

ATTACHMENT 1

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

NOTICE OF VIOLATION No: AQMV24-0032 ISSUED TO

Owner: 840 I Street, LLC
Location: 840 I Street Sparks, NV 89431, APN 031-081-51
Date of Issuance: December 9, 2024
Case No.: 1504

Northern Nevada Public Health Air Quality Management Division (AQMD) has determined that 840 I Street, LLC is in violation of the District Board of Health Regulations Governing Air Quality Management PART 030.105 – NATIONAL EMISSION STANDARDS FOR HAZARDOUS AIR POLLUTANTS.

1. VIOLATION

- A. Failure to thoroughly inspect the affected facility or part of the facility where the renovation operation will occur for the presence of asbestos as required by 40 CFR 61.145(a).

2. BASIS OF VIOLATION

- A. **Regulatory Authority**
The District Board of Health Regulations Governing Air Quality Management paragraph 030.105.b.10., The District Board of Health Regulations Governing Air Quality Management adopted by reference, 40 CFR 61, Subpart M and has been delegated authority to implement and ensure compliance with this Subpart within Washoe County.

Per 40 CFR 61, Subpart M – National Emission Standards for Asbestos §61.145 Standards for demolition and renovation (a) Applicability:

(a) **Applicability.** To determine which requirements of paragraphs (a), (b), and (c) of this section apply to the owner or operator of a demolition or renovation activity and prior to the commencement of the demolition or renovation, thoroughly inspect the affected facility or part of the facility where the demolition or renovation operation will occur for the presence of asbestos, including Category I and Category II nonfriable ACM. The requirements of paragraphs (b) and (c) of this section apply to each owner or operator of a demolition or renovation activity, including the removal of RACM as follows:

(4) In a facility being renovated, including any individual nonscheduled renovation operation, all the requirements of paragraphs (b) and (c) of this section apply if the combined amount of RACM to be stripped, removed, dislodged, cut, drilled, or similarly disturbed is

(i) At least 80 linear meters (260 linear feet) on pipes or at least 15 square meters (160 square feet) on other facility components, or



(ii) At least 1 cubic meter (35 cubic feet) off facility components where the length or area could not be measured previously.

(iii) To determine whether paragraph (a)(4) of this section applies to planned renovation operations involving individual nonscheduled operations, predict the combined additive amount of RACM to be removed or stripped during a calendar year of January 1 through December 31.

(iv) To determine whether paragraph (a)(4) of this section applies to emergency renovation operations, estimate the combined amount of RACM to be removed or stripped as a result of the sudden, unexpected event that necessitated the renovation.

B. Facts to Constitute the Violation

On April 8, 2024, the AQMD found that suspect asbestos containing materials had been disturbed and removed from the property situated at 840 I Street in Sparks, Nevada. The asbestos removal occurred over the weekend of April 6-7, 2024. An asbestos survey had not been completed prior to the disturbance of the suspect asbestos containing material for the project. Following contact with the AQMD, an asbestos survey was completed on April 11, 2024. The survey indicated the presence of asbestos in the materials disturbed as part of the project.

3. APPEAL PROCEDURE AND TIME LIMITATIONS

A. Appeal Procedure

840 I Street, LLC is advised that within (10) working days of the receipt of this Notice of Violation, 840 I Street, 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 \$10,000.00.

12/9/24

Date

Joshua C. Restori
Supervisor, Permitting and Compliance
Air Quality Management Division
Northern Nevada Public Health

ATTACHMENT 2

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

NOTICE OF VIOLATION No: AQMV24-0033 ISSUED TO

Owner: 840 I Street, LLC
Location: 840 I Street Sparks, NV 89431, APN 031-081-51
Date of Issuance: December 9, 2024
Case No.: 1504

Northern Nevada Public Health Air Quality Management Division (AQMD) has determined that 840 I Street, LLC is in violation of the District Board of Health Regulations Governing Air Quality Management PART 030.105 – NATIONAL EMISSION STANDARDS FOR HAZARDOUS AIR POLLUTANTS.

1. VIOLATION

- A. Failure to provide written notice 10-working days in advance to the AQMD of the intention to renovate as required by 40 CFR 61.145(b).

2. BASIS OF VIOLATION

A. Regulatory Authority

The District Board of Health Regulations Governing Air Quality Management paragraph 030.105.b.10., The District Board of Health Regulations Governing Air Quality Management adopted by reference, 40 CFR 61, Subpart M and has been delegated authority to implement and ensure compliance with this Subpart within Washoe County.

Per 40 CFR. 61, Subpart M – National Emission Standards for Asbestos §61.145 Standards for demolition and renovation (b) Notification requirements:

(b) Notification requirements. Each owner or operator of a demolition or renovation activity to which this section applies shall:

(1) Provide the Administrator with written notice of intention to demolish or renovate. Delivery of the notice by U.S. Postal Service, commercial delivery service, or hand delivery is acceptable.

(2) Update notice, as necessary, including when the amount of asbestos affected changes by at least 20 percent.

(3) Postmark or deliver the notice as follows:

(i) At least 10 working days before asbestos stripping or removal work or any other activity begins (such as site preparation that would break up, dislodge or similarly disturb asbestos material), if the operation is described in paragraphs (a) (1) and (4) (except (a)(4)(iii) and



(a)(4)(iv)) of this section. If the operation is as described in paragraph (a)(2) of this section, notification is required 10 working days before demolition begins.

B. Facts to Constitute the Violation

On April 8, 2024 the AQMD found that suspect asbestos containing materials had been disturbed and removed from the property situated at 840 I Street on April 6 & 7, 2024. The required 10-working day notification of intention to renovate required by 40 CFR 61.145(b) had not been submitted to the AQMD. Following notification by the AQMD, an abatement contractor was hired to perform asbestos abatement and cleanup. The contractor submitted the required NESHAP Notification paperwork to the AQMD on April 29, 2024 for the post asbestos disturbance abatement and cleanup activities.

3. APPEAL PROCEDURE AND TIME LIMITATIONS

A. Appeal Procedure

840 I Street, LLC is advised that within (10) working days of the receipt of this Notice of Violation, 840 I Street 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 \$2,000.00.

12/9/24

Date

Joshua C. Restori
Supervisor, Permitting and Compliance
Air Quality Management Division
Northern Nevada Public Health

ATTACHMENT 3

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

NOTICE OF VIOLATION No: AQMV24-0034 ISSUED TO

Owner: 840 I Street, LLC
Location: 840 I Street Sparks, NV 89431, APN 031-081-51
Date of Issuance: December 9, 2024
Case No.: 1504

Northern Nevada Public Health Air Quality Management Division (AQMD) has determined that 840 I Street, LLC is in violation of the District Board of Health Regulations Governing Air Quality Management PART 030.105 – NATIONAL EMISSION STANDARDS FOR HAZARDOUS AIR POLLUTANTS.

1. VIOLATION

- A. Failure to follow proper procedures for asbestos emission control as required by 40 CFR 61.145(c)(6).

2. BASIS OF VIOLATION

- A. Regulatory Authority
The District Board of Health Regulations Governing Air Quality Management paragraph 030.105.b.10., The District Board of Health Regulations Governing Air Quality Management adopted by reference, 40 CFR 61, Subpart M and has been delegated authority to implement and ensure compliance with this Subpart within Washoe County.

Per 40 CFR. 61, Subpart M – National Emission Standards for Asbestos §61.145 Standards for demolition and renovation (c) Procedures for asbestos emission control:

(c) Procedures for asbestos emission control. Each owner or operator of a demolition or renovation activity to whom this paragraph applies, according to paragraph (a) of this section, shall comply with the following procedures:

(6) For all RACM, including material that has been removed or stripped:

(i) Adequately wet the material and ensure that it remains wet until collected and contained or treated in preparation for disposal in accordance with § 61.150; and

(ii) Carefully lower the material to the ground and floor, not dropping, throwing, sliding, or otherwise damaging or disturbing the material.

(iii) Transport the material to the ground via leak-tight chutes or containers if it has been removed or stripped more than 50 feet above ground level and was not removed as units or in sections.



(iv) RACM contained in leak-tight wrapping that has been removed in accordance with paragraphs (c)(4) and (c)(3)(i)(B)(3) of this section need not be wetted.

B. Facts to Constitute the Violation

On April 8, 2024, the AQMD identified regulated asbestos containing materials had been disturbed and removed from the property situated at 840 I Street in Sparks, Nevada. The asbestos removal occurred over the weekend of April 6-7, 2024.

Improper procedures used during the removal operation led to contamination of the suite, hallways, and other areas inside and on the exterior of the building at 840 I Street. In addition, the materials were openly transported from the suite and openly deposited into a dumpster in the parking lot. None of these materials were determined to be adequately wet, transported in leak-tight wrapping or deposited in a regulated landfill accepting regulated asbestos material waste.

3. APPEAL PROCEDURE AND TIME LIMITATIONS

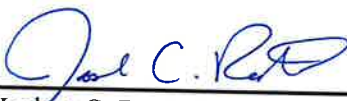
A. Appeal Procedure

840 I Street, LLC is advised that within (10) working days of the receipt of this Notice of Violation, 840 I Street, 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 \$20,000.00.

12/9/24
Date


Joshua C. Restori
Supervisor, Permitting and Compliance
Air Quality Management Division
Northern Nevada Public Health

ATTACHMENT 4

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

NOTICE OF VIOLATION No: AQMV24-0035 ISSUED TO

Owner: 840 I Street, LLC
Location: 840 I Street Sparks, NV 89431, APN 031-081-51
Date of Issuance: December 9, 2024
Case No.: 1504

Northern Nevada Public Health Air Quality Management Division (AQMD) has determined that 840 I Street, LLC is in violation of the District Board of Health Regulations Governing Air Quality Management PART 030.105 – NATIONAL EMISSION STANDARDS FOR HAZARDOUS AIR POLLUTANTS.

1. VIOLATION

- A. Failure to have at least one on-site representative trained in the provisions of 40 CFR 61 Subpart M onsite at the time of renovation as required by 40 CFR 61.145(c)(8).

2. BASIS OF VIOLATION

- A. Regulatory Authority
The District Board of Health Regulations Governing Air Quality Management paragraph 030.105.b.10., The District Board of Health Regulations Governing Air Quality Management adopted by reference, 40 CFR 61, Subpart M and has been delegated authority to implement and ensure compliance with this Subpart within Washoe County.

Per 40 CFR 61, Subpart M – National Emission Standards for Asbestos §61.145 Standards for demolition and renovation(c) Procedures for asbestos emission control:

(c) Procedures for asbestos emission control. Each owner or operator of a demolition or renovation activity to whom this paragraph applies, according to paragraph (a) of this section, shall comply with the following procedures:

(8) Effective 1 year after promulgation of this regulation, no RACM shall be stripped, removed, or otherwise handled or disturbed at a facility regulated by this section unless at least one on-site representative, such as a foreman or management-level person or other authorized representative, trained in the provisions of this regulation and the means of complying with them, is present. Every 2 years, the trained on-site individual shall receive refresher training in the provisions of this regulation. The required training shall include as a minimum: applicability; notifications; material identification; control procedures for removals including, at least, wetting, local exhaust ventilation, negative pressure enclosures, glove-bag procedures, and High Efficiency Particulate Air (HEPA) filters; waste disposal work practices; reporting and recordkeeping; and asbestos hazards and worker protection.

Evidence that the required training has been completed shall be posted and made available for inspection by the Administrator at the demolition or renovation site.

B. Facts to Constitute the Violation

On April 8, 2024, the AQMD identified regulated asbestos containing materials had been disturbed and removed from the property situated at 840 I Street in Sparks, Nevada. The asbestos removal occurred over the weekend of April 6-7, 2024.

Based on the investigation by the AQMD, the removal of the regulated asbestos containing materials on April 6-7, 2024, at 840 I Street was completed by an individual who was not trained in the provisions of 40 CFR 61, Subpart M – National Emissions Standards for Asbestos.

3. APPEAL PROCEDURE AND TIME LIMITATIONS

A. Appeal Procedure

840 I Street, LLC is advised that within (10) working days of the receipt of this Notice of Violation, 840 I Street, 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 \$10,000.00.

12/9/24

Date



Joshua C. Restori
Supervisor, Permitting and Compliance
Air Quality Management Division
Northern Nevada Public Health

ATTACHMENT 5

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

NOTICE OF VIOLATION No: AQMV24-0036 ISSUED TO

Owner: 840 I Street LLC
Location: 840 I Street Sparks, NV 89431, APN 031-081-51
Date of Issuance: December 9, 2024
Case No.: 1504

Northern Nevada Public Health Air Quality Management Division (AQMD) has determined that 840 I Street, LLC is in violation of the District Board of Health Regulations Governing Air Quality Management PART 020.100 B – Stop Work Order (Suspension).

1. VIOLATION

A. Failure to comply with Stop Work Order (SWO) No. 000009.

2. BASIS OF VIOLATION

A. Regulatory Authority

The District Board of Health Regulations Governing Air Quality Management SECTION 020.100 B - Stop Work Order (Suspension):

1. A stop work order may be issued at any time by the Control Officer upon their determination that there has been a violation with any of the provisions of these regulations, any applicable requirement, or any condition of the permit with the potential to impact public health.
2. A person served with a stop work order:
 - a. Shall stop all activities specified in the stop work order as soon as safely practicable.
 - b. May apply to the Control Officer for its revocation at any time, setting forth the facts upon which they believe that the reasons for the issuance of the stop work order no longer exist.
 - c. May apply to the Hearing Board for its revocation at any time, setting forth the facts upon which they believe that the reasons for the issuance of the stop work order no longer exist.

B. Facts to Constitute the Violation

On April 9, 2024 the AQMD issued SWO No. 000009 which concerned activities related to the improper removal of regulated asbestos containing materials from 840 I St., Sparks, NV 89431.

During the time period between April 12-14, 2024, the AQMD determined additional asbestos containing materials had been scraped from the ceiling of the Units 3 and 6, asbestos containing waste materials and asbestos contaminated construction debris had been removed from Units 3 and 6 and the affected area, posted SWO's had been removed from the doors,

and the taped door jambs had been disturbed and removed. These actions are a violation of SWO No. 000009.

3. APPEAL PROCEDURE AND TIME LIMITATIONS

A. Appeal Procedure

840 I Street, LLC is advised that within (10) working days of the receipt of this Notice of Violation, 840 I Street, 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 \$10,000.00.

12/9/24

Date



Joshua C. Restori
Supervisor, Permitting and Compliance
Air Quality Management Division
Northern Nevada Public Health

ATTACHMENT 6

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

Company Name 840 I Street LLC
Contact Name Farshad Moftakhar
Case Number 1504

I. Violation of Section 40 CFR 61, Subpart M 61.145(a)

I. Recommended Penalty = \$ 10000.00

II. Violation of Section 40 CFR 61, Subpart M 61.145(b)

II. Recommended Penalty = \$ 2000.00

III. Violation of Section 40 CFR 61, Subpart M 61.145(c)(6)

III. Recommended Penalty = \$ 20000.00

IV. Violation of Section 40 CFR 61, Subpart M 61.145(c)(8)

IV. Recommended Penalty = \$ 10000.00

V. Violation of Section 030.1401 - Stop Work Order

V. Recommended Penalty = \$ 10000.00

Total Recommended Penalty = \$ 52,000.00



Senior AQ Specialist/Supervisor

12/9/24

Date

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

Company Name 840 I Street LLC
 Contact Name Farshad Moftakhar
 Case Number 1504
 Violation Number AQMV24-0032

Violation of Section 40 CFR 61, Subpart M 61.145(a)
 Permit Condition N/A

I. Base Penalty as specified in the Penalty Table = \$ **5,000.00**

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 **2**

Comment: Asbestos Fibers are a Hazardous Air Pollutant

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

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

Comment: Negligible Risk

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

B. Adjusted Base Penalty

Base Penalty \$ 5,000.00 x Adjustment Factor 2 = \$ **10,000.00**

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

Adjusted Penalty \$ 10,000.00 x Number of Days/Weeks/Mo **1** = \$ **10,000.00**

Comment: (1) Incident of failing to conduct a thorough asbestos survey

D. Economic Benefit

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

Comment: No avoided or delayed costs were assessed

Penalty Subtotal

Adjusted Base Penalty \$ 10,000.00 + Economic Benefit \$ 0.00 = \$ **10,000.00**

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

III. Penalty Adjustment Consideration

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

0%

Comment: No mitigating factors considered

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 0, # of previous violations

+ 0%

Comment: No previous history

Total Penalty Adjustment Factors – Sum of A & B

0%

IV. Recommended Penalty

Penalty Adjustment:

\$ 10,000.00	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:

\$ 10,000.00	+/-	\$ 0.00	=	\$ 10,000.00
Penalty Subtotal (From Section II)		Total Adjustment Value (From Section III + Credit)		Recommended Penalty

Jan C. Pate
Senior AQ Specialist/Supervisor

12/9/24
Date

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

Company Name 840 I Street LLC
 Contact Name Farshad Moftakhar
 Case Number 1504
 Violation Number AQMV24-0033
 Violation of Section 40 CFR 61, Subpart M 61.145(b)
 Permit Condition N/A

I. **Base Penalty as specified in the Penalty Table** = \$ **2,000.00**

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: Asbestos Fibers are a Hazardous Air Pollutant

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

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

Comment: Negligible Risk

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

B. **Adjusted Base Penalty**

Base Penalty \$ 2,000.00 x Adjustment Factor 1 = \$ **2,000.00**

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

Adjusted Penalty \$ 2,000.00 x Number of Days/Weeks/Mo **1** = \$ **2,000.00**

Comment: (1) Incident of failing to provide Notification per 40 CFR 61.145(b)

D. **Economic Benefit**

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

Comment: No avoided or delayed costs were assessed

Penalty Subtotal

Adjusted Base Penalty \$ 2,000.00 + Economic Benefit \$ 0.00 = \$ **2,000.00**

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

III. Penalty Adjustment Consideration

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

0%

Comment: No mitigating factors considered

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 0, # of previous violations

+ 0%

Comment: No previous history

Total Penalty Adjustment Factors – Sum of A & B

0%

IV. Recommended Penalty

Penalty Adjustment:

\$ 2,000.00	x	0%		=	\$ 0.00
Penalty Subtotal (From Section II)		Total Adjustment Factors (From Section III)			Total Adjustment Value

Additional Credit for Environmental Investment/Training - \$

Comment: _____
Adjusted Penalty:

\$ 2,000.00	+/-	\$ 0.00	=		\$ 2,000.00
Penalty Subtotal (From Section II)		Total Adjustment Value (From Section III + Credit)			Recommended Penalty


Senior AQ Specialist/Supervisor

12/9/24
Date

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

Company Name 840 I Street LLC
 Contact Name Farshad Moftakhar
 Case Number 1504
 Violation Number AQMV24-0034
 Violation of Section 40 CFR 61, Subpart M 61.145(c)(6)
 Permit Condition N/A

I. **Base Penalty as specified in the Penalty Table** = \$ **2,500.00**

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 **2**

Comment: Asbestos Fibers are a Hazardous Air Pollutant

2. **Environmental/Public Health Risk** (Proximity to sensitive environment or group)
 Negligible - 1x Moderate - 1.5x Significant - 2x Adjustment Factor **2.0**

Comment: Significant Risk due to exposure to the public entering and residing in the building
 Total Adjustment Factors (1 x 2) = **4**

B. **Adjusted Base Penalty**

Base Penalty \$ 2,500.00 x Adjustment Factor 4 = \$ **10,000.00**

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

Adjusted Penalty \$ 10,000.00 x Number of Days/Weeks/Mo **2** = \$ **20,000.00**

Comment: (2) Days of failing to use proper procedures for asbestos emission control

D. **Economic Benefit**

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

Comment: No avoided or delayed costs were assessed

Penalty Subtotal

Adjusted Base Penalty \$ 20,000.00 + Economic Benefit \$ 0.00 = \$ **20,000.00**

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

III. Penalty Adjustment Consideration

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

0%

Comment No mitigating factors considered

B. Compliance History

Similar Violation < 12 months (300%)

+ 0%

Similar Violation < 3 years (200%)

+ 0%

Similar Violation > 3 years (150%)

+ 0%

Previous Unrelated Violations < 5 years

5% x , # of previous violations

+ 0%

Comment: No previous history

Total Penalty Adjustment Factors – Sum of A & B

0%

IV. Recommended Penalty

Penalty Adjustment:

\$ 20,000.00	x	0%		=	\$ 0.00
Penalty Subtotal (From Section II)		Total Adjustment Factors (From Section III)			Total Adjustment Value

Additional Credit for Environmental Investment/Training

- \$

Comment: _____

Adjusted Penalty:

\$ 20,000.00	+/-	\$ 0.00	=		\$ 20,000.00
Penalty Subtotal (From Section II)		Total Adjustment Value (From Section III + Credit)			Recommended Penalty

Paul C. Rutz
Senior AQ Specialist/Supervisor

12/9/24
Date

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

Company Name 840 I Street LLC
 Contact Name Farshad Moftakhar
 Case Number 1504
 Violation Number AQMV24-0035
 Violation of Section 40 CFR 61, Subpart M 61.145(c)(8)
 Permit Condition N/A

I. Base Penalty as specified in the Penalty Table = \$ **10,000.00**

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: Unable to Quantify

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

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

Comment: Negligible Risk

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

B. Adjusted Base Penalty

Base Penalty \$ 10,000.00 x Adjustment Factor 1 = \$ **10,000.00**

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

Adjusted Penalty \$ 10,000.00 x Number of Days/Weeks/Mo **1** = \$ **10,000.00**

Comment: (1) Incident of failing to have a trained representative onsite

D. Economic Benefit

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

Comment: No avoided or delayed costs were assessed

Penalty Subtotal

Adjusted Base Penalty \$ 10,000.00 + Economic Benefit \$ 0.00 = \$ **10,000.00**

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

III. Penalty Adjustment Consideration

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

0%

Comment: No mitigating factors considered

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: No previous history

Total Penalty Adjustment Factors – Sum of A & B

0%

IV. Recommended Penalty

Penalty Adjustment:

\$ 10,000.00	x	<u>0%</u>		= \$	0.00
Penalty Subtotal (From Section II)		Total Adjustment Factors (From Section III)			Total Adjustment Value


Additional Credit for Environmental Investment/Training

- \$

Comment: _____

Adjusted Penalty:

<u>\$ 10,000.00</u>	+/-	<u>\$ 0.00</u>	=	\$	10,000.00
Penalty Subtotal (From Section II)		Total Adjustment Value (From Section III + Credit)			Recommended Penalty


Senior AQ Specialist/Supervisor

12/9/24
Date

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

Company Name 840 I Street LLC
 Contact Name Farshad Moftakhar
 Case Number 1504
 Violation Number AQMV24-0036
 Violation of Section 030.1401 - Stop Work Order
 Permit Condition N/A

I. Base Penalty as specified in the Penalty Table = \$ **10,000.00**

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: Unable to Quantify

2. **Environmental/Public Health Risk** (Proximity to sensitive environment or group)
 Negligible - 1x Moderate - 1.5x Significant - 2x
 Adjustment Factor **1.0**

Comment: Negligible Risk
 Total Adjustment Factors (1 x 2) = **1**

B. Adjusted Base Penalty

Base Penalty \$ 10,000.00 x Adjustment Factor 1 = \$ **10,000.00**

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

Adjusted Penalty \$ 10,000.00 x Number of Days/Weeks/Mo **1** = \$ **10,000.00**

Comment: (1) Incident of failing to comply with a Stop Work Order issued by the AQMD

D. Economic Benefit

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

Comment: No avoided or delayed costs were assessed

Penalty Subtotal

Adjusted Base Penalty \$ 10,000.00 + Economic Benefit \$ 0.00 = \$ **10,000.00**

ATTACHMENT 7

MEMORANDUM OF UNDERSTANDING

NORTHERN NEVADA PUBLIC HEALTH
AIR QUALITY MANAGEMENT DIVISION


Date: 12/09/2024

Company Name: 840 I Street, LLC
Address: 840 I Street, Sparks, Nevada
Case No. 1504 Notice of Violation No.(s) AQMV24-0032,
AQMV24-0033, AQMV24-0034, AQMV24-0035, AQMV24-0036

The staff of the Northern Nevada Public Health, Air Quality Management Division issued the above referenced citation for the violation of Regulation: 40 CFR 61 Subpart M - Asbestos §61.145(a), 40 CFR 61 Subpart M - Asbestos §61.145(b), 40 CFR 61 Subpart M - Asbestos §61.145(c)(6), 40 CFR 61 Subpart M - Asbestos §61.145(c)(8), DBOH Regulations PART 020.100 B – Stop Work Order (Suspension)

A settlement of this matter has been negotiated between the undersigned parties resulting in a penalty amount of \$ 46,800.00. This settlement will be submitted to the District Board of Health for review at the regularly scheduled meeting on January 23, 2025.

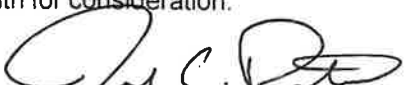
The undersigned agrees to waive an appeal to the Air Pollution Control Hearing Board so this matter may be submitted directly to the District Board of Health for consideration.


Signature of Company Representative

Farshad Moftakhar
Print Name

OWNER
Title


Witness


Signature of District Representative

Joshua C. Restari
Print Name

Air Quality Supervisor
Title


Witness