



**Bureau of Air Quality Planning (BAQP) Enforcement Branch
 Penalty Recommendations for the December 4, 2019, State Environmental Commission Meeting**

AGENDA ITEM #4	
COMPANY	Western States Gypsum
COUNTY	Lyon
NOAV NUMBER(S)	2676, 2678, and 2710
VIOLATION & PENALTY SUMMARY	<p><u>NOAV 2676</u> Violation: Failure to operate and maintain permit-required air pollution control devices – Pursuant to Nevada Administrative Code (NAC) 445B.275(1)(c) Date of Observation: October 30, 2018 Requirement: Operate and maintain air pollution controls as set forth in the Air Quality Operating Permit.</p> <p>Base Penalty: Administrative Penalty Matrix – Failure to maintain process or controls – Class 2 Source = \$600 Deviation Factors: N/A Multiple Emission Unit Violations or Recurring Events: 17 units = 17 Penalty Adjustment Factors: N/A Total Penalty: (\$600 x 17) = \$10,200</p> <p><u>NOAV 2678</u> Violation: Failure to comply with permitted opacity limits – Pursuant to NAC 445B.275(1)(c) Date of Observation: October 30, 2018 Requirement: Maintain opacity levels within permitted limit.</p> <p>Base Penalty: Administrative Penalty Worksheet Unlisted Violation = \$1,000¹ Deviation Factors: 1.5 Multiple Emission Unit Violations or Recurring Events: 1 system = 1 Penalty Adjustment Factors: N/A Total Penalty: (\$1000 x 1.5) = \$1,500</p>

¹ The penalty for a failed opacity observation is not specified in the Administrative Penalty Matrix. A \$1,000 base penalty is applied in accordance with section I.A. of the Penalty Worksheet – Attachment 9 of the Nevada State Environmental Commission Information Packet (2015).

AGENDA ITEM #4 - CONTINUED

VIOLATION & PENALTY SUMMARY	<p><u>NOAV 2710</u> Violation: Failure to comply with permitted emission limits – Pursuant to NAC 445B.275(1)(c) Date of Test: May 10, 2017 Requirement: Operate process equipment within permitted emission limits.</p> <p>Base Penalty: Administrative Penalty Matrix - Failed Source Test (NSPS violation) – Class II Source = \$4,000 Deviation Factors: Volume of Release - Based on Source Test (139% of permitted PM/PM₁₀ limit) = 1.39 Multiple Emission Unit Violations or Recurring Events: (1 system x 1 test) = 1 Penalty Adjustment Factors: N/A Total Penalty: (\$4,000 x 1.39) = \$5,560</p>
TOTAL RECOMMENDED PENALTY	\$17,260