



## Air Pollution Control Hearing Officer Meeting Annotated

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

**9:00 a.m. – November 13, 2025**

Hearing Officer: David O. Anderson, PhD  
Air Quality Staff: Shibi Paul, Deputy Director  
Anna Sutowska, Air Quality Supervisor  
Satyra George, Senior Air Quality Specialist

The Presentation Room is accessible to individuals with disabilities. With a 48-hour advance request, a sign language interpreter or other reasonable efforts to assist and accommodate persons with physical disabilities, may be made available by calling: (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 9:05 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. 7-ELEVEN, INC. (General Permit, Source ID: 9448)**

**NOV #10230** – For failing to conduct and maintain records of Phase I vapor recovery system inspections; and for failing to conduct and maintain records of daily Phase II-Assist vapor recovery system inspections, as identified by Air Quality Specialist Joshua Frye during a full compliance evaluation on September 16, 2025, of the gasoline dispensing facility known as 7-Eleven #27438, located at 8080 South Las Vegas Boulevard, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$5,285.00

Violation #1 – 2019 Permit Condition 4.1.3(a through g)  
2019 Permit Condition 4.3.2.b  
2019 Permit Condition 4.3.4  
2020 General Permit Condition 4.1.4(a through g)  
2020 General Permit Condition 4.3.2.b  
2020 General Permit Condition 4.3.4  
2025 General Permit Condition 4.1.4(a though i)  
2025 General Permit Condition 4.3.2.b  
2025 General Permit Condition 4.3.4

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Violation #2 – 2019 Permit Condition 4.1.4(a through g)  
2019 Permit Condition 4.3.2.b  
2019 Permit Condition 4.3.4  
2020 General Permit Condition 4.1.5(a through k)  
2020 General Permit Condition 4.3.2.b  
2020 General Permit Condition 4.3.4  
2025 General Permit Condition 4.1.7(a through k)  
2025 General Permit Condition 4.3.2.b  
2025 General Permit Condition 4.3.4

**FOUND IN VIOLATION.**

**PENALTY ASSESSED: \$5,285.00**

**Violation #1 – 2019 Permit Condition 4.1.3(a through g) - \$1,505.00**  
**2019 Permit Condition 4.3.2.b**  
**2019 Permit Condition 4.3.4**  
**2020 General Permit Condition 4.1.4(a through g)**  
**2020 General Permit Condition 4.3.2.b**  
**2020 General Permit Condition 4.3.4**  
**2025 General Permit Condition 4.1.4(a though i)**  
**2025 General Permit Condition 4.3.2.b**  
**2025 General Permit Condition 4.3.4**

**Violation #2 – 2019 Permit Condition 4.1.4(a through g) - \$3,780.00**  
**2019 Permit Condition 4.3.2.b**  
**2019 Permit Condition 4.3.4**  
**2020 General Permit Condition 4.1.5(a through k)**  
**2020 General Permit Condition 4.3.2.b**  
**2020 General Permit Condition 4.3.4**  
**2025 General Permit Condition 4.1.7(a through k)**  
**2025 General Permit Condition 4.3.2.b**  
**2025 General Permit Condition 4.3.4**

2. **AMERICAN EAGLE READY MIX, LLC (Synthetic Minor Source Permit, Source ID: 18157) NOV #10223** – For handling material in a manner which allowed controllable particulate matter to become airborne from the Wash Plant #1 at the drop point from the blend sand Hopper, Emission Unit (EU): B02, onto a Conveyor, EU: B03, and from the drop point from the sand pile tunnel feeder Conveyor, EU: B01a, onto another conveyor, as identified by Senior Air Quality Specialist Michael Newell while performing a complaint investigation on July 19, 2025 at the sand and gravel operation known as American Eagle Ready Mix, LLC located near the intersection of Interstate-15 and State Road 168, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$5,250.00

Violation #1 – 2025 Permit Condition 2.2.19

**FOUND IN VIOLATION.**

**PENALTY ASSESSED: \$5,250.00**

3. **AMH NV15 DEVELOPMENT, LLC (DCOP #56949)**

**NOV #10232** – For failing to employ Best Available Control Measures and comply with soil stabilization standards 24 hours a day, 7 days a week, as identified by Air Quality Specialist Richard Wyse while performing a routine inspection during a construction notice period on August 7, 2025, at the Catalina Canyon construction project, located at the corner of Big Park Avenue and South Tee Pee Lane, 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**

4. **AMRIZE SOUTHWEST INC. (DCOP #59471)**

**NOV #10245** – For failing to fully implement Best Available Control Measures resulting in a fugitive dust plume to extend more than 100 feet; and for failing to obtain a Dust Control Operating Permit prior to commencing construction activities, as identified by Air Quality Specialist Marc Miller while performing complaint investigations on September 16, 17, 23, and 30, 2025, and a follow-up inspection on September 24, 2025, at the Sandy Valley Road – Cherokee To SR 161 construction site, located at Sandy Valley Road between Cherokee Street and Good Springs Road, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$16,500.00

Violation #1 – Section 94.14(a)(3)

Violation #2 – Section 94.4.1(a)

**FOUND IN VIOLATION.**

**PENALTY ASSESSED: \$16,500.00**

**Violation #1 – Section 94.14(a)(3) - \$15,500.00**

**Violation #2 – Section 94.4.1(a) - \$1,000.00**

5. **C G & B ENTERPRISES, INC. (DCOP #59572)**

**NOV #10234** – For failing to employ Best Available Control Measures and comply with soil stabilization standards 24 hours a day, 7 days a week, as identified by Air Quality Specialist Damon Lindsay while performing a complaint investigation on September 12, 2025, at the Basic High School Turf Sports Fields & Xeriscape construction project, located at 400 Palo Verde Drive, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$1,562.50

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

**FOUND IN VIOLATION.**

**PENALTY ASSESSED: \$1,562.50**

6. **CERTAINTEED GYPSUM MANUFACTURING, INC. (Part 70 Operating Permit, Source ID: 4)**

**NOV #10229** – For failing to take reasonable precautions and allowing controllable particulate matter to become airborne from conveyors, storage piles, transfer points, and drop points, Emission Units (EUs): C.19, E.1, E.2, and E.9, and from a loader operating on stockpiles, EU: C.18; and for failing to maintain the water spray system in good operating condition and correct any problems with the water spray system before resuming operations, as identified by Air Quality Specialist Tina Tope while performing a complaint investigation on September 3, 2025, of the wallboard manufacturing facility known as CertainTeed Gypsum Manufacturing, Inc. located at 13500 Blue Diamond Road, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$4,000.00

Violation #1 – 2023 Permit Condition 2.2.12

2023 Permit Condition 2.2.27

Violation #2 – 2023 Permit Condition 2.2.1

2023 Permit Condition 2.2.2

2023 Permit Condition 2.2.12

**FOUND IN VIOLATION.**

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

**Violation #1 – 2023 Permit Condition 2.2.12 - \$2,000.00**

**2023 Permit Condition 2.2.27**

**Violation #2 – 2023 Permit Condition 2.2.1 - \$2,000.00**

**2023 Permit Condition 2.2.2**

**2023 Permit Condition 2.2.12**

7. **CIRCLE K STORES INC. (General Permit, Source ID: 9438)**

**NOV #10227** – For failing to conduct and maintain records of Phase I vapor recovery system inspections after each delivery from March 1, 2025, through September 4, 2025; and for failing to maintain Phase I vapor recovery equipment in good working order by operating the north regular unleaded tank, Emission Unit (EU): A02, with liquid in the vapor recovery spill bucket, the middle regular unleaded tank, EU: A03, with liquid in the fill side spill bucket, and the premium unleaded tank, EU: A01, with a loose fill side spill adaptor that turned freely by hand, as identified by Senior Air Quality Specialist Michael Murphy during a full compliance evaluation on September 4, 2025 at the gasoline dispensing operation known as Circle K Store #2708650 located at 4375 Spring Mountain Road, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$5,350.00

Violation #1 – 2020 General Permit Condition 4.1.4(a through g)

2020 General Permit Condition 4.3.2.b

2020 General Permit Condition 4.3.4

2025 General Permit Condition 4.1.4(a through i)

2025 General Permit Condition 4.3.2.b

2025 General Permit Condition 4.3.4

Violation #2 – 2025 General Permit Condition 2.1.8.c

2025 General Permit Condition 2.1.8.d

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**FOUND IN VIOLATION.**

**PENALTY ASSESSED: \$5,350.00**

**Violation #1 – 2020 General Permit Condition 4.1.4(a through g) - \$2,850.00**

**2020 General Permit Condition 4.3.2.b**

**2020 General Permit Condition 4.3.4**

**2025 General Permit Condition 4.1.4(a through i)**

**2025 General Permit Condition 4.3.2.b**

**2025 General Permit Condition 4.3.4**

**Violation #2 – 2025 General Permit Condition 2.1.8.c - \$2,500.00**

**2025 General Permit Condition 2.1.8.d**

**8. D.R. HORTON, INC. (DCOP #56440)**

**NOV #10240** – 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 Marc Miller during a routine inspection on September 19, 2025, at the Village At Tule Springs Village 1 Phase 3-1 construction project, located at Tule Springs Parkway and Revere Street, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$5,000.00

Violation #1 – Sections 94.14(a)(3) and (a)(4)

**FOUND IN VIOLATION.**

**PENALTY ASSESSED: \$5,000.00**

**9. EMPIRE SOUTHWEST, LLC (Minor Source Permit, Source ID: 16344)**

**NOV #10238** – For failing to conduct and maintain records of quarterly visual emissions checks on each diesel-fired emergency generator, Emission Units (EUs): E01 through E04, for the second and fourth quarters of 2024 and the first and second quarters of 2025; for failing to monitor and maintain a record of the hours of operation of the diesel-fired emergency generators, EUs: E01 through E04, for testing and maintenance use in the second and fourth quarters of 2024 and the second quarter of 2025, and for emergency use in the second, third, and fourth quarters of 2024 and the first and second quarters of 2025; and for installing and operating eleven unpermitted solvent recycling parts washers without first obtaining a revised permit authorizing the modification, as identified by Senior Air Quality Specialist Scott Rowsell during an on-site full compliance evaluation on September 4, 2025, at the construction rental equipment sales and fleet maintenance operation located at 3300 St. Rose Parkway, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$1,852.50

Violation #1 – 2020 Permit and February 2025 Permit Condition 4.1.2

2020 Permit and February 2025 Permit Condition 4.3.1.a

2020 Permit and February 2025 Permit Condition 4.3.3

Violation #2 – 2020 Permit and February 2025 Permit Condition 4.1.13

2020 Permit and February 2025 Permit Condition 4.3.1.k

2020 Permit and February 2025 Permit Condition 4.3.1.1

2020 Permit and February 2025 Permit Condition 4.3.3

Violation #3 – 2020 Permit Condition 5.1.10

February 2025 Permit Condition 5.1.10

August 2025 Permit Condition 5.1.10

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**FOUND IN VIOLATION.**

**PENALTY ASSESSED: \$1,852.50**

<b>Violation #1 – 2020 Permit and February 2025 Permit Condition 4.1.2</b>	<b>- \$257.50</b>
<b>2020 Permit and February 2025 Permit Condition 4.3.1.a</b>	
<b>2020 Permit and February 2025 Permit Condition 4.3.3</b>	
<b>Violation #2 – 2020 Permit and February 2025 Permit Condition 4.1.13</b>	<b>- \$595.00</b>
<b>2020 Permit and February 2025 Permit Condition 4.3.1.k</b>	
<b>2020 Permit and February 2025 Permit Condition 4.3.1.1</b>	
<b>2020 Permit and February 2025 Permit Condition 4.3.3</b>	
<b>Violation #3 – 2020 Permit Condition 5.1.10</b>	<b>- \$1,000.00</b>
<b>February 2025 Permit Condition 5.1.10</b>	
<b>August 2025 Permit Condition 5.1.10</b>	

**10. IMAGE FIRST OF CALIFORNIA LLC (Minor Source Permit, Source ID: 1585)**

**NOV #10171** – For removing three 1.4 MMBtu/hr Milnor dryers, Emission Units (EUs): A06, A07, and A08, and installing and operating two unpermitted 1.8 MMBtu/hr Milnor 6464TG1R dryers and one unpermitted 1.8 MMBtu/hr Milnor 6464TG1L dryer without first obtaining a revised permit authorizing the modification; and for failing to conduct and maintain records of the Burner Efficiency Tests for the 12.247 MMBtu/hr Cleaver Brooks Boiler, EU: A18, twice in calendar year 2024 and once in the first half of 2025, as identified by Senior Air Quality Specialist Michael Newell during an on-site full compliance evaluation on June 12, 2025, at the uniform and linen laundry facility known as Image First, located at 3960 West Mesa Vista Avenue, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$9,120.00

- Violation #1 – 2024 Permit Condition 5.1.10
- Violation #2 – 2024 Permit Condition 4.1.5
- 2024 Permit Condition 4.3.1.e
- 2024 Permit Condition 4.3.3

*Continued from 9/18/2025*

**AIR QUALITY AMENDED NOV #10171 TO REMOVE THE MULTIDAY AGGRAVATION FACTOR FOR TWO UNPERMITTED REPLACEMENT DRYERS FROM VIOLATION #1 REDUCING THE RECOMMENDED PENALTY AMOUNT FOR VIOLATION #1 TO \$4,040.00, AND THE TOTAL RECOMMENDED PENALTY AMOUNT FOR THIS NOV TO \$7,040.00.**

**FOUND IN VIOLATION.**

**PENALTY ASSESSED: \$7,040.00**

- Violation #1 – 2024 Permit Condition 5.1.10 - \$4,040.00**
- Violation #2 – 2024 Permit Condition 4.1.5 - \$3,000.00**
- 2024 Permit Condition 4.3.1.e**
- 2024 Permit Condition 4.3.3**

**11. LAS VEGAS PAVING CORPORATION (Synthetic Minor Source Permit, Source ID: 186)**

**NOV #10235** – For exceeding the 0.04 gr/dscf (90 mg/dscm) emission limitation for particulate matter from the baghouse that controls the Natural Gas Drum Mixer, Emission Units (EUs): B035b and B035c, during a performance test, and operating the EUs after a failed test, as identified by Senior Air Quality Specialist Camon Liddell during an off-site partial compliance evaluation on September 24, 2025 at the asphalt manufacturing operation known as Las Vegas Paving Corporation – Sunset / Eastgate, located at the 500 block of Cape Horn Drive (277 feet east of Eastgate), in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$4,770.00

Violation #1 – Permit Condition 3.2.8

**FOUND IN VIOLATION.**

**PENALTY ASSESSED: \$4,770.00**

**12. MAGNUM CONTRACTING LLC D/B/A FOX HOMES (DCOP #59407)**

**NOV #10236** – For failing to employ Best Available Control Measures and comply with soil stabilization standards 24 hours a day, 7 days a week; and for allowing soil to be tracked out greater than 50 feet in length onto a paved surface, as identified by Senior Air Quality Specialist Andrew Kirk while performing a complaint investigation on September 15, 2025, at the Hickam & Cimarron construction project, located at Hickam Avenue and Cimarron Road, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$2,500.00

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

Violation #2 – Section 94.14(d)

**FOUND IN VIOLATION.**

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

**Violation #1 – Sections 94.13(a) and (b) - \$1,250.00**

**Violation #2 – Section 94.14(d) - \$1,250.00**

**13. MAGNUM CONTRACTING LLC D/B/A FOX HOMES (DCOP #59180)**

**NOV #10239** – For failing to employ Best Available Control Measures and comply with soil stabilization standards 24 hours a day, 7 days a week; and for allowing soil to be tracked out greater than 50 feet in length onto a paved surface, as identified by Senior Air Quality Specialist Andrew Kirk during a routine inspection on September 15, 2025, at the Helena and Al Carrison construction project, located east of Helena Avenue and Al Carrison Street, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$2,500.00

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

Violation #2 – Section 94.14(d)

**FOUND IN VIOLATION.**

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

**Violation #1 – Sections 94.13(a) and (b) - \$1,250.00**

**Violation #2 – Section 94.14(d) - \$1,250.00**

**14. NEVADA POWER COMPANY D/B/A NV ENERGY (Part 70 Operating Permit, Source ID: 533)**

**NOV #10225** – For failing to conduct and pass on-line daily calibration error tests for the NO<sub>x</sub> and O<sub>2</sub> CEMS analyzers associated with Turbine #4, Emission Unit: A09, as identified by Senior Air Quality Specialist Michael Newell during an off-site compliance review of the 2025 1<sup>st</sup> semi-annual report on September 3, 2025, of the electrical power generating station known as Harry Allen Generating Station, located at 14601 North Las Vegas Boulevard, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$1,965.00

Violation #1 – Permit Condition 4.1.12

40 CFR Part 75, Appendix B, Section 2.1.1.1

**FOUND IN VIOLATION.**

**PENALTY ASSESSED: \$1,965.00**

**15. NEVADA READY MIX CORPORATION (Synthetic Minor Source Permit, Source ID: 512)**

**NOV #10222** – For handling material in a manner which allowed controllable particulate matter to become airborne from the Main Aggregate Plant Pit System conveyor belts providing material to Screen 132, Emission Unit (EU): 047, and Screen 133, EU: A079, the Main Aggregate Plant Pit System conveyor systems, EUs: A048 and A075, the Pit to Crusher and Pit System unpaved haul road, EU: I007, and a loader loading dry material into a dump truck in the Excavation Pit, EU: I001; and for failing to maintain the differential pressure drop across baghouse DC-28, associated with EU: A074, within the permitted differential pressure range of 1.0 to 6.0 inches of water column, as identified by Senior Air Quality Specialist Michael Newell during an on-site partial compliance evaluation on August 18, 2025, at the sand and gravel operation that also manufactures ready-mix concrete located at 10815 West Washburn Avenue, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$15,750.00

Violation #1 – Permit Condition 2.2.49

Violation #2 – Permit Condition 2.2.6

**FOUND IN VIOLATION.**

**PENALTY ASSESSED: \$15,750.00**

**Violation #1 – Permit Condition 2.2.49 - \$13,500.00**

**Violation #2 – Permit Condition 2.2.6 - \$2,250.00**

**16. PALAZZO DEVELOPMENT, INC. (DCOP #54691)**

**NOV #10244** – For failing to employ Best Available Control Measures and comply with soil stabilization standards 24 hours a day, 7 days a week, as identified by Air Quality Specialist Richard Wyse during a routine inspection on September 26, 2025, at the 35 Eagles Landing construction project, located at 35 Eagles Landing Lane, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$1,250.00

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

**FOUND IN VIOLATION.**

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



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

**NOV #10221** – For failing to identify Intermittent Compliance for 16 permit conditions in the 2023 and 2024 annual compliance certification reports; for failing to conduct and maintain records of the daily Phase I vapor recovery system inspections on the gasoline dispensing equipment; for failing to limit drilling operations, Emission Unit (EU): A127, to 4,680 holes per consecutive 12-month period, resulting in excess emissions; for failing to conduct the initial Method 9 performance testing on the Stacker S2, EU: A22, cone plant-belt system, EU: A95, and cone plant-stack S13, EU: A102; for exceeding the daily SO<sub>2</sub> limit of 0.15 lbs/MMBtu from Turbine #1, EU: E01, on July 19, 20, and 21, 2025, and from Turbine #2, EU: E02, on December 13, 2024, and April 27, 2025; and for exceeding the actual throughput limit of landfill gas through the open combustion flare, EU: G27, of 187,200,000 ft<sup>3</sup> in any consecutive 12-month period from November 2023 through October 2024, and from December 2023 through November 2024, as identified by Senior Air Quality Specialists Michael Newell and Scott Rowsell during an on-site full compliance evaluation on April 22 and 23, 2025 of the municipal waste management facility known as the Apex Regional Landfill, located at 13550 North Las Vegas Boulevard, in Clark County, Nevada.

**Violation(s) Alleged:**

**Recommended Penalty: \$14,660.00**

- Violation #1 – Permit Condition II.D.6.c
- Violation #2 – Permit Condition III.C.25  
Permit Condition III.E.3  
Permit Condition III.E.5.yy
- Violation #3 – Permit Condition III.B.1.h  
Permit Condition III.B.2.e  
Permit Table III-B-3
- Violation #4 – Permit Condition III.D.1  
Permit Condition III.D.2.a
- Violation #5 – Permit Condition III.B.1.x  
Permit Table III-B-10
- Violation #6 – Permit Condition III.B.1.i  
Permit Condition III.B.2.n  
Permit Table III-B-4

**FOUND IN VIOLATION.**

**PENALTY ASSESSED: \$14,660.00**

- Violation #1 – Permit Condition II.D.6.c - \$4,000.00**
- Violation #2 – Permit Condition III.C.25 - \$2,000.00**  
**Permit Condition III.E.3**  
**Permit Condition III.E.5.yy**
- Violation #3 – Permit Condition III.B.1.h - \$3,780.00**  
**Permit Condition III.B.2.e**  
**Permit Table III-B-3**
- Violation #4 – Permit Condition III.D.1 - \$2,000.00**  
**Permit Condition III.D.2.a**
- Violation #5 – Permit Condition III.B.1.x - \$1,935.00**  
**Permit Table III-B-10**
- Violation #6 – Permit Condition III.B.1.i - \$945.00**  
**Permit Condition III.B.2.n**  
**Permit Table III-B-4**

**18. SIERRA READY MIX LIMITED LIABILITY COMPANY (Synthetic Minor Source Permit, Source ID: 15914)**

**NOV #10246** – For allowing the handling, transporting, and storage of material in a manner that allowed controllable particulate matter to become airborne from the stockpiles and disturbed surfaces, Emission Unit: A10, as identified by Senior Air Quality Specialist Michael Murphy while on routine patrol in the Sloan area during the Dust Advisory period on October 14, 2025 at the ready-mix concrete manufacturing facility located at 14998 South Las Vegas Boulevard, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$4,500.00

Violation #1 – Permit Condition 2.2.11

**FOUND IN VIOLATION.**

**PENALTY ASSESSED: \$4,500.00**

**19. SOUTHERN CALIFORNIA PUBLIC POWER AUTHORITY (Part 70 Operating Permit, Source ID: 1520)**

**NOV #10226** – For failing to perform a linearity check for Turbine 1A, Emission Unit (EU): A01/A02, during the 2<sup>nd</sup> quarter of 2025, and Turbine 1B, EU: A03/A04, during the 1<sup>st</sup> and 2<sup>nd</sup> quarters of 2025, as identified by Senior Air Quality Specialist Mike Murphy during an off-site compliance review of the 2025 1<sup>st</sup> semi-annual report on September 4, 2025 for the electricity generating facility known as Apex Generating Station, located at 15555 Apex Power Parkway, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$4,500.00

Violation #1 – Permit Condition 4.1.6

Permit Condition 4.1.7

40 CFR Part 75, Appendix B, Section 2.2.1

**FOUND IN VIOLATION.**

**PENALTY ASSESSED: \$4,500.00**

**20. TAHITI VILLAGE MASTER OWNERS' ASSOCIATION (Minor Source Permit, Source ID: 15657)**

**NOV #10224** – For failing to conduct and maintain records of quarterly visual emissions checks for the Diesel-Powered Emergency Generators, Emissions Units (EUs): B01, B03, B04, and B06, during all four quarters of 2024 and the 1<sup>st</sup> and 2<sup>nd</sup> quarters of 2025; for failing to conduct and maintain records of the burner efficiency tests on one 19.0 MMBtu/hr Boiler, EU: A02, in the 4<sup>th</sup> quarter of 2024 and the 1<sup>st</sup> quarter of 2025; and for failing to conduct performance testing on one 19.0 MMBtu/hr boiler, EU: A02, within 90 days of the 5-year anniversary date of the previous performance tests, as identified by Air Quality Specialist Jeremy Shockley during an on-site full compliance evaluation on August 13, 2025 at the condominium, hotel, and resort operation known as Tahiti Village Vacation Club, located at 7200 South Las Vegas Boulevard, in Clark County, Nevada.

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Violation(s) Alleged:

Recommended Penalty: \$4,965.00

- Violation #1 – 2023 Permit Condition 4.1.2  
2023 Permit Condition 4.3.1(a)  
2023 Permit Condition 4.3.3
- Violation #2 – 2023 Permit Condition 4.1.9  
2023 Permit Condition 4.3.1(f)  
2023 Permit Condition 4.3.3
- Violation #3 – 2023 Permit Condition 4.2.2

**FOUND IN VIOLATION.**

**PENALTY ASSESSED: \$4,965.00**

- Violation #1 – 2023 Permit Condition 4.1.2 - \$525.00**  
2023 Permit Condition 4.3.1(a)  
2023 Permit Condition 4.3.3
- Violation #2 – 2023 Permit Condition 4.1.9 - \$2,000.00**  
2023 Permit Condition 4.3.1(f)  
2023 Permit Condition 4.3.3
- Violation #3 – 2023 Permit Condition 4.2.2 - \$2,440.00**

**21. UNICON, LLC (DCOP #59338)**

**NOV #10237** – For failing to employ Best Available Control Measures and comply with soil stabilization standards 24 hours a day, 7 days a week, as identified by Air Quality Specialists Damon Lindsay and Noel Crandall while performing complaint investigations on September 9 and 10, 2025, at the Nevada Way Reconstruction project, located at Nevada Way and Wyoming Street, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$2,750.00

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

**FOUND IN VIOLATION.**

**PENALTY ASSESSED: \$2,750.00**

**22. WESTLAND RANCHO ALVARADO, LLC AND LAS VEGAS RESIDENTIAL PROPERTIES, LLC D/B/A WESTLAND REAL ESTATE GROUP (Project #250508)**

**NOV #10228** – For failing to thoroughly inspect the facility for the presence of Asbestos-Containing Materials prior to conducting renovation activities, as identified by Air Quality Specialist II Kevin Adoor during a routine inspection on September 5, 2025, at the buildings located at 5088 South Maryland Parkway, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$1,500.00

- Violation #1 – Section 13.1, 40 CFR §61.145(a)

**FOUND IN VIOLATION.**

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

**23. WESTLAND SONTERRA, LLC AND LAS VEGAS RESIDENTIAL PROPERTIES, LLC  
D/B/A WESTLAND REAL ESTATE GROUP (Project #250518)**

**NOV #10231** – For failing to thoroughly inspect the facility for the presence of Asbestos-Containing Materials prior to conducting renovation activities, as identified by Air Quality Specialist II Kevin Adoor during a routine inspection on September 10, 2025, at the buildings located at 5050 Tamarus Street, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$1,500.00

Violation #1 – Section 13.1, 40 CFR §61.145(a)

**FOUND IN VIOLATION.**

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

**B. CONTESTED CASES**

***Construction Violations:***

**1. BUILDERS UNITED, LLC (DCOP #58896)**

**NOV #10181** – For allowing soil to be tracked out greater than 50 feet in length onto a paved surface; and for failing to employ Best Available Control Measures and comply with soil stabilization standards 24 hours a day, 7 days a week, as identified by Air Quality Specialist Noel Crandall during a routine inspection on July 9, 2025, at the Sunrise Manor Area Command construction project, located at the northeast corner of South Hollywood Boulevard and Sahara Avenue, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$3,500.00

Violation #1 – Section 94.14(d)

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

*Continued from 9/18/2025*

**FOUND IN VIOLATION.**

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

**Violation #1 – Section 94.14(d) - \$1,500.00**

**Violation #2 – Sections 94.13(a) and (b) - \$1,500.00**

**2. MINERO LLC (DCOP #58195)**

**NOV #10233** – For failing to fully implement Best Available Control Measures resulting in a fugitive dust plume to extend more than 100 feet; and for failing to employ Best Available Control Measures and comply with soil stabilization standards 24 hours a day, 7 days a week, as identified by Air Quality Specialist Marc Miller during routine and follow-up inspections on August 12 and 13, 2025, at the Starbucks – Fremont & Eastern construction project, located at 2261 Fremont Street, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$5,187.50

Violation #1 – Section 94.14(a)(3)

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

**FOUND IN VIOLATION.**

**PENALTY ASSESSED: \$5,187.50**

**Violation #1 – Section 94.14(a)(3) - \$3,000.00**

**Violation #2 – Sections 94.13(a) and (b) - \$2,187.50**

***Vacant Land Violations:***

3. **NEW MARION LLC AND SPENCER WONG (Assessor's Parcel Number 140-20-202-004) NOV #10241** – For allowing fugitive dust emissions to cross a property line from an unpaved parking lot/storage area, as identified by Air Quality Specialist Allan Gutierrez during a follow-up inspection on September 9, 2025, of the unpaved land located northwest of Marion Drive and East Lake Mead Boulevard, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$2,000.00

Violation #1 – Section 92.4(c)

**NEW MARION LLC AND SPENCER WONG REQUESTED A CONTINUANCE OF NOV #10241.**

**HEARING OFFICER CONTINUED NEW MARION LLC AND SPENCER WONG'S CASE TO JANUARY 22, 2026.**

***Stationary Sources Violations:***

4. **LAS VEGAS NEVADA LDS TEMPLE (Minor Source Permit, Source ID: 17617) NOV #10243** – For failing to conduct and maintain records of quarterly visual emissions checks on the diesel-fired emergency generator, Emission Unit (EU): A01; and for failing to monitor and maintain a record of the date and duration of operation of the diesel-fired emergency generator, EU: A01, for testing, maintenance, nonemergency use, and emergency use, as identified by Senior Air Quality Specialist Michael Murphy during an on-site full compliance evaluation on September 17, 2025 of the LDS Temple located at 827 Temple View Drive, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$1,482.50

Violation #1 – Permit Condition 4.1.2  
Permit Condition 4.3.1.a  
Permit Condition 4.3.3  
Violation #2 – Permit Condition 4.1.6  
Permit Condition 4.3.1.d  
Permit Condition 4.3.1.e  
Permit Condition 4.3.3

**LAS VEGAS NEVADA LDS TEMPLE IS NOT CONTESTING NOV #10243.**

**FOUND IN VIOLATION.**

**PENALTY ASSESSED: \$1,482.50**

**Violation #1 – Permit Condition 4.1.2 - \$467.50**  
**Permit Condition 4.3.1.a**  
**Permit Condition 4.3.3**  
**Violation #2 – Permit Condition 4.1.6 - \$1,015.00**  
**Permit Condition 4.3.1.d**  
**Permit Condition 4.3.1.e**  
**Permit Condition 4.3.3**

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

**NOV #10152** – For failing to conduct and maintain a record of weekly enhanced monitoring activities at eight wells, 1726R, 1733R+, 1741R, APEX 2372, APEX 2463, APEX 2467, EW-19-36+, and PW-21A, after each well exceeded the 160°F Higher Operating Value, and for failing to conduct carbon monoxide (CO) sampling at well 1733R+; for failing to correct wellhead temperature exceedances for three wells, EW19-36+, APEX 2467, and PW-21A, that exceeded the 160°F permitted limit, within the 120-day regulatory timeline; and for failing to correct wellhead temperature exceedances to below the 160°F limit within the 15-day regulatory timeline for two wells, APEX 2467 and EW19-36+, that measured a landfill gas temperature greater than 170°F and a CO concentration greater than 1,000 ppm, as identified by Senior Air Quality Specialist Michael Newell during an off-site partial compliance evaluation on March 31, 2025, of the Municipal Waste Management facility known as the Apex Regional Landfill, located at 13550 North Las Vegas Boulevard, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$20,440.00

Violation #1 – Section 13.2, 40 CFR Part 63, Subpart AAAA, § 63.1961(a)(5)(viii)

Section 13.2, 40 CFR Part 63, Subpart AAAA, § 63.1983(e)(2)(ii)

Violation #2 – 2022 Permit Condition III.B.3.aa

2022 Permit Condition III.B.3.dd.ii

Section 13.2, 40 CFR Part 63, Subpart AAAA, § 63.1958(c)(1) and (2)

Section 13.2, 40 CFR Part 63, Subpart AAAA, § 63.1960(a)(4)(i)(B)

Violation #3 – Section 13.2, 40 CFR Part 63, Subpart AAAA, § 63.1960(a)(4)(i)(D)

*Continued from 7/17/2025 and 9/18/2025*

**REPUBLIC DUMPCO, INC. REQUESTED A CONTINUANCE OF NOV #10152.**

**HEARING OFFICER CONTINUED REPUBLIC DUMPCO, INC.'S CASE TO JANUARY 22, 2026.**

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

**NOV #10242** – For failing to maintain and operate the facility in a manner consistent with good air pollution control practices to minimize emissions, and failing to operate the LFG collection system such that all collected gas are vented to the control system by allowing a witness pipe located on the south side of the landfill and at the base of Well APEP154R located on the top deck to emit a methane concentration in excess of 50,000 ppm, as detected using an Flame Ionization Detector via EPA Method 21; for failing to conduct and maintain a record of weekly enhanced monitoring activities at eight wells, 1726R, APEX 2460, APEX 2462, APEX 2467, EW-1936+, PW-21A, PW-45+, and 1741R, after each well exceeded the 160°F HOV, and for failing to conduct carbon monoxide (CO) sampling at well 1726R, from January 5, 2025, through May 24, 2025; for failing to operate the landfill gas collection and control system to operate in a manner that minimizes downtime and for allowing periods of shutdown to exceed five days for the collection system for 23 wells, APEX2311, APEX2312, APEX2338, APEX2351, APEX2366, APEX2377, APEX2419, APEX2440, APEX2442, APEX2443, APEX2454, APEX2455, APEX2456, APEX2458, APEXSC01, EW20-01, EW20-02+, EW20-04+, APMA20SE, PW-01, APE1723S (EW17-23S), APE2017B, and APEX2436 (EW24-36); for failing to correct wellhead temperature exceedances for nine wells, EW19-36+, APEX 2467, APEX 2372, APEX 2463, APEX 2465, APEX 2467, EW19-36+, PW-21A, and PW-45+, that exceeded the Higher Operating Value permitted limit of 160°F, within the 120-day regulatory timeline, and for failing to correct the wellhead oxygen exceedances that exceeded the permitted oxygen level of 5% within the 120-day regulatory timeline for four wells, EW20-01, EW20-02+, EW20-03+, and PW-03; and for failing to correct wellhead temperature exceedances to below the 160°F limit within the 15-day regulatory timeline for three wells, APEX 2467, EW19-36+, and 1726R, that each measured a landfill gas temperature greater than 170°F and a CO concentration greater than 1,000 ppm, as identified by Senior Air Quality Specialists Michael Newell and Scott Rowsell during an on-site full compliance evaluation on April 22 and 23, 2025 of the municipal waste management facility known as the Apex Regional Landfill, located at 13550 North Las Vegas Boulevard, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$113,650.00

Violation #1 – Permit Condition III.B.3.ff

Permit Condition III.B.3.ss

Violation #2 – Section 13.2, 40 CFR Part 63, Subpart AAAA, § 63.1961(a)(5)(viii)

Section 13.2, 40 CFR Part 63, Subpart AAAA, § 63.1983(e)(2)(ii)

Violation #3 – Permit Condition III.B.3.u

Section 13.2, 40 CFR Part 63, Subpart AAAA, § 63.1958(e)(1)(ii)

Violation #4 – Permit Condition III.B.3.aa

Permit Condition III.B.3.dd.ii

Section 14.1, 40 CFR Part 60, Subpart WWW, § 60.753(c)

Section 13.2, 40 CFR Part 63, Subpart AAAA, § 63.1958(c)(1) and (2)

Section 13.2, 40 CFR Part 63, Subpart AAAA, § 63.1960(a)(4)(i)(B)

Violation #5 – Section 13.2, 40 CFR Part 63, Subpart AAAA, § 63.1960(a)(4)(i)(D)

**REPUBLIC DUMPCO, INC. REQUESTED A CONTINUANCE OF NOV #10242.**

**HEARING OFFICER CONTINUED REPUBLIC DUMPCO, INC.'S CASE TO JANUARY 22, 2026.**

***Asbestos Violations:***

**7. THE NORTHSTAR GARDENS LLC (Project #250310)**

**NOV #10173** – For failing to thoroughly inspect the facility for the presence of asbestos-containing material prior to conducting renovation activities; for failing to notify Air Quality 10 working days prior to the removal of Regulated Asbestos-Containing Material (RACM) at the facility; for failing to remove all RACM from the facility prior to renovation; for failing to adequately wet all removed RACM and ensure it remains wet until properly disposed; for failing to have at least one on-site representative trained in the provisions of the National Emission Standards for Hazardous Air Pollutants asbestos regulations and the means of complying with them; and for failing to deposit asbestos-containing waste material at an approved asbestos landfill, as identified by Air Quality Specialists II Kevin Adoor and Whitney Francis during a routine inspection on June 3, 2025, at the condominium located at 725 North Royal Crest Circle, Unit 236, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$5,500.00

Violation #1 – Section 13.1, 40 CFR §61.145(a)

Violation #2 – Section 13.1, 40 CFR §61.145(b)(1)

Section 13.1, 40 CFR §61.145(b)(3)(i)

Violation #3 – Section 13.1, 40 CFR §61.145(c)(1)

Violation #4 – Section 13.1, 40 CFR §61.145(c)(6)(i)

Violation #5 – Section 13.1, 40 CFR §61.145(c)(8)

Violation #6 – Section 13.1, 40 CFR §61.150(b)(1)

*Continued from 9/18/2025*

**THE NORTHSTAR GARDENS LLC REQUESTED A CONTINUANCE OF NOV #10173.**

**HEARING OFFICER CONTINUED THE NORTHSTAR GARDENS LLC'S CASE TO JANUARY 22, 2026.**

**III. ADJOURNMENT                      10:07 a.m.**