

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

NOTICE OF VIOLATION No: AQMV24-0028

ISSUED TO

DG Golden Triangle, LLC
Location: 6087 Golden Triangle Way
Permit Number: APCP24-0134
Date of Issuance: October 18, 2024
Case No.: 1535

Northern Nevada Public Health Air Quality Management Division (AQMD) has determined that DG Golden Triangle, 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 September 12, 2024, an Air Quality Specialist Trainee (AQST) observed dust generating activities on APN 520-431-06, 520-431-08, and 520-431-07. The site disturbance was over 1 acre. The site did not have a Dust Control Permit.

The AQST contacted site personnel. The AQST advised that the site required a Dust Control Permit. The AQST advised that dust generating activities must cease until a permit is obtained from the AQMD. Site personnel then stopped dust generating activities.

An application for a Dust Control Permit to disturb 2.7 acres as part of the Guthrie's Golden Triangle Project was then submitted to the AQMD. Dust Control Permit No. APCP24-0134 was issued on September 17, 2024, bringing the project into compliance

3. APPEAL PROCEDURE AND TIME LIMITATIONS

A. Appeal Procedure

DG Golden Triangle, LLC is advised that within (10) working days of receipt of this Notice of Violation, DG Golden Triangle, 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.

10/18/24
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 DG Golden Triangle, LLC
Contact Name Matt Dahlhauser
Case Number 1535

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

10/18/24

Date

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

Company Name DG Golden Triangle, LLC
 Contact Name Matt Dahlhauser
 Case Number 1535
 Violation Number AQMV24-0028
 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
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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

10/18/24

Date



November 27, 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 2440 55**.

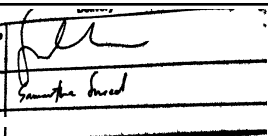

Item Details

Status: Delivered, Left with Individual
Status Date / Time: October 28, 2024, 12:23 pm
Location: MARIETTA, GA 30068
Postal Product: First-Class Mail®
Extra Services: Certified Mail™
Return Receipt Electronic

Shipment Details

Weight: 4lb, 9.2oz

Recipient Signature

Signature of Recipient:	
Address of Recipient:	

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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