

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

## NOTICE OF VIOLATION No: AQMV24-00024 ISSUED TO

**Toll North Reno LLC**  
**Location: Lower Verdi Access Road and Tank Site**  
**APNs: 238-320-04, 238-370-03, 038-830-02, and 038-010-05**  
**Permit Number: APCP24-0064**  
**Date of Issuance: August 30, 2024**  
**Case No.: 1523**

Northern Nevada Public Health Air Quality Management Division (AQMD) has determined that Toll North Reno 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 comply with the provisions of Dust Control Permit APCP24-0064. Specifically, Condition of Operation 1.:

**VISIBLE EMISSION 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.

### 2. BASIS OF VIOLATION

- A. Regulatory Authority  
The District Board of Health Regulations Governing Air Quality Management paragraph 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 June 3, 2024, the AQMD observed and documented via EPA Reference Method 22 over 5 minutes of fugitive dust emissions from the Lower Verdi Access Road and Tank Site on APNs 238-320-04, 238-370-03, 038-830-02, and 038-010-05. Eight (8) minutes of visible fugitive dust emissions were observed during an eight (8) minute observation. It was noted at the time of the response that the soils on the project site were dry, loose, and powdery.

### 3. APPEAL PROCEDURE AND TIME LIMITATIONS



A. Appeal Procedure

Toll North Reno LLC is advised that within (10) working days of the receipt of this Notice of Violation, Toll North Reno 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.

8/30/24

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

# Administrative Penalty Table

## Air Quality Management Division Washoe County Health District

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

Regulation		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 Toll North Reno LLC  
Contact Name Julie Wong  
Case Number 1523

I. Violation of Section 040.030.C.1 - VISIBLE EMISSIONS PROHIBITION

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

8/30/24  
\_\_\_\_\_  
Date

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

Company Name Toll North Reno LLC  
 Contact Name Julie Wong  
 Case Number 1523  
 Violation Number AQMV24-0024

Violation of Section 040.030.C.1 - VISIBLE EMISSIONS PROHIBITION  
 Permit Condition Condition of Operation 1

**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:** Penalt 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:** Penalt 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:** Penalt by Rule

**D. Economic Benefit**

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

**Comment:** Penalt 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 < 5 Years

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%	=	<span style="border: 1px solid black; padding: 2px;">\$ 0.00</span>
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	=	<span style="border: 1px solid black; padding: 2px;">\$ 500.00</span>
Penalty Subtotal (From Section II)		Total Adjustment Value (From Section III + Credit)		Recommended Penalty

  
\_\_\_\_\_  
Senior AQ Specialist/Supervisor

8/30/24  
\_\_\_\_\_  
Date



September 18, 2024

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 2442 22.**

### Item Details

<b>Status:</b>	Delivered, Left with Individual
<b>Status Date / Time:</b>	September 5, 2024, 11:50 am
<b>Location:</b>	RENO, NV 89521
<b>Postal Product:</b>	First-Class Mail®
<b>Extra Services:</b>	Certified Mail™ Return Receipt Electronic

### Shipment Details

<b>Weight:</b>	4lb, 8.6oz
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### Recipient Signature

Signature of Recipient:

Address of Recipient:

10345 PROFESSIONAL CIR  
STE 200, RENO, NV 89521

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