

ATTACHMENT 1

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

NOTICE OF VIOLATION No: AQMV25-0001 ISSUED TO

Rilite Aggregate Company
Location: 9208 Western Skies Drive, Reno, NV 89502
Permit Number: AAIR16-0722
Date of Issuance: February 5, 2025
Case No.: 1541

Northern Nevada Public Health Air Quality Management Division (AQMD) has determined that Rilite Aggregate Company is in violation of the District Board of Health Regulations Governing Air Quality Management PART 040.030 DUST CONTROL.

1. VIOLATION

- A. Failure to comply with the provisions of Permit to Operate No. AAIR16-0722. Specifically, Condition of Operation No. 6: Visible fugitive dust emissions must not exceed a period or periods accumulating more than 5 minutes in any hour.

2. BASIS OF VIOLATION

- A. Regulatory Authority
The District Board of Health Regulations Governing Air Quality Management PART 040.030 DUST CONTROL.

040.030.C.1.: VISIBLE EMISSIONS PROHIBITION: The owner and/or operator of a source engaging in dust generating activities shall not allow visible fugitive dust emissions for a period or periods accumulating more than 5 minutes in any hour.

- B. Facts to Constitute the Violation
On November 13, 2024, the AQMD observed visible fugitive dust emissions emanating from the Rilite Aggregate Company site at 9208 Western Skies Drive in Reno, NV. A Method 22 observation was initiated. During the observation 8 minutes and 11 seconds of visible dust emissions were observed during a 40-minute observation. Visible dust was observed blowing from numerous areas on the site including mobile equipment, aggregate equipment, stockpiles, and the hillside to the east of the aggregate plant. Dust emissions were impacting adjacent residential areas.

3. APPEAL PROCEDURE AND TIME LIMITATIONS

- A. Appeal Procedure
Rilite Aggregate Company is advised that within (10) working days of receipt of this Notice of Violation, Rilite Aggregate Company may submit a written petition for appeal to the

Subject: Notice of Violation No. AQMV25-0001 / Rilite Aggregate Co.

Date: February 5, 2025

Page 2 of 2



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.

2/5/25

Date

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

Jeff Jeppson
Senior Air Quality Specialist, AQMD
Northern Nevada Public Health

ATTACHMENT 2

Administrative Penalty Table

Air Quality Management Division Washoe County Health District

I. Minor Violations - Section 020.100.A.3.c.

Regulation	Violation	1st Violation	2nd Violation
040.030	Dust Control	500	1000
040.035	Open Burning	500	1000
040.040	Fire Set for Training	500	1000
040.050	Incinerator Emissions	500	1000
040.051	Wood-burning Devices	500	1000
040.055	Odorous Emissions	500	1000
040.080	Gasoline Transfer and Dispensing	500	1000
040.200	Diesel Engine Idling	500	1000
050.001	Emergency Episode Plan	500	1000

II. Major Violations - Section 020.100.A.3.a.

Regulation	Violation	Source Category	
		Minimum	Maximum
030.000	Construction/Operating without Permit (per major process system or unit/day)	5000	10000
030.1402	Failure to Comply with Stop Work Order	10,000/day	10,000/day
030.2175	Operation Contrary to Permit Conditions (per day or event)	2500	10000
030.235	Failure to Conduct Source Test or Report (per Reporting Period for Each Unit)	2500	5000
	All other Major Violations (per day or event)	5000	10000

III. Major Violations - Section 030.107 Asbestos

A. Asbestos Sampling & Notification	\$ 2,000 - \$10,000
B. Asbestos Control Work Practices (per day or event)	\$ 2,000 - \$10,000
C. Asbestos Containment & Abatement (per day or event)	\$ 5,000 - \$10,000

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

Company Name Rilite Aggregate Co.
Contact Name Chris Benna
Case Number 1541

I. Violation of Section 040.030 - DUST CONTROL

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

2/15/25

Date

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

Company Name Rilite Aggregate Co.
 Contact Name Chris Benna
 Case Number 1541
 Violation Number AQMV25-0001

Violation of Section 040.030 - DUST CONTROL
 Permit Condition Condition of Operation 6.

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 Penalty by Rule

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: Penalty by Rule

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

2/15/25

Date

ATTACHMENT 3

**Northern Nevada Public Health
 Air Quality Management Division
 Compliance History and Decision Notes**

Case Number: 1541	Initials: JJ
Date: 1/30/25	

1/10/25 – JJ & JR Case review. This is the first 040.030 ION in the previous 12 months. Issue a NOV for Condition 6, minor violation, \$500 fine.

- **Violation 1:**

Rilite Aggregate failed to control dust emissions in compliance with 040.030 and Permit to Operate AAIR16-0722.

- Relevant Details:

On November 13, 2024 the AQMD observed visible fugitive dust emissions emanating from the Rilite Aggregate Company site at 9208 Western Skies Drive in Reno, NV. A Method 22 observation was initiated. During the observation 8 minutes and 11 seconds of visible dust emissions were observed during a 40-minute observation. Visible dust was observed blowing from numerous areas on the site including mobile equipment, aggregate equipment, stockpiles, and the hillside to the east of the aggregate plant. Dust emissions were impacting adjacent residential areas.

- Duration of the violation:

One incident of noncompliance was observed and documented on October 14, 2024.

- Degree of violation:

This is a minor violation per 020.100.3.c

- **Compliance History:**

This is the first incident of noncompliance at this facility in the last 12 months.

Enforcement actions taken over the past 8 years are summarized below.

- Case No. 1207

- Date of Incident of Noncompliance (ION): 9/27/18
 - Violation of 030.2175 - Operations Contrary to Permit.
 - Permit Condition No 3: Fogging water sprays must be applied to any potential emission point when the plant is in operation.
 - Result: Field NOV issued on 9/27/18. Negotiated settlement meeting on 10/4/2018. Fine of \$1,750.00. Upheld by DBOH on 12/13/18.

- Case No. 1217
 - Date of ION: 9/16/19
 - Violation of 030.2175 - Operations Contrary to Permit.
 - Permit Condition No 7: Visible fugitive dust emissions must not exceed a period or periods accumulating more than 5 minutes in any hour – AQMD 040.030 Section C(1).
 - Result: Field NOV issued on 9/19/19. Negotiated settlement meeting on 10/1/2019. Fine of \$3,380.00. Upheld by DBOH on 10/24/19.

- Case No. 1251
 - Date of ION: 5/28/20
 - Violation of 040.030 Section C.1. VISIBLE EMISSIONS PROHIBITION
 - Permit Condition No 6: Visible fugitive dust emissions must not exceed a period or periods accumulating more than 5 minutes in any hour – AQMD 040.030, Section C(1).
 - Result: Supplemental Environmental Project (combined with Case No. 1251, Case No. 1270, and Case No. 1289). Upheld by DBOH on 05/27/2021.

- Case No. 1270
 - Date of ION: 11/6/20
 - Violation of 040.030 Section C.1. VISIBLE EMISSIONS PROHIBITION
 - Permit Condition No 6: Visible fugitive dust emissions must not exceed a period or periods accumulating more than 5 minutes in any hour – AQMD 040.030, Section C(1).
 - Result: Supplemental Environmental Project (combined with Case No. 1251, Case No. 1270, and Case No. 1289). Upheld by DBOH on 05/27/2021.

- Case No. 1289
 - Date of ION: 2/21/21
 - Violation of 040.030 Section C.1. VISIBLE EMISSIONS PROHIBITION
 - Permit Condition No 6: Visible fugitive dust emissions must not exceed a period or periods accumulating more than 5 minutes in any hour – AQMD 040.030, Section C(1).
 - Result: Supplemental Environmental Project (combined with Case No. 1251, Case No. 1270, and Case No. 1289). Upheld by DBOH on 05/27/2021.

- Case No. 1400
 - Date of ION: 7/12/22
 - Violation of 040.030 Section C.1. VISIBLE EMISSIONS PROHIBITION

- Permit Condition No 6: Visible fugitive dust emissions must not exceed a period or periods accumulating more than 5 minutes in any hour – AQMD 040.030, Section C(1).
 - Result: AQMD Issued Penalty by Rule delivered on 8/23/2022. Fine of \$1000.00. Upheld by DBOH on 10/27/2022.
- Case No. 1401
 - Date of ION: 7/25/22
 - Violation of 040.030 Section C.1. VISIBLE EMISSIONS PROHIBITION
 - Permit Condition No 6: Visible fugitive dust emissions must not exceed a period or periods accumulating more than 5 minutes in any hour – AQMD 040.030, Section C(1).
 - Result: AQMD Issued Penalty by Rule delivered on 8/23/2022. Fine of \$2000.00. Upheld by DBOH on 10/27/2022.
- Case No. 1416
 - Date of ION: 8/16/22
 - Violation of 040.030 Section C.1. VISIBLE EMISSIONS PROHIBITION
 - Permit Condition No 6: Visible fugitive dust emissions must not exceed a period or periods accumulating more than 5 minutes in any hour – AQMD 040.030, Section C(1).
 - This action was considered a major violation pursuant to 020.040 C. as the violation has occurred on more than two (2) occasions during a period of twelve (12) consecutive months, therefore this third (3rd) event constitutes a major violation.
 - Result: The Notice of Violation was appealed to the Air Pollution Control Hearing Board on April 12, 2023, where the Board voted to uphold NOV No. AQMV23-0005 and reduce the recommended total administrative fine from \$10,000.00 to \$2,500.00. This recommendation was provided and approved by the DBOH on May 23, 2023.

Permit Condition:

Condition of Operation No. 6: Visible fugitive dust emissions must not exceed a period or periods accumulating more than 5 minutes in any hour – AQMD 040.030, Section C(1).

• **Regulatory Authority:**

Regulatory authority comes from the District Board of Health Regulations Governing Air Quality Management 040.030 Section C.1.

VISIBLE EMISSIONS PROHIBITION: The owner and/or operator of a source engaging in dust generating activities shall not allow visible fugitive dust emissions for a period or periods accumulating more than 5 minutes in any hour.

- **Civil Fines and Penalties:**

Civil Fines and Penalties are specified in DHOH Regulations PART 020.100 - VIOLATION OF REGULATIONS AND PENALTIES

3. CIVIL FINES AND PENALTIES

c. Violations of PARTS 040.030 (Dust Control), 040.035 (Open Burning), 040.040 (Fire Set for Training), 040.050 (Incinerator Emission), 040.051 (Wood-Burning Devices), 040.055 (Odorous Emissions), 040.080 (Gasoline Transfer and Dispensing Facilities), 040.200 (Diesel Engine Idling) or 050.001 (Emergency Episode Plan) of these regulations constitutes a minor violation unless there are three or more violations of any one of those PARTS by a person or entity, occurring within a period of twelve (12) consecutive months. All minor violations become major violations upon the occurrence of the third violation of the same PART within a period of twelve (12) consecutive months.

(1) The first offense of a minor violation shall result in an administrative fine of \$500.

- **Recommended Penalty:** \$500

ATTACHMENT 4



March 4, 2025

Dear Joshua Restori:

The following is in response to your request for proof of delivery on your item with the tracking number:
9171 9999 9170 3975 4997 86.

Item Details

Status:	Delivered, Left with Individual
Status Date / Time:	February 7, 2025, 11:12 am
Location:	RENO, NV 89502
Postal Product:	First-Class Mail®
Extra Services:	Certified Mail™ Return Receipt Electronic

Shipment Details

Weight:	4lb, 11.3oz
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Recipient Signature

Signature of Recipient:

Address of Recipient:

3025 MILL ST, RENO, NV
89502

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

Thank you for selecting the United States Postal Service® for your mailing needs. If you require additional assistance, please contact your local Post Office™ or a Postal representative at 1-800-222-1811.

Sincerely,
United States Postal Service®
475 L'Enfant Plaza SW
Washington, D.C. 20260-0004