

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

**NOTICE OF VIOLATION No: AQMV25-0012**  
**ISSUED TO**  
**Alston Construction**  
**Location: 580 South Industrial**  
**APN: 049-392-15, 049-392-23 to 27, 049-392-18**  
**Permit Number: APCP25-0088**  
**Date of Issuance: May 30, 2025**  
**Case No.: 1569**

Northern Nevada Public Health Air Quality Management Division (AQMD) has determined that Alston Construction 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 March 25, 2025, the AQMD sent a courtesy notice to representatives of Alston Construction advising that Dust Control Permit APCP23-0195 would expire on May 14, 2025.

On May 13, 2025, an application for a new Dust Control Permit for the project was submitted to the AQMD by Alston Construction

On May 14, 2025, Dust Control Permit No. APCP23-0195 for 580 South expired.



On May 14, 2025, the application for a new Dust Control Permit was processed by the AQMD and the required fee was invoiced.

On May 20, 2025, the AQMD contacted representatives of Alston Construction concerning the expired Dust Control Permit. The AQMD advised that the Dust Control Permit for the project had expired and the fee for the new Dust Control Permit had not been paid. The AQMD advised that all dust generating activities on the project must cease until the required fee is paid and the new Dust Control Permit is issued. Following contact by the AQMD, the fee was paid and Dust Control Permit No. APCP25-0088 was issued for 580 South Industrial on May 21, 2025. The disturbed area was listed as 61.86 acres.

### 3. APPEAL PROCEDURE AND TIME LIMITATIONS

#### A. Appeal Procedure

Alston Construction is advised that within (10) working days of receipt of this Notice of Violation, Alston Construction 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.

5/30/25  
\_\_\_\_\_  
Date

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

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

Company Name Alston Construction  
Contact Name Joel Anderson  
Case Number 1569  
Violation Number AQMV25-0012  
  
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 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%	= \$ 0.00
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	=	\$ 500.00
Penalty Subtotal (From Section II)		Total Adjustment Value (From Section III + Credit)		Recommended Penalty

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

5/30/25  
\_\_\_\_\_  
Date



June 10, 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 2230 05.**

#### Item Details

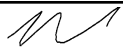
<b>Status:</b>	Delivered, Left with Individual
<b>Status Date / Time:</b>	June 4, 2025, 11:54 am
<b>Location:</b>	RENO, NV 89521
<b>Postal Product:</b>	First-Class Mail®
<b>Extra Services:</b>	Certified Mail™
	Return Receipt Electronic

#### Shipment Details

<b>Weight:</b>	5lb, 15.5oz
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#### Recipient Signature

Signature of Recipient:

  
W. C.

Address of Recipient:

980 SANDHILL RD STE 100,  
RENO, NV 89521

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Sincerely,  
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