

NEVADA DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

NEVADA ENVIRONMENTAL COMMISSION

HEARING ARCHIVE

FOR THE HEARING OF April 6, 1993

HELD AT: Fernley, NEVADA

TYPE OF HEARING:

REGULATORY

APPEAL

FIELD TRIP

YES ENFORCEMENT (Nevada Cement Company)

VARIANCE

RECORDS CONTAINED IN THIS FILE INCLUDE:

YES AGENDA

YES PUBLIC NOTICE

YES EXECUTIVE SUMMARY OF HEARING

LISTING OF EXHIBITS

AGENDA

NEVADA STATE ENVIRONMENTAL COMMISSION PUBLIC HEARING

As provided by Nevada Revised Statutes (NRS) Chapter 233B and Nevada Administrative Code (NAC) inclusive, a panel of the Nevada State Environmental Commission will conduct an enforcement and settlement hearing on April 6, 1993, beginning 10:00 a.m., at the Fernley Community Center located at Center & Main St., Fernley, Nevada.

This agenda has been posted at the Fernley Community Center and Division of Environmental Protection Office in Las Vegas, Nevada, the Washoe County Library in Reno, Nevada, the Nevada State Library and Division of Environmental Protection Office in Carson City, Nevada.

The following items will be discussed and acted upon but may be taken in different order to accommodate the interest and time of the persons attending.

I. Enforcement and Settlement Hearing - * ACTION

- A. Conduct a hearing in the matter of Nevada Cement Company, P.O. Box 840, Fernley, Nevada, 89408-0840, to review the enforcement action and settlement proposed by the Nevada Division of Environmental Protection regarding Air Quality Notice of Alleged Air Quality Violation #1010. The Bureau of Air Quality alleged that Nevada Cement violated the emission limits established for two clinker coolers at Nevada Cement's facility located in Fernley, Nevada. The proposed settlement is for Nevada Cement Company to purchase and construct a baghouse particulate emission control system for each clinker cooler exhaust stack.

Members of the public who are disabled and require special accommodations or assistance at the meeting are requested to notify Karen Howard in writing, Nevada State Environmental Commission, 333 West Nye Lane, Room 128, Carson City, Nevada, 89710, facsimile (702) 687-5856, or by calling (702) 687-4670 no later than Thursday, April 1, 1993, 5:00 pm.

NOTICE OF ENFORCEMENT HEARING

NEVADA STATE ENVIRONMENTAL COMMISSION

A three member panel of the Nevada State Environmental Commission will conduct an enforcement and settlement determination hearing in the matter of:

Nevada Cement Company, P.O. Box 840, Fernley, Nevada, 89408-0840, to review the enforcement action and settlement proposed by the Nevada Division of Environmental Protection regarding Air Quality Notice of Alleged Air Quality Violation #1010. The Bureau of Air Quality alleged that Nevada Cement violated the emission limits established for two clinker coolers at Nevada Cement's facility located in Fernley, Nevada. The proposed settlement is for Nevada Cement Company to purchase and construct a baghouse particulate emission control system for each clinker cooler exhaust stack.

The hearing will be held Tuesday

10:00 a.m.

April 6, 1993

Fernley Community Center

Center & Main St

Fernley, Nevada

Members of the public who are disabled and require special accommodations or assistance at the meeting are requested to notify Karen Howard in writing, Nevada State Environmental Commission, 333 West Nye Lane, Room 128, Carson City, Nevada, 89710, facsimile (702) 687-5856, or by calling (702) 687-4670 no later than Thursday, April 1, 1993, 5:00 pm.

**NEVADA ENVIRONMENTAL COMMISSION
ENFORCEMENT REVIEW PANEL OF APRIL 6, 1993
EXECUTIVE SUMMARY**

PRESENT:

Commissioner Fred Wright, Chairman
Commissioner Fred Gifford
Commissioner Tom Ballow

A panel of the State Environmental Commission meet on Tuesday April 6, 1993 to review the proposed enforcement action conducted by the Nevada Division of Environmental Protection, Bureau of Air Quality regarding the matter of Nevada Cement Company. The Environmental Commission in July, 1991 stated that in instances of major enforcements actions relating to Nevada Cement Company there should be a panel of the commission to review the proposed action by the Division.

The hearing on April 6, 1993 was prompted by Notice of Air Quality Violation #1010 issued by the Bureau of Air Quality on February 19, 1993. The violation alleged that Nevada Cement Company exceeded the emission limits established for the two clinker coolers in Operating permits #1428 and #1432. The cement facility is located in Fernley, Nevada.

Mr. Tom Porta, enforcement supervisor in the Division of Environmental Protection, Bureau of Air Quality explained the clinker cooler and why NOAV 1010 was issued after a review of reports submitted by Nevada Cememt Company. Mr. Porta stated that Nevada Cement Company has been very cooperative in dealing with the state and in attempting to solve the problem at the cement plant. Extensive particulate air quality monitoring has been instituted. The strategy, explained Mr. Porta, is for Nevada Cement to replace the existing air pollution controls, cyclones and replace them with baghouses. The net reduction will be over 5000 lbs per day of particulates. The baghouse, under the proposed stipulation would be operational in Feburary of 1994.

Kathy Jenson, a Lyon County Commissioner and other residents asked questions about the monitoring program and what the impact would be on the air quality if the baghouses were to be installed. Commissioner Ballow commented that he had a set of letters and pictures relating to the matter a hand, and that they should be entered into the record of the proceedings.

The Commissioners reviewed the proposed stipulation that would place Nevada Cement company on a schedule to install the clinker cooler baghouses. Commissioner Ballow moved to consent to the stipulation. The motion was seconded by Commissioner Gifford and adopted by the panel. Chairman Wright stated that the commission will revisit this issue in one year.

As prepared by David R. Cowperthwaite, Executive Secretary