

Staff Report Board Meeting Date: October 13, 2022

TO: Air Pollution Control Hearing Board

FROM: Francisco Vega, Director, Air Quality Management Division

775-784-7211, fvega@washoecounty.gov

SUBJECT: Recommendation of Staff to Uphold Notice of Violation No. AQMV22-0016 and

AQMV22-0017 with a total associated administrative fine of \$2,000.00 issued to Metcalf Builders, Inc. by the Air Quality Management Division and Appealed to the

Air Pollution Control Hearing Board. (FOR POSSIBLE ACTION)

SUMMARY

Washoe County Health District, Air Quality Management Division (AQMD) staff recommends Notice of Violation (NOV) No.'s AQMV22-0016 and AQMV22-0017 be **upheld** and an administrative fine in the amount of \$2,000.00 be levied against Metcalf Builders, Inc. for failing to control fugitive dust and failing to maintain a log book of all dust control operations at the project site and made available to District representatives upon request. These actions are **minor violations** 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) and Section 040.030 (Dust Control) Section E. (Compliance and Records) 2. (Recordkeeping) a.

BACKGROUND

On May 23, 2022 an Air Quality Specialist conducted a construction site inspection at the Stonebrook Apartments project, located at Andelin Drive and Tierra Del Sol Parkway on APN 528-020-38 and 528-020-39. The inspection was conducted in response to a phone call that the Specialist received from a neighboring contractor who had concern about dust from the project.

The Specialist attempted to conduct an EPA Method 22 fugitive dust evaluation and video record fugitive dust from blade operations, but the equipment was promptly shut down. The Specialist then spoke with the Superintendent with Metcalf Builders while onsite. The dust control sign and dust control logs and a water truck were not onsite. The Specialist reviewed the conditions of the Dust Control Permit with the Superintendent and requested that the dust control sign and daily dust control logs be made available onsite immediately and water be made available for dust suppression. The Specialist explained wet suppression must be used to control dust and documentation of (5) minutes of visible dust would constitute an incident of noncompliance. The Superintendent verbally confirmed he understood these requirements. The Specialist then verbally informed the Superintendent that a follow up inspection would be conducted to verify compliance.



Subject: APCHB/Metcalf Builders, Inc./Case No. 1377/AQMV22-0016; AQMV22-0017

Date: October 13, 2022

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Later the same day, a complaint regarding dust at the project site was routed to the Specialist. The Specialist called the complainant and left a message requesting additional information. A response was not received. Later that day, the Superintendent for Metcalf Builders sent a text message to the Specialist when the water truck had arrived onsite.

On May 24, 2022, the Specialist received a text message from the Superintendent with Metcalf Builders indicating that the Dust Control Permit sign was in place. Later that day, the Specialist was in the area and observed dust from the project site and no active watering or dust mitigation. The Specialist parked nearby and began recording video of the site while conducting an EPA Method 22 fugitive dust observation. Approximately (20) minutes of video was recorded with approximately (8) minutes of visible fugitive dust, during which time no active watering or dust mitigation was observed though two water trucks were present on the site (it should be noted that there was a water truck active in the video which was associated with the adjacent project site and a separate contractor).

At the conclusion of the observation, the Specialist contacted the Superintendent with Metcalf Builders onsite and informed him that an incident of noncompliance regarding visible fugitive dust had been documented. The Specialist then asked to see dust control logs, but they were not available onsite. The Specialist again informed the Superintendent that if dust emissions due to equipment operations could not be controlled, work must cease, and the site must be watered. At this time, the Superintendent contacted the water truck drivers and instructed them to have one water truck apply water to the material being worked by the blade and another apply water to the material being worked by the loader and excavator; he also instructed the equipment operators to cease operations while their assigned water truck was off site filling. This tactic appeared to be effective, and the dust emissions were mitigated.

NOV No.'s AQMV22-0016 and AQMV22-0017 and associated documentation supporting the NOV's was sent certified mail to the offices of Metcalf Builders, Inc. and was received on August 12, 2022. 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.

On August 29, 2022 an appeal of NOV No. AQMV22-0016 and AQMV22-0017 was received by the AQMD within the 10-day appeal timeframe pursuant to 020.030 C. A meeting of the Washoe County Air Pollution Control Hearing Board was scheduled for October 13, 2022.

RECOMMENDATION

Staff recommends the Air Pollution Control Hearing Board (APCHB) deny the appeal of NOV No.'s AQMV22-0016, AQMV22-0017, associated with Case No. 1377, issued to Metcalf Builders, Inc. and levy an administrative fine in the amount of \$2,000.00.

ALTERNATIVES

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

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1. The Air Pollution Control Hearing Board may determine that no violation of the Regulations has taken place and dismiss Notice of Violation No. AQMV22-0016 and/or AQMV22-0017.

- 2. The Air Pollution Control Hearing Board may determine to uphold Notice of Violation No. AQMV22-0016; and levy any fine in the range of \$0.00 to \$1,000.00 per day per violation and or;
- 3. The Air Pollution Control Hearing Board may determine to uphold Notice of Violation No. AQMV22-0017; and levy any fine in the range of \$0.00 to \$1,000.00 per day per violation.

POSSIBLE MOTION(s)

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

1. "Move to deny the appeal of NOV No. AQMV22-0016 and AQMV22-0017, associated with Case No. 1377 issued to Metcalf Builders, Inc. and levy an administrative fine in the amount of \$2,000.00."

or, should the APCHB wish to consider an alternative motion the possible motion(s) may be:

- 1. "Move to dismiss NOV No. AQMV22-0016 and AQMV22-0017, associated with Case No. 1377, issued Metcalf Builders, Inc.", or
- 2. "Move to uphold NOV No. AQMV22-0016, associated with Case No. 1377, and levy an administrative fine in the amount of (*range of \$0.00 to \$1,000.00*) per day per violation and to uphold NOV No. AQMV22-0017, associated with Case No. 1377, and levy an administrative fine in the amount of (*range of \$0.00 to \$1,000.00*) to Metcalf Builders, Inc."

ATTACHMENT TO THE STAFF REPORT AIR POLLUTION CONTROL HEARING BOARD

Notice of Violation No. AQMV22-0016 and AQMV22-0017



WASHOE COUNTY HEALTH DISTRICT AIR QUALITY MANAGEMENT DIVISION 1001 East Ninth Street Suite B171 Reno, Nevada 89512

NOTICE OF VIOLATION No: AQMV22-0016 ISSUED TO

Metcalf Builders, Inc.
Location: APN 528-020-38 and 528-020-39
Permit Number: APCP22-0121
Date of Issuance: August 10, 2022
Case No.: 1377

The Air Quality Management Division of the Washoe County Health District (AQMD) has determined that Metcalf Builders, Inc. is in violation of the Washoe County District Board of Health Regulations Governing Air Quality Management 040.030 – Dust Control.

1. VIOLATION

A. Failure to comply with the provisions of Dust Control Permit APCP22-0121. Specifically, Condition of Operation No. 12.: Visible dust may not be emitted into the air from any operations or disturbed areas of this project for more than 5 minutes in any hour period (Regulation 040.030, Section C. 1). All disturbed areas must maintain a visible surface crust or other cover in compliance with Regulation 040.030, Section C.2.c. Compliance shall be determined using US Environmental Protection Agency Reference Method 22, with an observation period of not less than 5 minutes in any hour period. Copies of District Regulations, enforcement policies and USEPA Reference Testing Methods may be obtained by contacting the Air Quality Management Division at (775) 784-7200.

2. BASIS OF VIOLATION

A. Regulatory Authority
The Washoe County District Board of Health Regulations Governing Air Quality
Management 040.030 Section C.1.:

VISIBLE EMISSIONS PROHIBITION: The owner and/or operator of a source engaging in dust generating activities shall not allow visible fugitive dust emissions for a period or periods accumulating more than 5 minutes in any hour.

B. Facts to Constitute the Violation



Subject: Notice of Violation AQMV22-0016 / Metcalf Builders, Inc.

Date: August 10, 2022

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On May 23, 2022 an Air Quality Specialist (AQS) conducted a construction site inspection at Stonebrook Apartments, located at Andelin Drive and Tierra Del Sol Parkway on APN 528-020-38 and 528-020-39. The inspection was conducted in response to a phone call that the AQS received from a neighboring contractor who was concerned that dust from the project may be blamed on them. The specialist attempted to conduct a Method 22 and video tape dust emissions from blade operations, but the equipment was promptly shut down. The specialist then spoke to Metcalf Builders Superintendent Travis Schweitzer on site. The dust control sign and logs were not on site and a water truck was not on site. The specialist reviewed the conditions of the Dust Control Permit with Mr. Schweitzer on site and requested that the dust control sign and logs be made available on site immediately and water be made available for dust suppressions. The specialist specifically explained that wet suppression must be used to control dust and that documentation of 5 minutes of visible dust would constitute an incident of noncompliance; Mr. Schweitzer verbally confirmed that he understood. The specialist then verbally informed Mr. Schweitzer that a follow up inspection would be conducted to verify compliance. Later that day, a complaint regrading dust at the project site was routed to the specialist. The specialist called the complainant and left a message requesting additional information. A response was not received. Later that day Mr. Schweitzer texted the specialist when the water truck had arrived back on site.

On May 24, 2022 the AOS received a text message from Mr. Schweitzer indicating that the DCP sign was in place. Later that day, the specialist was in the area and observed dust from the project site, but no active watering. The AQS parked nearby and began recording video of the site while conducting a Method 22 observation. Approximately 20 minutes of video was recorded with approximately 8 minutes of visible dust, during which time no active watering was observed though two water tenders were present on the site (it should be noted that there was a water truck active in the video which was associated with the adjacent project site and a separate contractor). At the conclusion of the observation, the specialist contacted Mr. Schweitzer on site and informed him that an incident of noncompliance in regard to visible emissions had been documented. The specialist then asked to see dust logs, but they were not available on site. The specialist again informed Mr. Schweitzer that if dust emissions due to equipment operations could not be controlled, work must cease, and the site must be watered. At this time, Mr. Schweitzer contacted the tender drivers and instructed them to have one water truck apply water to the material being worked by the blade and another apply water to the material being worked by the loader and excavator; he also instructed the equipment operators to cease operations while their assigned water truck was off site filling. This tactic appeared to be effective, and the dust emissions were mitigated.

3. APPEAL PROCEDURE AND TIME LIMITATIONS

A. Appeal Procedure

Metcalf Builders, Inc. is advised that within (10) working days of the receipt of this Notice of Violation, Metcalf Builders, Inc. may submit a written petition for appeal to

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Date: August 10, 2022

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the Washoe County Air Quality Hearing Board. The written petition for appeal shall be submitted to the AQMD at the following address:

Washoe County Health District Air Quality Management Division 1001East 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 Washoe County District Board of Health with a recommendation for the assessment of an administrative fine of \$1,000.00.

8/10/2022

Date

Joshua C. Restori

Supervisor, Permitting and Compliance Air Quality Management Division Washoe County Health District



WASHOE COUNTY HEALTH DISTRICT AIR QUALITY MANAGEMENT DIVISION 1001 East Ninth Street Suite B171 Reno, Nevada 89512

NOTICE OF VIOLATION No: AQMV22-0017 ISSUED TO

Metcalf Builders, Inc.
Location: APN 528-020-38 and 528-020-39
Permit Number: APCP22-0121
Date of Issuance: August 10, 2022
Case No.: 1377

The Air Quality Management Division of the Washoe County Health District (AQMD) has determined that Metcalf Builders, Inc. is in violation of the Washoe County District Board of Health Regulations Governing Air Quality Management 040.030 – Dust Control.

1. VIOLATION

A. Failure to comply with the provisions of Dust Control Permit APCP22-0121. Specifically, Condition of Operation No. 11.: A log book of all dust control operations, containing all information as required by the Control Officer in the standard "WASHOE COUNTY DUST CONTROL LOG" must be maintained on a daily basis (copies of blank log sheets are available at the AQMD Office). Required information includes, but is not limited to, the number of OPERATING water trucks/pulls, the size of OPERATING water trucks/pulls (gallons capacity of each truck/pull), and the condition of the surface crust on disturbed areas. The operator shall record in the logbook all dust control efforts and the compliance level of the site with dust control requirements. The logbook shall be kept at the project site and made available to District representatives upon request.

2. BASIS OF VIOLATION

A. Regulatory Authority
The Washoe County District Board of Health Regulations Governing Air Quality

Management 040.030 Section E.2.a.2.:

RECORDKEEPING:

a. Any person who conducts dust-generating activities subject to Section C.3 of this Rule shall maintain daily records demonstrating compliance with Section C of this Rule.



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Date: August 10, 2022

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(2) Daily records shall be made available to the Control Officer immediately upon request.

B. Facts to Constitute the Violation

On May 23, 2022 an Air Quality Specialist (AQS) conducted a construction site inspection at Stonebrook Apartments, located at Andelin Drive and Tierra Del Sol Parkway on APN 528-020-38 and 528-020-39. The inspection was conducted in response to a phone call that the AQS received from a neighboring contractor who was concerned that dust from the project may be blamed on them. The specialist attempted to conduct a Method 22 and video tape dust emissions from blade operations, but the equipment was promptly shut down. The specialist then spoke to Metcalf Builders Superintendent Travis Schweitzer on site. The dust control sign and logs were not on site and a water truck was not on site. The specialist reviewed the conditions of the Dust Control Permit with Mr. Schweitzer on site and requested that the dust control sign and logs be made available on site immediately and water be made available for dust suppressions. The specialist specifically explained that wet suppression must be used to control dust and that documentation of 5 minutes of visible dust would constitute an incident of noncompliance; Mr. Schweitzer verbally confirmed that he understood. The specialist then verbally informed Mr. Schweitzer that a follow up inspection would be conducted to verify compliance. Later that day, a complaint regrading dust at the project site was routed to the specialist. The specialist called the complainant and left a message requesting additional information. A response was not received. Later that day Mr. Schweitzer texted the specialist when the water truck had arrived back on site.

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3. APPEAL PROCEDURE AND TIME LIMITATIONS

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Date: August 10, 2022

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A. Appeal Procedure

Metcalf Builders, Inc.is advised that within (10) working days of the receipt of this Notice of Violation, Metcalf Builders, Inc. may submit a written petition for appeal to the Washoe County Air Quality Hearing Board. The written petition for appeal shall be submitted to the AQMD at the following address:

Washoe County Health District Air Quality Management Division 1001East 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 Washoe County District Board of Health with a recommendation for the assessment of an administrative fine of \$1,000.00.

8/10/2022

Date

Joshua C. Restori

Supervisor, Permitting and Compliance Air Quality Management Division Washoe County Health District

ATTACHMENT TO THE STAFF REPORT AIR POLLUTION CONTROL HEARING BOARD

Notice of Violation No. Supporting Documentation







AIR QUALITY MANAGEMENT DIVISION

Permit # APCP22-0121

Dust Control Permit

Permit Issued To:

Metcalf Builders, Inc. c/o Brian Lemmons 2578 S. Curry Street, Suite 6 Carson City, NV 89703 Metcalf Builders, Inc. c/o Brian Lemmons 2578 S. Curry Street, Suite 6 Carson City, NV 89703

Contractor Of Record:

Project Name:

STONEBROOK APARTMENTS

Location: Inspection Area:

Pyramid Way and Stonebrook Pkwy

Permit Issued: Project Type:

05/18/2022 Pollution Control

Permit Expiration: Size of Project (Acres): # of water trucks:

11/18/2023 20

Projected Start Date:

05/19/2022

"CONDITIONS OF OPERATION"

- 1) The required number of water trucks will be assigned and available for operation 24 HOURS A DAY, 7 DAYS A WEEK for the purpose of water application for control of fugitive dust. If the required number cannot control fugitive dust emissions from equipment operations and/or gusty wind conditions, the applicant shall immediately provide additional water trucks. CESSATION OF OPERATIONS IS REQUIRED IF DUST CANNOT BE CONTROLLED DUE TO EQUIPMENT OPERATIONS AND/OR GUSTY WIND CONDITIONS. IF CESSATION OF OPERATIONS IS USED AS A DUST CONTROL MEASURE, CONTINUED WATERING OF THE PROJECT IS REQUIRED.
- 2) Dust emissions generated on any entrance or exit haul roads due to equipment operations or gusty wind conditions must be controlled 24 hours a day, 7 days a week, by the use of water application or an environmentally safe dust palliative (District Regulation 040.030, Section C. 2. a. and b.) Any palliative used must comply with state and local regulations and not provide a noxious odor or contaminate ground water.



HEALTH PERMIT TO OPERATE Serving Reng Sparks and all of Washoe County Nevada Washoe County is an Equal Opportunity Employer.

Public Health

AIR QUALITY MANAGEMENT DIVISION

- 3) All projects importing or exporting dirt, rock or other fill materials must comply with the work practice standards in District Regulation 040.030, Section C. 4., including load tarping, watering or Freeboard. Any soil tracked onto adjoining paved roadways will be promptly removed by wet broom or washing. Regular vacuum or wet sweeping will be performed at least daily, and more often if necessary or if ordered by the Control Officer due to a violation. Any materials tracked out or spilled which cause visible fugitive dust for a period of five (5) minutes in any hour period shall be cleaned up immediately.
- 4) Any soil or fill storage piles operated or maintained as a part of this construction lot will be covered or wetted down sufficiently to prevent wind blown dust. Dust emissions from screening operations will be controlled by the use of a water truck or other control measure that prevents fugitive dust.
- 5) The applicant shall implement additional dust control measures, such as extra water trucks, water cannons, re-vegetation, environmentally safe dust palliatives (which comply with all applicable regulations and do not emit a noxious odor and do not contaminate ground water), wind fencing, and/or cessation of operations should these measures fail to control fugitive dust emissions from this project.
- 6) Once final grade has been completed, and if no structures are being constructed, the owner/developer shall be required to establish a long-term stable surface. This shall include re-vegetation or covering the disturbed soil with rock or crushed asphalt products within 30 days of completion of final grade. The use of an approved palliative is an option, but must be approved by the AQMD prior to application.
- 7) The applicant shall provide a Material Safety Data Sheet (MSDS) and dilution ratio to AQMD staff for any dust palliative selected for use as a dust control measure at this site.
- 8) A copy of this dust control permit shall be maintained at the construction project site and available to any sub-contractor or AQMD inspector to review upon request.
- 9) ANY CHANGES MADE TO THE PROPOSED OPERATIONS, SCOPE OF WORK OR SURFACE DISTURBANCES UNDER THIS DUST CONTROL PERMIT shall be submitted to the Washoe County Health District, AQMD in writing and must receive approval from the Control Officer prior to implementation.
- 10) The owner or the general contractor shall erect an informational sign at the main entrance to the project site. The sign shall be a minimum of 4 ft. by 8 ft. in size, and shall be in place prior to initiation of disturbance of the ground surface. The sign lettering shall be at least 4 inches high and shall be bold and easily readable by the public. The sign shall remain in place for the life of the project. The sign shall include the following information, The name of the project, Identify the General Contractor, and the following statements "All operators at this site are required to control dust emissions from their operations. The General Contractor is required to oversee and control project wide dust emissions." and "For dust related problems coming from this site, or to make a dust complaint, call this phone number 24 hours per day, seven days per week: (775) 784-7200. A 24-hour phone number for both the Contractor/Developer and the Air Quality Management Division shall also be posted. The 24-hour phone number for complaints to the Air Quality Management



HEALTH PERMIT TO OPERATE Serving Reno, Sparks and all of Washoe County, Nevada. Washoe County is an Equal Opportunity Employer.

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Division is (775) 784-7200."

- 11) A log book of all dust control operations, containing all information as required by the Control Officer in the standard "WASHOE COUNTY DUST CONTROL LOG" must be maintained on a daily basis (copies of blank log sheets are available at the AQMD Office). Required information includes, but is not limited to, the number of OPERATING water trucks/pulls, the size of OPERATING water trucks/pulls (gallons capacity of each truck/pull), and the condition of the surface crust on disturbed areas. The operator shall record in the logbook all dust control efforts and the compliance level of the site with dust control requirements. The logbook shall be kept at the project site and made available to District representatives upon request.
- 12) Visible dust may not be emitted into the air from any operations or disturbed areas of this project for more than 5 minutes in any hour period (Regulation 040.030, Section C. 1). All disturbed areas must maintain a visible surface crust or other cover in compliance with Regulation 040.030, Section C.2.c. Compliance shall be determined using US Environmental Protection Agency Reference Method 22, with an observation period of not less than 5 minutes in any hour period. Copies of District Regulations, enforcement policies and USEPA Reference Testing Methods may be obtained by contacting the Air Quality Management Division at (775) 784-7200.
- 13) Failure to comply with all of the requirements of this Dust Control Permit shall be considered a citable violation of District Regulations and this dust control permit. Citations may be issued for each day of violation, in amounts up to \$10,000 per day as stated in District Regulations.



Health District Representative



To be fille	d in by AQ Staff
Permit No.:	
Area:	
Accepted By:	

DUST CONTROL PERMIT APPLICATION

Return to:

Washoe County Health District Air Quality Management Division

1001. E Ninth Street, Suite B171

GENERAL INFORMATION FOR ALL DUST CONTROL PERMIT APPLICATIONS.

Reno, NV 89512

Submit Online: https://aca.accela.com/ONE/

Email: AQMDDUST@washoecounty.gov

✓ NEW	RENEWAL	MODIFICATION
Name of Project / Development: Stor	prook Apartments	
Parcel #(s)(REQUIRED): 528-02	-38, 528-020-39	
APPLICANT Name and Current	dress of Applicant:	
Company: Metcalf Builders, Inc.	Contact:	Brian Lemmons
Address: 2578 S. Curry Street, Suite 6		
City: Carson City	State:_NV	Zip: 89703
Phone Number: <u>775-391-9698</u>	Email: BrianL@n	netcalfbuilders.com
Name and Address of General Cor	actor:	
Company: Metcalf Builders, Inc.	Contact:	Brian Lemmons
Address: 2578 S. Curry Street, Suite 6		
City: Carson City	State: NV	Zip: 89703
Phone Number: <u>775-391-9698</u>	Email: BrianL@n	netcalfbuilders.com
ersons to be contacted, by <i>cell p</i>	one, during non-working hours in	case of dust problems:
Name: Travis Schweitzer	Phone: 775-200	-
mail: travis@metcalfbuilders.com		
Name: James Cooper	Phone: 775-846	-1778
mail: cooper@epsnv.com	Thomas	
Size of Project (disturbed acres): 20	WaterTruck(s): 2	(Number of trucks)
ype of Project (choose one):	water track(s)	(Number of trucks)
Commercial	Iunicipal Projects	ties
_		
☐ Road Rehab/Maintenance 📃	esidential Sub/Multi-Family 🔲 Sing	gle Family Res.
there is an existing Dust Control Po	nit, list permit number:	=
Proposed Construction Dates –	r Phase: *** provide site locatio	n, grading and phasing maps ***
	(Maps larger than 1	1" x 17" will not be accepted)
n-Site Grading/Excavation:	Start Date: 05/19/2022	0
		Completion Date: 11/07/2022
Building Construction:		Completion Date: 05/01/2025
	ion shall constitute agreement by the	Applicant to accept responsibilityfor mee
	9	
Applicant's signature on this applicantions of Plan" (attached):	,	1 1
	· ·	5/12/22

Print Name
AIR QUALITY MANAGEMENT

1001 East Ninth Street | Reno, Nevada 89512

AQM Office: 775-784-7200 | Fax: 775-784-7225 | OurCleanAir.com

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DUST CONTROL PERMIT INFORMATION SHEET

This must be submitted as an attachment online with the site location, grading and phasing maps

	Detailed project/work description: Large Multi-family apartment complex spanning across 2 parcels and includes 33 multi-story
	apartment buildings, clubhouse, poolhouse, pool, accessory buildings, and garage structures. Construction will include mass grading
	utility and storm drain infrastructure, asphalt, curb & gutter installation, vertical construction, and common area landscaping.
2.	Will fill material be required? Yes yd ³ 22307 No
8.	Will there be an excess of native material as a result of excavation? Yes yd³ No
١.	Will there be any crushing/screening equipment used during construction?
	Yes No If yes, Stationary Source Permit #:
5.	Amount of Material to be excavated (yd ³): 6930
3.	Is there a soil analysis report available? Yes No
, .	On-Site soil type: nNn-plastic silty sand or sandy silt cap overlying low plasticity clayey sand and non-plastic silty sand.
3.	Method of dust control to be utilized (per phase):
	Water Truck(s) ² (number of trucks)
	Chemical Sealant ^{n/a} (type – attach MSDS Sheets)
	Sprinklers/Water Cannons ^{n/a} (locations)
	Compaction 95% (percent)
	Enclosure silt fence (fences, windbreaks)
	Revegetation ^{n/a} (type – attach seeding schedule)
	Will temporary irrigation be supplied? Yes No
	Water Source: TMWA water stands
	Speed Limits 5mph Other
	NOTE - Permanent stabilization methods such as construction/landscaping, revegetation, chemical sealant/palliative, or other approved method(s) of dust suppression must occur "within 30 days of grading completion". Dust suppression must continue regardless of construction status.
١.	Method to control mud and soil being tracked onto adjacent paved roadways: Gravel tracking pads will be installed
	at bare soil access points. Adjacent off-site streets vacuum swept as needed.
0.	Frequency of daily street cleaning: Mechanical broom daily, vacuum sweeper on-call as needed.
1	Describe the methods (fences, barriers, etc.) to prevent unauthorized traffic on the construction site(s):
١.	





May 12, 2022

To:

Washoe County Health District

Air Quality Management Division

Attn: Lauri Mendoza, Senior Air Quality Specialist

Subject: Letter of Authorization for Environmental Protection Services, LLC (EPS)

Dear Lauri,

On Behalf of Metcalf Builders, Inc., this letter authorizes James Cooper of Environmental Protection Services, LLC (EPS), to correspond with you and your office at Air Quality Management Division regarding any / all dust control permit related matters for the Stonebrook Apartments Project.

Please feel free to reach out to me directly if you should have any questions or concerns related to this authorization letter.

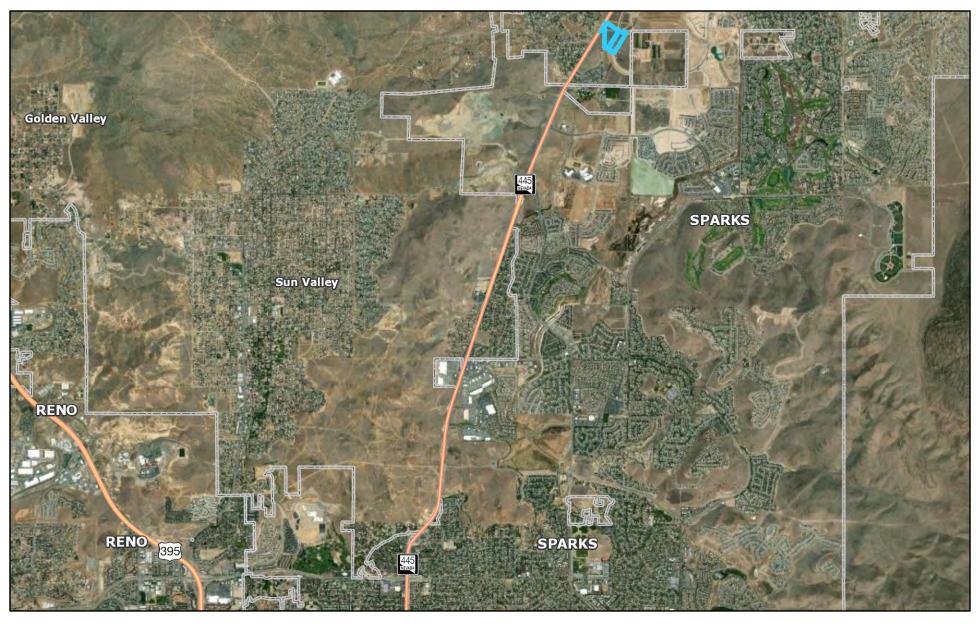
Sincerely,

Brian Lemmons Project Manager

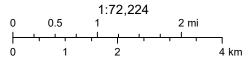
775.391.9698

BrianL@metcalfbuilders.com

Stonebrook Apartments Vicinity Map



May 12, 2022

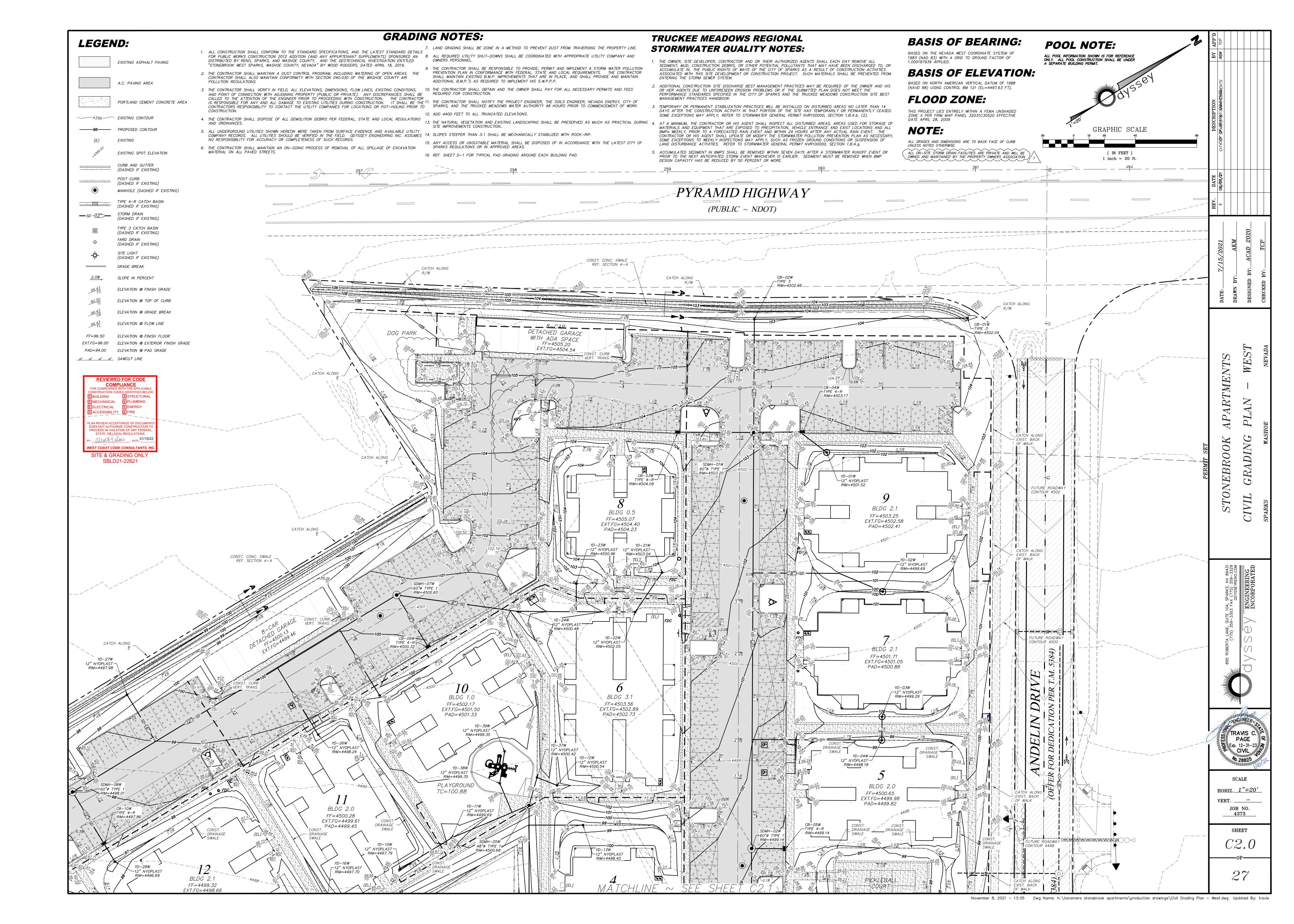


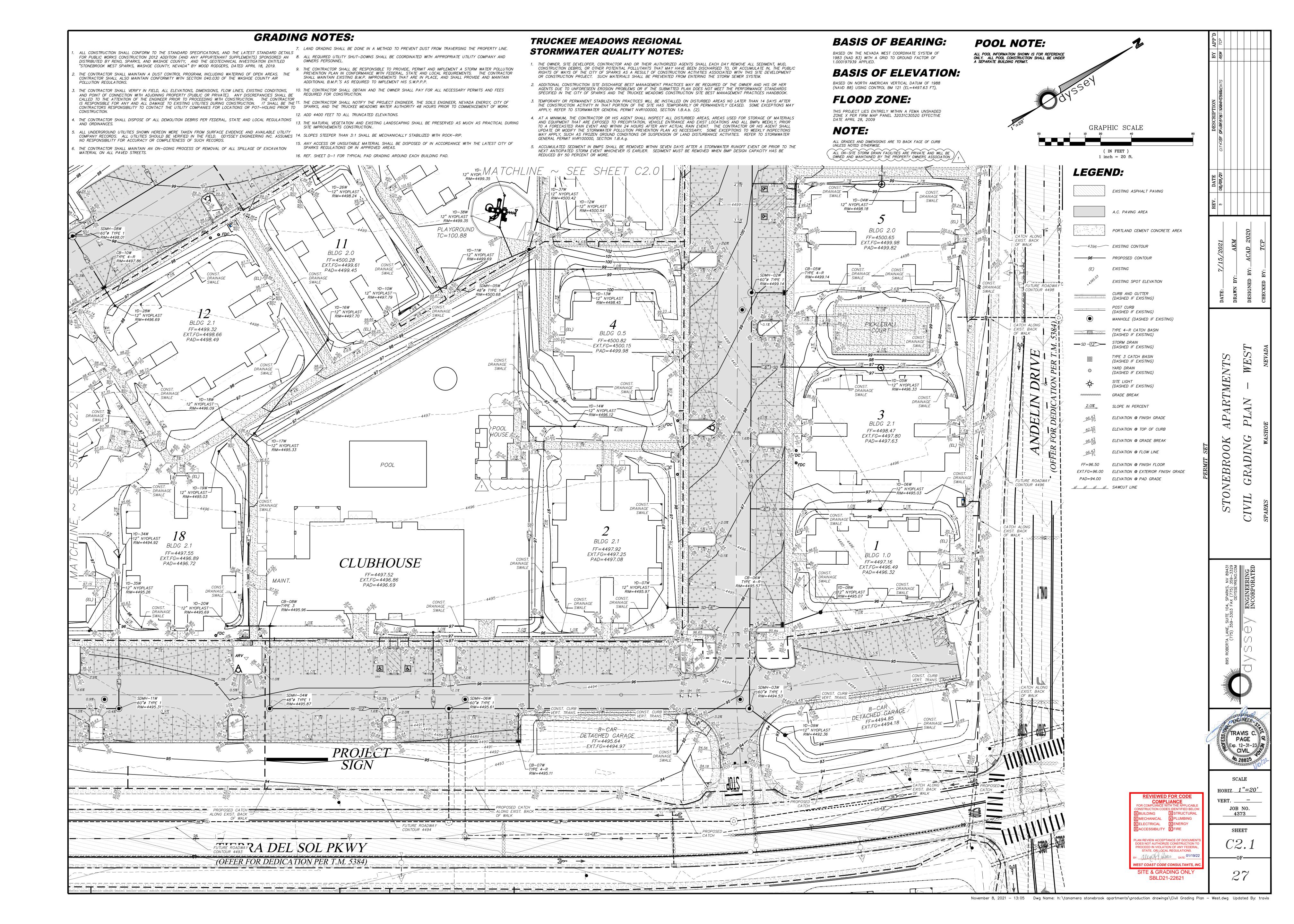
Washoe County GIS Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community

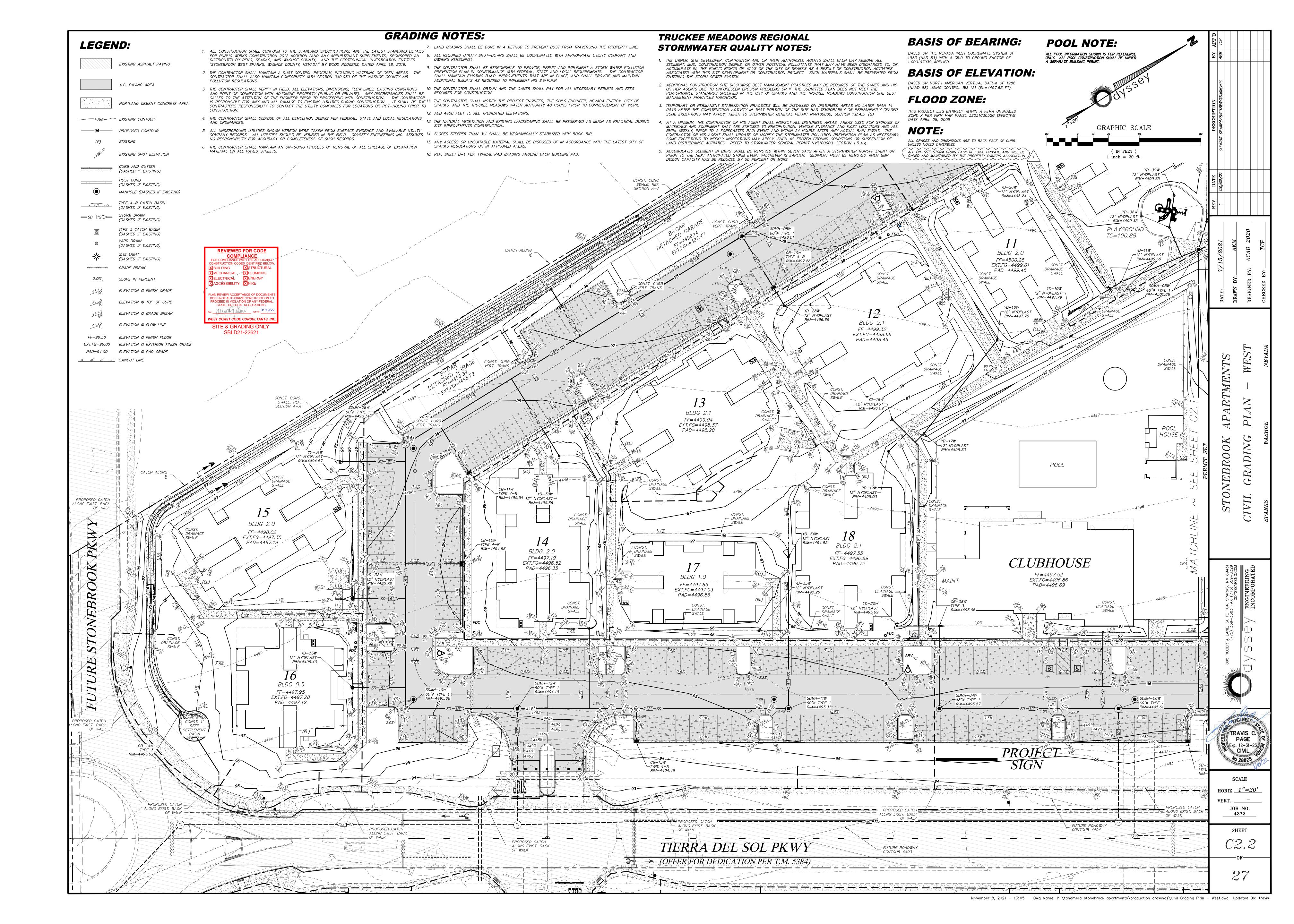
Stonebrook Apartments Surface Area Disturbance Map

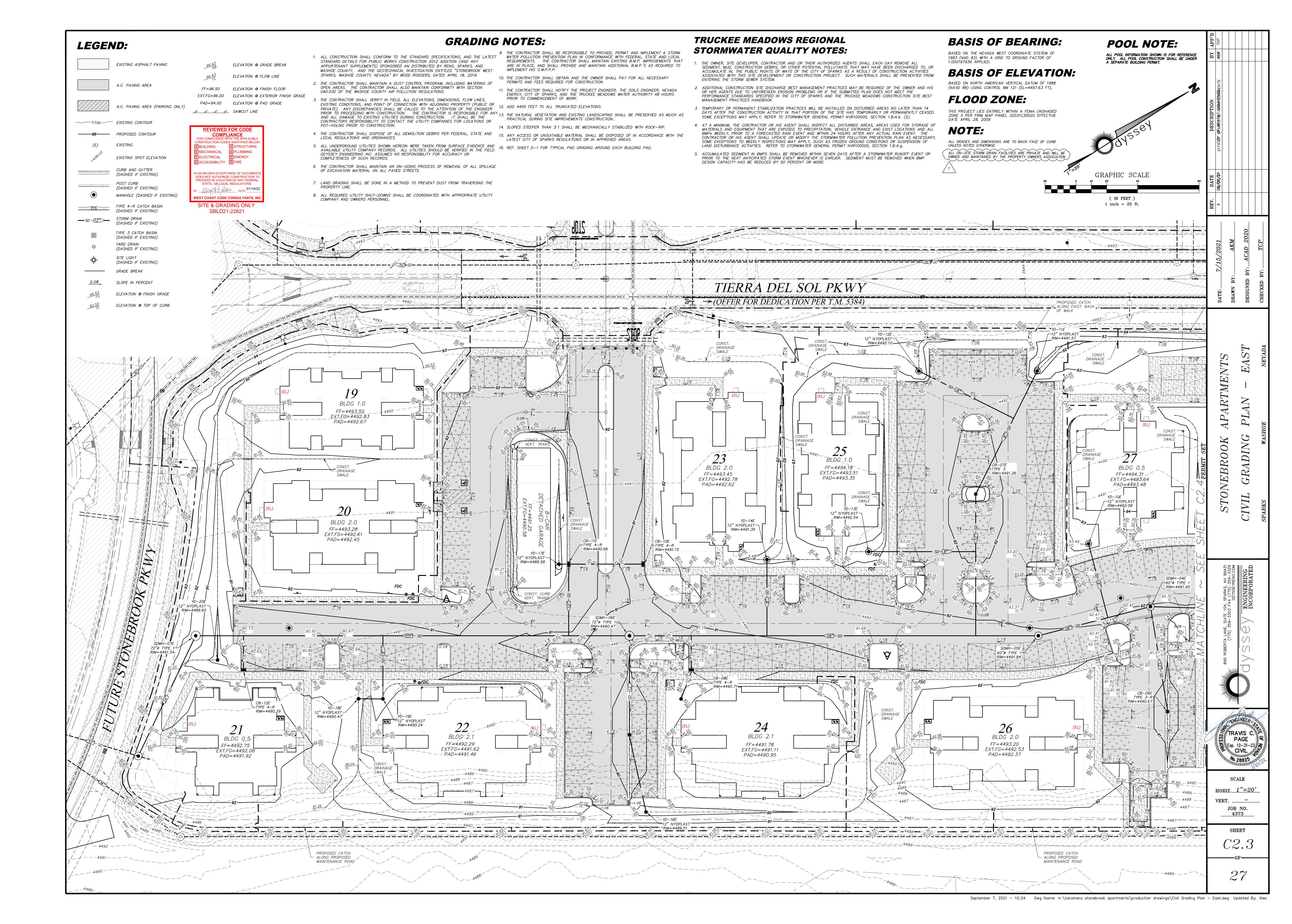


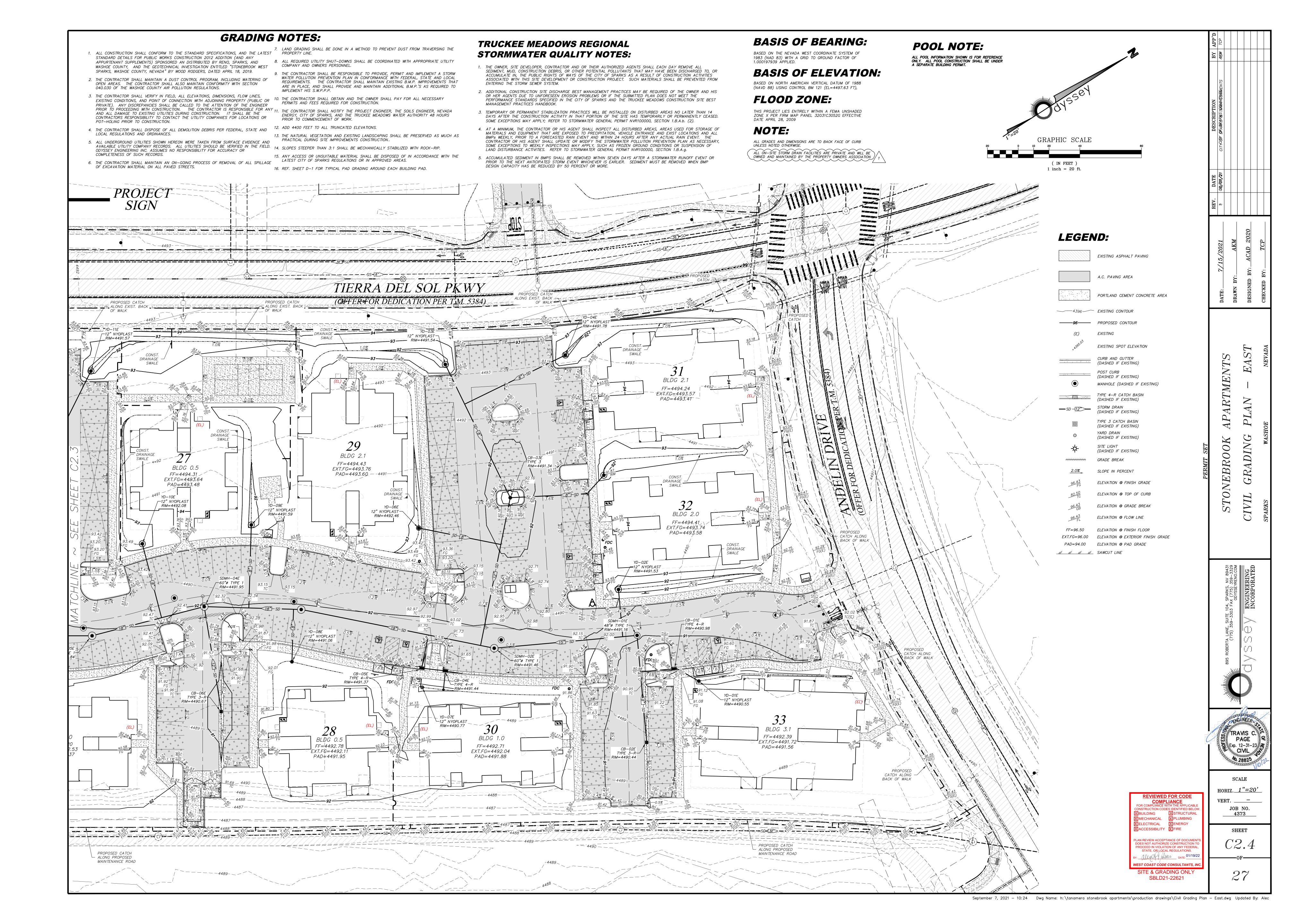
Washoe County GIS Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community













TRUCKEE MEADOWS REGIONAL STORMWATER **QUALITY NOTES:**

- 1. THE OWNER, SITE DEVELOPER, CONTRACTOR AND OR THEIR AUTHORIZED AGENTS SHALL EACH DAY REMOVE ALL SEDIMENT, MUD, CONSTRUCTION DEBRIS, OR OTHER POTENTIAL POLLUTANTS THAT MAY HAVE BEEN DISCHARGED TO, OR ACCUMULATE IN, THE PUBLIC RIGHTS OF WAYS OF THE CITY OF SPARKS AS A RESULT OF CONSTRUCTION ACTIVITIES ASSOCIATED WITH THIS SITE DEVELOPMENT OR CONSTRUCTION PROJECT. SUCH MATERIALS SHALL BE PREVENTED FROM ENTERING THE STORM SEWER SYSTEM.
- . ADDITIONAL CONSTRUCTION SITE DISCHARGE BEST MANAGEMENT PRACTICES MAY BE REQUIRED OF THE OWNER AND HIS OR HER AGENTS DUE TO UNFORESEEN EROSION PROBLEMS OR IF THE SUBMITTED PLAN DOES NOT MEET THE PERFORMANCE STANDARDS SPECIFIED IN THE CITY OF SPARKS AND THE TRUCKEE MEADOWS
- TEMPORARY OR PERMANENT STABILIZATION PRACTICES WILL BE INSTALLED ON DISTURBED AREAS NO LATER THAN 14 DAYS AFTER THE CONSTRUCTION ACTIVITY IN THAT PORTION OF THE SITE HAS TEMPORARILY OR PERMANENTLY CEASED. SOME EXCEPTIONS MAY APPLY; REFER TO STORMWATER GENERAL PERMIT NVR100000,
- 4. AT A MINIMUM, THE CONTRACTOR OR HIS AGENT SHALL INSPECT ALL DISTURBED AREAS, AREAS USED FOR STORAGE OF MATERIALS AND EQUIPMENT THAT ARE EXPOSED TO PRECIPITATION, VEHICLE ENTRANCE AND EXIST LOCATIONS AND ALL BMPs WEEKLY, PRIOR TO A FORECASTED RAIN EVENT AND WITHIN 24 HOURS AFTER ANY ACTUAL RAIN EVENT. THE CONTRACTOR OR HIS AGENT SHALL UPDATE OR MODIFY THE STORMWATER POLLUTION PREVENTION PLAN AS NECESSARY, SOME EXCEPTIONS TO WEEKLY INSPECTIONS MAY APPLY, SUCH AS FROZEN GROUND CONDITIONS OR SUSPENSION OF LAND DISTURBANCE ACTIVITIES. REFER TO STORMWATER
- ACCUMULATED SEDIMENT IN BMPS SHALL BE REMOVED WITHIN SEVEN DAYS AFTER A STORMWATER RUNOFF EVENT OR PRIOR TO THE NEXT ANTICIPATED STORM EVENT WHICHEVER IS EARLIER. SEDIMENT MUST BE REMOVED WHEN BMP DESIGN CAPACITY HAS BE REDUCED BY 50 PERCENT OR MORE.

TOTAL PROJECT AREA: 19.76 +/- ACRES

BMP LEGEND:

BMP NAME E	BMP NUMBER	MAP SYMBOL
WIND EROSION AND DUST CONTROL	EC-5	J. MEC
RIP-RAP	EC-7	
FIBER ROLLS	SC-1	—FR —
		·*************************************
CONSTRUCTION SITE ENTRANCES AND EXITS	SC-8	
STORM DRAIN INLET PROTECTION	DP-3	
STOCKPILE MANAGEMENT	GM-2	SM /
STREET SWEEPING	GM-5	with the same of t
SPILL PREVENTION AND CONTROL	GM-6	
VEHICLE AND EQUIPMENT CLEANING	GM-7	VEC
EHICLE AND EQUIPMENT MAINTENANCE AND FUELING	GM-8	VEF
HANDLING AND DISPOSAL F CONCRETE AND CEMENT	GM-9	CWM
MATERIAL DELIVERY, HANDLING, STORAGE, AND USE	GM-10	MS
PAVEMENT CONSTRUCTION MANAGEMENT	GM-12	
SANITARY/SEPTIC WASTE MANAGEMENT	GM-14	SS

GRADING NOTES:

- 1. ALL CONSTRUCTION SHALL CONFORM TO THE STANDARD SPECIFICATIONS, AND THE LATEST STANDARD DETAILS FOR PUBLIC WORKS CONSTRUCTION 2012 ADDITION (AND ANY APPURTENANT SUPPLEMENTS) SPONSORED AN DISTRIBUTED BY RENO, SPARKS, AND WASHOE COUNTY, AND THE GEOTECHNICAL INVESTIGATION ENTITLED "STONEBROOK WEST SPARKS, WASHOE COUNTY, NEVADA" BY WOOD RODGERS, DATED APRIL 18, 2019. THE CONTRACTOR SHALL MAINTAIN A DUST CONTROL PROGRAM, INCLUDING WATERING OF OPEN AREAS. THE CONTRACTOR SHALL ALSO MAINTAIN CONFORMITY WITH SECTION
- THE CONTRACTOR SHALL VERIFY IN FIELD, ALL ELEVATIONS, DIMENSIONS, FLOW LINES, EXISTING CONDITIONS, AND POINT OF CONNECTION WITH ADJOINING PROPERTY (PUBLIC OR PRIVATE). ANY DISCREPANCIES SHALL BE CALLED TO THE ATTENTION OF THE ENGINEER PRIOR TO PROCEEDING WITH CONSTRUCTION. THE CONTRACTOR IS RESPONSIBLE FOR ANY AND ALL DAMAGE TO EXISTING UTILITIES DURING CONSTRUCTION. IT SHALL BE THE CONTRACTORS RESPONSIBILITY TO CONTACT THE UTILITY COMPANIES FOR LOCATIONS OR POT—HOLING PRIOR TO CONSTRUCTION.
- 4. THE CONTRACTOR SHALL DISPOSE OF ALL DEMOLITION DEBRIS PER FEDERAL, STATE AND LOCAL REGULATIONS AND ORDINANCES.
- 5. ALL UNDERGROUND UTILITIES SHOWN HEREON WERE TAKEN FROM SURFACE EVIDENCE AND AVAILABLE UTILITY COMPANY RECORDS. ALL UTILITIES SHOULD BE VERIFIED IN THE FIELD. ODYSSEY ENGINEERING INC. ASSUMES NO RESPONSIBILITY FOR ACCURACY OR COMPLETENESS OF SUCH RECORDS.
- 6. THE CONTRACTOR SHALL MAINTAIN AN ON-GOING PROCESS OF REMOVAL OF ALL SPILLAGE OF EXCAVATION MATERIAL ON ALL PAVED STREETS.
- 7. LAND GRADING SHALL BE DONE IN A METHOD TO PREVENT DUST FROM TRAVERSING THE PROPERTY LINE. 8. ALL REQUIRED UTILITY SHUT-DOWNS SHALL BE COORDINATED WITH APPROPRIATE UTILITY
- COMPANY AND OWNERS PERSONNEL. 9. THE CONTRACTOR SHALL BE RESPONSIBLE TO PROVIDE, PERMIT AND IMPLEMENT A STORM WATER POLLUTION PREVENTION PLAN IN CONFORMANCE WITH FEDERAL, STATE AND LOCAL REQUIREMENTS. THE CONTRACTOR SHALL MAINTAIN EXISTING B.M.P. IMPROVEMENTS THAT
- 10. THE CONTRACTOR SHALL OBTAIN AND THE OWNER SHALL PAY FOR ALL NECESSARY PERMITS AND FEES REQUIRED FOR CONSTRUCTION.
- 11. THE CONTRACTOR SHALL NOTIFY THE PROJECT ENGINEER, THE SOILS ENGINEER, NEVADA ENERGY, CITY OF SPARKS, AND THE TRUCKEE MEADOWS WATER AUTHORITY 48 HOURS
- PRIOR TO COMMENCEMENT OF WORK. 12. ADD 4400 FEET TO ALL TRUNCATED ELEVATIONS.
- 13. THE NATURAL VEGETATION AND EXISTING LANDSCAPING SHALL BE PRESERVED AS MUCH AS PRACTICAL DURING SITE IMPROVEMENTS CONSTRUCTION..
- 14. SLOPES STEEPER THAN 3:1 SHALL BE MECHANICALLY STABILIZED WITH ROCK-RIP.
- LATEST CITY OF SPARKS REGULATIONS OR IN APPROVED AREAS.
- 16. REF. SHEET D-1 FOR TYPICAL PAD GRADING AROUND EACH BUILDING PAD.

BASIS OF BEARING:

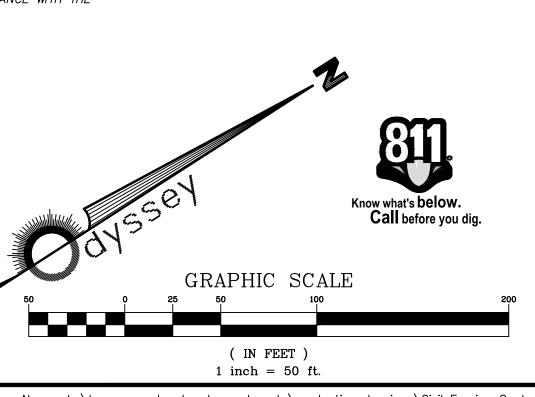
BASED ON THE NEVADA WEST COORDINATE SYSTEM OF 1983 (NAD 83) WITH A GRID TO GROUND FACTOR OF

BASIS OF ELEVATION:

BASED ON NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 88) USING CONTROL BM 121 (EL=4497.63 FT),

FLOOD ZONE:

THIS PROJECT LIES ENTIRELY WITHIN A FEMA UNSHADED ZONE X PER FIRM MAP PANEL 32031C3051G EFFECTIVE



COMPLIANCE
OR COMPLIANCE WITH THE APPLICABL

MECHANICAL X PLUMBING XELECTRICAL XENERGY XACCESSIBILITY XFIRE

PLAN REVIEW ACCEPTANCE OF DOCUMEN DOES NOT AUTHORIZE CONSTRUCTION T

ROCEED IN VIOLATION OF ANY FEDERA

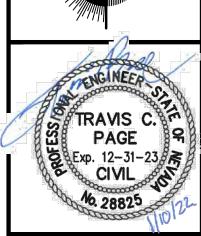
STATE, OR LOCAL REGULATIONS.

SITE & GRADING ONLY SBLD21-22621

: 01/19/22 WEST COAST CODE CONSULTANTS, INC

X STRUCTURAL

	REV.	DATE	
DATE: 7/15/2021	1	10/01/21	CITY OF
DRAWN BY:AKM			
DESIGNED BY: ACAD 2020			
CUECKED BV. TCP			



HORIZ. 1"=50' VERT. _ JOB NO. ____4373 SHEET



H-402 (rev 4/3/18)

Washoe County Health District Air Quality Management Division P.O. Box 11130, Reno, NV 89520-0027 Office (775) 784-7200 Fax (775) 784-7225

CONSTRUCTION SITE INSPECTION FORM

WCMP22-00596 Date/Time: 5/23/2022/ 1121 Responsible Party: Metall Builders Permit No.: Location: Pyramid & Andelin Dr. Project Name: Stonebrook Apartmente Wind/mph: 3 Direction: E ☐ Cloudy ☐ Recent Rain Temp: 68 Weather: M Clear Partly Cloudy Site: M Active ☐ Inactive ☐ Project Complete Workers Present: Yes **Activities Occurring:** None ☐ Abrasive Blasting ☐ Clearing Forms ☐ Crushing/Screening ☐ Cut & Fill ☐ Importing/Exporting ☐ Explosive Blasting ☐ General Construction ☐ Subgrade Prep Stockpiling □ Trenching ☐ Demolition (mech) ☐ Landscaping ☐ Paving EMISSIONS COMPLIANCE ☐ YES NO NO **Fugitive Dust Emissions** If yes, source: Blade Yes Yes ΠNo Plume/Length: Opacity: % Project Soils: Stable: ☐ Moist ☐ Gravel ☐ Palliative ☐ Crust ☐ Other: Unstable: **▼** Loose Powdery **Dry** Interior Roads: None Stable: Paved ☐ Type II ☐ Moist ☐ Dust Suppressant Unstable: Dry ☐ Loose ☐ Powdery Track-out: ☐ Yes No. Dust from vehicles: ✓ No ☐ Yes If yes, ☐ Interior □Access Water Source: ☐ Hydrant ☐ Stand Tank Reservoir ■ None Observed Other: Mitigation Equipment: ☐ Hose ☐Pull(s) ☐ Truck(s) ▼ None Observed Other: Mitigation Equipment Ratio: ☐ Adequate ☐ Inadequate Track-out device present: ☐ Yes, functional ☐ Yes, not functional ☐ No, needed □ No, not needed ADMINISTRATIVE COMPLIANCE ☐ YES NO 20 Equal to Acreage Permitted:____ Project Size: (Greater than Staging/Parking area(s) □ N/A ☐ On-Site ☐ Off-Site, included in acreage M Off-Site, not included in acreage Stationary Source Permits: M No Equipment Screen ☐ Crusher ☐ Batch Plant Permit# DCP Sign: Yes No DCP On-Site: ☐ Yes ☑ No ☐ Not verified Dust Logs: ☐ Yes ☒ No ☐ Not Verified Spoke with: Travis Schwentzer Title: Superintendent In person/ phone Signature: travis@meter If hilders, com Date: None Actions Taken: ✓ Verbal Warning Notice of Violation#: Inspection Notes: Dust control sign + logs not on site. No water truck started video dust from blade, equipment was promptly shut down ADS Osborn reviewed to tollow up inspection will be conducted to verity corrections have operating by compliance withe DCP-

White: Air Quality

Photographs

Stonebrook Apartments
Pyramid Highway and Andelin Drive
Sparks, Nevada
Screenshots taken from video on May 24, 2022
NOV AQMV22-0016

Photograph 1 Date: 05/24/2022 Direction: Southwest

Image demonstrates uncontrolled fugitive dust from a blade operating at the Stonebrook Apartments project site without dust mitigation. Note the parked Aspen Earthworks water truck between the blade and the excavator is not operating.



Photograph 2 Date: 05/24/2022 Direction: Southwest Image demonstrates uncontrolled fugitive dust from a blade and excavator operating at the Stonebrook Apartments project site without dust mitigation. Note the parked Aspen Earthworks water truck between the blade and the excavator is not operating.



Photograph 3 Date: 05/24/2022 Direction: Southwest

Image demonstrates uncontrolled fugitive dust from a blade operating at the Stonebrook Apartments project site without dust mitigation. Note the parked Aspen Earthworks water truck between the blade and the excavator is not operating.



Photograph 4 Date: 05/24/2022 Direction: N/A Map of area of violation and observation point of Air Quality Specialist.

Stonebrook Apartments Surface Area Disturbance Map



EPA Method 22 Fugitive Emissions Report

	E EMISSION INSPECTION OR LOCATION
Company Metalf Builders / Aspen	Observer Brithney Osbon
Location Pyramid @ Andelin	Affiliation Washoe County ARMD
Company Rep.	Date = 24 2022
Sky Conditions Clear	Wind Direction \in
Precipitation None	Wind Speed 3
Industry	Process Unit
Construction	
Sketch process unit: indicate observer position and/or actual emission points.	relative to source; indicate potential emission points
W	
excanative excanative	ader pramit
PARCE	May Hay
X	3003
TO THE /S	stockpild T
THA	5 To
	0 = observer
OBSERVATIONS	Observation Accumulated
Clock	period emission
Time Begin	duration, time, minutes:seconds minutes:seconds
Observation	imitates.seconds imitates.seconds
To complete this form	
To complete this form, record the following:	
• the initial clock time	
• the total time of the	
observation (from SW1) • the total time of emissions	
(from SW2), and	
• the final clock time.	
For more details on	
recording this data and	
taking breaks, see #7 and	
#10 above.	
	20103 8:07
End 13:08 Observation	20.03

ATTACHMENT TO THE STAFF REPORT AIR POLLUTION CONTROL HEARING BOARD

Washoe County District Board of Health Regulations 020.040 Civil Fines and Penalties and Administrative Fine Assessment

Administrative Penalty Table

Air Quality Management Division Washoe County Health District

I. Minor Violations - Section 020.040(C)

Regulation		1st Violation	2nd Violation
040.005	Visible Emissions	1000	2000
040.030 (A)	Dust Control (Conditions)	1000	2000
040.030 (B)	Dust Control (Visual Emissions)	1000	2000
040.035	Open Fires	500	1000
040.040	Fire Training	500	1000
040.050	Incinerator	1000	2000
040.051	Woodstoves	500	1000
040.055	Odors	1000	2000
040.080	Gasoline Transfer (Maint/Testing)	1000	2000
040.200	Diesel Idling	500	1000
050.001	Emergency Episode	1000	2000
040.030	Construction Without a Dust Control	Permit	
	Project Size – Less than 10 acres	\$ 500 + \$50 per acre	
	Project Size – 10 acres or more	\$1,000 + \$50 per acre	

II. Major Violations - Section 020.040

		Sour	ce Category
Regulation	Violation	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

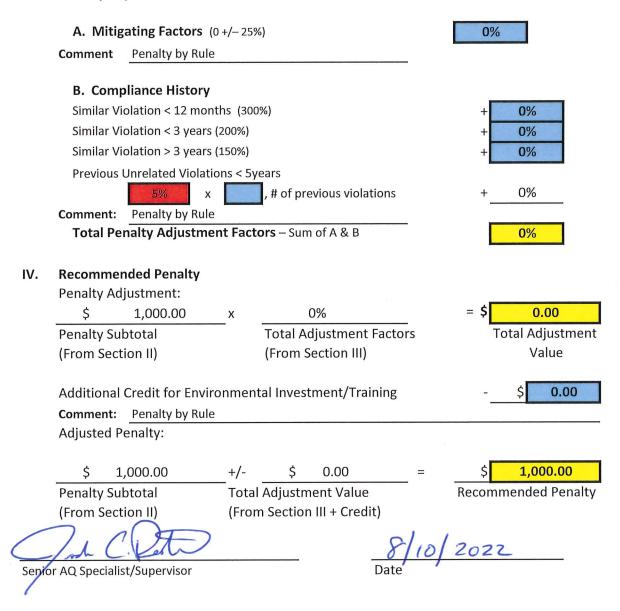
III. Major Violations - Section 030.107 Asbestos

A. Asbestos Sampling & Notification	\$ 2,000 - \$10,000
B. Asbestos Control Work Practices	\$ 2,000 - \$10,000
(per day or event) C. Asbestos Containment & Abatement	\$ 5,000 - \$10,000
(per day or event)	7 - 7 - 7 - 7 - 7 - 7 - 7 - 7 - 7 - 7 -

Company Name	Metcalf Builders Inc.			
Contact Name	Brian Lemmons			
Case Number	1377			
I. Violation of Section	040.030 Section C.1 Visibl	e Emissions Prohibitio	n	
I. Recommended Pe	enalty	= 1	\$_	1000.00
II. Violation of Section	040.030 Section E.2 Recor	dkeeping		
II. Recommended Pe	nalty	Ħ.	\$_	1000.00
III. Violation of Section	0			
III. Recommended Pe	nalty	=	\$_	0.00
IV. Violation of Section	0			<u> </u>
IV. Recommended Pe	nalty	=	\$_	0.00
V. Violation of Section	0			
V. Recommended Pe	nalty		\$_	0.00
Total Recomm	ended Penalty		\$_	2,000.00
Senior AQ Specialist/Superv	visor	P 10 202	22.	

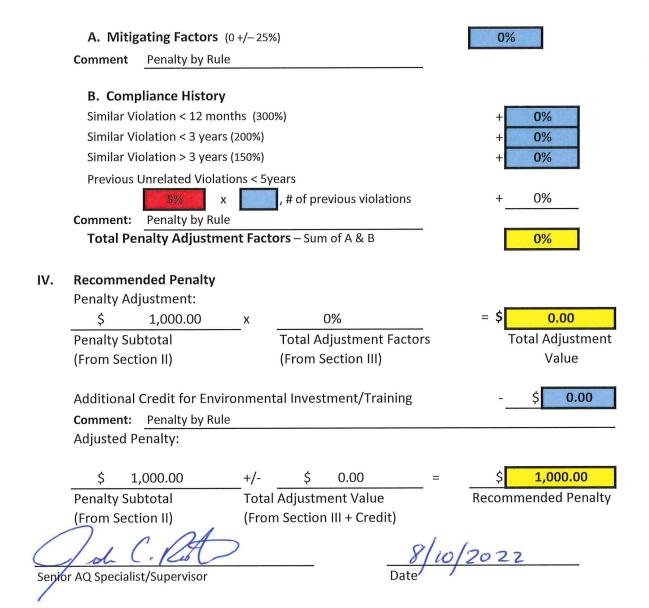
Company Name	Metcalf Builders Inc.
Contact Name	Brian Lemmons
Case Number	1377
Violation Number	AQMV22-0016
Violation of Section	040.030 Section C.1 Visible Emissions Prohibition
Permit Condition	Condition of Operation No. 12
I. Base Penalty as sp	pecified in the Penalty Table = \$ 1,000.00
II. Severity of Violati	on
A. Public Health I	npact
1. Toxicity of Relea	nse (For Emissions Exceedances)
Unable to Quantify -	1x Criteria Pollutant - 1x Hazardous Air Pollutant - 2x
	Adjustment Factor 1
Comment: Penalty	by Rule
Environmental/I	Public Health Risk (Proximity to sensitive environment or group)
Negligible – 1x Moder	ate – 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	\$ 1,000.00 x Adjustment Factor 1 = \$ 1,000.00
C. Number of Day	s/Weeks/Months or Units in Violation
Adjusted Penalty S	1,000.00 x Number of Days/Weeks/Mor 1 = \$ 1,000.00
Comment: Penalty	by Rule
D. Economic Bene	fit
Avoided Costs \$	0.00 + Delayed Costs \$ 0.00 = \$ 0.00
Comment: Penalty	by Rule
Penalty Subtotal	
Adjusted Base Penalty \$	1,000.00 + Economic Benefit \$ 0.00 = \$ 1,000.00

III. Penalty Adjustment Consideration



Com	pany Name	Metcalf Builders Inc.				
Contact Name		Brian Lemmons				
Case	Number	1377				
Viola	ition Number	AQMV22-0017				
Viola	ition of Section	040.030 Section E.2.	- Recordkeeping			
Perm	nit Condition	Condition of Operati				
l.	Base Penalty as spec	cified in the Penalty Ta	ble	= \$	1,	000.00
II.	Severity of Violation					
	A. Public Health Imp	pact				
	1. Toxicity of Release	(For Emissions Exceedar	ices)			
	Unable to Quantify - 1	Criteria Pollutan	t - 1x Hazardous Air	Pollutant - 2x		
			Adju	stment Factor		1
	Comment: Penalty b	y Rule				
	2. Environmental/Pu	blic Health Risk (Proximi	ty to sensitive environme	ent or group)		
	Negligible – 1x Moderate	e − 1.5x Significant − 2x	Adju	stment Factor		1.0
	Comment: Penalty b	y Rule		refile 7		
		Total Adjustment Fac	tors (1 x 2) =	1		
	B. Adjusted Base Pe	nalty				
	Base Penalty \$	1,000.00	x Adjustment Factor	1	= \$	1,000.00
	C. Number of Days/	Weeks/Months or Uni	ts in Violation			
	Adjusted Penalty \$	1,000.00 x Numb	er of Days/Weeks/Mo	1	= \$	1,000.00
	Comment: Penalty b	y Rule				
	D. Economic Benefit					
	Avoided Costs \$	0.00 + De	layed Costs \$	0.00	= \$	0.00
	Comment: Penalty b					
Pena	alty Subtotal					
Adjus	sted Base Penalty \$	+	Economic Benefit \$	0.00	= \$	1,000.00

Washoe County Air Quality Management
Permitting & Enforcement Branch
Recommended Penalty Calculation Worksheet



ATTACHMENT TO THE STAFF REPORT AIR POLLUTION CONTROL HEARING BOARD

Appeal





AUG 29 2027 min

WASHOE COU!

APPEAL PETITION TO THE AIR POLLUTION CONTROL HEARING BOARD

Return to:

Washoe County Health District

Air Quality Management Division 1001 East Ninth Street B171

Reno, Nevada 89512

(775) 784-7200

www.OurCleanAir.com

PETITIONER: Brian Lemmons, Project Manager		
PHONE: 775.391.9698 EMAI	L: brianl@metcalfbuilders.com	
MAILING ADDRESS: 2578 S. Curry St, Suite 1		
CITY: Carson City STATE: NV	ZIP CODE: 89703	
PHYSICAL ADDRESS: 2578 S. Curry St, Suite 1		
CITY: <u>Carson City</u> STATE: <u>NV</u>	ZIP CODE: <u>89703</u>	
EQUIPMENT OR PROCESS REGISTERED WITH CONTROL OFFICER? YES NO		
APPEAL OF ORDER □ APPEAL OF VIOLATION □		
VIOLATION NUMBER: AQMV22-0016 DATE RECEIVED: 08.12.2022		
REGULATION INVOLVED: SECTION: Regulation 040.030, Section C.1		
BASIS FOR APPEAL/VARIANCE: This was an anomalous situation. Unfortunately, during the blade		
operation, one of the two water trucks onsite got stuck in a rut. Once this happened, the second water truck		
went over to help the first truck get out of the rut. The blade operator didn't notice that the trucks were not		
watering until after the alotted 5 minute period, but did shut down immediately once he did notice. Metcalf		
and Aspen Earthworks were attempting to be compliant, as the Specialist notes that the tactics employed		
after the incident were effective, and dust emissions were mineral Lemmons	B-2	
PRINT NAME	SIGNATURE	
Project Manager	08/23/2022	
TITLE	DATE	

Revised 08-2021





ENHANCING QUALITY OF LIFE

APPEAL PETITION TO THE AIR POLLUTION CONTROL HEARING BOARD

Return to:

Washoe County Health District Air Quality Management Division

1001 East Ninth Street B171

Reno, Nevada 89512 (775) 784-7200

www.OurCleanAir.com

PETITIONER: Brian Lemmons, Project Mana	ger
PHONE: 775.391.9698	MAIL: brianl@metcalfbuilders.com
MAILING ADDRESS: 2578 S. Curry St, Suit	e 1
CITY: Carson City STATE: NV	ZIP CODE: 89703
PHYSICAL ADDRESS: 2578 S. Curry St, S	uite 1
CITY: Carson City STATE:	IV ZIP CODE: 89703
EQUIPMENT OR PROCESS REGISTERED V	VITH CONTROL OFFICER? YES□ NO□
APPEAL OF ORDER \square APPEAL OF VIOLATION \square	
VIOLATION NUMBER: AQMV22-0017	_ DATE RECEIVED: 08.12.2022
REGULATION INVOLVED: SECTION: Regul	ation 040.030, Section E.2.a.2
BASIS FOR APPEAL/VARIANCE: As we had ju	st started working on the site, the jobsite trailer had
not yet been dropped, nor the printer, office supplies,	etc. We had not yet had an opportunity to print the
required logs and put them into a binder. To rectify the	e situation, we began printing these logs at our hon
printer, and bringing them to the jobsite with us the su	bsequent days. This has not been an issue since t
documented conversation.	
Brian Lemmons	B-2
PRINT NAME	SIGNATURE
Project Manager	08/23/2022
TITLE	DATE

Revised 08-2021

