

CLARK COUNTY

AIR QUALITY REGULATIONS

SECTION 9 - CIVIL PENALTIES

- 9.1 Any person who violates any provision of these Regulations, including, but not limited to, any application requirement; any permit condition; any fee or filing requirement; any duty to allow or carry out inspection, entry or monitoring activities or any requirements by the Department of Air Quality and Environmental Management is guilty of a civil offense and shall pay civil penalty levied by the Air Pollution Control HEARING BOARD and/or the HEARING OFFICER of not more than \$10,000. Each day of violation constitutes a separate offense.
- 9.2 The following penalties apply to violations of Section 42 (Open Burning)
- 9.2.1 First Violation \$ 200.00
- 9.2.2 Second Violation \$ 400.00
- 9.3 The following minimum penalties apply to violations of Section 94 (Permitting and Dust Control for CONSTRUCTION ACTIVITIES) (effective date January 1, 2001):
- 9.3.1 Violation of Section 94.4.5 (Failure to post sign) \$ 250.00
- 9.3.2 Violation of Section 94.4.11 (Failure to have Dust Monitor on Site) \$ 250.00
- 9.3.3 Violation of Section 94.6.6 or 94.7 (Failure to attend required Dust Control Class) \$ 250.00
- 9.3.4 Any failure to comply as set forth in Section 94.6.7 \$ 500.00
- 9.3.5 Any failure to comply as set forth in Section 94.6.8(a), Section 94.6.8(c), Section 94.6.8(e) or Section 94.6.8(f) \$1,000.00
- 9.3.6 Any failure to comply as set forth in Section 94.6.8(b) or Section 94.6.8(d) \$2,000.00
- 9.4 The minimum penalty for any violation of Section 90 (FUGITIVE DUST From OPEN AREAS AND VACANT LOTS) (effective date January

- 1, 2001) is: \$ 500.00
- 9.5 The minimum penalty for any violation of Section 91 (FUGITIVE DUST From Unpaved Roads, Unpaved Alleys and Unpaved EASEMENT Roads) is: \$ 500.00
- 9.6 The minimum penalty for any violation of Section 92 (FUGITIVE DUST From UNPAVED PARKING LOTS) is: \$ 500.00
- 9.7 The minimum penalty for any violation of Section 93 (FUGITIVE DUST from PAVED Roads and Street Sweeping Equipment) (effective date January 1, 2001) is: \$ 500.00
- 9.8 For a FUGITIVE DUST violation at any commercial site where the current permit for CONSTRUCTION ACTIVITIES covers 1 acre or more, the minimum penalty shall be not less than: (in effect until December 31, 2000) \$2,000.00
- 9.9 The minimum penalty for a FUGITIVE DUST violation at any STATIONARY SOURCE shall be: \$2,000.00
- 9.10 The minimum penalty for a violation of Section 4.7.2.4 (failure to comply with the terms of a final Corrective Action Order) related to CONSTRUCTION ACTIVITIES or at a STATIONARY SOURCE capable of emitting PARTICULATE MATTER shall be: \$2,000.00
- 9.11 The minimum penalty for violation of Section 26 (EMISSION of Visible Air Contaminants), Section 14 (Visible EMISSION Limitation based on New Source Performance Standards), Section 12 (Preconstruction Review for New or Modified STATIONARY SOURCES), or EMISSION limitation violations of Section 16 (Operating Permits) shall be: \$2,000.00
- 9.12 Any person aggrieved by an order issued pursuant to this section is entitled to review as provided in Chapter 233B of NRS.
- 9.13 Nothing contained in Section 9 of these Regulations shall be construed as limiting the authority of the Air Pollution Control HEARING BOARD or HEARING OFFICER to take other appropriate remedies as provided in these Regulations.

 History: Amended : September 3, 1981; January 25, 1990; May 28, 1992; November 18, 1993; December 19, 1996; April 24, 1997; June 22, 2000; December 21, 2001; June 3, 2003; July 1, 2004.