

**Bureau of Air Pollution Control (BAPC) Compliance & Enforcement Branch  
Penalty Recommendations for State Environmental Commission (SEC) Meeting  
October 14, 2015**

<b>TAB A</b>	
<b>COMPANY</b>	Clean Dried Processing, Inc.
<b>COUNTY</b>	Lyon
<b>NOAV NUMBER(S)</b>	2524, 2525, 2526, and 2529
<b>VIOLATION &amp; PENALTY SUMMARY</b>	<p><b><u>NOAV 2524</u></b> Violation: Constructing or operating without a permit. Date of Observation: August 22, 2014 Requirement: Obtain and maintain a valid operating permit.</p> <p>Base Penalty: \$800, for Class 3 source. Magnitude (multiplier): 8 weeks Violation History (adjustment): N/A <b>Total Penalty: \$800 x 8 weeks = \$6,400</b></p> <p><b><u>NOAV 2525</u></b> Violation: Failure to comply with a permitted operating parameter. Date of Observation: October 29, 2014 Requirement: Post Class 3 Air Quality Operating Permit AP2047-3533 conspicuously or near the stationary source.</p> <p><b>Total Penalty: Issued as a warning.</b></p> <p><b><u>NOAV 2526</u></b> Violation: Failure to conduct required monitoring, recordkeeping, or reporting. Date of Observation: October 29, 2014 Requirement: Monitor and record the throughput of natural gas consumption rate in cubic feet on a daily basis for S2.001.</p> <p>Base Penalty: \$600, for Class 3 source. Magnitude (multiplier): 8 weeks Violation History (adjustment): N/A <b>Total Penalty: \$600 x 8 weeks = \$4,800</b></p>

TAB A - CONTINUED	
<b>VIOLATION &amp; PENALTY SUMMARY</b>	<p><b><u>NOAV 2529</u></b>            Violation: Failed source test (exceedance of permitted emissions limit).            Date of Observation: January 9, 2015            Requirement: Conduct compliance source test for NOx, CO, and PM/PM<sub>10</sub> no later than May 1, 2015.</p> <p>Base Penalty: \$1,000            Magnitude (multiplier): 2.5 gravity adjustment (NDEP BAPC Penalty Guidance Document for opacity ≥30%)            Violation History (adjustment): 3 violations within past 5 years = 15%  <b>Total Penalty: (\$1,000 x 2.5) + (\$2,500 x 15%) = \$2,875</b></p>
<b>TOTAL RECOMMENDED PENALTY</b>	\$14,075

TAB B	
<b>COMPANY</b>	Florida Canyon Mining, Inc.
<b>COUNTY</b>	Pershing
<b>NOAV NUMBER(S)</b>	2554
<b>VIOLATION &amp; PENALTY SUMMARY</b>	<p><b><u>NOAV 2554</u></b>            Violation: Failure to conduct required monitoring, recordkeeping, or reporting.            Date of Observation: April 23, 2015            Requirement: Comply with all permit reporting requirements.</p> <p>Base Penalty: \$600, for Class 2 source - major violation                              \$1,750 for Class 2 source – 3 minor violations (NAC 445B.281.3)            Magnitude (multiplier): N/A            Violation History (adjustment): 2 violations within past 5 years = 10%  <b>Total Penalty: \$2,350 + (\$2,350 x 10%) = \$2,585</b></p>
<b>TOTAL RECOMMENDED PENALTY</b>	\$2,585