



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 19, 2022

Hearing Officer: Christine T. Smith

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

The Presentation Room is accessible to individuals with disabilities. With 24-hour advance request, a sign language interpreter or TDD may be made available; phone (702) 455-3126, TDD (702) 385-7486, or TT/TDD: Relay Nevada 711, Toll-Free (800) 326-6868 or (800) 877-1219 (Spanish).

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. ARMOROCK, LLC (Synthetic Minor (80) Source Permit, Source ID: 16948)

NOV #9677 – For failing to conduct and maintain records of daily pressure drop readings on the baghouses for the Aggregate Dryer, Emission Unit (EU): A09, and the Fly Ash Silo, EU: B01; for failing to conduct and maintain records of monthly baghouse interior visual inspections for the Dryer, EU: A09, and Fly Ash Silo, EU: B01, baghouses; and for failing to submit the 2021 2nd semiannual report within 30 calendar days after the semiannual calendar period, as identified by Senior Air Quality Specialist Mike Murphy during an onsite full compliance evaluation on March 1, 2022 of the operation for the manufacture of corrosion resistant sanitary sewer pipe and manhole stations from polymer concrete materials using polymer casting and a mechanical nonatomized resin application process located at 14555 South US Highway 95, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$3,300.00

- Violation #1 – Permits condition IV.C.5
Permits condition IV.E.1.b
- Violation #2 – Permits condition IV.C.6
Permits condition IV.E.1.e
- Violation #3 – 2021 Permit condition II.C.6.b

FOUND IN VIOLATION.

PENALTY ASSESSED: \$3,300.00

- Violation #1 – Permits condition IV.C.5 - \$1,000.00**
Permits condition IV.E.1.b
- Violation #2 – Permits condition IV.C.6 - \$1,000.00**
Permits condition IV.E.1.e
- Violation #3 – 2021 Permit condition II.C.6.b - \$1,300.00**

2. **MEARS GROUP, INC. (DCOP #54903)**

NOV #9694 – 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 while performing a complaint investigation during a Dust Advisory period on March 28, 2022 at the Fabulous Forty Staging Yard construction project, located at 3325 West Sahara Avenue, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$1,500.00

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

FOUND IN VIOLATION.

PENALTY ASSESSED: \$1,500.00

3. **MEL CLARK, INC. (Synthetic Minor Source Permit, Source ID: 15195)**

NOV # 9696 – For allowing the handling of material from Emission Unit: A08 in a manner which allowed controllable particulate matter to become airborne, as identified by Senior Air Quality Specialist Camon Liddell and Air Quality Specialist Ryan O'Connor while performing a partial compliance evaluation during a Dust Advisory period on April 11, 2022 of the crushing and screening plant operation located at the Lone Mountain Pit, on the corner of Barden Road and Lone Mountain Road, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$4,500.00

Violation #1 – 2022 Permit condition 2.2.15

FOUND IN VIOLATION.

PENALTY ASSESSED: \$4,500.00

4. **PICERNE CONSTRUCTION CORP. (DCOP #55201)**

NOV #9699 – 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 Specialists Allan Gutierrez and Satyra George while performing a routine inspection on March 23, 2022, a follow-up inspection during a Construction Notice period on April 6, 2022, and a follow-up inspection on April 13, 2022 at the Picerne At Sunset & Quarterhorse construction project, located at West Sunset Road and Quarterhorse Lane, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$4,000.00

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

FOUND IN VIOLATION.

PENALTY ASSESSED: \$4,000.00

5. **PLASTER DEVELOPMENT COMPANY, INC. (DCOP #54856)**

NOV #9678 – For failing to fully implement Best Available Control Measures resulting in a fugitive dust plume to extend more than 100 feet and cross a property line, as identified by Air Quality Specialist Allan Gutierrez while performing a complaint investigation during a Construction Notice period on February 2, 2022 at the Chieftan/Serene construction project located at Chieftain Street and Serene Way, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$3,000.00

Violation #1 – Section 94.14(a)(3)
Section 94.14(a)(4)

FOUND IN VIOLATION.

PENALTY ASSESSED: \$3,000.00

6. **REPUBLIC DUMPCO, INC. (Part 70 Operating Permit, Source ID: 395)**

NOV #9693 – For exceeding the fuel flow permit limitation of 9,000 ft³ per hour on 13 occasions over seven separate dates on the John Zink flare, Emission Unit (EU): E03; and for failing to identify Intermittent Compliance for 19 permit conditions in the 2021 Annual Compliance Certification report, as identified by Senior Air Quality Specialist Scott Rowsell during an offsite partial compliance evaluation on April 5, 2022 of the Municipal Waste Management facility known as the Apex Regional Landfill, located at 13550 North Highway 93, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$4,560.00

Violation #1 – 2020 Permit condition III.B.2.x
Violation #2 – Permits condition II.D.6.c

FOUND IN VIOLATION.

PENALTY ASSESSED: \$4,560.00

Violation #1 – 2020 Permit condition III.B.2.x - \$2,060.00
Violation #2 – Permits condition II.D.6.c - \$2,500.00

7. **ROBERTSON'S READY MIX, LTD., A CALIFORNIA LIMITED PARTNERSHIP (Minor Source Permit, Source ID: 1564)**

NOV #9680 – For modifying the source without a minor source permit authorizing such modification; and for failing to conduct an initial Method 9 performance test within 180 days of start-up of the Crushing and Screening Plant, Emission Units: D01 through D05, as identified by Senior Air Quality Specialist Mike Murphy during an onsite full compliance evaluation on March 10, 2022 of the ready mix concrete and rock crushing and screening operation located at 160 Fourth Street, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$4,860.00

Violation #1 – Permits condition 5.1.8
Violation #2 – Permits condition 4.2.2.a

FOUND IN VIOLATION.

PENALTY ASSESSED: \$4,860.00

Violation #1 – Permits condition 5.1.8 - \$3,860.00
Violation #2 – Permits condition 4.2.2.a - \$1,000.00

8. **ROCHE CONSTRUCTORS, INC. (DCOP #54760)**

NOV #9676 – For allowing soil to be tracked out more than 50 feet onto a paved roadway; and for failing to fully implement Best Available Control Measures resulting in a fugitive dust plume to cross a property line, as identified by Senior Air Quality Specialist Katrinka Byers and Air Quality Specialist Damon Lindsay while performing a complaint investigation on February 11, 2022, and a complaint investigation during a Construction Notice period on February 15, 2022 at the Hollywood Regional Park: Site Improvements / SNPLMA Walking Trail construction project, located at 1650 South Hollywood Boulevard, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$5,500.00

- Violation #1 – Section 94.14(d)
- Violation #2 – Section 94.14(a)(4)

FOUND IN VIOLATION.

PENALTY ASSESSED: \$5,500.00

- Violation #1 – Section 94.14(d) - \$1,500.00**
- Violation #2 – Section 94.14(a)(4) - \$4,000.00**

9. **ROSENDIN ELECTRIC, INC. (DCOP #52889)**

NOV #9685 – 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 and Senior Air Quality Specialist Katrinka Byers during routine and follow-up inspections on February 17 and 18, 2022 at the Townsite Solar Garden construction project located at 13316 South US Highway 95, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$10,250.00

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

FOUND IN VIOLATION.

PENALTY ASSESSED: \$10,250.00

10. **SIERRA READY MIX LIMITED LIABILITY COMPANY (Synthetic Minor Source Permit, Source ID: 1577)**

NOV #9691 – For failing to maintain and operate the baghouse associated with Emission Units (EUs): A10, A10a, A10b, and A12 at all times the facility was in operation; and for allowing particulate matter to become airborne from loading and unloading operations (EUs: A10 and A12), and from equipment operations (EUs: A06 and A15), as identified by Senior Air Quality Specialist Scott Rowsell during an onsite partial compliance evaluation on March 23 and 24, 2022 of the ready-mix concrete batch plant, and screening and crushing operation located at 13890 South Decatur Boulevard, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$7,500.00

- Violation #1 – 2021 Permit condition 2.2.2
- Violation #2 – 2021 Permit condition 2.2.26

FOUND IN VIOLATION.

PENALTY ASSESSED: \$7,500.00

- Violation #1 – 2021 Permit condition 2.2.2 - \$3,000.00**
- Violation #2 – 2021 Permit condition 2.2.26 - \$4,500.00**

11. THE FISHEL COMPANY (DCOP #54254)

NOV #9700 – 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 Dust Control Operating Permit prior to engaging in construction activities, as identified by Air Quality Specialist Satyra George during routine and follow-up inspections on April 8 and 15, 2022, at the CC-Silverado Ranch Improvement construction project, located at Decatur Boulevard and Silverado Ranch Boulevard, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$3,625.00

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

Violation #2 – Section 94.4.1(a)

FOUND IN VIOLATION.

PENALTY ASSESSED: \$3,625.00

Violation #1 – Sections 94.13(a) and (b) - \$3,000.00

Violation #2 – Section 94.4.1(a) - \$625.00

12. WESTERN MINING AND MINERALS, INC. (Minor Source Permit, Source ID: 673)

NOV #9673 – For allowing the handling and storage of material in a manner which allowed controllable particulate matter to become airborne, extend over 200 yards in length, and cross the property line, as identified by Senior Air Quality Specialist Scott Rowsell and Air Quality Specialist Michael Newell while performing an onsite partial compliance evaluation on routine patrol during the Dust Advisory period on February 22, 2022 of the gypsum processing operation located at 13555 North Highway 95, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$1,250.00

Violation #1 – 2021 Permit condition 2.2.17

2021 Permit condition 2.2.26

FOUND IN VIOLATION.

PENALTY ASSESSED: \$1,250.00

B. CONTESTED CASES

Construction and Vacant Land Violations:

1. ACAK IRREVOCABLE TRUST (DCOP #55113)

NOV #9683 – For failing to fully implement Best Available Control Measures (BACM) resulting in a fugitive dust plume to cross a property line; for allowing soil to be tracked out greater than 50 feet in length onto a paved roadway; and for failing to employ BACM and comply with soil stabilization standards 24 hours a day, as identified by Senior Air Quality Specialist Andrew Kirk and Air Quality Specialist Damon Lindsay during complaint investigations on March 7 and 8, 2022 at the Lone Mtn and Allen construction project, located at the northwest corner of Lone Mountain Road and Allen Lane, in Clark County, Nevada.

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ACAK IRREVOCABLE TRUST continued

Violation(s) Alleged:

Recommended Penalty: \$6,750.00

Violation #1 – Section 94.14(a)(4)

Violation #2 – Section 94.14(d)

Violation #3 – Sections 94.13(a) and (b)

ACAK IRREVOCABLE TRUST REQUESTED A CONTINUANCE.

HEARING OFFICER CONTINUED ACAK IRREVOCABLE TRUST'S CASE TO JULY 21, 2022.

2. FORTE SPECIALTY CONTRACTORS, LLC (DCOP #53753)

NOV # 9682 – For failing to fully implement Best Available Control Measures resulting in a fugitive dust plume to cross a property line; for allowing soil to be tracked out greater than 50 feet in length onto a paved roadway; and for allowing tracked out soil debris onto a paved road resulting in a fugitive dust plume to cross the property line, as identified by Air Quality Specialist Mike Englehart during routine and follow-up inspections on February 16, 18, and 24, 2022, and March 3 and 4, 2022 at the Mosaic Commerce Center construction project, located at 5551 North Belt Road, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$8,250.00

Violation #1 – Section 94.14(a)(4)

Violation #2 – Section 94.14(d)

Violation #3 – Section 94.14(e)(4)

FOUND IN VIOLATION.

PENALTY ASSESSED: \$8,250.00

Violation #1 – Section 94.14(a)(4) - \$2,000.00

Violation #2 – Section 94.14(d) - \$4,250.00

Violation #3 – Section 94.14(e)(4) - \$2,000.00

3. KAVISON HOMES LLC (DCOP #54535)

NOV 9684 – For failing to fully implement Best Available Control Measures resulting in a fugitive dust plume to cross a property line, as identified by Senior Air Quality Specialist Katrinka Byers while performing a complaint investigation during a Dust Advisory period on March 5, 2022 at The Pines at John S Park construction project, located at the northwest corner of 8th Street and Sweeney Avenue, 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

4. **LVBD65, LLC (DCOP #54715)**

NOV #9698 – For failing to employ Best Available Control Measures (BACM) and comply with soil stabilization standards 24 hours a day, seven days a week; and for failing to fully implement BACM resulting in a fugitive dust plume to extend more than 100 feet and cross a property line, as identified by Air Quality Specialist Allan Gutierrez, Senior Air Quality Specialist Camon Liddell, and Senior Air Quality Specialist Andrew Kirk while performing a routine inspection during a Construction Notice period on March 21, 2022, a follow-up inspection during a Construction Notice period on March 28, 2022, and a follow-up inspection on March 31, 2022 at the LVBD65 LLC-1 construction project, located at the southwest corner of Las Vegas Boulevard and Warm Springs Road, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$5,250.00

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

Violation #2 – Section 94.14(a)(3)

Section 94.14(a)(4)

LVBD65, LLC REQUESTED A CONTINUANCE.

HEARING OFFICER CONTINUED LVBD65, LLC’S CASE TO JULY 21, 2022.

5. **LVBD65, LLC (DCOP #54715)**

NOV #9701 – For failing to fully implement Best Available Control Measures (BACM) resulting in a fugitive dust plume to cross a property line; for failing to fully implement BACM resulting in a fugitive dust plume to extend more than 100 feet; and for failing to employ BACM and comply with soil stabilization standards 24 hours a day, seven days a week, as identified by Air Quality Specialist Allan Gutierrez, Senior Air Quality Specialist Katrinka Byers, and Air Quality Supervisor David Dean while performing a complaint investigation during a Dust Advisory period on April 11, 2022, a complaint investigation during a Construction Notice period on April 12, 2022, follow-up inspections on April 13, 14, and 15, 2022, a follow-up inspection during a Dust Advisory on April 16, 2022, and a follow-up inspection during a Construction Notice period on April 18, 2022, at the LVBD65 LLC-1 construction project, located at the southwest corner of Las Vegas Boulevard and Warm Springs Road, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$17,000.00

Violation #1 – Section 94.14(a)(4)

Violation #2 – Section 94.14(a)(3)

Violation #3 – Sections 94.13(a) and (b)

LVBD65, LLC REQUESTED A CONTINUANCE.

HEARING OFFICER CONTINUED LVBD65, LLC’S CASE TO JULY 21, 2022.

RECESS AT 10:47 a.m.

6. RICHMOND AMERICAN HOMES OF NEVADA, INC. (DCOP #53277)

NOV #9697 – For allowing soil to be tracked out more than 50 feet onto a paved surface; 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 Air Quality Specialist Damon Lindsay during routine and follow-up inspections on March 4, 8, 9, 15, and 16, 2022, at the Garland Grove construction project, located at Craig Road and Clayton Street, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$30,750.00

Violation #1 – Section 94.14(d)

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

FOUND IN VIOLATION.

PENALTY ASSESSED: \$30,750.00

Violation #1 – Section 94.14(d) - \$19,250.00

Violation #2 – Sections 94.13(a) and (b) - \$11,500.00

Stationary Sources Violations:

7. CALIFORNIA PORTLAND CEMENT COMPANY NEVADA TERMINALS, INC. (Synthetic Minor Source Permit, Source ID: 662)

NOV #9671 – For failing to conduct and maintain a record of monthly interior inspections of eight baghouses (In House IDs: DC-1 through DC7, and 47-DC-10) from February 2020 through and including January 2022, as identified by Senior Air Quality Specialist Camon Liddell during an onsite full compliance evaluation on February 23, 2022 of the concrete batch plant and transloading facility for cement, fly ash, and gypsum known as North Las Vegas Cement Terminal located at 4928 Donovan Way, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$1,845.00

Violation #1 – 2020 Permit and 2021 Permit condition 4.1.8

2020 Permit and 2021 Permit condition 4.3.1.b

CALIFORNIA PORTLAND CEMENT COMPANY NEVADA TERMINALS, INC. REQUESTED A CONTINUANCE.

HEARING OFFICER CONTINUED CALIFORNIA PORTLAND CEMENT COMPANY NEVADA TERMINALS, INC.'S CASE TO JULY 21, 2022.

8. **GYP SUM RESOURCES, LLC (Part 70 Operating Permit, Source ID: 17286)**

NOV #9681 – For failing to submit a 24-hour notification and 72-hour report for a deviation with excess emissions which occurred on December 4, 2021; for failing to maintain a minimum moisture content of 1.5% from weekly moisture testing at five locations consisting of 43 samples as reported in the 1st and 2nd semi-annual reports for 2021; for failing to conduct a total of seven weekly overburden moisture sampling and analysis events and failing to maintain a minimum moisture for the overburden operations on a total of 14 weekly moisture sampling and analysis events by not applying moisture at a minimum of 2.5% in materials less than 0.25” in diameter as reported in the 1st and 2nd semi-annual reports for 2021; for failing to operate Control Device (CD): D02, baghouse #2, while the associated Emission Units (EUs): A01 and A39 were in operation on December 4, 2021, causing 0.02 tons of excess PM₁₀ emissions associated with this deviation; for failing to maintain the pressure drop across the baghouse, CD: D01, within ½” to 8” water column for ten differential pressure readings from October 14 through 28, 2021; for failing to conduct and maintain records of conducting Method 22 Evaluations twice per day on all EUs for 90 occurrences between April 16, 2021 and December 31, 2021; for failing to monitor the total acreage of stockpiles, EU: A32, on a monthly basis for four months July 5, 2021 through December 31, 2021; for failing to record the differential pressure reading for baghouse #1, CD: D01, on six separate dates and baghouse #2, CD: D02, on five separate dates while the associated emissions units were in operation between December 7 and December 22, 2021; and for failing to identify Intermittent Compliance for 15 permit conditions in the 2021 Annual Compliance Certification report, as identified by Senior Air Quality Specialist Scott Rowsell during an offsite partial compliance evaluation on March 30, 2022 of the major stationary source consisting of a gypsum processing operation located at 8360 Nevada Highway 159, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$40,980.00

- Violation #1 – 2020 Permit condition II.D.7(a and b)
2020 Permit condition III.F.5.o
- Violation #2 – 2020 Permit condition III.C.3.a
- Violation #3 – 2020 Permit condition III.C.3.b
2020 Permit condition III.D.27.b.vi
2020 Permit condition III.F.2
2020 Permit condition III.F.5.n
- Violation #4 – 2020 Permit conditions III.C.3(e, f, and g)
2020 Permit Table III-C-2
- Violation #5 – 2020 Permit condition III.C.3.f
2020 Permit condition III.C.3.j
- Violation #6 – 2020 Permit condition III.D.1
2020 Permit condition III.F.2
2020 Permit condition III.F.4.a
- Violation #7 – 2020 Permit condition III.D.14
- Violation #8 – 2020 Permit condition III.D.23
2020 Permit condition III.F.4.1
- Violation #9 – 2020 Permit condition II.D.6.c

**Continued to the next page.*

A SETTLEMENT AGREED UPON BY BOTH PARTIES WAS ORALLY SUBMITTED TO THE HEARING OFFICER FOR APPROVAL. THIS AGREEMENT CONSTITUTES AND OPERATES AS A FULL AND FINAL RESOLUTION OF THE NOV AND IS A WAIVER BY THE PARTIES OF ANY FURTHER PROCEEDINGS AND JUDICIAL REVIEW OF ANY ADMINISTRATIVE ORDER OR DECISION IN THIS CASE.

HEARING OFFICER APPROVED THE PROPOSED SETTLEMENT AGREEMENT, WHICH INCLUDES A \$37,980.00 PENALTY.

FOUND IN VIOLATION.

PENALTY ASSESSED: \$37,980.00

Violation #1 – 2020 Permit condition II.D.7(a and b)	- \$2,000.00
2020 Permit condition III.F.5.o	
Violation #2 – 2020 Permit condition III.C.3.a	- \$5,840.00
Violation #3 – 2020 Permit condition III.C.3.b	- \$5,400.00
2020 Permit condition III.D.27.b.vi	
2020 Permit condition III.F.2	
2020 Permit condition III.F.5.n	
Violation #4 – 2020 Permit conditions III.C.3(e, f, and g)	- \$10,000.00
2020 Permit Table III-C-2	
Violation #5 – 2020 Permit condition III.C.3.f	- \$2,590.00
2020 Permit condition III.C.3.j	
Violation #6 – 2020 Permit condition III.D.1	- \$2,890.00
2020 Permit condition III.F.2	
2020 Permit condition III.F.4.a	
Violation #7 – 2020 Permit condition III.D.14	- \$4,060.00
Violation #8 – 2020 Permit condition III.D.23	- \$4,200.00
2020 Permit condition III.F.4.l	
Violation #9 – 2020 Permit condition II.D.6.c	- \$1,000.00

9. REPUBLIC DUMPCO, INC. (Part 70 Operating Permit, Source ID: 395)

NOV #9675 – For exceeding the permitted Total Reduced Sulfur parts per million (ppm) hourly average of 463.4 ppm; and for exceeding the calculated permit SO₂ lbs/hr limit from the facility (Emission Units: E01, E02, and E03 combined) of 19.2 lbs/hr, as identified by Senior Air Quality Specialist Scott Rowsell during an offsite Deviation Report Review of the 24-Hour notification/72-Hour report on February 16, 2022 from the Municipal Waste Management operation known as Apex Regional Landfill, located at 13550 North Highway 93, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$8,000.00

Violation #1 – 2022 Permit condition III.C.65

Violation #2 – 2022 Permit condition III.B.1.z

REPUBLIC DUMPCO, INC. REQUESTED A CONTINUANCE.

HEARING OFFICER CONTINUED REPUBLIC DUMPCO, INC.’S CASE TO JULY 21, 2022.

10. SHORT LINE MARKETING, LLC (Minor Source Permit, Source ID: 15371)

NOV #9672 – For failing to conduct and pass initial vapor recovery system tests after the decommissioning of the Phase II vapor recovery system and within 180 days of issuance of the 2020 Permit, as identified by Air Quality Specialist Josh Kelley during an onsite partial compliance evaluation on February 15, 2022 of the gasoline dispensing operation known as Short Line Express Market #9 located at 2865 West Cheyenne Avenue, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$5,880.00

Violation #1 – 2020 Permit condition 2.1.10
2020 Permit condition 4.2.2

FOUND IN VIOLATION.

PENALTY ASSESSED: \$3,440.00

11. THE QUIKRETE COMPANIES, LLC (Minor Source Permit, Source ID: 324)

NOV #9686 – For allowing the handling of stockpile material, Emission Unit: E01, in a manner which allowed controllable particulate matter to become airborne, as identified by Senior Air Quality Specialist Mike Murphy during a scheduled early morning surveillance patrol documented within the partial compliance evaluation on March 22, 2022 of the concrete, sand, grout, decorative rock, and cement bagging operation located at 112 West Brooks Avenue, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$2,050.00

Violation #1 – October 2021 Permit condition 2.2.22

THE QUIKRETE COMPANIES, LLC CHANGED ITS PLEA TO NOT CONTESTING NOV #9686.

FOUND IN VIOLATION.

PENALTY ASSESSED: \$2,050.00

12. THE QUIKRETE COMPANIES, LLC (Minor Source Permit, Source ID: 324)

NOV #9690 – For allowing the handling, transporting, or storage of material in a manner which allowed controllable particulate matter to become airborne, as identified by Air Quality Specialist Martin Tull during a scheduled early morning follow-up surveillance patrol documented within the partial compliance evaluation on March 24, 2022 of the concrete, sand, grout, decorative rock, and cement bagging operation located at 112 West Brooks Avenue, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$2,050.00

Violation #1 – October 2021 Permit condition 2.2.22

THE QUIKRETE COMPANIES, LLC CHANGED ITS PLEA TO NOT CONTESTING NOV #9690.

FOUND IN VIOLATION.

PENALTY ASSESSED: \$2,050.00

13. THE QUIKRETE COMPANIES, LLC (Minor Source Permit, Source ID: 324)

NOV #9692 – For allowing the handling, transporting or storage of material in a manner which allowed controllable particulate matter to become airborne, as identified by Senior Air Quality Specialist Camon Liddell during a scheduled early morning follow-up surveillance patrol documented within the partial compliance evaluation on April 5, 2022 of the concrete, sand, grout, decorative rock, and cement bagging operation located at 112 West Brooks Avenue, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$2,300.00

Violation #1 – October 2021 Permit condition 2.2.22

THE QUIKRETE COMPANIES, LLC CHANGED ITS PLEA TO NOT CONTESTING NOV #9692.

FOUND IN VIOLATION.

PENALTY ASSESSED: \$2,300.00

14. THE QUIKRETE COMPANIES, LLC (Minor Source Permit, Source ID: 324)

NOV #9695 – For allowing the handling of material in a manner which allowed controllable particulate matter to become airborne, as identified by Senior Air Quality Specialist Mike Murphy while performing a scheduled early morning surveillance patrol documented within the partial compliance evaluation during a Construction Notice period on April 12, 2022 of the concrete, sand, grout, decorative rock, and cement bagging operation located at 112 West Brooks Avenue, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$2,550.00

Violation #1 – October 2021 Permit condition 2.2.22

THE QUIKRETE COMPANIES, LLC CHANGED ITS PLEA TO NOT CONTESTING NOV #9695.

FOUND IN VIOLATION.

PENALTY ASSESSED: \$2,550.00

15. THE QUIKRETE COMPANIES, LLC (Minor Source Permit, Source ID: 324)

NOV #9674 – For failing to maintain the pressure drop within the range of 2.0 to 8.0 inches of water column across two baghouses: one for the Q-line (Emission Units (EUs): C02h, C03, C04a, and C04c), and one for the C-line and M-line (EUs: C05b, M05 and M06), and for failing to maintain the pressure drop across the baghouse for the Dryer (EU: D04) within the range of 1.0 to 6.0 inches of water column; for failing to conduct and maintain records of daily visual emissions checks of the facility while it was in operation; for failing to conduct and maintain records of daily visual observations of four baghouses and/or stack discharges (EUs: C02h, C03, C04a, C04c, D04, C05b, M05, M06, D11, D13, D14 and S01) to verify that visible emissions were not present in excess of allowable opacity limits, and for failing to conduct and maintain records of daily visual observations of 10 bin vents (EUs: C02b, C02d, C02f, C02g, C05a, C06, D08a, D08c, D09, and D10) to verify that visible emissions were not present in excess of allowable opacity limits; for failing to conduct and maintain an accurate record of the monthly interior visual inspections of four baghouses (EUs: C02h, C03, C04a, C04c, D04, C05b, M05, M06, D11, D13, D14 and S01) to include the date and time the monitoring was taken, and the emission unit or location where the monitoring was performed; for failing to conduct and maintain records of daily visual inspections of 10 bin vents (EUs: C02b, C02d, C02f, C02g, C05a, C06, D08a, D08c, D09, and D10) at least monthly for air leaks; and for failing to conduct and maintain records of the daily monitoring of the pressure drop across each baghouse cell for four baghouses (EUs: C02h, C03, C04a, C04c, D04, C05b, M05, M06, D11, D13, D14 and S01), as identified by Senior Air Quality Specialist Mike Murphy during an onsite full compliance evaluation on February 10, 2022 of the concrete, sand, grout, decorative rock, and cement bagging operation located at 112 West Brooks Avenue, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$11,050.00

- Violation #1 – October 2021 Permit condition 2.2.5
October 2021 Permit condition 2.2.6
- Violation #2 – 2019 Permit condition 4.1.1
2019 Permit condition 4.3.1.a
June 3 2021 Permit, June 16 2021 Permit, and
October 2021 Permit condition 4.1.2
June 3 2021 Permit, June 16 2021 Permit, and
October 2021 Permit condition 4.3.1.a
- Violation #3 – 2019 Permit condition 4.1.12
2019 Permit condition 4.3.1.a
June 3 2021 Permit condition 4.1.17
June 3 2021 Permit, June 16 2021 Permit, and
October 2021 Permit condition 4.3.1.a
June 16 2021 Permit and October 2021 Permit condition 4.1.18
June 3 2021 Permit condition 4.1.18
June 16 2021 Permit and October 2021 Permit condition 4.1.19
- Violation #4 – 2019 Permit condition 4.1.10
2019 Permit condition 4.3.2
June 3 2021 Permit condition 4.1.15
June 3 2021 Permit, June 16 2021 Permit, and
October 2021 Permit condition 4.3.2
June 16 2021 Permit and October 2021 Permit condition 4.1.16
- Violation #5 – June 3 2021 Permit conditions 4.1.19
June 3 2021 Permit, June 16 2021 Permit, and
October 2021 Permit condition 4.3.1.b
June 16 2021 Permit and October 2021 Permit condition 4.1.20

**Continued on the next page.*

THE QUIKRETE COMPANIES, LLC continued

Violation #6 – 2019 Permit condition 4.1.9
2019 Permit condition 4.3.1.g
June 3 2021 Permit condition 4.1.14
June 3 2021 Permit condition 4.3.1.k
June 16 2021 Permit and October 2021 Permit condition 4.1.15
June 16 2021 Permit and October 2021 Permit condition 4.3.1.l

FOUND IN VIOLATION.

PENALTY ASSESSED: \$11,050.00

Violation #1 – October 2021 Permit condition 2.2.5	- \$810.00
October 2021 Permit condition 2.2.6	
Violation #2 – 2019 Permit condition 4.1.1	- \$2,052.50
2019 Permit condition 4.3.1.a	
June 3 2021 Permit, June 16 2021 Permit, and	
October 2021 Permit condition 4.1.2	
June 3 2021 Permit, June 16 2021 Permit, and	
October 2021 Permit condition 4.3.1.a	
Violation #3 – 2019 Permit condition 4.1.12	- \$2,932.50
2019 Permit condition 4.3.1.a	
June 3 2021 Permit condition 4.1.17	
June 3 2021 Permit, June 16 2021 Permit, and	
October 2021 Permit condition 4.3.1.a	
June 16 2021 Permit and October 2021 Permit condition 4.1.18	
June 3 2021 Permit condition 4.1.18	
June 16 2021 Permit and October 2021 Permit condition 4.1.19	
Violation #4 – 2019 Permit condition 4.1.10	- \$615.00
2019 Permit condition 4.3.2	
June 3 2021 Permit condition 4.1.15	
June 3 2021 Permit, June 16 2021 Permit, and	
October 2021 Permit condition 4.3.2	
June 16 2021 Permit and October 2021 Permit condition 4.1.16	
Violation #5 – June 3 2021 Permit conditions 4.1.19	- \$535.00
June 3 2021 Permit, June 16 2021 Permit, and	
October 2021 Permit condition 4.3.1.b	
June 16 2021 Permit and October 2021 Permit condition 4.1.20	
Violation #6 – 2019 Permit condition 4.1.9	- \$4,105.00
2019 Permit condition 4.3.1.g	
June 3 2021 Permit condition 4.1.14	
June 3 2021 Permit condition 4.3.1.k	
June 16 2021 Permit and October 2021 Permit condition 4.1.15	
June 16 2021 Permit and October 2021 Permit condition 4.3.1.l	

III. ADJOURNMENT

12:45 p.m.