

**Bureau of Air Quality Planning (BAQP) Enforcement Branch
Penalty Recommendations for the February 2022 State Environmental Commission Meeting**

AGENDA ITEM #4	
COMPANY	JCR Development, LLC
COUNTY	White Pine
NOAV NUMBER(S)	2875
VIOLATION & PENALTY SUMMARY	<p><u>NOAV 2875</u> Violation: Failure to apply for and obtain an operating permit. Date of Observation: July 21, 2021 Requirement: Operation of emission units at a facility may not occur without first applying for and obtaining an operating permit allowing operation of the emission units. Base Penalty: According to Administrative Penalty Matrix, the base penalty for failure to apply for and obtain an operating permit for a Class 2 General Source is \$1,000 per major processing system. Multiple Emission Unit Violations or Recurring Events: 1 system, 4 weeks Penalty Subtotal: (\$1,000.00 base penalty x 1 system x 4 weeks) = \$4,000.00 Economic Benefit (avoided costs): Class II General COLA - \$200 per emission unit, 14 emission units (\$200.00 x 14 units) = \$2,800.00 Penalty Adjustment Factors: N/A Total Penalty: (\$4,000.00 + \$2,800.00) = \$6,800.00</p>
TOTAL RECOMMENDED PENALTY	\$6,800.00

AGENDA ITEM #5	
COMPANY	Premier Magnesia, LLC
COUNTY	Nye
NOAV NUMBER(S)	2886
VIOLATION & PENALTY SUMMARY	<p><u>NOAV 2886</u> Violation: Failure to comply with opacity limits as required by the Air Quality Operating Permit. Date of Observation: August 12, 2021 Requirement: Permittee may not cause or permit the discharge into the atmosphere from any emission unit opacity equal to or greater than 20 percent. Base Penalty: Failure to comply with permitted opacity limits for a Class 2 Source is not defined in the Administrative Penalty Matrix, so the base penalty of \$1,000.00 from the Penalty Worksheet is used. Deviation Factors: 2.5 – Extent of deviation medium amount (36.04% and 33.13% opacity) Multiple Emission Unit Violations or Recurring Events: 2 emission units, 1 event Penalty Subtotal: (\$1,000.00 x 2 units x 1 event x 2.5 extent of deviation) = \$5,000.00 Penalty Adjustment Factors: N/A Total Penalty: \$5,000.00</p>
TOTAL RECOMMENDED PENALTY	\$5,000.00