

**Bureau of Air Quality Planning (BAQP) Enforcement Branch
Penalty Recommendations for the September 2023 State Environmental Commission Meeting**

AGENDA ITEM #5	
COMPANY	Hiskett & Sons-Fallon Batch Plant
COUNTY	Churchill County
NOAV NUMBER(S)	3040
VIOLATION & PENALTY SUMMARY	<p><u>NOAV 3040</u> Violation: Failure to comply with a permitted operating parameter Date of Observation: December 8, 2022 and March 9, 2023 Requirement: Comply with permitted material throughput limits. Base Penalty: According to Administrative Penalty Matrix, the base penalty for failure to comply with the conditions of an operating permit for a Class 2 Source is \$600 per the standard or basis of the operating parameter. Multiple Emission Unit Violations or Recurring Events: 1 system with 2 events and 1 system with 1 event- simplify to 3 events Penalty Subtotal: (\$600.00 base penalty x 3 events) = \$1,800.00 Economic Benefit (avoided costs): N/A Penalty Adjustment Factors: N/A Total Penalty: (\$1,800.00 + \$0.00) = \$1,800.00</p>
TOTAL RECOMMENDED PENALTY	\$1,800.00

AGENDA ITEM #6	
COMPANY	Hiskett & Sons-Flattop Pit
COUNTY	Churchill County
NOAV NUMBER(S)	3043
VIOLATION & PENALTY SUMMARY	<p><u>NOAV 3043</u> Violation: Failure to comply with a permitted operating parameter Date of Observation: Various dates from January 1, 2022 through December 31, 2022 Requirement: Comply with permitted material throughput limits and hours of operation. Base Penalty: According to Administrative Penalty Matrix, the base penalty for failure to comply with the conditions of an operating permit for a Class 2 Source is \$600 per the standard or basis of the operating parameter. Multiple Emission Unit Violations or Recurring Events: 13 total events Penalty Subtotal: (\$600.00 base penalty x 1 facility x 13 events) = \$7,800.00 Economic Benefit (avoided costs): N/A Penalty Adjustment Factors: N/A Total Penalty: (\$7,800.00 + \$0.00) = \$7,800.00</p>
TOTAL RECOMMENDED PENALTY	\$7,800.00

AGENDA ITEM #7	
COMPANY	F&P Construction
COUNTY	Storey County
NOAV NUMBER(S)	3044
VIOLATION & PENALTY SUMMARY	<p><u>NOAV 3044</u> Violation: Operating without a permit Date of Observation: February 9, 10, and 14, 2023 Requirement: All major processing systems in use at a facility must be permitted Base Penalty: According to Administrative Penalty Matrix, the base penalty for operating without a permit for a Class 2-General Source is \$1,000 per System or Unit per Week or Month (discretionary). Multiple Emission Unit Violations or Recurring Events: 4 systems that ran for 1 week Penalty Subtotal: (\$1,000 base penalty x 4 system x 1 week) = \$4,000.00 Economic Benefit (avoided costs): N/A Penalty Adjustment Factors: N/A Total Penalty: (\$4,000.00 + \$0.00) = \$4,000.00</p>
TOTAL RECOMMENDED PENALTY	\$4,000.00

AGENDA ITEM #8	
COMPANY	Trex Company, LLC
COUNTY	Lyon County
NOAV NUMBER(S)	3049
VIOLATION & PENALTY SUMMARY	<p><u>NOAV 3049</u> Violation: Operating without a permit Date of Observation: March 2, 2023 Requirement: All major processing systems in use at a facility must be permitted Base Penalty: According to Administrative Penalty Matrix, the base penalty for operating without a permit for a Class 2 Source is \$3,000 per System or Unit per Week or Month (discretionary). Multiple Emission Unit Violations or Recurring Events: 14 months Penalty Subtotal: (\$3,000.00 base penalty x 1 system x 14 events) = \$42,000.00 Economic Benefit (avoided costs): N/A Penalty Adjustment Factors: N/A Total Penalty: (\$42,000.00 + \$0.00) = \$42,000.00</p>
TOTAL RECOMMENDED PENALTY	\$42,000.00

AGENDA ITEM #9	
COMPANY	Reck Brothers
COUNTY	White Pine County
NOAV NUMBER(S)	2892
VIOLATION & PENALTY SUMMARY	<p><u>NOAV 2892</u> Violation: Failure to Test and Failure to Conduct IOCDs Date of Observation: July 1, 2021 Requirement: Conduct Compliance Renewal Testing at least 90 days prior to the date of expiration of the permit and conduct Initial Compliance Testing no later than 180 days after the initial start up Base Penalty: According to Administrative Penalty Matrix, the base penalty for failure to test for a Class 2 Source is \$600 per system per month up to \$10,000 per system. According to Administrative Penalty Matrix, the base penalty for failure to conduct IOCDs for a Class 2 Source is \$200 per system per month up to \$2,000 per system. Multiple Emission Unit Violations or Recurring Events: 2 systems 35 months at time of NOAV issuance Penalty Subtotal: (\$600.00 base penalty x 2 system x 35 months) = \$42,000.00 → Maxed out at \$20,000 (\$200.00 base penalty x 2 system x 35 months) = \$14,000.00 → Maxed out at \$4,000 Economic Benefit (avoided costs): N/A Penalty Adjustment Factors: N/A Total Penalty: (\$20,000+\$4,000) = \$24,000.00</p>
TOTAL RECOMMENDED PENALTY	\$24,000.00

AGENDA ITEM #10	
COMPANY	PCC Strutrals
COUNTY	Carson City County
NOAV NUMBER(S)	3045
VIOLATION & PENALTY SUMMARY	<p><u>NOAV 3045</u> Violation: Failure to conduct IOCDs Date of Observation: January 7, 2023 Requirement: Conduct Initial Opacity Compliance Demonstrations no later than 180 days after the initial start up Base Penalty: According to Administrative Penalty Matrix, the base penalty for failure to conduct IOCDs for a Class 2 Source is \$200 per system per month up to \$2,000 per system. Multiple Emission Unit Violations or Recurring Events: 5 units each with 4 tests Penalty Subtotal: (\$200.00 base penalty x 5 units x 4 tests) = \$4,000.00 Economic Benefit (avoided costs): N/A Penalty Adjustment Factors: N/A Total Penalty: (\$4,000.00 + \$0.00) = \$4,000.00</p>
TOTAL RECOMMENDED PENALTY	\$4,000.00

AGENDA ITEM #10	
COMPANY	PCC Structurals
COUNTY	Carson City County
NOAV NUMBER(S)	3046
VIOLATION & PENALTY SUMMARY	<p><u>NOAV 3046</u> Violation: Failure to Test Date of Observation: January 7, 2023 Requirement: Conduct Initial Performance Testing no later than 180 days after initial startup Base Penalty: According to Administrative Penalty Matrix, the base penalty for failure to test for a Class 2 Source is \$600 per system per month up to \$10,000 per system. Multiple Emission Unit Violations or Recurring Events: 6 units each with 4 tests Penalty Subtotal: (\$600.00 base penalty x 6 units x 4 tests) = \$14,400.00 Economic Benefit (avoided costs): N/A Penalty Adjustment Factors: N/A Total Penalty: (\$14,400.00 + \$0.00) = \$14,400.00</p>
TOTAL RECOMMENDED PENALTY	\$14,400.00