



Air Pollution Control Hearing Officer Meeting Annotated

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

9:00 a.m. – September 18, 2025

Hearing Officer: Douglas Brooks, Esq.
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. ADAVEN HOMES, LLC (DCOP #58517)

NOV #10212 – 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 Senior Air Quality Specialist Andrew Kirk while performing complaint investigations on August 16 and 18, 2025, at the Warm Springs and Topaz construction project, located along East Warm Springs Road, east of Topaz Street, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$3,000.00

Violation #1 – Section 94.14(d)

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

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. **ADAVEN HOMES, LLC (DCOP #58348)**

NOV #10219 – 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 July 29, 2025, at the Buffalo and Red Coach construction project, located at the southwest corner of North Buffalo Drive and West Red Coach 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. **AMRIZE SOUTHWEST INC. PREVIOUSLY KNOWN AS HOLCIM – SWR, INC. (Part 70 Operating Permit, Source ID: 372)**

NOV #10174 – For allowing controllable particulate matter originating from the handling and storage of materials at the primary feed plant stockpile, Emission Unit (EU): G01, the secondary feed plant stacker drop point, EU: A040, and the associated stockpile, EU: G01, to become airborne, and for allowing fugitive dust from the primary feed plant stockpile, EU: G01, the secondary feed plant stacker drop point, EU: A040, and the associated stockpile, EU: G01, to travel more than 100 yards from the point of origin, as identified by Senior Air Quality Specialist Scott Rowsell during a routine overtime surveillance on June 19, 2025 at the sand and gravel, hot mix asphalt, and ready-mix concrete facility known as Holcim - SWR Inc.: Sloan Quarry located at 5300 Sloan Road, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$9,750.00

Violation #1 – 2022 Permit Condition III.B.31
2022 Permit Condition III.D.12
2022 Permit Condition III.D.13

FOUND IN VIOLATION.

PENALTY ASSESSED: \$9,750.00

4. **AMRIZE SOUTHWEST INC. PREVIOUSLY KNOWN AS HOLCIM – SWR, INC. (Part 70 Operating Permit, Source ID: 372)**

NOV #10197 – For allowing controllable particulate matter originating from the handling and storage of materials at the screen SC-6, Emission Unit (EU): B057, secondary feed plant stacker drop point, EU: A040, and the associated stockpile, EU: G01, to become airborne, and for allowing fugitive dust from the secondary feed plant stacker, EU: A040, and the associated stockpile, EU: G01, to travel more than 350 yards from the point of origin, as identified by Air Quality Specialist Joshua Frye while performing a complaint investigation on July 21, 2025 at the sand and gravel, hot mix asphalt, and ready-mix concrete facility known as Holcim - SWR Inc.: Sloan Quarry located at 5300 Sloan Road, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$6,000.00

Violation #1 – 2022 Permit Condition III.B.31
2022 Permit Condition III.D.12
2022 Permit Condition III.D.13

FOUND IN VIOLATION.

PENALTY ASSESSED: \$6,000.00

5. **APEX MATERIALS LLC (Portable Synthetic Minor Source Permit, Source ID: 18146)**
NOV #10176 – For handling material in a manner which allowed controllable particulate matter to become airborne from the screen plant, Emission Units (EUs): A01 through A03, and the stockpiles, EU: B01; and for failing to provide prior written notice to the Control Officer of any change in the location where the source would operate, as identified by Air Quality Specialist Adam Mancini while performing a complaint investigation in the Nelson area on July 9, 2025 near the portable screening plant known as McCloskey Screen Plant Clark currently located on parcel #228-05-000-001, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$1,675.00

Violation #1 – Permit Condition 2.2.5

Violation #2 – Permit Condition 4.5.5

FOUND IN VIOLATION.

PENALTY ASSESSED: \$1,675.00

Violation #1 – Permit Condition 2.2.5 - \$1,500.00

Violation #2 – Permit Condition 4.5.5 - \$175.00

6. **APEX MATERIALS LLC (Portable Synthetic Minor Source Permit, Source ID: 18145)**
NOV #10180 – For allowing controllable particulate matter to become airborne during the handling of materials at the screen, Emission Unit: A04, as identified by Air Quality Specialist Canduella Rowsell while on routine patrol in the southeast Las Vegas Valley and Eldorado Valley on July 10, 2025 at the portable sand and gravel operation known as Cedarapids Jaw & 1150 Plants currently located at parcel #189-11-201-003, near Railroad Pass Casino Road, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$2,000.00

Violation #1 – 2023 Permit Condition 2.2.7

FOUND IN VIOLATION.

PENALTY ASSESSED: \$2,000.00

7. **BEAZER HOMES HOLDINGS LLC (DCOP #55005)**
NOV #10179 – 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 Specialists Katrinka Byers and Andrew Kirk while performing a complaint investigation on June 28, 2025, and a follow-up inspection on July 1, 2025, at the Emerson Estates construction project, located at South Regency Cove Court and Pacific Street, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$3,750.00

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

Violation #2 – Section 94.14(d)

FOUND IN VIOLATION.

PENALTY ASSESSED: \$3,750.00

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

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

8. **BEAZER HOMES HOLDINGS LLC (DCOP # 58123)**

NOV #10220 – For failing to employ Best Available Control Measures and comply with soil stabilization standards 24 hours a day, 7 days a week; and for failing to obtain a Dust Control Operating Permit prior to commencing construction activities, as identified by Air Quality Specialist Richard Wyse during a routine inspection prior to a construction notice period on August 7, 2025, at the Wisteria construction project, located at West Richmar Avenue and South Valley View Boulevard, 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

9. **BRANDISE CONSTRUCTION COMPANY, INC. (DCOP #58981)**

NOV #10191 – For failing to fully implement Best Available Control Measures resulting in a fugitive dust plume to extend more than 100 feet, as identified by Senior Air Quality Specialist Katrinka Byers during a routine inspection on July 1, 2025, at the Jones/Ponderosa Office Complex construction project, located northwest of Jones Boulevard and Ponderosa Way, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$2,500.00

Violation #1 – Section 94.14(a)(3)

FOUND IN VIOLATION.

PENALTY ASSESSED: \$2,500.00

10. **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)

BUILDERS UNITED, LLC PROVIDED A STATUS UPDATE ON THE SITE AND REQUESTED A REDUCTION IN PENALTY.

BUILDERS UNITED, LLC CHANGED ITS PLEA TO CONTESTING THE PENALTY FOR NOV #10181.

AIR QUALITY REQUESTED A CONTINUANCE OF NOV #10181.

HEARING OFFICER CONTINUED BUILDERS UNITED, LLC'S CASE TO NOVEMBER 13, 2025.

11. CIRCLE K STORES INC. (General Permit, Source ID: 15147)

NOV #10202 – 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 July 23, 2025, of the gasoline dispensing facility located at 4495 South Buffalo Drive, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$4,780.00

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

FOUND IN VIOLATION.

PENALTY ASSESSED: \$4,780.00

12. D.R. HORTON, INC. (DCOP #54321)

NOV #10196 – For failing to fully implement Best Available Control Measures resulting in a fugitive dust plume to extend more than 100 feet; 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 tracked out soil debris onto a paved surface resulting in a fugitive dust plume to extend more than 100 feet, as identified by Senior Air Quality Specialist Andrew Kirk during routine and follow-up inspections on July 12 and 14, 2025, at the Village At Tule Springs V1 Stockpile construction project, located at the northwest corner of Clark County 215 and Revere Street, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$13,250.00

Violation #1 – Section 94.14(a)(3)
Violation #2 – Sections 94.13(a) and (b)
Violation #3 – Section 94.14(e)(3)

FOUND IN VIOLATION.

PENALTY ASSESSED: \$13,250.00

Violation #1 – Section 94.14(a)(3)	- \$5,000.00
Violation #2 – Sections 94.13(a) and (b)	- \$2,750.00
Violation #3 – Section 94.14(e)(3)	- \$5,500.00

13. D.R. HORTON, INC. (DCOP #58275)

NOV #10206 – 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 July 24, 2025, and follow-up inspections on July 25 and 26, 2025 at the VTS Parcel 1.19.2 construction project, located southeast of Revere Street and Tule Springs Parkway, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$8,625.00

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

FOUND IN VIOLATION.

PENALTY ASSESSED: \$8,625.00

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

NOV #10203 – For exceeding the 4,000 hours per any 12-month consecutive limit for the operation of the Murray Trane Boiler, Emission Unit (EU): A07, from April 2025 through and including July 2025; and for allowing the actual emissions to exceed the potential to emit limit for PM₁₀, PM_{2.5}, NO_x, CO, SO₂, and volatile organic compounds, in any consecutive 12-month period for the Murray Trane Boiler, EU: A07, from April 2025 through and including July 2025, as identified by Senior Air Quality Specialist Camon Liddell during an offsite partial compliance evaluation on August 12, 2025, at the inorganic chemical manufacturing facility located at 560 West Lake Mead Parkway, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$8,240.00

Violation #1 – 2024 Permit Condition 3.1.3

2025 Permit Condition 3.1.3

Violation #2 – 2024 Permit Condition 3.2.7

2025 Permit Condition 3.2.7

2024 Permit Table 3-1

2025 Permit Table 3-1

FOUND IN VIOLATION.

PENALTY ASSESSED: \$8,240.00

Violation #1 – 2024 Permit Condition 3.1.3 - \$4,120.00

2025 Permit Condition 3.1.3

Violation #2 – 2024 Permit Condition 3.2.7 - \$4,120.00

2025 Permit Condition 3.2.7

2024 Permit Table 3-1

2025 Permit Table 3-1

15. FORBUSH GENERAL CONTRACTING LLC D/B/A FENIX CONSTRUCTION (DCOP #57991)

NOV #10194 – 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 Canduella Rowsell while performing a complaint investigation on July 22, 2025, at the Latigo Estates construction project, located at 2011 Thoroughbred Road, 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

16. GNLV, LLC D/B/A GOLDEN NUGGET LAS VEGAS HOTEL AND CASINO (Minor Source Permit, Source ID: 81)

NOV #10204 – For replacing two 1.9 MMBtu/hr boilers, Emission Units (EUs): B01 and B02, with two 1.99 MMBtu/hr boilers without first obtaining a revised permit authorizing the modification, as identified by Air Quality Specialist Tina Tope during an onsite full compliance evaluation on July 16, 2025 at the casino hotel operation known as Golden Nugget Hotel and Casino located at 129 East Fremont Street, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$3,727.50

Violation #1 – Permit Condition 5.1.10

FOUND IN VIOLATION.

PENALTY ASSESSED: \$3,727.50

17. INSIGHT PARK HIGHLANDS, LLC (DCOP #54801)

NOV #10199 – For allowing soil to be tracked out greater than 50 feet in length onto a paved surface, as identified by Air Quality Specialist Kalyn Bubbico during a routine inspection on July 9, 2025, at the Insight Park Highlands, LLC construction project, located at the northwest corner of Dorrell Lane and Revere Street, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$1,250.00

Violation #1 – Section 94.14(d)

FOUND IN VIOLATION.

PENALTY ASSESSED: \$1,250.00

18. KB HOME LAS VEGAS INC. (DCOP #58879)

NOV #10192 – For failing to fully implement Best Available Control Measures resulting in a fugitive dust plume to extend more than 100 feet, as identified by Senior Air Quality Specialists Katrinka Byers and Andrew Kirk during a routine inspection on July 15, 2025, at the Sandstone construction project, located at Grand Teton Drive and North 5th Street, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$3,000.00

Violation #1 – Section 94.14(a)(3)

FOUND IN VIOLATION.

PENALTY ASSESSED: \$3,000.00

19. KIRCO MANIX CONSTRUCTION, LLC (DCOP #57862)

NOV #10208 – For allowing soil to be tracked out greater than 50 feet in length onto a paved surface, as identified by Air Quality Specialist Marc Miller during a routine inspection on August 5, 2025, and a follow-up inspection during a Construction Notice period on August 7, 2025, at the Crown Transfer Center construction project, located at 6125 East Tropical Parkway, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$2,750.00

Violation #1 – Section 94.14(d)

FOUND IN VIOLATION.

PENALTY ASSESSED: \$2,750.00

20. LAKE CONSTRUCTION, INC. D/B/A CAPITAL WEST CONSTRUCTION (DCOP #57489)

NOV #10201 – 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 Specialists Andrew Kirk and Katrinka Byers during a routine inspection on July 29, 2025, at the Russell Decatur Crossing - McDonalds construction project, located southwest of Decatur Boulevard and Russell Road, 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

21. LEGACY FUNERAL HOLDINGS OF NEVADA, LLC D/B/A BUNKER'S MEMORY GARDENS CEMETERY (DCOP #53161)

NOV #10215 – 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 while performing a complaint investigation on August 11, 2025, and follow-up inspection on August 13, 2025, at the Bunker Memory Garden Cemetery construction project, located at 7251 West Lone Mountain Road, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$2,500.00

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

FOUND IN VIOLATION.

PENALTY ASSESSED: \$2,500.00

22. MGM RESORTS INTERNATIONAL (Part 70 Operating Permit, Source ID: 825)

NOV #10172 – For operating the Spray Booth, Emission Unit (EU): FS005, with partially missing filter media; for failing to operate the Spray Booth, EU: FS005, with a functional manometer; for operating the Aboveground Storage Tank, EU: MG46, with a missing gasket on the fill side cap; and for failing to conduct and maintain record of the Burner Efficiency Test on one 20.0 MMBtu/hr Boiler, EU: MB051, in the first half of 2024, as identified by Senior Air Quality Specialist Camon Liddell during an onsite full compliance evaluation on May 5, 7, 8, 12, 13, 14, 19, and 21, 2025 at the 12 individual hotel/casinos and an arena known as MGM Resorts International, located at various addresses on South Las Vegas Boulevard and Harmon Avenue, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$6,000.00

Violation #1 – 2025 Permit Condition 1.6.2.2.7

Violation #2 – 2025 Permit Condition 1.6.4.1.1

Violation #3 – 2025 Permit Condition 1.1.2.2.36.c

Violation #4 – 2023 Permit Condition 1.5.4.1.5

March 2024 Permit Condition 1.5.4.1.5

2023 Permit Condition 1.5.4.3.1.f

March 2024 Permit Condition 1.5.4.3.1.f

2023 Permit Condition 4.2

March 2024 Permit Condition 4.2

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

AIR QUALITY AMENDED NOV #10172 TO CORRECT A MISTAKE DISCOVERED IN IN PARAGRAPH A OF THE FACTS SECTION ON PAGE 1. THE TYPE OF STATIONARY SOURCE PERMIT THE SOURCE OPERATES UNDER WAS LISTED AS A MINOR SOURCE PERMIT, BUT IT IS A PART 70 OPERATING PERMIT.

FOUND IN VIOLATION.

PENALTY ASSESSED: \$6,000.00

Violation #1 – 2025 Permit Condition 1.6.2.2.7 - \$1,000.00

Violation #2 – 2025 Permit Condition 1.6.4.1.1 - \$2,000.00

Violation #3 – 2025 Permit Condition 1.1.2.2.36.c - \$1,000.00

Violation #4 – 2023 Permit Condition 1.5.4.1.5 - \$2,000.00

March 2024 Permit Condition 1.5.4.1.5

2023 Permit Condition 1.5.4.3.1.f

March 2024 Permit Condition 1.5.4.3.1.f

2023 Permit Condition 4.2

March 2024 Permit Condition 4.2

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

NOV #10184 – For allowing controllable particulate matter to become airborne from the silt fines stockpile, Emission Unit: I003, and extend more than 100 yards from the point of origin, as identified by Senior Air Quality Specialist Camon Liddell during a follow-up inspection on July 3, 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: \$4,500.00

Violation #1 – Permit Condition 2.2.39

Permit Condition 2.2.49

FOUND IN VIOLATION.

PENALTY ASSESSED: \$4,500.00

24. NEVADA READY MIX CORPORATION (Synthetic Minor Source Permit, Source ID: 507)

NOV #10207 – For failing to utilize the bin vent on the plant 12 cement silo, Emission Unit: A30, to effectively control particulate matter at all times during silo operations and for causing controllable particulate matter to become airborne, as identified by Senior Air Quality Specialist Scott Rowsell while performing a complaint investigation on August 12, 2025 at the ready-mix concrete batch plant known as the Nevada Ready Mix - Arville Plant, located at 4301 West Hacienda Road, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$4,500.00

Violation #1 – Permit Condition 2.2.5

Permit Condition 2.2.6

Permit Condition 2.2.19

FOUND IN VIOLATION.

PENALTY ASSESSED: \$4,500.00

25. NIGRO CONSTRUCTION SERVICES LLC (Project #250385)

NOV #10209 – For failing to notify Air Quality 10 working days prior to commencement of demolition activities at the facility, as identified by Air Quality Specialists II Whitney Francis and Kevin Adoor during a routine inspection on July 10, 2025, at the laundry building in the trailer park located at 4470 Vegas Valley Drive, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$1,000.00

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

FOUND IN VIOLATION.

PENALTY ASSESSED: \$1,000.00

26. OCHOA DEVELOPMENT CORPORATION (DCOP #54396)

NOV #10218 – 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 Andrew Kirk during a routine inspection on August 13, 2025, and follow-up inspections on August 16 and 18, 2025, at the Sunrise 96 construction project, located at 4375 South Eastern Avenue, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$5,250.00

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

FOUND IN VIOLATION.

PENALTY ASSESSED: \$5,250.00

27. PLASTER DEVELOPMENT COMPANY, INC. (DCOP #58819)

NOV #10183 – 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 Noel Crandall while performing a complaint investigation on July 1, 2025, and follow-up inspection on July 2, 2025, at the Eastern & Twain construction project, located on South Eastern Avenue and East Twain Avenue, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$4,750.00

Violation #1 – Section 94.14(a)(3)
Violation #2 – Sections 94.13(a) and (b)

FOUND IN VIOLATION.

PENALTY ASSESSED: \$4,750.00

Violation #1 – Section 94.14(a)(3) - \$3,000.00
Violation #2 – Sections 94.13(a) and (b) - \$1,750.00

28. PN II, INC. (DCOP #58575)

NOV #10217 – For allowing soil to be tracked out greater than 50 feet in length onto a paved surface, as identified by Air Quality Specialist Noel Crandall during a routine inspection on August 13, 2025, at the Lake Las Vegas Parcel H construction project, located north of Via Vin Santo and Lake Las Vegas Parkway, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$1,500.00

Violation #1 – Section 94.14(d)

FOUND IN VIOLATION.

PENALTY ASSESSED: \$1,500.00

29. R&O CONSTRUCTION COMPANY (DCOP #58718)

NOV #10216 – 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 Heath Richards during a routine inspection on July 17, 2025, at the Sunrise & 28th construction project, located at 2601 Sunrise Avenue, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$1,750.00

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

FOUND IN VIOLATION.

PENALTY ASSESSED: \$1,750.00

30. RICE CONSTRUCTION COMPANY (Construction Project #59437, DCOP #n/a)

NOV #10200 – For failing to obtain a Dust Control Operating Permit prior to commencing construction activities, as identified by Air Quality Specialist Noel Crandall during a routine inspection on July 22, 2025, at the Emrg Svc Retrench at 4674 Linda Ave construction project (parcel number 161-08-899-001), located on the southeast corner of South Mountain Vista Street and Linda Avenue, 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

31. RICHMOND AMERICAN HOMES OF NEVADA, INC. (DCOP #58533)

NOV #10185 – 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 July 16, 2025, at the Lexington Chase construction project, located west of Durango Drive and Mistral Avenue, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$1,750.00

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

FOUND IN VIOLATION.

PENALTY ASSESSED: \$1,750.00

32. RICHMOND AMERICAN HOMES OF NEVADA, INC. (DCOP #58532)

NOV #10186 – 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 during a routine inspection on July 15, 2025, at the Eldorado Valley Ph. 2 construction project, located on the southeast corner of Eldorado Lane and South Valley View Boulevard, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$1,750.00

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

FOUND IN VIOLATION.

PENALTY ASSESSED: \$1,750.00

33. RICHMOND AMERICAN HOMES OF NEVADA, INC. (DCOP #58033)

NOV #10187 – 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 Richard Wyse while performing a complaint investigation on July 15, 2025, and a follow-up inspection on July 16, 2025, at the Eldorado & Valley View construction project, located on the northeast corner of Eldorado Lane and Valley View Boulevard, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$3,750.00

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

FOUND IN VIOLATION.

PENALTY ASSESSED: \$3,750.00

34. SIERRA READY MIX LIMITED LIABILITY COMPANY (Synthetic Minor Source Permit, Source ID: 500)

NOV #10210 – For handling material in a manner that allowed controllable particulate matter to become airborne from the Track Mounted VGF/Crushing Plant, Emission Unit (EU): D02, Stacker Conveyor, EU: D05, and an excavator loading material from a Stockpile, EU: A10, into the Track Mounted VGF/Crushing Plant, as identified by Senior Air Quality Specialist Michael Newell while performing routine patrol on August 6, 2025 at the ready-mix concrete aggregate processing operation located at 4150 Smiley Road, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$1,000.00

Violation #1 – Permit Condition 2.2.9

Permit Condition 2.2.18

FOUND IN VIOLATION.

PENALTY ASSESSED: \$1,000.00

35. TARGET CONSTRUCTION, INC. (DCOP #46447)

NOV #10190 – For failing to fully implement Best Available Control Measures resulting in a fugitive dust plume to extend more than 100 feet, as identified by Air Quality Specialist Canduella Rowsell during a routine inspection on July 10, 2025, at the El Dorado Quarry construction project, located at 12495 South Old US 95 Highway, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$3,000.00

Violation #1 – Section 94.14(a)(3)

FOUND IN VIOLATION.

PENALTY ASSESSED: \$3,000.00

36. THE FISHEL COMPANY D/B/A TEAM FISHEL (Construction Project #59425, DCOP #n/a)

NOV #10198 – For failing to obtain a Dust Control Operating Permit prior to commencing construction activities, as identified by Air Quality Specialist Noel Crandall during routine patrol on July 21, 2025, at the 356 Dakar St, Henderson, NV 89015 construction project, located at the southwest corner of Ithaca Avenue and Dakar Street, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$1,250.00

Violation #1 – Section 94.4.1(a)

FOUND IN VIOLATION.

PENALTY ASSESSED: \$1,250.00

37. TOLL NORTH LV LLC (DCOP #54131)

NOV #10193 – 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 Andrew Kirk while performing a complaint investigation on July 12, 2025, and a follow-up inspection on July 14, 2025, at the Jones & Elkhorn construction project, located at the southeast corner of North Jones Boulevard and Elkhorn Road, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$4,500.00

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

FOUND IN VIOLATION.

PENALTY ASSESSED: \$4,500.00

38. TRI POINTE HOMES NEVADA, INC. (DCOP #58786)

NOV #10178 – For allowing soil to be tracked out greater than 50 feet in length onto a paved surface, as identified by Air Quality Specialist Canduella Rowsell during a routine inspection on June 17, 2025, at the Lake Las Vegas Lot J-2A construction project, located at Highland Shores Drive and Lake Mesa Road, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$1,250.00

Violation #1 – Section 94.14(d)

FOUND IN VIOLATION.

PENALTY ASSESSED: \$1,250.00

39. WESTPOINT DEVELOPMENT GROUP, INC. (DCOP #56335)

NOV #10182 – For failing to obtain a Dust Control Operating Permit prior to commencing construction activities, as identified by Air Quality Specialist Canduella Rowsell during a routine inspection prior to a Construction Notice period on June 11, 2025, at the Boulderback - Lot 23 construction project, located at 19 Boulderback Drive, 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

RECESS AT 9:31 a.m.

RESUME AT 9:37 a.m.

B. CONTESTED CASES

Construction Violations:

1. BENTAR DEVELOPMENT, INC. (DCOP #58888)

NOV #10189 – For allowing soil to be tracked out greater than 50 feet in length onto a paved surface, as identified by Air Quality Specialist Kalyn Bubbico during a routine inspection on July 3, 2025, and a follow-up inspection on July 7, 2025, at the Tropical Lamb Starbucks Chipotle construction project, located at 6155 North Lamb Boulevard, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$2,500.00

Violation #1 – Section 94.14(d)

FOUND IN VIOLATION.

PENALTY ASSESSED: \$2,500.00

2. IMC INDUSTRIES, LLC D/B/A TRUST HOME BUILDERS AND RYAN BIRD (DCOP #58402)

NOV #10177 – For failing to obtain a Dust Control Operating Permit prior to commencing construction activities, as identified by Air Quality Specialist Canduella Rowsell during a routine inspection on June 17, 2025, at the 15 Grand Anacapi construction project, located at 15 Grand Anacapi Drive, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$875.00

Violation #1 – Section 94.4.1(a)

IMC INDUSTRIES, LLC D/B/A TRUST HOME BUILDERS AND RYAN BIRD DID NOT APPEAR.

FOUND IN VIOLATION.

PENALTY ASSESSED: \$875.00

3. **KAVISON HOMES LLC (DCOP #58667)**

NOV #10211 – 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 Canduella Rowsell while performing a complaint investigation on August 12, 2025, at the Wavehugger Estates - Trenier construction project, located at 530 Trenier Drive, 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

4. **MTX CONTRACTORS, INC. (DCOP #59039)**

NOV #10214 – 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 Air Quality Specialist Kalyn Bubbico while performing a complaint investigation on August 12, 2025, and follow-up inspection on August 13, 2025, at the Reese Residence construction project, located on Mello Avenue and North Bradley Road, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$2,750.00

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

Violation #2 – Section 94.14(d)

FOUND IN VIOLATION.

PENALTY ASSESSED: \$2,250.00

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

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

5. **THOMAS CONTRACTING & DEVELOPMENT LLC D/B/A TCD CONSTRUCTION (DCOP #57854)**

NOV #10213 – 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 August 5, 2025, at the Flamingo Mini Storage construction project, located at 4585 East Flamingo Road, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$1,875.00

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

FOUND IN VIOLATION.

PENALTY ASSESSED: \$1,875.00

6. **VEGAS CIVIL, LLC (DCOP #59320)**

NOV #10205 – For failing to fully implement Best Available Control Measures resulting in a fugitive dust plume to extend more than 100 feet, as identified by Air Quality Specialist Damon Lindsay while performing a complaint investigation on July 18, 2025, at the Brightline LV Station Box Culvert Sewer Project construction site, located at 7703 South Las Vegas Boulevard, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$2,000.00

Violation #1 – Section 94.14(a)(3)

FOUND IN VIOLATION.

PENALTY ASSESSED: \$2,000.00

Stationary Sources Violations:

7. **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 onsite 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

IMAGE FIRST OF CALIFORNIA LLC REQUESTED A CONTINUANCE OF NOV #10171.

HEARING OFFICER CONTINUED IMAGE FIRST OF CALIFORNIA LLC'S CASE TO NOVEMBER 13, 2025.

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

NOV #10175 – For allowing the storage of material in a manner which allowed controllable particulate matter to become airborne from the onsite stockpile, Emission Unit: A14, as identified by Senior Air Quality Specialist Camon Liddell while performing after hours surveillance on July 1, 2025, at the sand and gravel operation located at the Lone Mountain Pit on the corner of North Alpine Ridge Way and West Lone Mountain Road, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$1,500.00

Violation #1 – Permit Condition 2.2.18

MEL CLARK, INC. PRESENTED ADDITIONAL DOCUMENTS AS EXHIBIT 1.

FOUND IN VIOLATION.

PENALTY ASSESSED: \$750.00

RECESS AT 10:50 a.m.

RESUME AT 10:58 a.m.

9. MONARCH MOUNTAIN MINERALS AND AGGREGATES, LLC (Synthetic Minor Source Permit, Source ID: 16460)

NOV #10188 – For allowing controllable particulate matter to become airborne and extend more than 100 yards in length during screening/crushing operations at the conveyor system, Emission Units (EUs): A07, A09, A27, and A40, two screens, EUs: A19 and A36, a cone crusher, EU: A25, and various stockpiles, EU: A13, as identified by Air Quality Specialist Canduella Rowsell while conducting routine inspections in the Eldorado Valley area on July 17, 2025, at the crushing and screening plant located at 13055 South Old Highway 95, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$3,000.00

Violation #1 – Permit Condition 2.2.6

Permit Condition 2.2.16

FOUND IN VIOLATION.

PENALTY ASSESSED: \$3,000.00

10. 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)

Continued from 7/17/2025

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

HEARING OFFICER CONTINUED REPUBLIC DUMPCO, INC.'S CASE TO NOVEMBER 13, 2025.

11. REPUBLIC SILVER STATE DISPOSAL, INC. (Minor Source Permit, Source ID: 1087)

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 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

Continued from 7/17/2025

REPUBLIC SILVER STATE DISPOSAL, INC. CHANGED ITS PLEA AND IS NOT CONTESTING NOV #10160.

FOUND IN VIOLATION.

PENALTY ASSESSED: \$3,000.00

Asbestos Violations:

12. 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 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 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)

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

HEARING OFFICER CONTINUED THE NORTHSTAR GARDENS LLC'S CASE TO NOVEMBER 13, 2025.

RECESS AT 11:41 a.m.

RESUME AT 11:47 a.m.

Vacant Land Violations:

13. 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

Continued from 7/17/2025

TONOPAH & TIDEWATER RAILROAD CO., ENVIRONMENTAL TRANSPORTATION OF NEVADA, LLC D/B/A ETON, AND MITCHELL TRUMAN PRESENTED ADDITIONAL DOCUMENTS AS EXHIBITS 33 THROUGH 37.

RECESS AT 12:55 p.m.

RESUME AT 1:00 p.m.

FOUND IN VIOLATION.

PENALTY ASSESSED: \$15,000.00

III. ADJOURNMENT 1:29 p.m.