

**Bureau of Air Pollution Control (BAPC) Compliance & Enforcement  
Branch**

**Penalty Recommendations for State Environmental Commission (SEC) Meeting  
September 9, 2025**

<b>AGENDA ITEM #4</b>	
<b>COMPANY</b>	<b>Drilling Minerals Industries, LLC – Osino Grinding Plant</b>
<b>COUNTY</b>	Elko County
<b>NOAV NUMBER(S)</b>	3175
<b>VIOLATION &amp; PENALTY SUMMARY</b>	<p><b><u>NOAV 3175</u></b>  <b>Violation:</b> Failed Source Test and Failure to Finish Conducting Source Testing Once Initiated Resulting in a Failed Source Test  <b>Date of Observation:</b> June 5-6, 2024  <b>Requirement:</b> Emissions measured during a source test must be below permitted emission limits  <b>Base Penalty:</b> According to Administrative Penalty Matrix, the base penalty for a failed source test for a Class 2 Source is \$2,500 per pollutant multiplied by the ratio of measured emissions to permitted emissions (if ratio is greater than 1.2)  Penalty explanation: As there were multiple systems and pollutants that failed, specific calculations can be found in the Air Penalty Presentation Section  <b>Economic Benefit (avoided costs):</b> N/A  <b>Penalty Adjustment Factors:</b> N/A  <b>Total Penalty:</b> \$28,900</p>
<b>TOTAL RECOMMENDED PENALTY</b>	<b>\$28,900</b>

<b>AGENDA ITEM #5</b>	
<b>COMPANY</b>	<b>Nevada Cement Company – Fernley Plant</b>
<b>COUNTY</b>	Lyon County
<b>NOAV NUMBER(S)</b>	3152 & 3191
<b>VIOLATION &amp; PENALTY SUMMARY</b>	<p><b><u>NOAV 3152</u></b>  <b>Violation:</b> Failure to Maintain Process or Air Pollution Control Equipment  <b>Date of Observations:</b> August 14, 2023, and October 3, 2023  <b>Requirement:</b> Emissions must be controlled by permitted Air Pollution Control Equipment  <b>Base Penalty:</b> According to the Administrative Penalty Matrix, the base penalty for failure to maintain process or air pollution control equipment for a Class I source is \$1,000 per event  <b>Penalty Explanation:</b> 7 events with the base penalty of \$1,000 per event for a total of \$7,000.  <b>Economic Benefit (avoided costs):</b> N/A  <b>Penalty Adjustment Factors:</b> N/A  <b>Total Penalty:</b> \$7,000</p> <p><b><u>NOAV 3191</u></b>  <b>Violation:</b> Failure to Install Required Air Pollution Control Equipment  <b>Date of Observations:</b> August 14, 2023  <b>Requirement:</b> Facility must operate with the Air Pollution Control Equipment per the AQOP  <b>Base Penalty:</b> According to the Administrative Penalty Matrix, the base penalty for failure to install required Air Pollution Control Equipment for a Class I source is \$5,000 per emission unit, per day.  <b>Penalty Explanation:</b> There were 12 days of no controls installed on one system. 12 days times the base penalty of \$5,000 for a total of \$60,000.  <b>Economic Benefit (avoided costs):</b> N/A  <b>Penalty Adjustment Factors:</b> N/A  <b>Total Penalty:</b> \$60,000</p>
<b>TOTAL RECOMMENDED PENALTY</b>	<b>\$67,000</b>