

Staff Report
Board Meeting Date: August 25, 2026

DATE: August 17, 2026
TO: Air Pollution Control Hearing Board
FROM: Francisco Vega, Division Director
(775) 784-7211, fvega@nnph.org
SUBJECT: Recommendation to Uphold Notice of Violation No. AQMV26-0005, issued to Red Hawk Golf Club for failing to comply with Condition of Operation No. 6 of Permit to Operate AAIR16-0664, requiring annual static pressure decay testing and to affirm the Air Quality Management Division's administrative penalty of \$500.00, which has been appealed to the Air Pollution Control Hearing Board.
(FOR POSSIBLE ACTION)

SUMMARY

Northern Nevada Public Health, Air Quality Management Division (AQMD) recommends Notice of Violation (NOV) No. AQMV26-0005 be **upheld** and a fine in the amount of **\$500.00** be levied against Red Hawk Golf Club for failure to comply with Condition of Operation No. 6 of Permit to Operate AAIR16-0664, which requires timely completion of an annual static pressure decay test of the aboveground gas tank at the facility. This action is a minor violation of the District Board of Health Regulations Governing Air Quality Management (DBOH Regulations), specifically Section 040.080 (Gasoline Transfer and Dispensing Facilities) Section C (Standards) Subsection 1.b (Gasoline Transfer into Stationary Storage Containers (Phase I)). The administrative penalty of \$500.00 for a minor violation was assessed in accordance with the AQMD's enforcement procedures and penalty framework.

District Health Strategic Priorities 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

Red Hawk Golf Club was previously issued an official Warning Letter on July 21, 2023, Case No. 1445, for failure to complete timely testing on a required component of the aboveground gasoline tank. The Warning Letter has been included in the supporting documentation of this staff report (Attachment 1).

BACKGROUND

AQMD issued Permit to Operate (PTO) No. AAIR16-0664 (Attachment 2) to Red Hawk Golf Club for the operation of a 1,000-gallon aboveground gasoline tank equipped with one gasoline nozzle, pursuant to DBOH Regulation 040.080, Gasoline Transfer and Dispensing Facilities. The permit requires an annual static pressure decay performance test of the gasoline vapor control system to ensure the system effectively reduces gasoline vapor emissions during fuel tank filling and gasoline storage.

Red Hawk Golf Club successfully completed a static pressure decay test on November 11, 2024 (Attachment 3). AQMD staff conducted a routine compliance inspection of the aboveground storage tank on April 15, 2026 (Attachment 4). During the inspection, staff determined that the required annual static pressure decay test had not been completed within the mandated timeframe. Consequently, staff issued an Incident of Noncompliance to Red Hawk Golf Club, directing them to complete the overdue testing within 30 days (Attachment 5).

Red Hawk Golf Club subsequently completed the next static pressure decay test on May 12, 2026, which exceeded the annual testing requirement (Attachment 6).

NOV No. AQMV26-0005 (Attachment 7) was sent by email and certified mail to the offices of Red Hawk Golf Club. The violation case packet 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.

On July 17, 2026, an appeal of NOV No. AQMV26-0005 (Attachment 8) was received by the AQMD within the 10-day appeal timeframe pursuant to DBOH Regulations paragraph 020.000.C.3.b and a meeting of the Washoe County Air Pollution Control Hearing Board (Board) was scheduled for August 25, 2026.

FISCAL IMPACT

There are no fiscal impacts resulting from the Board upholding the issuance of the Notice of Violation and associated fine. All fine 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 recommend the Board deny the appeal of NOV No. AQMV26-0005, associated with Case No. 1620, issued to Red Hawk Golf Club and levy a total administrative fine in the amount of \$500.00.

ALTERNATIVE

Should the Board wish to consider an alternative to upholding the Staff recommendation, as presented, the possible alternatives are:

1. The Board may determine no violation of the regulations has occurred and dismiss Notice of Violation No. AQMV26-0005; or
2. The Board may determine to uphold Notice of Violation No. AQMV26-0005 and levy any fine in the range of \$0.00 to \$500.00 per day per violation.

POSSIBLE MOTION

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

1. "Move to deny the appeal of NOV No. AQMV26-0005, associated with Case No. 1620 issued to Red Hawk Golf Club and levy a fine of \$500.00."

Or, should the Board wish to consider an alternative motion the possible motions may be:

1. "Move to dismiss Case No. 1620, Notice of Violation No.'s AQMV26-0005 issued to Red Hawk Golf Club"; or
2. "Move to uphold Case No. 1620, Notice of Violation No. AQMV26-0005, and levy a fine in the amount of (range of \$0.00 to \$500.00) per day per violation to Red Hawk Golf Club.