

NORTHERN NEVADA PUBLIC HEALTH
AIR QUALITY MANAGEMENT DIVISION
1001 East Ninth Street Suite B171
Reno, Nevada 89512

NOTICE OF VIOLATION No: AQMV24-0021

ISSUED TO

DP RTA Stead PH1, LLC

Location: Reno-Stead Airport (APB086-240-11)

Permit Number: APCP23-0193

Date of Issuance: August 22, 2024

Case No.: 1519

Northern Nevada Public Health Air Quality Management Division (AQMD) has determined that DP RTA Stead PH1, LLC is in violation of the District Board of Health Regulations Governing Air Quality Management PART 040.030 DUST CONTROL.

1. VIOLATION

- A. Failure to obtain a Dust Control Permit prior to commencement of a dust generating activity (1) acre or greater.

2. BASIS OF VIOLATION

A. Regulatory Authority

The District Board of Health Regulations Governing Air Quality Management paragraph 040.030.C.3. - DUST CONTROL PERMIT REQUIREMENTS:

The owner and/or operator of a dust generating activity shall apply for and obtain a Dust Control Permit prior to commencement of the dust generating activity. In the Dust Control Permit application, the owner and/or operator shall designate a person responsible for compliance with the "District Board of Health Regulations Governing Air Quality Management." Failure to comply with the provisions of an approved Dust Control Permit shall be deemed a violation of this Rule.

B. Facts to Constitute the Violation

On May 16, 2024, the AQMD observed and documented dust generating activities occurring on an area not covered by a Dust Control Permit. The AQMD determined the activities occurring were associated with Reno AirLogistics Park located at the Reno-Stead Airport and adjacent to Moya Blvd. The AQMD contacted site personnel and advised that no further work could occur in the unpermitted areas until the acreage was properly permitted. Following contact with AQMD personnel, an updated application was submitted to the AQMD including the additional acreage on Dust Control Permit APCP23-0193 for the Reno AirLogistics Park.

AIR QUALITY MANAGEMENT DIVISION

1001 East Ninth Street, Building B-171, Reno, Nevada 89512

AQMD Office: 775-784-7200 | Fax: 775-784-7225 | OurCleanAir.com

Serving Reno, Sparks and all of Washoe County, Nevada.



On May 17, 2024 the AQMD issued an updated Dust Control Permit for the Reno AirLogistics Park. The total area covered by the Dust Control Permit included an additional 6 acres. This increased the acreage for the project from 103 acres to 109 acres.

3. APPEAL PROCEDURE AND TIME LIMITATIONS

A. Appeal Procedure

DP RTA Stead PH1, LLC is advised that within (10) working days of the receipt of this Notice of Violation, DP RTA Stead PH1, LLC may submit a written petition for appeal to the Northern Nevada Public Health - Air Quality Hearing Board. The written petition for appeal shall be submitted to the AQMD at the following address:

Northern Nevada Public Health
Air Quality Management Division
1001 East Ninth Street Suite B171
Reno, Nevada 89512

Failure to submit a petition for appeal within the specified timeframe will result in the submission of this Notice of Violation to the Northern Nevada Public Health - District Board of Health with a recommendation for the assessment of an administrative fine of \$500.00.

8/22/24

Date

A handwritten signature in blue ink, appearing to read 'Jeff Jeppson', is written over a horizontal line.

Jeff Jeppson
Senior Air Quality Specialist
Air Quality Management Division
Northern Nevada Public Health

**Northern Nevada Public Health
Air Quality Management Division
Recommended Penalty Calculation Worksheet**

Company Name DP RTA Stead PH1, LLC
Contact Name John Ramous
Case Number 1519

I. Violation of Section 040.030.C.3 - DUST CONTROL PERMIT REQUIREMENTS

I. Recommended Penalty = \$ 500.00

II. Violation of Section 0

II. Recommended Penalty = \$ 0.00

III. Violation of Section 0

III. Recommended Penalty = \$ 0.00

IV. Violation of Section 0

IV. Recommended Penalty = \$ 0.00

V. Violation of Section 0

V. Recommended Penalty = \$ 0.00

Total Recommended Penalty = \$ 500.00



Senior AQ Specialist/Supervisor

8/22/24

Date

**Northern Nevada Public Health
Air Quality Management Division
Recommended Penalty Calculation Worksheet**

Company Name DP RTA Stead PH1, LLC
 Contact Name John Ramous
 Case Number 1519
 Violation Number AQMV24-0021

Violation of Section 040.030.C.3 - DUST CONTROL PERMIT REQUIREMENTS
 Permit Condition N/A

I. **Base Penalty as specified in the Penalty Table** = \$ **500.00**

II. **Severity of Violation**

A. **Public Health Impact**

1. **Toxicity of Release** (For Emissions Exceedances)

Unable to Quantify - 1x Criteria Pollutant - 1x Hazardous Air Pollutant - 2x
 Adjustment Factor **1**

Comment: Penalty by Rule

2. **Environmental/Public Health Risk** (Proximity to sensitive environment or group)

Negligible - 1x Moderate - 1.5x Significant - 2x Adjustment Factor **1.0**

Comment: Penalty by Rule

Total Adjustment Factors (1 x 2) = **1**

B. **Adjusted Base Penalty**

Base Penalty \$ 500.00 x Adjustment Factor 1 = \$ **500.00**

C. **Number of Days/Weeks/Months or Units in Violation**

Adjusted Penalty \$ 500.00 x Number of Days/Weeks/Mo **1** = \$ **500.00**

Comment: Penalty by Rule

D. **Economic Benefit**

Avoided Costs \$ **0.00** + Delayed Costs \$ **0.00** = \$ 0.00

Comment: Penalty by Rule

Penalty Subtotal

Adjusted Base Penalty \$ 500.00 + Economic Benefit \$ 0.00 = \$ **500.00**

**Northern Nevada Public Health
Air Quality Management Division
Recommended Penalty Calculation Worksheet**

III. Penalty Adjustment Consideration

A. Mitigating Factors (0 +/- 25%)

0%

Comment _____

B. Compliance History

Similar Violation < 12 months (300%)

+ 0%

Similar Violation < 3 years (200%)

+ 0%

Similar Violation > 3 years (150%)

+ 0%

Previous Unrelated Violations < 5years

5% x , # of previous violations

+ 0%

Comment: _____

Total Penalty Adjustment Factors – Sum of A & B

0%

IV. Recommended Penalty

Penalty Adjustment:

 \$ 500.00 x 0% = \$ 0.00

Penalty Subtotal
(From Section II)

Total Adjustment Factors
(From Section III)

Total Adjustment
Value

Additional Credit for Environmental Investment/Training

- \$ 0.00

Comment: _____

Adjusted Penalty:

 \$ 500.00 +/- \$ 0.00 = \$ 500.00

Penalty Subtotal
(From Section II)

Total Adjustment Value
(From Section III + Credit)

Recommended Penalty



Senior AQ Specialist/Supervisor

 8/22/24

Date



September 3, 2024

Dear Joshua Restori:

The following is in response to your request for proof of delivery on your item with the tracking number:
9171 9690 0935 0224 2125 45.

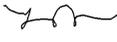
Item Details

Status:	Delivered, Front Desk/Reception/Mail Room
Status Date / Time:	August 26, 2024, 11:50 am
Location:	RENO, NV 89502
Postal Product:	First-Class Mail®
Extra Services:	Certified Mail™ Return Receipt Electronic

Shipment Details

Weight:	4lb, 3.3oz
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Recipient Signature

Signature of Recipient:	 Taylor
Address of Recipient:	5500 Fairway

Note: Scanned image may reflect a different destination address due to Intended Recipient's delivery instructions on file.

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Sincerely,
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