



## Air Pollution Control Hearing Officer Meeting Annotated

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

**9:00 a.m. – May 22, 2025**

Hearing Officer: David O. Anderson  
Air Quality Staff: Shibi Paul, Compliance and Enforcement Manager  
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 9:00 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. **AMERICAN EAGLE READY MIX, LLC (Assessor's Parcel Number 070-25-000-003; Synthetic Minor Source Permit, Source ID: n/a)**  
**NOV #10151** – For operating a source of air pollutants, without first having obtained a Minor Source Permit that authorized such operation, as identified by Senior Air Quality Specialist Michael Murphy while performing a complaint investigation on March 10, 2025, at the sand and gravel operation located at assessor's parcel number 070-25-000-003 at the south end of Overton, in Clark County, Nevada.

Violation(s) Alleged:  
Violation #1 – Section 12.1.3.1(a)

Recommended Penalty: \$11,340.00

**FOUND IN VIOLATION.**  
**PENALTY ASSESSED: \$11,340.00**

2. **BOULEVARD MALL, BOULEVARD VENTURES LLC, AND 2495 RIVIERA LLC (Minor Source Permit, Source ID: 306)**

**NOV #10144** – For failing to conduct and maintain records of quarterly visual emissions checks on the Emergency Generators, Emission Units (EUs): B01, B02, and B04, from January of 2023 through December of 2024; and for failing to conduct annual Burner Efficiency Tests on the 4.5 MMBtu/hr Natural Gas Boiler, EU: A01, for calendar years 2023 through 2024, as identified by Air Quality Specialist Jeremy Shockley during an onsite full compliance evaluation on February 18, 2025 at the shopping mall operation located at 3528 South Maryland Parkway, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$767.50

- Violation #1 – 2022 Permit Condition 4.1.2  
2023 Permit Condition 4.1.2  
2022 Permit Condition 4.3.1.a  
2023 Permit Condition 4.3.1.a  
2022 Permit Condition 4.3.3  
2023 Permit Condition 4.3.3
- Violation #2 – 2022 Permit Condition 4.1.7  
2022 Permit Condition 4.3.1.d  
2022 Permit Condition 4.3.3  
2023 Permit Condition 4.1.8  
2023 Permit Condition 4.3.1.e  
2023 Permit Condition 4.3.3

**FOUND IN VIOLATION.**

**PENALTY ASSESSED: \$767.50**

- Violation #1 – 2022 Permit Condition 4.1.2 – \$267.50  
2023 Permit Condition 4.1.2  
2022 Permit Condition 4.3.1.a  
2023 Permit Condition 4.3.1.a  
2022 Permit Condition 4.3.3  
2023 Permit Condition 4.3.3
- Violation #2 – 2022 Permit Condition 4.1.7 – \$500.00  
2022 Permit Condition 4.3.1.d  
2022 Permit Condition 4.3.3  
2023 Permit Condition 4.1.8  
2023 Permit Condition 4.3.1.e  
2023 Permit Condition 4.3.3

3. **BOUQUET, INC. (General Permit, Source ID: 17318)**

**NOV #10148** – For operating dispensers #3, #6, #12, and #16 with cracked boot faces on the nozzles, dispensers #9, #14, and #15 with hoses installed backwards, dispenser #7 with a crimped hose, dispenser #9 with a torn hose, and dispenser #11 with a cracked whip hose, as identified by Senior Air Quality Specialist Camon Liddell during an onsite full compliance evaluation on March 19, 2025 of the gasoline dispensing facility known as ARCO AM PM, located at 5575 North 5<sup>th</sup> Street, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$1,000.00

- Violation #1 – 2025 General Permit Condition 2.1.9(a through c)

**FOUND IN VIOLATION.**

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

4. **CARDINAL PAINT AND POWDER, INC. (Minor Source Permit, Source ID: 17990)**  
**NOV #10154** – For failing to maintain the differential pressure drop across six baghouses, Emission Units (EUs): A03, A05, A07, A32, A33, and A35, within the permitted differential pressure range of 1.0 to 6.0 inches of water column; for failing to conduct and maintain records of annual internal inspections for all nine baghouses in 2023 and 2024; for failing to conduct and maintain records of inspections of the spray booth, EU: A22; and for failing to conduct and maintain records of complete monthly external baghouse inspections for all nine baghouses, as identified by Senior Air Quality Specialist Michael Newell and Air Quality Specialists Adam Mancini and Tina Tope, during an onsite full compliance evaluation on March 10, 2025 at the operation of the manufacture, distribution, development, and sale of industrial powder coatings and related sundries located at 1900 Aerojet Way, in Clark County, Nevada.

**Violation(s) Alleged:**

**Recommended Penalty: \$5,945.00**

- Violation #1 – 2023 Permit Condition 2.2.13  
2024 Permit Condition 2.2.13
- Violation #2 – 2023 Permit Condition 4.1.18  
2023 Permit Condition 4.3.1.e  
2023 Permit Condition 4.3.3  
2024 Permit Condition 4.1.19  
2024 Permit Condition 4.3.1.e  
2024 Permit Condition 4.3.3
- Violation #3 – 2023 Permit Condition 4.1.10  
2023 Permit Condition 4.3.1.e  
2023 Permit Condition 4.3.3  
2024 Permit Condition 4.1.12  
2024 Permit Condition 4.3.1.e  
2024 Permit Condition 4.3.3
- Violation #4 – 2023 Permit Condition 4.1.16.a through c  
2023 Permit Condition 4.3.1.e  
2023 Permit Condition 4.3.3  
2024 Permit Condition 4.1.17.a through c  
2024 Permit Condition 4.3.1.e  
2024 Permit Condition 4.3.3

**FOUND IN VIOLATION.**

**PENALTY ASSESSED: \$5,945.00**

- Violation #1 – 2023 Permit Condition 2.2.13 – **\$415.00**  
2024 Permit Condition 2.2.13
- Violation #2 – 2023 Permit Condition 4.1.18 – **\$1,000.00**  
2023 Permit Condition 4.3.1.e  
2023 Permit Condition 4.3.3  
2024 Permit Condition 4.1.19  
2024 Permit Condition 4.3.1.e  
2024 Permit Condition 4.3.3
- Violation #3 – 2023 Permit Condition 4.1.10 – **\$2,955.00**  
2023 Permit Condition 4.3.1.e  
2023 Permit Condition 4.3.3  
2024 Permit Condition 4.1.12  
2024 Permit Condition 4.3.1.e  
2024 Permit Condition 4.3.3

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**Violation #4 – 2023 Permit Condition 4.1.16.a through c – \$1,575.00**  
**2023 Permit Condition 4.3.1.e**  
**2023 Permit Condition 4.3.3**  
**2024 Permit Condition 4.1.17.a through c**  
**2024 Permit Condition 4.3.1.e**  
**2024 Permit Condition 4.3.3**

**5. FLOWERS BAKING CO. OF HENDERSON, LLC (Synthetic Minor Source Permit, Source ID: 17320)**

**NOV #10137** – For failing to conduct performance testing on the Catalytic Oxidizer, Emission Unit: C03, within 90 days of the 5-year anniversary date of the previous performance tests, as identified by Senior Air Quality Specialist Camon Liddell during an onsite full compliance evaluation on February 11, 2025 of the commercial bakery that manufactures and distributes various bakery products located at 501 Conestoga Way, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$5,355.00

Violation #1 – 2024 Permit Condition 4.2.2.a  
2024 Permit Condition 4.2.3  
2024 Permit Table 4-1

**FOUND IN VIOLATION.**

**PENALTY ASSESSED: \$5,355.00**

**6. IES RESIDENTIAL, INC. (Construction Project #58811, DCOP #n/a)**

**NOV #10142** – 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 commencing construction activities, as identified by Air Quality Specialist Mike Englehart while performing a complaint investigation on January 15, 2025, at the GUERRA RESIDENCE- Utilities construction project (parcel number 125-22-299-002), located at 7293 West Haley Avenue, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$1,750.00

Violation #1 – Sections 94.13(a) and (b)  
Violation #2 – Section 94.4.1(a)

**FOUND IN VIOLATION.**

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

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

**Violation #2 – Section 94.4.1(a) – \$500.00**

**7. LANZ CONSTRUCTION LLC (Construction Project #59131, DCOP #n/a)**

**NOV #10155** – For failing to fully implement Best Available Control Measures resulting in a fugitive dust plume to cross a property line, as identified by Air Quality Specialist Damon Lindsay while performing a complaint investigation on March 28, 2025, at the 10251 W Agate Ave. construction project, located at 10251 West Agate 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**

8. **LHOIST NORTH AMERICA OF ARIZONA, INC. (Part 70 Operating Permit, Source ID: 3) NOV #10153** – For failing to maintain the differential pressure drop across the baghouses, DC-CA-04, DC-04, DC-05, DC-20, DC-30, DC-36, DC-37, DC-5006, DC-5007, DC-8001, DC-8003, DC-4101 (DC-8002), DC-8004, D-DC-4217, D-DC-50122, D-DC-526, K2-DC-505N, and DC-7130 (Control Device DC-5006) within the permitted differential pressure range for each baghouse; and for failing to conduct Method 9 performance testing on seven Emission Units: P103, P103a, R108, R120, D101, D104a, and D104c, within five years of the previous passing test, as identified by Senior Air Quality Specialist Scott Rowsell during an onsite full compliance evaluation on March 13, 2025 at the lime and lime products manufacturing operation known as Lhoist North America of Arizona Apex Plant located at 12101 North Las Vegas Boulevard, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$5,630.00

- Violation #1 – 2023 Permit Condition 2.2.8  
2023 Permit Table 2-1
- Violation #2 – 2023 Permit Condition 4.2.6  
2023 Permit Table 4-1

**FOUND IN VIOLATION.**

**PENALTY ASSESSED: \$5,630.00**

- Violation #1 – 2023 Permit Condition 2.2.8 – \$3,630.00**  
**2023 Permit Table 2-1**
- Violation #2 – 2023 Permit Condition 4.2.6 – \$2,000.00**  
**2023 Permit Table 4-1**

9. **MINERO LLC D/B/A MINERO GENERAL CONTRACTOR (DCOP #57910)**

**NOV #10141** – For failing to obtain a Dust Control Operating Permit prior to commencing construction activities, as identified by Air Quality Specialist Marc Miller during a routine inspection on January 3, 2025, at the Roma Miel Homes construction project, located on Tee Pee Lane and Darling Road, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$500.00

- Violation #1 – Section 94.4.1(a)

**FOUND IN VIOLATION.**

**PENALTY ASSESSED: \$500.00**

10. **OCEAN SPRAY CRANBERRIES, INC. (Minor Source Permit, Source ID: 852)**

**NOV #10149** – For installing an unpermitted 94 horsepower diesel-fired emergency fire pump without first obtaining a revised permit authorizing the modification, as identified by Air Quality Specialist Jeremy Shockley during an onsite full compliance evaluation on March 4, 2025 at the manufacturing and bottling of juice products operation known as Ocean Spray Cranberries, Inc., located at 1301 American Pacific Drive, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$1,000.00

- Violation #1 – Permit Condition 5.1.10

**FOUND IN VIOLATION.**

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

**11. TEC EQUIPMENT, INC. (DCOP #56479)**

**NOV #10143** – 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 Mike Englehart during a routine inspection on January 29, 2025, at the TEC Equipment @ Brooks construction project, located at North 5<sup>th</sup> Street and Brooks Avenue, 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**

**12. THE PRIMADONNA COMPANY, LLC (Synthetic Minor Source Permit, Source ID: 617)**

**NOV #10139** – For failing to maintain the Phase II vapor recovery equipment in good working order by operating dispensers #16, #18, #21, and #24 with torn/cracked whip hoses and dispensers #2 and #7 with torn/cracked face seals at Whiskey Pete's Chevron (WPC), and by operating dispensers #10, #17, and #32 with torn splash guards at Primm Valley Travel Center; for failing to conduct and maintain records of Phase I vapor recovery system inspections after each delivery; for failing to conduct and maintain records of daily Phase II-Balance vapor recovery system inspections, and daily Phase II-Assist vapor recovery system inspections; for failing to operate the Emergency Generator, Emission Unit (EU): A14, with a non-resettable hour meter, and failing to monitor and maintain a record of the hours of operation of EU: A14 for testing, maintenance and emergency usage; and for failing to conduct and maintain records of quarterly visual emissions checks of the diesel-fired Emergency Generator, EU: A14, from the 3<sup>rd</sup> quarter of 2023, through and including the 4<sup>th</sup> quarter of 2024, as identified by Senior Air Quality Specialist Camon Liddell during an onsite full compliance evaluation on February 13, 2025 of the hotels, casino, and gasoline dispensing operations known as Primm Valley Casino Resorts consisting of Primm Valley Resort Casino, WPC, Buffalo Bill's Casino, The Primm Valley Resort Garage, and the Primm Valley Resort Gasoline Operations, located at 31900 South Las Vegas Boulevard, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$29,032.50

Violation #1 – 2023 Permit Condition 2.2.12(a through c)

Violation #2 – 2022 Permit Condition 4.1.10(a through g)

2022 Permit Condition 4.3.1

2022 Permit Condition 4.3.2.f

2022 Permit Condition 4.3.4

2023 Permit Condition 4.1.11(a through g)

2023 Permit Condition 4.3.1

2023 Permit Condition 4.3.2.g

2023 Permit Condition 4.3.4

Violation #3 – 2022 Permit Condition 4.1.11(a through g)

2022 Permit Condition 4.3.1

2022 Permit Condition 4.3.2.f

2022 Permit Condition 4.3.4

2023 Permit Condition 4.1.12(a through i)

2023 Permit Condition 4.1.13(a through g)

2023 Permit Condition 4.3.1

2023 Permit Condition 4.3.2.g

2023 Permit Condition 4.3.4

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**THE PRIMADONNA COMPANY, LLC continued**

- Violation #4 – 2023 Permit Condition 4.1.7  
2023 Permit Condition 4.3.1  
2023 Permit Condition 4.3.2(d and e)  
2023 Permit Condition 4.3.4
- Violation #5 – 2023 Permit Condition 4.1.2  
2023 Permit Condition 4.3.1  
2023 Permit Condition 4.3.2.a  
2023 Permit Condition 4.3.4

**FOUND IN VIOLATION.**

**PENALTY ASSESSED: \$29,032.50**

- Violation #1 – 2023 Permit Condition 2.2.12(a through c) – \$3,750.00
- Violation #2 – 2022 Permit Condition 4.1.10(a through g) – \$10,200.00
  - 2022 Permit Condition 4.3.1
  - 2022 Permit Condition 4.3.2.f
  - 2022 Permit Condition 4.3.4
  - 2023 Permit Condition 4.1.11(a through g)
  - 2023 Permit Condition 4.3.1
  - 2023 Permit Condition 4.3.2.g
  - 2023 Permit Condition 4.3.4
- Violation #3 – 2022 Permit Condition 4.1.11(a through g) – \$12,450.00
  - 2022 Permit Condition 4.3.1
  - 2022 Permit Condition 4.3.2.f
  - 2022 Permit Condition 4.3.4
  - 2023 Permit Condition 4.1.12(a through i)
  - 2023 Permit Condition 4.1.13(a through g)
  - 2023 Permit Condition 4.3.1
  - 2023 Permit Condition 4.3.2.g
  - 2023 Permit Condition 4.3.4
- Violation #4 – 2023 Permit Condition 4.1.7 – \$1,845.00
  - 2023 Permit Condition 4.3.1
  - 2023 Permit Condition 4.3.2(d and e)
  - 2023 Permit Condition 4.3.4
- Violation #5 – 2023 Permit Condition 4.1.2 – \$787.50
  - 2023 Permit Condition 4.3.1
  - 2023 Permit Condition 4.3.2.a
  - 2023 Permit Condition 4.3.4

**13. TRMC RETAIL LLC (Minor Source Permit, Source ID: 9890)**

**NOV #10138** – For failing to conduct and maintain records of Phase I vapor recovery system inspections after each fuel delivery, as identified by Air Quality Specialist Jeremy Shockley during an onsite full compliance evaluation on February 12, 2025, of the gasoline dispensing facility known as Tesoro Speedway #3020 located at 7295 South Eastern Avenue, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$1,015.00

- Violation #1 – Permit Condition 4.1.3(a through h)
  - Permit Condition 4.3.2.b
  - Permit Condition 4.3.4

**FOUND IN VIOLATION.**

**PENALTY ASSESSED: \$1,015.00**

**14. XTREME MANUFACTURING, LLC (Minor Source Permit, Source ID: 17985)**

**NOV #10140** – For failing to limit the consumption of volatile organic compound (VOC) containing material to 10,000 gallons per year based on a VOC weighted average content of 3.04 lb/gallon, for the painting operations from the Spray Painting Booths (Emission Units (EUs): A01 through A03, A06 and A07) in 2024; for exceeding the source wide potential to emit (PTE) limit of VOCs and the individual PTE limit of VOCs for the Spray Painting Booths (EUs: A01 through A03, A06, and A07) in 2024; for failing to conduct and maintain records of spray booth inspections of Spray Painting Booths (EUs: A01, A03, A06, and A07); for failing to operate Spray Painting Booths (EUs: A06 and A07) with a functional manometer; for failing to conduct and maintain records of quarterly visible emission checks of the diesel-fired Fire Pump (EU: D01); and for failing to conduct and maintain records of quarterly visible emission checks of the diesel-fired Fire Pump (EU: D01), as identified by Senior Air Quality Specialist Camon Liddell during an onsite full compliance evaluation on January 30, 2025, of the manufacturer and vendor of new and used high reach forklifts and cubed steel structures, known as Xtreme Manufacturing located at 8370 Eastgate Road, in Clark County, Nevada.

**Violation(s) Alleged:**

**Recommended Penalty: \$11,505.00**

- Violation #1 – 2024 Permit Condition 3.1.1
- Violation #2 – 2024 Permit Condition 3.2.1
  - 2024 Permit Condition 3.2.2
  - 2024 Permit Table 3-1
  - 2024 Permit Table 3-2
- Violation #3 – 2023 Permit Condition 4.1.9
  - 2023 Permit Condition 4.3.1.c
  - 2023 Permit Condition 4.3.3
  - 2024 Permit Condition 4.1.9
  - 2024 Permit Condition 4.3.1.c
  - 2024 Permit Condition 4.3.3
- Violation #4 – 2024 Permit Condition 4.1.8
- Violation #5 – 2023 Permit Condition 4.1.4
  - 2023 Permit Condition 4.3.1.a
  - 2023 Permit Condition 4.3.3
  - 2024 Permit Condition 4.1.4
  - 2024 Permit Condition 4.3.1.a
  - 2024 Permit Condition 4.3.3

**FOUND IN VIOLATION.**

**PENALTY ASSESSED: \$11,505.00**

- Violation #1 – 2024 Permit Condition 3.1.1** – **\$2,000.00**
- Violation #2 – 2024 Permit Condition 3.2.1** – **\$2,000.00**
  - 2024 Permit Condition 3.2.2**
  - 2024 Permit Table 3-1**
  - 2024 Permit Table 3-2**
- Violation #3 – 2023 Permit Condition 4.1.9** – **\$5,970.00**
  - 2023 Permit Condition 4.3.1.c**
  - 2023 Permit Condition 4.3.3**
  - 2024 Permit Condition 4.1.9**
  - 2024 Permit Condition 4.3.1.c**
  - 2024 Permit Condition 4.3.3**

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***XTREME MANUFACTURING, LLC continued***

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| <b>Violation #4 – 2024 Permit Condition 4.1.8</b> | <b>– \$1,000.00</b> |
| <b>Violation #5 – 2023 Permit Condition 4.1.4</b> | <b>– \$535.00</b>   |
| <b>2023 Permit Condition 4.3.1.a</b>              |                     |
| <b>2023 Permit Condition 4.3.3</b>                |                     |
| <b>2024 Permit Condition 4.1.4</b>                |                     |
| <b>2024 Permit Condition 4.3.1.a</b>              |                     |
| <b>2024 Permit Condition 4.3.3</b>                |                     |

***B. CONTESTED CASES***

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

**1. PALM PROPERTIES, LLC AND ROBERT LAUER (Assessor's Parcel Numbers 161-08-810-082 and 161-08-810-083)**

**NOV #10150** – For operating an unpaved parking lot/storage yard on the Property from January 9, 2025 through February 7, 2025, as identified by Air Quality Specialist Allan Gutierrez while performing a routine inspection on September 18, 2024, and follow up inspections on November 19, 2024, December 5, 2024, and January 9, February 24, and March 18, 2025, at the unpaved parcels of vacant land (Assessor's Parcel Numbers 161-08-810-082 and 161-08-810-083) located at 3125 South Nellis Boulevard, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$15,000.00

Violation #1 – Section 92.3.1

**PALM PROPERTIES, LLC AND ROBERT LAUER REQUESTED A CONTINUANCE OF NOV #10150.**

**HEARING OFFICER CONTINUED PALM PROPERTIES, LLC AND ROBERT LAUER'S CASE TO JULY 17, 2025.**

***Stationary Sources Violations:***

**2. HOLCIM - SWR, INC. (Part 70 Operating Permit, Source ID: 372)**

**NOV #10145** – For failing to limit the operation of the continuous-duty, diesel-fired engine (Emission Unit (EU): CY09) to 2,500 hours in any consecutive 12-month period from December 2024 through February 2025; for allowing the actual emissions to exceed the Potential to Emit for Particulate Matter 10, Nitrogen Oxides, Carbon Monoxide, and Volatile Organic Compounds, in any consecutive 12-month period for the continuous-duty, diesel-fired engine (EU: CY09), from December 2024 through February 2025; and for failing to submit the 2024 Annual Compliance Certification (ACC) report for the Authority to Construct Permit to Air Quality and the Environmental Protection Agency Region 9 Administrator on or before January 30, 2025, as identified by Senior Air Quality Specialist Scott Rowsell during an offsite compliance review of the 2024 2<sup>nd</sup> semi-annual report, 2024 ACC report, and a 24-hour exceedance notification/72-hour deviation report on February 5, 2025, of the sand and gravel, hot mix asphalt, and ready-mix concrete operation known as Holcim - SWR Inc. Sloan Quarry located at 5300 Sloan Road, in Clark County, Nevada.

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**Violation(s) Alleged:**

**Recommended Penalty: \$6,600.00**

Violation #1 – 2022 Permit Condition III.C.34

Violation #2 – 2022 Permit Condition III.B.6

2022 Permit Table III-B-17

Violation #3 – ATC Permit Condition 4.4.9(a through c)

**THERE WAS A CLERICAL ERROR IN THE PENALTY CALCULATION TABLE FOR VIOLATION #3: THE AGGRAVATION AND MITIGATION DESCRIPTION SHOWED +2%, BUT IT SHOULD HAVE SHOWED +10%. THE AGGRAVATION FACTOR COLUMN SHOWED THE CORRECT PERCENTAGE.**

**HOLCIM - SWR, INC. WAS ONLY CONTESTING VIOLATION #3.**

**FOUND IN VIOLATION.**

**PENALTY ASSESSED: \$6,600.00**

**Violation #1 – 2022 Permit Condition III.C.34**

**– \$2,655.00**

**Violation #2 – 2022 Permit Condition III.B.6**

**– \$2,295.00**

**2022 Permit Table III-B-17**

**Violation #3 – ATC Permit Condition 4.4.9(a through c)**

**– \$1,650.00**

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

**NOV #10095** – For failing to submit a sufficient corrective action analysis and corresponding implementation timeline with each of the 75-day notifications for 160°F wellhead temperature exceedances that will take longer than 120 days to correct; for failing to correct wellhead temperature exceedances for five wells that exceeded the 160°F permitted limit within the 120-day regulatory timeline; for failing to limit drilling operations to 4,680 holes per consecutive 12-month period from October 2023, through June 2024; and for operating the open combustion flare, Emission Unit (EU): G27, when the enclosed combustion flare, EU: W11, was operating for 29 non-consecutive days from January 1, 2024, through May 29, 2024, as identified by Senior Air Quality Specialist Michael Newell during an offsite partial compliance evaluation on September 5, 2024 of the Municipal Waste Management facility known as Apex Regional Landfill, located at 13550 North Highway 93, in Clark County, Nevada.

**Violation(s) Alleged:**

**Recommended Penalty: \$17,060.00**

Violation #1 – Section 13.2, 40 CFR Part 63, Subpart AAAA, § 63.1981(j)(2)

Section 13.2, 40 CFR Part 63, Subpart AAAA, § 63.1981(h)(7)

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, § 63.1960(a)(4)(i)(B)

Violation #3 – 2022 Permit Condition III.B.1.h

2022 Permit Condition III.B.2.e

Violation #4 – 2022 Permit Condition III.B.2.o

*Continued from 1/16/2025 & 3/13/2025*

**REPUBLIC DUMPCO, INC. SUBMITTED A REVISED NOTICE OF VIOLATION RESPONSE FORM CHANGING ITS PLEA TO NOT CONTESTING NOV #10095.**

***\*Continued on the next page.***

**FOUND IN VIOLATION.**

**PENALTY ASSESSED: \$17,060.00**

|   |                      |
|---|----------------------|
| <b>Violation #1 – Section 13.2, 40 CFR Part 63, Subpart AAAA, § 63.1981(j)(2)</b> | <b>– \$2,040.00</b>  |
| <b>Section 13.2, 40 CFR Part 63, Subpart AAAA, § 63.1981(h)(7)</b>                |                      |
| <b>Violation #2 – 2022 Permit Condition III.B.3.aa</b>                            | <b>– \$10,820.00</b> |
| <b>2022 Permit Condition III.B.3.dd.ii</b>  |                      |
| <b>Section 13.2, 40 CFR Part 63, Subpart AAAA, § 63.1960(a)(4)(i)(B)</b>          |                      |
| <b>Violation #3 – 2022 Permit Condition III.B.1.h</b>                             | <b>– \$3,240.00</b>  |
| <b>2022 Permit Condition III.B.2.e</b>  |                      |
| <b>Violation #4 – 2022 Permit Condition III.B.2.o</b>                             | <b>– \$960.00</b>    |

***Asbestos Violations:***

**4. MORAN HOME LLC AND SHEYANTHI WELIKALA SEPARATE PROPERTY TRUST (Project #240604)**

**NOV #10122** – For failing to 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 the removal of Regulated Asbestos-Containing Material (RACM) at the Facility; for failing to adequately wet all removed RACM and ensure it remains wet until properly disposed; 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; and for allowing visible emissions and failing to seal all Asbestos-Containing Waste Materials in leak tight containers while wet, as identified by Air Quality Specialist II Whitney Francis during an inspection on November 6, 2024, in Unit 344 at Casablanca Condominiums located at 750 Royal Crest Circle, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$4,500.00

- Violation #1 – Section 13.1, 40 CFR §61.145(a)
- Violation #2 – Section 13.1, 40 CFR §61.145(b)(1), and 40 CFR §61.145(b)(3)(i)
- Violation #3 – Section 13.1, 40 CFR §61.145(c)(6)(i)
- Violation #4 – Section 13.1, 40 CFR §61.145(c)(8)
- Violation #5 – Section 13.1, 40 CFR §61.150(a), and 40 CFR §61.150(a)(1)(iii)

*Continued from 3/13/2025*

**MORAN HOME LLC AND SHEYANTHI WELIKALA SEPARATE PROPERTY TRUST DID NOT APPEAR.**

**FOUND IN VIOLATION.**

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

|   |                     |
|---|---------------------|
| <b>Violation #1 – Section 13.1, 40 CFR §61.145(a)</b>         | <b>– \$1,000.00</b> |
| <b>Violation #2 – Section 13.1, 40 CFR §61.145(b)(1), and</b> | <b>– \$1,000.00</b> |
| <b>40 CFR §61.145(b)(3)(i)</b>                                |                     |
| <b>Violation #3 – Section 13.1, 40 CFR §61.145(c)(6)(i)</b>   | <b>– \$1,000.00</b> |
| <b>Violation #4 – Section 13.1, 40 CFR §61.145(c)(8)</b>      | <b>– \$500.00</b>   |
| <b>Violation #5 – Section 13.1, 40 CFR §61.150(a), and</b>    | <b>– \$1,000.00</b> |
| <b>40 CFR §61.150(a)(1)(iii)</b>                              |                     |