY ASSESSED: \$4,550.00**

3. **J. R. SIMPLOT COMPANY D/B/A SIMPLOT SILICA PRODUCTS (Source ID: 138)**

**NOV #9368** – For failing to maintain a minimum of 1.5 percent moisture content on materials less than 0.25 inches in diameter at all processing points and storage piles during five days of operation; failing to conduct and maintain records of moisture testing for 18 weeks while the plant was in operation to demonstrate compliance with minimum 1.5 percent moisture content on materials less than 0.25 inches in diameter at all processing points and storage piles; and failing to report intermittent compliance for July 2016 Permit condition III.B.3.c and III.C.2 in the 2017 and 2018 Annual Compliance Certification reports, as identified by Senior Air Quality Specialist Canon Liddell during a full compliance evaluation conducted on September 12, 2019 of the industrial sand mining operation known as Simplot Silica Products located at 665 Simplot Road, in Clark County, Nevada.

Violation(s) alleged:

Recommended Penalty: \$9,680.00

Violation #1 – July 2016 Permit condition III.B.3.c

Violation #2 – July 2016 Permit condition III.C.2

July 2016 Permit condition III.E.1.a

Violation #3 – July 2016 Permit condition II.D.6.c

**FOUND IN VIOLATION.**

**PENALTY ASSESSED: \$9,680.00**

**Violation #1 – July 2016 Permit condition III.B.3.c - \$2,320.00**

**Violation #2 – July 2016 Permit condition III.C.2 - \$3,360.00**

**July 2016 Permit condition III.E.1.a**

**Violation #3 – July 2016 Permit condition II.D.6.c - \$4,000.00**

4. **MAVERIK, INC. (Source ID: 15445)**

**NOV #9370** – For failing to conduct and pass subsequent Phase I vapor recovery system tests on or before the three year anniversary date of the previous successful tests, as identified by Air Quality Specialist Pat Ringgenberg during a full compliance evaluation conducted on October 11, 2019 of the gasoline dispensing operation known as Maverik Store #342 located at 14 North Sandhill Boulevard, in Clark County, Nevada.

Violation(s) alleged:

Recommended Penalty: \$6,270.00

Violation #1 – Permit condition IV.D.4.b

Permit Table IV-D-1

**FOUND IN VIOLATION.**

**PENALTY ASSESSED: \$6,270.00**

5. **MAVERIK, INC. (Source ID: 16926)**

**NOV #9386** – For failing to monitor and record Phase I and Phase II vapor recovery inspections; for failing to conduct and pass subsequent Phase I and Phase II vapor recovery system tests on or before the three year anniversary date of the previous successful tests; and for cancelling a vapor recovery test scheduled December 14, 2018, and a second vapor recovery test scheduled January 18, 2019, both without prior authorization from Air Quality, as identified by Senior Air Quality Specialist Camon Liddell during a full compliance evaluation conducted on November 25, 2019 of the gasoline dispensing operation known as Maverik Store #434 located at 6510 South Fort Apache Road, in Clark County, Nevada.

Violation(s) alleged:	Recommended Penalty: \$9,385.00
Violation #1 – 2015 Permit and 2017 Permit conditions IV.C.3(a through g) 2015 Permit and 2017 Permit conditions IV.C.4(a through h) 2015 Permit and 2017 Permit condition IV.E.2.a	
Violation #2 – 2017 Permit condition IV.D.4.b 2017 Permit Table IV-D-1	
Violation #3 – 2017 Permit condition IV.D.3	

**FOUND IN VIOLATION.**

**PENALTY ASSESSED: \$9,385.00**

Violation #1 – 2015 Permit and 2017 Permit conditions IV.C.3(a through g) - \$4,145.00 2015 Permit and 2017 Permit conditions IV.C.4(a through h) 2015 Permit and 2017 Permit condition IV.E.2.a	
Violation #2 – 2017 Permit condition IV.D.4.b 2017 Permit Table IV-D-1	- \$4,740.00
Violation #3 – 2017 Permit condition IV.D.3	- \$500.00

6. **MAVERIK, INC. (Source ID: 17961)**

**NOV #9387** – For failing to monitor and record Phase I vapor recovery inspections; for failing to conduct Phase I vapor recovery system tests within 180 days of starting operations; and for operating Emission Units: A03 and A04 with fuel in the fill side spill buckets, as identified by Air Quality Specialist Mike Murphy during a full compliance evaluation conducted on November 14, 2019 of the gasoline dispensing operation known as Maverik #568 located at 385 East Warm Springs Road, in Clark County, Nevada.

Violation(s) alleged:	Recommended Penalty: \$3,760.00
Violation #1 – 2018 Permit conditions IV.C.3(a through g) 2018 Permit condition IV.E.2.a 2019 Permit conditions 4.1.4(a through h) 2019 Permit condition 4.3.2.b	
Violation #2 – 2019 Permit condition 4.2.4.a	
Violation #3 – 2019 Permit condition 2.1.4.d	

**FOUND IN VIOLATION.**

**PENALTY ASSESSED: \$3,760.00**

Violation #1 – 2018 Permit conditions IV.C.3(a through g) - \$900.00 2018 Permit condition IV.E.2.a 2019 Permit conditions 4.1.4(a through h) 2019 Permit condition 4.3.2.b	
Violation #2 – 2019 Permit condition 4.2.4.a	- \$2,610.00
Violation #3 – 2019 Permit condition 2.1.4.d	- \$250.00

7. **MIDJIT MARKET, INC. (Source ID: 9357)**

**NOV #9373** – For failing to conduct and pass subsequent Phase I and Phase II vapor recovery system tests on or before the three year anniversary date of the previous successful tests, as identified by Air Quality Specialist Syed Hyder during a full compliance evaluation conducted on October 21, 2019 of the gasoline dispensing operation known as Green Valley Grocery #34 located at 6055 West Flamingo Road, in Clark County, Nevada.

Violation(s) alleged:

Recommended Penalty: \$7,920.00

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

**FOUND IN VIOLATION.**

**PENALTY ASSESSED: \$7,920.00**

8. **NEVADA READY MIX CORPORATION (Source ID: 512)**

**NOV #9378** – For allowing particulate matter to become airborne, failing to operate binvents to control 99% of particulate emissions, and exceeding their opacity limitation during operation, as identified by Air Quality Specialist Syed Hyder during a partial compliance evaluation conducted on October 29, 2019 of the concrete manufacturing with sand and gravel operation known as Nevada Ready Mix located at 10811 West Washburn Avenue, in Clark County, Nevada.

Violation(s) alleged:

Recommended Penalty: \$9,000.00

Violation #1 – November 2018 Permit condition 2.2.1  
November 2018 Permit condition 2.2.8  
November 2018 Permit condition 3.2.3

**NEVADA READY MIX CORPORATION REQUESTED A CONTINUANCE.**

**HEARING OFFICER CONTINUED NEVADA READY MIX CORPORATION'S CASE TO MARCH 19, 2020.**

9. **PN II, INC. (DCOP #50691)**

**NOV #9369** – For failing to implement control measures necessary to maintain soil stability 24 hours a day, seven days a week, as identified by Air Quality Specialist Cris Melo during an inspection on October 8, 2019 at the Binion 80 construction project located at the northwest corner of Centennial Parkway and Losee Road, in Clark County, Nevada.

Violation(s) alleged:

Recommended Penalty: \$1,250.00

Violation #1 – Section 94.9.2

**FOUND IN VIOLATION.**

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

**10. PN II, INC. (DCOP #50691)**

**NOV #9376** – For allowing soil to be tracked out greater than 50 feet in length onto a paved roadway, as identified by Air Quality Specialist Cris Melo while performing a complaint investigation during a Construction Notice period on October 17, 2019 at the Binion 80 construction project located at the northwest corner of Centennial Parkway and Losee Road, in Clark County, Nevada.

Violation(s) alleged:

Violation #1 – Section 94.11.6

Recommended Penalty: \$1,500.00

**FOUND IN VIOLATION.**

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

**11. RICHMOND AMERICAN HOMES OF NEVADA, INC. (DCOP #51217)**

**NOV #9389** – For allowing soil to be tracked out more than 50 feet in length and ¼ inch in depth onto a paved roadway, as identified by Air Quality Specialist Allan Gutierrez during a complaint investigation on November 26, 2019 at the Rockdale construction project located at the southwest corner of South Durango Drive and West Cactus Avenue, in Clark County, Nevada.

Violation(s) alleged:

Violation #1 – Section 94.11.6

Recommended Penalty: \$2,500.00

**FOUND IN VIOLATION.**

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

**12. SMITH'S FOOD & DRUG CENTERS, INC. (Source ID: 17950)**

**NOV #9382** – For failing to conduct Phase I vapor recovery system tests within 180 days of starting operations; and failing to submit the emissions calculations for Natural Gas-Powered Emergency Generator (Emission Unit: B01) in the 2018 annual emission inventory report, as identified by Air Quality Specialist Mike Murphy during an off-site partial compliance evaluation conducted on November 14, 2019 of the gasoline dispensing operation known as Smith's Food and Grocery Store Fuel Center #367 located at 9710 and 9620 Skye Canyon Park Drive, in Clark County, Nevada.

Violation(s) alleged:

Violation #1 – Permit condition IV.D.4.a

Violation #2 – Permit condition II.C.5.b.ii

Recommended Penalty: \$5,025.00

**FOUND IN VIOLATION.**

**PENALTY ASSESSED: \$5,025.00**

**Violation #1 – Permit condition IV.D.4.a - \$4,700.00**

**Violation #2 – Permit condition II.C.5.b.ii - \$325.00**

**13. TARGET CONSTRUCTION, INC. (DCOP #40804)**

**NOV #9367** – For failing to fully implement Best Available Control measures resulting in a fugitive dust plume to cross the property line; and for failing to fully implement Best Available Control Measures resulting in fugitive dust plumes to extend more than 100 feet from the point of origin, as identified by Air Quality Specialist Katrinka Byers while performing a complaint investigation during a Dust Advisory period on September 16, 2019 and follow-up inspection on September 18, 2019 at the Planning Area 18 Access Road construction project located south of Horizon Ridge Parkway on Viento Puntero Drive, in Clark County, Nevada.

Violation(s) alleged:

Recommended Penalty: \$6,500.00

Violation #1 – Section 94.11.3(c)

Violation #2 – Section 94.11.3(b)

**FOUND IN VIOLATION.**

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

**Violation #1 – Section 94.11.3(c) - \$4,000.00**

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

**14. TARGET CONSTRUCTION, INC. (DCOP #49991)**

**NOV #9380** – 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 during an inspection on October 23, 2019 at the Tresor construction project located at Shaded Canyon Drive and Integrity Point, in Clark County, Nevada.

Violation(s) alleged:

Recommended Penalty: \$3,000.00

Violation #1 – Section 94.11.3(b)

**FOUND IN VIOLATION.**

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

**15. TERRIBLE HERBST, INC. (Source ID: 9944)**

**NOV #9383** – For failing to conduct and pass subsequent Phase I and Phase II vapor recovery system tests on or before the three year anniversary date of the previous successful tests; and for operating Emission Unit: A01 with a loose vapor side adapter, as identified by Senior Air Quality Specialist Scott Rowsell during a full compliance evaluation conducted on November 15, 2019 of the gasoline dispensing operation known as Terrible Herbst #326 located at 9430 Peace Way, in Clark County, Nevada.

Violation(s) alleged:

Recommended Penalty: \$5,040.00

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

Violation #2 – July 2015 Permit condition IV.B.1.b.iii

**FOUND IN VIOLATION.**

**PENALTY ASSESSED: \$5,040.00**

**Violation #1 – July 2015 Permit condition IV.D.4.b - \$3,790.00**  
**July 2015 Permit Table IV-D-1**

**Violation #2 – July 2015 Permit condition IV.B.1.b.iii - \$1,250.00**

16. **TERRIBLE HERBST, INC. (Source ID: 15003)**

**NOV #9384** – For failing to conduct and pass subsequent Phase I and Phase II 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 a full compliance evaluation conducted on November 21, 2019 of the gasoline dispensing operation known as Terrible Herbst #328 located at 9380 West Tropicana Avenue, in Clark County, Nevada.

Violation(s) alleged:

Recommended Penalty: \$5,170.00

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

**FOUND IN VIOLATION.**

**PENALTY ASSESSED: \$5,170.00**

C. CONTESTED CASES

*Stationary Sources Violations:*

1. **333 EAGLES LANDING TRAVEL PLAZA LLC (Source ID: 17951)**

**NOV #9353** – For failing to conduct Phase I vapor recovery system tests within 180 days of starting operations, as identified by Air Quality Specialist Mike Murphy during an off-site partial compliance evaluation conducted on September 26, 2019 of the gasoline dispensing operation known as Eagles Landing Travel Plaza located at 1057 South Lower Flat Top Drive, in Clark County, Nevada.

Violation(s) alleged:

Recommended Penalty: \$8,200.00

Violation #1 – 2019 Permit condition IV.D.4.a

**FOUND IN VIOLATION.**

**PENALTY ASSESSED: \$7,200.00**

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

**NOV #9375** – For failing to identify periods during which a deviation occurred in the 2017 and 2018 annual compliance certifications; for allowing visible stack emissions to exceed 15% opacity on Emission Unit (EU): K402, Kiln 4 Preheater System baghouse K4-DC-316 without using EPA Method 9 to demonstrate compliance; for allowing visible stack emissions to exceed 15% opacity on EUs: K102, K202 and K302, the Rotary Kilns 1 through 3 without using EPA Method 9 to demonstrate compliance; for failing to take and analyze a sample of approximately one pound of the blended fuel at least once every two hours each day from each kiln burning blended fuel; and failing to conduct subsequent EPA Method 9 testing on 21 EUs within five years of the previous tests, as identified by Senior Air Quality Specialist Scott Rowsell during a full compliance evaluation conducted on August 30, 2019 of the lime manufacturing and construction sand and gravel operation known as Lhoist North America – Apex Plant located at 12101 North Las Vegas Boulevard, in Clark County, Nevada.

*\*Continued to the next page.*



**LHOIST NORTH AMERICA OF ARIZONA, INC. continued**

Violation(s) alleged: Recommended Penalty: \$16,800.00  
Violation #1 – October 2016 Permit, October 2017 Permit and December 2017 Permit condition II.D.6.c  
Violation #2 – October 2017 Permit and December 2017 Permit condition III.B.1.e  
October 2017 Permit and December 2017 Permit condition III.C.18  
Violation #3 – December 2017 Permit condition III.B.1.f  
Violation #4 – December 2017 Permit condition III.C.15  
Violation #5 – October 2017 Permit and December 2017 Permit condition III.D.1 and Table III-D-1

**AIR QUALITY AMENDED NOV #9375 AS FOLLOWS:**

- **EXCLUDED DEFICIENCIES 2.a AND 2.b.i FROM SECTION I WHICH DID NOT AFFECT THE RECOMMENDED PENALTY AMOUNT FOR VIOLATION #1;**
- **EXCLUDED OCTOBER 24, 2018 DATE FROM DEFICIENCY 2.d IN SECTION I AND VIOLATION #2 IN EXHIBIT A, REDUCING THE RECOMMENDED PENALTY AMOUNT FOR VIOLATION #2 TO \$2,080.00; AND**
- **EXCLUDED MAY 2, JUNE 13 AND JUNE 19, 2019 DATES FROM DEFICIENCY 2.j IN SECTION I AND VIOLATION #4 IN EXHIBIT A, REDUCING THE RECOMMENDED PENALTY AMOUNT FOR VIOLATION #4 TO \$2,080.00.**

**LHOIST NORTH AMERICA OF ARIZONA, INC. CHANGED ITS PLEA TO NOT CONTESTING NOV #9375.**

**FOUND IN VIOLATION.**

**PENALTY ASSESSED: \$16,480.00**

<b>Violation #1 – October 2016 Permit, October 2017 Permit and December 2017 Permit condition II.D.6.c</b>	<b>- \$4,000.00</b>
<b>Violation #2 – October 2017 Permit and December 2017 Permit condition III.B.1.e October 2017 Permit and December 2017 Permit condition III.C.18</b>	<b>- \$2,080.00</b>
<b>Violation #3 – December 2017 Permit condition III.B.1.f</b>	<b>- \$2,320.00</b>
<b>Violation #4 – December 2017 Permit condition III.C.15</b>	<b>- \$2,080.00</b>
<b>Violation #5 – October 2017 Permit and December 2017 Permit condition III.D.1 and Table III-D-1</b>	<b>- \$6,000.00</b>

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

**NOV #9377** – For operating Emission Units: A25 and A08 in a manner that discharged fugitive dust in excess of 100 yards from the point of origin, and for handling material in a manner that allowed controllable particulate matter to become airborne, as identified by Air Quality Specialist Mike Murphy while performing routine patrol during a Dust Advisory on October 10, 2019 of the dry/wet aggregate plant operation known as Sierra Ready Mix located 4.7 miles south of Prison Road near Jean, in Clark County, Nevada.

Violation(s) alleged:

Recommended Penalty: \$3,750.00

Violation #1 – 2018 Permit condition IV.B.8  
2018 Permit condition IV.B.1

**SIERRA READY MIX LIMITED LIABILITY COMPANY CHANGED ITS PLEA TO NOT CONTESTING NOV #9377.**

**FOUND IN VIOLATION.**

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

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

**NOV #9385** – For operating multiple conveyor drop points and stackers in the dry crushing and screening operation, in a manner that allowed controllable particulate matter to become airborne; and for operating a front-end loader in the mining pit, in a manner that allowed controllable particulate matter to become airborne, as identified by Senior Air Quality Specialist Scott Rowsell during a partial compliance evaluation conducted on November 19, 2019 of the dry/wet aggregate plant operation known as Sierra Ready Mix located 4.7 miles south of Prison Road near Jean, in Clark County, Nevada.

Violation(s) alleged:

Recommended Penalty: \$6,000.00

Violation #1 – 2018 Permit condition IV.B.1  
Violation #2 – 2018 Permit condition IV.B.1

**SIERRA READY MIX LIMITED LIABILITY COMPANY CHANGED ITS PLEA TO NOT CONTESTING NOV #9385.**

**FOUND IN VIOLATION.**

**PENALTY ASSESSED: \$6,000.00**

**Violation #1 – 2018 Permit condition IV.B.1 - \$3,000.00**

**Violation #2 – 2018 Permit condition IV.B.1 - \$3,000.00**

5. **SILVER STATE MATERIALS, LLC D/B/A CALPORTLAND COMPANY (Source ID: 414) NOV #9371** – For operating Emission Unit: A10, the fly ash silo, in a manner that discharged air contaminants in excess of an average of 20% opacity for more than six consecutive minutes, as identified by Senior Air Quality Specialist Camon Liddell during a partial compliance evaluation conducted on October 7, 2019 of the dry mix concrete batch operation known as Calportland located at 143 West Gowan Road, in Clark County, Nevada.

Violation(s) alleged:

Recommended Penalty: \$2,000.00

Violation #1 – Permit condition 3.2.3

**AIR QUALITY REQUESTED A CONTINUANCE.**

**HEARING OFFICER CONTINUED SILVER STATE MATERIALS, LLC D/B/A CALPORTLAND COMPANY'S CASE TO MARCH 19, 2020.**

6. **THE QUIKRETE COMPANIES, LLC (Source ID: 324) NOV #9372** – For operating Emission Unit: C06, Silo C, in a manner that discharged controllable particulate matter in excess of 20% opacity for more than six consecutive minutes from the binvent; and for operating a front-end loader in a manner which allowed controllable particulate matter to become airborne and in conditions without adequate control measures, as identified by Air Quality Specialist Mike Murphy during a partial compliance evaluation conducted on October 8, 2019 of the concrete, sand, grout, decorative rock, and cement bagging operation known as Quikrete located at 112 West Brooks Avenue, in Clark County, Nevada.

Violation(s) alleged:

Recommended Penalty: \$7,000.00

Violation #1 – Permit condition 2.2.1

Permit condition 2.2.8

Permit condition 3.2.3

Violation #2 – Permit condition 2.2.8

**AIR QUALITY REQUESTED A CONTINUANCE.**

**HEARING OFFICER CONTINUED THE QUIKRETE COMPANIES, LLC'S CASE TO MARCH 19, 2020.**

***Asbestos Violations:***

**7. ATOMIC ARTS INC. AND ANDREW SMITH (Project #192009)**

**NOV #9379** – For failing to thoroughly inspect the Facility for the presence of asbestos-containing materials prior to conducting renovation or demolition 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 adequately wet all removed RACM; for failing to have at least one onsite representative trained in the provisions of the National Emission Standards for Hazardous Air Pollutants asbestos regulations and the means of complying with them; for allowing visible emissions and failing to seal all asbestos-containing waste material in leak tight containers while wet; for failing to deposit all asbestos-containing waste material at an approved waste disposal site; and for failing to maintain asbestos waste shipment records, as identified during inspections by Air Quality Specialist Whitney Francis, beginning on September 10, 2019 at a facility owned and/or operated by Atomic Arts, Inc. and Andrew Smith, known as parcel #162-03-210-069, which includes 222, 224 and 230 East Imperial Avenue, in Clark County, Nevada.

Violation(s) alleged:	Recommended Penalty: \$18,688.00
Violation #1 – Section 13.1, 40 CFR 61, Subpart M, Part 61.145(a)	
Violation #2 – Section 13.1, 40 CFR 61, Subpart M, Part 61.145(b)(1) Section 13.1, 40 CFR 61, Subpart M, Part 61.145(b)(3)(i)	
Violation #3 – Section 13.1, 40 CFR 61, Subpart M, Part 61.145(c)(6)(i)	
Violation #4 – Section 13.1, 40 CFR 61, Subpart M, Part 61.145(c)(8)	
Violation #5 – Section 13.1, 40 CFR 61, Subpart M, Part 61.150(a) Section 13.1, 40 CFR 61, Subpart M, Part 61.150(a)(1)(iii)	
Violation #6 – Section 13.1, 40 CFR 61, Subpart M, Part 61.150(b)(1) Section 13.1, 40 CFR 61, Subpart M, Part 61.150(b)(2)	
Violation #7 – Section 13.1, 40 CFR 61, Subpart M, Part 61.150(d)(1)	

**ATOMIC ARTS INC. AND ANDREW SMITH REQUESTED A CONTINUANCE.**

**HEARING OFFICER CONTINUED ATOMIC ARTS INC. AND ANDREW SMITH'S CASE TO MARCH 19, 2020.**

**8. G FORCE DEMOLITION INC. (Project #191083)**

**NOV #9381** – For failing to notify Air Quality of the demolition of two mobile homes at the Facility 10 working days before the activities commenced, as identified during an inspection by Air Quality Specialist Kevin Adoor on November 5, 2019 at a Facility operated by G Force Demolition, Inc., known as the Royal Mobile Home Park located at 4470 Vegas Valley Drive, in Clark County, Nevada.

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

**FOUND IN VIOLATION.  
PENALTY ASSESSED: \$1,000.00**

**9. MICHAEL POURA, TOTAL PROPERTY MANAGEMENT LLC, AND SUNRISE INVESTMENT HOLDINGS, LLC (Project #191073)**

**NOV #9388** – For failing 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 commencing removal of regulated asbestos containing materials from the Facility; for failing to have at least one onsite representative trained in the provisions of the National Emission Standards for Hazardous Air Pollutants and the means of complying with them; for failing to adequately wet, and ensure it remained wet, all removed regulated asbestos containing materials; for failing to seal all asbestos-containing waste material in leak tight containers while wet; and for failing to label asbestos waste containers, as identified during an inspection by Air Quality Specialist Kevin Adoor on September 11, 2019 at a facility owned and/or operated by Michael Poura, Total Property Management LLC, and Sunrise Investment Holdings, LLC located at 1401 South Commerce Street, in Clark County, Nevada.

Violation(s) alleged:

Recommended Penalty: \$10,750.00

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

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

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

Violation #3 – Section 13.1, 40 CFR 61, Subpart M, Part 61.145(c)(8)

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

Violation #5 – Section 13.1, 40 CFR 61, Subpart M, Part 61.150(a)(1)(iii)

Violation #6 – Section 13.1, 40 CFR 61, Subpart M, Part 61.150(a)(1)(iv)

**MICHAEL POURA, TOTAL PROPERTY MANAGEMENT LLC, AND SUNRISE INVESTMENT HOLDINGS, LLC REQUESTED A CONTINUANCE.**

**HEARING OFFICER CONTINUED MICHAEL POURA, TOTAL PROPERTY MANAGEMENT LLC, AND SUNRISE INVESTMENT HOLDINGS, LLC'S CASE TO MARCH 19, 2020.**

**III. ADJOURNMENT**

**10:08 a.m.**