

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

## NOTICE OF VIOLATION No: AQMV25-0008 ISSUED TO

**Q&D Construction, LLC**  
**Location: NV Energy Peavine Substation, APN: 082-083-32**  
**Permit Number: APCP24-0135**  
**Date of Issuance: March 7, 2025**  
**Case No.: 1552**

Northern Nevada Public Health Air Quality Management Division (AQMD) has determined that Q&D Construction 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 12/3/2024, the AQMD conducted a routine dust control compliance evaluation of the NV Energy Peavine Substation project covered by Dust Control Permit No. APCP24-0135. At the time of the evaluation, the AQMD observed and documented dust generating activities associated with the project were occurring outside the area covered by the Dust Control Permit. The unpermitted area covered approximately 4.1 acres.

Following the observation, the AQMD advised site personnel that the entire disturbed area was not covered by a Dust Control Permit. Work was then stopped in the unpermitted area.

On 12/4/2024, an updated project map was submitted to the AQMD which included the additional 4.1 acres of disturbance on the project.

On 12/9/2024, an update to Dust Control Permit No APCP24-0135 for 9.82 acres was issued by the AQMD which covered the full area of disturbance on the project.

3. APPEAL PROCEDURE AND TIME LIMITATIONS

A. Appeal Procedure

Q&D Construction LLC is advised that within (10) working days of the receipt of this Notice of Violation, Q&D Construction, 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.

3/7/25  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
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 Q&D Construction LLC  
Contact Name Gracie Damele  
Case Number 1552

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

3/7/25  
Date

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

Company Name Q&D Construction LLC  
 Contact Name Gracie Damele  
 Case Number 1552  
 Violation Number AQMV25-0008

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 N/A

**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: N/A

**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
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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

3/7/25  
\_\_\_\_\_  
Date



April 4, 2025

Dear Joshua Restori:

The following is in response to your request for proof of delivery on your item with the tracking number: **9489 0090 0027 6501 2435 77**.

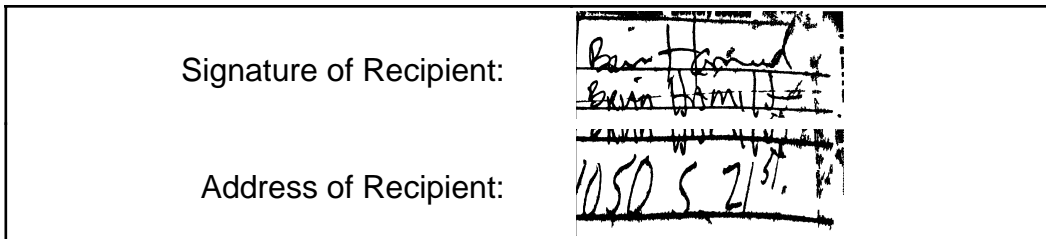
### Item Details

<b>Status:</b>	Delivered, Left with Individual
<b>Status Date / Time:</b>	March 11, 2025, 11:09 am
<b>Location:</b>	SPARKS, NV 89431
<b>Postal Product:</b>	First-Class Mail®
<b>Extra Services:</b>	Certified Mail™ Return Receipt Electronic

### Shipment Details

<b>Weight:</b>	4lb, 9.5oz
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### Recipient Signature



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

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Sincerely,  
United States Postal Service®  
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