

ATTACHMENT 1

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

NOTICE OF VIOLATION No: AQMV25-0002

ISSUED TO

EAN Holdings, LLC - Alamo-National
Location: 2555 Aviation Way, Reno, NV 89502
Permit Number: AAIR16-0205
Date of Issuance: February 7, 2025
Case No.: 1544

Northern Nevada Public Health Air Quality Management Division (AQMD) has determined that EAN Holdings, LLC is in violation of the District Board of Health Regulations Governing Air Quality Management PART 040.080 - Gasoline Transfer and Dispensing Facilities.

1. VIOLATION

- A. Failure to comply with the provisions on Permit to Operate AAIR16-0205. Specifically, Condition of Operation No. 9:

The owner/operator must conduct and pass a 2 Inch WC Static Pressure Performance Test of Vapor Recovery System annually to demonstrate compliance with the California Air Resource Board (CARB) Executive Orders.

2. BASIS OF VIOLATION

- A. Regulatory Authority
The District Board of Health Regulations Governing Air Quality Management paragraph 040.080.C.1.b.:

A "District Approved Vapor Control System" is utilized, preventing the release to the atmosphere of not less than 95 percent by weight, of organic compounds in the vapors displaced. The displaced vapors shall be recovered by a vapor control system involving the transfer of fuel from the distribution vehicle to the stationary storage vessel.

- B. Facts to Constitute the Violation
On August 25, 2023, a 2 Inch WC Static Pressure Performance Test of the Vapor Recovery System was completed with passing results at EAN Holdings LLC – Alamo, 2555 Aviation Way, Reno, NV 89502. The next 2 Inch WC Static Pressure Performance Test of Vapor Recovery System was completed with passing results on October 24, 2024. This is an exceedance of the testing interval indicated on the Permit to Operate.

3. APPEAL PROCEDURE AND TIME LIMITATIONS

A. Appeal Procedure

EAN Holdings, LLC is advised that within (10) working days of the receipt of this Notice of Violation, EAN Holdings, 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.

2/7/25

Date



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

ATTACHMENT 2

Administrative Penalty Table

Air Quality Management Division Northern Nevada Public Health

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 EAN Holdings, LLC - Alamo - National
Contact Name Mathew Kalekas
Case Number 1544

I. Violation of Section 040.080 - Gasoline Transfer and Dispensing Facilities

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

2/7/25

Date

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

Company Name EAN Holdings, LLC - Alamo - National
 Contact Name Mathew Kalekas
 Case Number 1544
 Violation Number AQMV25-0002

Violation of Section 040.080 - Gasoline Transfer and Dispensing Facilities
 Permit Condition Condition of Opeation No. 9

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

2/17/25

Date

ATTACHMENT 3



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 93.

Item Details

Status:	Delivered, Front Desk/Reception/Mail Room
Status Date / Time:	February 13, 2025, 11:46 am
Location:	LAS VEGAS, NV 89119
Postal Product:	First-Class Mail®
Extra Services:	Certified Mail™ Return Receipt Electronic

Shipment Details

Weight:	4lb, 9.2oz
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Recipient Signature

Signature of Recipient:

Address of Recipient:

88 E WARM SPRINGS RD, LAS
VEGAS, NV 89119

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