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Air Pollution Control Hearing Officer Meeting Annotated

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

9:00 a.m. – July 17, 2025

Hearing Officer: Holly Fic
Air Quality Staff: Shibi Paul, Compliance and Enforcement Manager
Anna Sutowska, Air Quality Supervisor
Sheenaleigh Lucas, 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. AMRIZE SOUTHWEST INC. PREVIOUSLY KNOWN AS HOLCIM - SWR INC. (DCOP #58490)

NOV #10169 – 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 Kalyn Bubbico and Mike Englehart during a routine inspection on April 14, 2025, and follow-up inspections on April 21 and 22, 2025 at the Elkhorn Traffic Signal And Bradley Roundabout construction project, located along Bradley Road at Elkhorn Road and Deer Springs Way, 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

2. **CALCON LLC (DCOP #58309)**

NOV #10166 – 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 while performing a complaint investigation on June 2, 2025, at the Maryland and Ford construction project, located at 1320 East Ford Avenue, 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

3. **COSTCO WHOLESALE CORPORATION (Minor Source Permit, Source ID: 9669)**

NOV #10157 – For failing to conduct and maintain records of quarterly visual emissions checks of the Emergency Fire Pump, Emission Unit (EU): B01, from the 2nd quarter of 2023, through and including the 4th quarter of 2024; and for failing to monitor and maintain a record of the hours of operation of the Emergency Fire Pump, EU: B01, as identified by Air Quality Specialist Joshua Frye during an onsite full compliance evaluation on April 24, 2025, of the gasoline dispensing operation known as Costco Gasoline #563, located at 222 South Martin Luther King Boulevard, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$2,415.00

Violation #1 – 2019 Permit Condition 4.1.3

2019 Permit Condition 4.3.2.a

2019 Permit Condition 4.3.4

2024 Permit Condition 4.1.2

2024 Permit Condition 4.3.2.a

2024 Permit Condition 4.3.4

Violation #2 – 2019 Permit Condition 4.1.9

2019 Permit Condition 4.3.2.(l and m)

2019 Permit Condition 4.3.4

FOUND IN VIOLATION.

PENALTY ASSESSED: \$2,415.00

Violation #1 – 2019 Permit Condition 4.1.3

- \$795.00

2019 Permit Condition 4.3.2.a

2019 Permit Condition 4.3.4

2024 Permit Condition 4.1.2

2024 Permit Condition 4.3.2.a

2024 Permit Condition 4.3.4

Violation #2 – 2019 Permit Condition 4.1.9

- \$1,620.00

2019 Permit Condition 4.3.2.(l and m)

2019 Permit Condition 4.3.4

4. **DESERT READY MIX OF NEVADA LLC (Synthetic Minor Source Permit, Source ID: 18241)**

NOV #10162 – For failing to properly maintain the baghouse controlling Concrete Plant #2 (Emissions Units (EUs): A13 through A21) to effectively control particulate emissions at all times that the processing equipment is operating which caused controllable particulate matter to become airborne, as identified by Air Quality Specialist Jeremy Shockley while performing a complaint investigation on May 30, 2025, at the ready-mix concrete batch plant known as the Delhi Batch Plant 72, located at 109 West Delhi Avenue, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$2,000.00

Violation #1 – 2025 Permit Condition 2.2.2
2025 Permit Condition 2.2.10

FOUND IN VIOLATION.

PENALTY ASSESSED: \$2,000.00

5. **EMD ACQUISITION LLC (Part 70 Operating Permit, Source ID: 95)**

NOV #10156 – For exceeding the 12-month consecutive limit of 4,000 hours for the operation of the Murray Trane Boiler, Emission Unit (EU): A07, for March 2025; and for allowing the actual emissions to exceed the potential to emit limit for Particulate Matter (PM)₁₀, PM_{2.5}, oxides of nitrogen, carbon monoxide, sulfur dioxide, and volatile organic compounds, in any consecutive 12-month period for the Murray Trane Boiler, EU: A07, in March 2025, as identified by Senior Air Quality Specialist Camon Liddell during an onsite full compliance evaluation on April 8, 2025, at the operation of an inorganic chemical manufacturing facility located at 560 West Lake Mead Parkway, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$2,250.00

Violation #1 – November 2024 Permit Condition 3.1.3
Violation #2 – November 2024 Permit Condition 3.2.7
November 2024 Permit Table 3-1

FOUND IN VIOLATION.

PENALTY ASSESSED: \$2,250.00

Violation #1 – November 2024 Permit Condition 3.1.3 - \$1,500.00

Violation #2 – November 2024 Permit Condition 3.2.7 - \$750.00

November 2024 Permit Table 3-1

6. **EMERALD LAS VEGAS LLC (Minor Source Permit, Source ID: 16679)**

NOV #10158 – For installing and operating two unpermitted 8.4 million British thermal units per hour (MMBtu/hr) Hurst Boilers, Model: VIX-G-200-150 and Serial Numbers: VIX322-150-79 and VIX322-150-80, without first obtaining a revised permit authorizing the modification; and for failing to conduct and maintain records of the annual Burner Efficiency Tests on two 7.5 MMBtu/hr Miura Boilers, Emission Units: A01 and A02, for calendar years 2023 and 2024, as identified by Air Quality Specialist Adam Mancini during an onsite full compliance evaluation on May 5, 2025, at the operation of a linen and laundry facility known as Emerald Las Vegas, located at 1080 Mary Crest Road, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$9,336.00

Violation #1 – Permit Condition 5.1.10

Violation #2 – Permit Condition 4.1.2

Permit Condition 4.3.1(d)

Permit Condition 4.3.3

FOUND IN VIOLATION.

PENALTY ASSESSED: \$9,336.00

Violation #1 – Permit Condition 5.1.10 - \$7,336.00

Violation #2 – Permit Condition 4.1.2 - \$2,000.00

Permit Condition 4.3.1(d)

Permit Condition 4.3.3

7. **GRAND LAUNDRY, INC. (Minor Source Permit, Source ID: 10202)**

NOV #10165 – For failing to conduct and maintain records of the semiannual Burner Efficiency Tests on two 16.80 million British thermal units per hour (MMBtu/hr) Hurst Natural Gas Boilers, Emission Units (EUs): A18 and A19, for the first half of calendar year 2024; and for failing to operate two 16.80 MMBtu/hr Hurst Natural Gas Boilers, EUs: A18 and A19, with nonresettable hour meters, as identified by Air Quality Specialist Joshua Frye during an onsite full compliance evaluation on June 3, 2025, at the operation of a commercial linen facility known as MGM Grand Laundry Incorporated, located at 4225 Arcata Way, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$6,000.00

Violation #1 – 2022 Permit Condition 4.1.4

2022 Permit Condition 4.3.1.e

2022 Permit Condition 4.3.3

Violation #2 – 2022 Permit Condition 4.1.2

FOUND IN VIOLATION.

PENALTY ASSESSED: \$6,000.00

Violation #1 – 2022 Permit Condition 4.1.4 - \$3,000.00

2022 Permit Condition 4.3.1.e

2022 Permit Condition 4.3.3

Violation #2 – 2022 Permit Condition 4.1.2 - \$3,000.00

8. **LAS PAVING CORPORATION (Synthetic Minor Source Permit, Source ID: 70)**

NOV #10159 – For allowing fugitive dust from the stockpiles, Emission Unit (EU): A069, to be discharged and travel more than 100 yards from the point of origin and for allowing controllable particulate matter to become airborne from stored material, EU: A069, as identified by Air Quality Specialist Adam Mancini while performing a complaint investigation on May 12, 2025, at the operation of the asphalt products and sand and gravel facility known as Blue Diamond, located at 9325 South Jones Boulevard, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$4,500.00

Violation #1 – Permit Condition 2.2.9
Permit Condition 2.2.24

FOUND IN VIOLATION.

PENALTY ASSESSED: \$4,500.00

9. **LYDIG CONSTRUCTION, INC. (DCOP #58244)**

NOV #10167 – 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 Senior Air Quality Specialist Katrinka Byers while performing a complaint investigation prior to a Construction Notice period on June 11, 2025, at the Costco Spring Valley construction project, located at South Buffalo Drive and West Badura Avenue, 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

10. **OS CONSTRUCTION SERVICES, INC. (DCOP #56774)**

NOV #10170 – 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 Mike Englehart while performing a complaint investigation on May 30, 2025, at the Centennial & 5th Apts. construction project, located at the northeast corner of East Centennial Parkway and North 5th Street, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$3,500.00

Violation #1 – Sections 94.13(a) and (b)
Violation #2 – Section 94.14(d)

FOUND IN VIOLATION.

PENALTY ASSESSED: \$3,500.00

Violation #1 – Sections 94.13(a) and (b) - \$1,750.00

Violation #2 – Section 94.14(d) - \$1,750.00

11. RICHMOND AMERICAN HOMES OF NEVADA, INC. (DCOP #58708)

NOV #10168 – For failing to fully implement Best Available Control Measures resulting in a fugitive dust plume to extend more than 100 feet; and for allowing soil to be tracked out greater than 50 feet in length onto a paved surface, as identified by Air Quality Specialist Heath Richards while performing a complaint investigation during a Construction Notice period on June 11, 2025, at the Eldorado Valley Ph. 3 construction project, located at South Valley View Boulevard and West Capovilla Avenue, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$6,000.00

Violation #1 – Section 94.14(a)(3)

Violation #2 – Section 94.14(d)

FOUND IN VIOLATION.

PENALTY ASSESSED: \$6,000.00

Violation #1 – Section 94.14(a)(3) - \$4,000.00

Violation #2 – Section 94.14(d) - \$2,000.00

B. CONTESTED CASES

Stationary Sources Violations:

1. HI-AM, INC. (General Permit, Source ID: 9739)

NOV #10164 – For failing to monitor and maintain records of gasoline throughput; and 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 May 20, 2025 of the gasoline dispensing facility located at 1625 North Lamb Boulevard, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$2,400.00

Violation #1 – 2020 General Permit Condition 4.1.1

2020 General Permit Condition 4.1.2

2020 General Permit Condition 4.3.2(f through i)

2020 General Permit Condition 4.3.4

Violation #2 – 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

NOV #10164 WAS MOVED TO THE END OF THE CONTESTED PORTION OF THE DOCKET.

HI-AM, INC. DID NOT APPEAR.

FOUND IN VIOLATION.

PENALTY ASSESSED: \$2,400.00

Violation #1 – 2020 General Permit Condition 4.1.1

- \$615.00

2020 General Permit Condition 4.1.2

2020 General Permit Condition 4.3.2(f through i)

2020 General Permit Condition 4.3.4

Violation #2 – 2020 General Permit Condition 4.1.4(a through g)

- \$1,785.00

2020 General Permit Condition 4.3.2(b)

2020 General Permit Condition 4.3.4

2. **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 offsite 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)

AIR QUALITY REQUESTED A CONTINUANCE OF NOV #10152.

HEARING OFFICER CONTINUED REPUBLIC DUMPCO, INC.'S CASE TO SEPTEMBER 18, 2025.

3. **REPUBLIC SILVER STATE DISPOSAL, INC. (Minor Source Permit, Source ID: 01087)**

NOV #10160 – For failing to immediately remove mud or dirt trackout, as identified by Air Quality Specialist Jeremy Shockley while performing a complaint investigation on May 7, 2025, at the operation of a transfer and recycling facility known as Republic Services Transfer Station and Recycling Complex located at Cheyenne Transfer Station - 315 Cheyenne Avenue, Gowan Recycling Center - 333 Gowan Road, and Cheyenne Recycling Center - 360 Cheyenne Avenue, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$3,000.00

Violation #1 – Permit Condition 2.2.31

REPUBLIC SILVER STATE DISPOSAL, INC. REQUESTED A CONTINUANCE OF NOV #10160.

HEARING OFFICER CONTINUED REPUBLIC SILVER STATE DISPOSAL, INC.'S CASE TO SEPTEMBER 18, 2025.

Construction and Vacant Land Violations:

4. 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

Continued from 5/22/2025

PALM PROPERTIES, LLC AND ROBERT LAUER PRESENTED AN ADDITIONAL DOCUMENT AS EXHIBIT #7.

FOUND IN VIOLATION.

PENALTY ASSESSED: \$7,500.00

RECESS AT 10:28 a.m.

RESUME AT 10:35 a.m.

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

NOV #10163 – For operating an unpaved parking lot/storage yard on the property from February 8, 2025, through March 9, 2025 as identified by Air Quality Specialist Allan Gutierrez while performing follow-up inspections on January 9, February 24, March 18, April 2, and May 6, and May 27, 2025, and a complaint investigation on April 15, 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 PRESENTED AN ADDITIONAL DOCUMENT AS EXHIBIT #7.

FOUND IN VIOLATION.

PENALTY ASSESSED: \$7,500.00

6. TONOPAH & TIDEWATER RAILROAD CO., ENVIRONMENTAL TRANSPORTATION OF NEVADA LLC D/B/A ETON, AND MITCHELL TRUMAN (Assessor's Parcel Numbers 161-07-103-014, 161-07-103-015, and 161-07-103-016)

NOV #10161 – For constructing and operating an unpaved parking lot/storage yard on the property from January 4, 2025, through and including February 2, 2025, as identified by Senior Air Quality Specialist Andrew Kirk during an inspection on December 5, 2024, and follow-up inspections on January 9, 16, 23, and 30, February 11, 19, and 26, March 6, and 13, and May 28, 2025 of unpaved parcels of vacant land (Assessor's Parcel Numbers 161-07-103-014, 161-07-103-015, and 161-07-103-016) located at 2596 Stratford Avenue, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$15,000.00

Violation #1 – Section 92.3.1

NOV #10161 WAS MOVED TO THE BEGINNING OF THE CONTESTED PORTION OF THE DOCKET.

TONOPAH & TIDEWATER RAILROAD CO., ENVIRONMENTAL TRANSPORTATION OF NEVADA LLC D/B/A ETON, AND MITCHELL TRUMAN REQUESTED A CONTINUANCE OF NOV #10161.

HEARING OFFICER CONTINUED TONOPAH & TIDEWATER RAILROAD CO., ENVIRONMENTAL TRANSPORTATION OF NEVADA LLC D/B/A ETON, AND MITCHELL TRUMAN'S CASE TO SEPTEMBER 18, 2025.

III. ADJOURNMENT 12:19 p.m.