

**Staff Report**  
**Board Meeting Date: July 24, 2025**

**DATE:** July 16, 2025  
**TO:** District Board of Health  
**FROM:** Francisco Vega, Division Director  
(775) 784-7211, [fvega@nnph.org](mailto:fvega@nnph.org)  
**SUBJECT:** Recommendation for the Board to uphold an uncontested violation issued to Pyramid Materials, Inc., Case No. 1558, Notice of Violation No. AQMV25-0010 with a \$500.00 Administrative Penalty for failing to control fugitive dust from an aggregate facility.

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**SUMMARY**

Northern Nevada Public Health, Air Quality Management Division (AQMD) staff recommends Notice of Violation (NOV) No. AQMV25-0010 be **upheld** and an Administrative Penalty in the amount of **\$500.00** be levied against Pyramid Materials, Inc. for failing to comply with the provisions of Stationary Source Permit to Operate No. AAIR21-0007, specifically Condition No. 6: Visible fugitive dust emissions must not exceed a period or periods accumulating more than 5 minutes in any hour. This action is a minor violation of the District Board of Health Regulations Governing Air Quality Management (DBOH Regulations), specifically Section 040.030 (Dust Control) Section C (Standards) Subsection 1 (Visible Emissions Prohibition).

**District Health Strategic Priority supported by this item:**

- 2. Healthy Environment:** Create a healthier environment that allows people to safely enjoy everything Washoe County has to offer.

**PREVIOUS ACTION**

Please refer to the enforcement history in the supporting documentation attached to this DBOH Staff Report.

**BACKGROUND**

Please refer to the attached NOV No. AQMV25-0010 for background information. The NOV contains the facts associated with the incidents of noncompliance and supporting documentation relevant to the NOV.

NOV No. AQMV25-0010 and associated documentation supporting the NOV was sent certified mail to the offices of Pyramid Materials, Inc. and was received on May 20, 2025. The certified mail contained instructions for filing an appeal of the NOV to the Air Pollution Control Hearing Board and the "Appeal Petition to the Air Pollution Control Hearing Board" form.

An appeal of NOV No. AQMV25-0010 was not exercised by Pyramid Materials, Inc. within the 10-day appeal timeframe pursuant to paragraph 020.000.C.3 Appeal Procedure. As such, NOV No. AQMV25-0010 was determined to be final by the AQMD with an Administrative Penalty amount of \$500.00.

### **FISCAL IMPACT**

There are no fiscal impacts resulting from the Board upholding the issuance of the Notice of Violation and associated penalty.

All penalty money collected is forwarded to the Washoe County School District to be used for environmentally focused projects for the benefit of the students.

### **RECOMMENDATION**

Staff recommends the Board uphold an uncontested violation issued to Pyramid Materials, Inc., Case No. 1558, Notice of Violation No. AQMV25-0010, with a \$500.00 Administrative Penalty.

### **ALTERNATIVE**

Should the Board wish to consider an alternative to upholding the Staff recommendation, as presented, the item should be pulled from the Consent Agenda for discussion. Possible alternatives are:

1. The Board may determine no violation of the regulations has occurred and dismiss Notice of Violation No. AQMV25-0010; or
2. The Board may determine to uphold Notice of Violation No. AQMV25-0010 and levy any Administrative Penalty in the range of \$0.00 to \$500.00 per day per violation for the minor violation.

### **POSSIBLE MOTION**

Should the Board agree with Staff's recommendation, the motion would be:

1. "Move to uphold an uncontested violation issued to Pyramid Materials, Inc., Case No. 1558, Notice of Violation No. AQMV25-0010 with an Administrative Penalty of \$500.00."

Or, should the Board wish to consider an alternative motion the item should be pulled from the Consent Agenda for discussion and, the possible motion may be:

1. "Move to dismiss Case No. 1558, Notice of Violation No. AQMV25-0010, issued to Pyramid Materials, Inc." or
2. "Move to uphold Case No. 1558, Notice of Violation No. AQMV25-0010, and levy an Administrative Penalty in the amount of (range of \$0.00 to \$500.00) per day per violation, with the matter being continued to the next meeting to allow for the Pyramid Materials, Inc. to be properly noticed."