



**Bureau of Air Quality Planning (BAQP) Enforcement Branch
 Penalty Recommendations for the June 9, 2021, State Environmental Commission Meeting**

AGENDA ITEM #4	
COMPANY	Lin Cubing, Inc
COUNTY	Lyon
NOAV NUMBER(S)	2768 & 2771
VIOLATION & PENALTY SUMMARY	<p><u>NOAV 2768</u> Violation: Failure to comply with opacity limits as required by the Air Quality Operating Permit. Date of Observation: May 31, 2019 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: 4 - Relatively high amount (43% opacity) Multiple Emission Unit Violations or Recurring Events: 1 Emission Unit Penalty Subtotal: (\$1,000.00 x 4 x 1) = \$4,000.00 Penalty Adjustment Factors: N/A Total Penalty: \$4,000.00</p> <p><u>NOAV 2771</u> Violation: Failure to apply for and obtain an Air Quality Operating Permit. Date of Observation: May 31, 2019 Requirement: Apply for, obtain, and maintain an appropriate Air Quality Operating Permit for all emission units prior to operation. Base Penalty: According to the Administrative Penalty Matrix, the base penalty for operating without a permit for a Class 2 Source is \$3,000.00 per major system or unit. Deviation Factors: N/A Multiple Emission Unit Violations or Recurring Events: 5 Months x 1 System Penalty Subtotal: (\$3,000.00 x 5 Months x 1 System) = \$15,000.00 Penalty Adjustment Factors: N/A Total Penalty: \$15,000.00</p>
TOTAL RECOMMENDED PENALTY	\$19,000.00

AGENDA ITEM #5	
COMPANY	W. W. Clyde Companies
COUNTY	Elko
NOAV NUMBER(S)	2794 & 2797
VIOLATION & PENALTY SUMMARY	<p><u>NOAV 2794</u> Violation: Failure to conduct Initial Opacity Compliance Demonstrations as required by the Air Quality Operating permit. Date of Observation: N/A Requirement: Conduct initial opacity compliance demonstrations for all emission units within 15 days of startup of each emission unit as required by the Air Quality Operating Permit. Base Penalty: According to Administrative Penalty Matrix, the base penalty for failure to conduct initial opacity compliance demonstrations for Class 2 General Source is \$200 per system per month for each test. Deviation Factors: N/A Multiple Emission Unit Violations or Recurring Events: 5 Systems, 10 Months Penalty Subtotal: (\$200.00 x 5 Systems x 10 Months) = \$10,000.00 Penalty Adjustment Factors: N/A Total Penalty: \$10,000.00</p> <p><u>NOAV 2797</u> Violation: Failure to comply material throughput limits in the Air Quality Operating Permit. Date of Observation: 7/2/2020 Requirement: Comply with the material throughput limits as set forth in the Air Quality Operating Permit. Base Penalty: In accordance with the Administrative Penalty Matrix, the base penalty for failure to comply with a permitted operating parameter for a Class 2 Source is \$600.00 per standard or basis of the operating parameter. Deviation Factors: N/A Multiple Emission Unit Violations or Recurring Events: 7 Emission Units, 1 Occurrence Penalty Subtotal: (\$600.00 x 7 Emission Units x 1 Occurrence) = \$4,200.00 Penalty Adjustment Factors: N/A Total Penalty: \$4,200.00</p>
TOTAL RECOMMENDED PENALTY	\$14,200.00