

NDEP-BAPC PENALTY RECOMMENDATIONS - October 9, 2013

TAB NO.	COMPANY NAME	VIOLATION & PENALTY SUMMARY	NOAV NUMBER	RECOMMENDED PENALTY
1	NV Energy, Reid Gardner Generating Station, Clark County	<p><u>NOAV 2452</u> Violation: Failure to comply with a permitted emission limit during a compliance source test Emission Limit: 0.03 lbs/MMbtu test result: 0.043 lbs/MMbtu Emission Unit : Unit #4 Steam Boiler</p> <p>Base Penalty: \$7,500, for Major Source failing for a “major” pollutant Magnitude (Multiplier): Moderate (1.43x) Violation History (Adjustment): 1 violation within past 5 years = 5% Total Penalty: (\$7,500 x 1.43) + (10,725 x 5%) = \$11,255</p>	2452	\$11,255
2	Art Wilson Co. D.B.A. Western States Gypsum Lyon County	<p><u>NOAV 2450</u> Violation: Failure to comply with a permitted emission limit during a compliance source test.</p> <p>Emission Limit: 0.71 lbs/hr PM/PM10 Emission Unit : System 19, Mill Product Handling</p> <p>Base Penalty: \$4,000, for Class II Source failing an NSPS limit Magnitude (Multiplier): Relatively High Amount (3.3x) Violation History (Adjustment): Four NOAV’s within the past 60 months (4 x 5% = 20%) Total Penalty: (\$4,000 x 3.3)+ (\$13,200 x 20%) = \$15,840</p> <p>Emission Limit: 4.54 lbs/hr PM/PM10 Emission Unit : System 24, Fluid Bed Dryer</p> <p>Base Penalty: \$4,000, for Class II Source failing an NSPS limit Magnitude (Multiplier): Moderate Amount (1.4x) Violation History (Adjustment): Four NOAV’s within the past 60 months (4 x 5% = 20%) Total Penalty: (\$4,000 x 1.4)+ (\$5,600 x 20%)= \$6,720</p>	2450	\$22,560
3	Queenstake Resources USA, Inc., Elko County	<p><u>NOAV 2431</u> Violation: Failure to comply with a permitted emission limit during a compliance source test. Emission Limit: 0.07 lbs/hr PM/PM10 Emission Unit : West Roaster Feed</p> <p>Base Penalty: \$7,500, for Major Source failing for a “major” pollutant Magnitude (Multiplier): Relatively High Amount (3x) Violation History (Adjustment): Failed source test within the past 12 months (3x) Total Penalty: \$7,500 x 3 x 3 = \$67,500</p>	2431	\$67,500

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4	Agru America, Inc. Lyon County	<p><u>NOAV 2439</u> Violation: Failure to apply for and obtain an operating permit. Requirement: Apply for and obtain an operating permit prior to constructing and operating regulated emissions units. Emission Unit: Line Extruder Unit constructed without a permit.</p> <p>Base Penalty: \$800 per unit for Class III facility constructing without a permit Magnitude (Multiplier): 21 Months (21x) Violation History (Adjustment): N/A Total Penalty: \$800 x 21 = \$16,800</p>	2439	\$16,800
5	Nevada Rae Gold, Inc. Lander County	<p><u>NOAV 2445</u> Violation: Failure to comply with a requirement of the permit Requirement: Keep a hard copy of the air quality operating permit on site</p> <p>Base Penalty: \$600, for Class II facility failure to comply with permitted operating parameter Magnitude (Multiplier): N/A Violation History (Adjustment): N/A Total Penalty: \$600 = \$600</p>	2445	\$600
6	Crockett Enterprises, Inc. Douglas County	<p><u>NOAV 2437</u> Violation: Failure to apply for and obtain an operating permit. Requirement: Apply for and obtain a Surface Area Disturbance permit for any project that disturbs over 5 acres.</p> <p>Base Penalty: \$500 plus \$50 per acre of disturbance Magnitude (Multiplier): 9 Acres Violation History (Adjustment): N/A Total Penalty: \$500 + (9 x \$50) = \$950</p>	2437	\$950