

**To: Nevada State Board of Health**  
**Topic: State Environmental Commission**  
**Prepared by: Charles Smith**

September 7, 2023

- 1) The SEC meeting was held in person and online on September 7, 2023
- 2) Approval of December 14, 2022 meeting minutes – Approved with a few typographical corrections.
- 3) Item 1 – The Bureau of Air Pollution Control and Air Quality Planning (BAPC) presented the procedures and methodologies for air pollution testing. There are four (4) classifications for facilities that are regulated. Class 1 is the highest class, with the largest production of pollutants exceeding 100 tons/year. Class 4 is for a single emission unit. The methods for air quality testing were reviewed for the respective classifications. The final part of the presentation was on how the BAPC assesses and calculates penalties for violations.

#### **Penalty Assessments**

- 4) Item 2 – Alleged failures to construct and operation a stationary source in accordance with any condition of an operating permit, violation of Class II Air Quality Operating Permit AP3273-3931. Company: Hiskett and Son Fallen Batch Plant. Penalty: \$1,800.
  - a. The company was present at the hearing and acknowledged the penalty and said changes have already been made to be in compliance.
  - b. **The proposed penalty was approved.**
- 5) Item 3 – Alleged failures to construct and operation a stationary source in accordance with any condition of an operating permit, violation of Class II Air Quality Operating Permit AP1442-3844. Company: Hiskett and Son Flattop Pit. Penalty: \$7,800.
  - a. The company was present at the hearing and acknowledged the penalty and said changes have already been made to be in compliance.
  - b. **The proposed penalty was approved.**
- 6) Items 4 – Alleged failures to apply for and maintain an Air Quality Operating permit. Company: F and P Construction. Penalty: \$4,000.
  - a. **The proposed penalty was approved.**
- 7) Item 5 - Alleged failures to apply for and maintain an Air Quality Operating permit. Company: Trex Company. Penalty: \$42,000.
  - a. The company was present at the hearing provided background on the facility operation. Many questions were brought up about the process of the operations by Trex and what they were doing to correct the situation.
  - b. **The proposed penalty was deferred to be re-evaluated with the Company and the Agency.**

- 8) Item 6 - Alleged failures to construct and operation a stationary source in accordance with any condition of an operating permit, violation of Class II Air Quality Operating Permit AP1611-0835 or take action as appropriate.

Company: Reck Brothers. Penalty: \$24,000.

- a. The company was present at the hearing and acknowledged the penalty and said changes have already been made to be in compliance.
- b. **The proposed penalty was approved.**

- 9) Item 6 - Alleged failures to construct and operation a stationary source in accordance with any condition of an operating permit, violation of Class II Air Quality Operating Permit AP1499-0504.03 or take action as appropriate.

Company: PCC Structural. Penalty: \$18,400.

- a. The company was present at the hearing and acknowledged the penalty and said changes have already been made to be in compliance.
- b. **The proposed penalty was approved.**

- 10) Item 7 – Administrative Briefing to the Commission- General management updates on staffing, budget and operating procedures.

**Meeting adjourned.**