

Staff Report
Board Meeting Date: April 9, 2021

TO: Air Pollution Control Hearing Board

FROM: Francisco Vega, Director, Air Quality Management Division
775-784-7211, fvega@washoecounty.us

SUBJECT: Gary R. Schmidt, Owner/Operator of the Reindeer Lodge
Notice of Violation No.'s: AQMV21-0002, AQMV21-0003, AQMV21-0004,
AQMV21-0005; Agenda Item 6(a)

SUMMARY

The Washoe County Health District Air Quality Management Division (AQMD) staff recommends Notice of Violation (NOV) No.'s AQMV21-0002, AQMV21-0003, AQMV21-0004, AQMV21-0005 be upheld and an administrative fine in the amount of \$36,500.00 be levied against Gary R. Schmidt, Owner and Operator of the Reindeer Lodge for the following:

- Failure to submit a complete signed copy of an asbestos survey report to the Washoe County District Health Department and to submit a complete signed copy of an "Asbestos Assessment Acknowledgement Form" obtained before any permit for demolition or renovation (AQMV21-0002)
- Failure to thoroughly inspect the affected facility or part of the facility where the demolition or renovation operation will occur for the presence of asbestos as required by 40 C.F.R. 61, Subpart M 61.145(a) (AQMV21-0003)
- Failure to provide the AQMD with written notice of intention to demolish or renovate 10 days prior to the start of the demolition of the Reindeer Lodge as required by 40 C.F.R. 61, Subpart M 61.145(a)(1) (AQMV21-0004),
- Failure to remove all RACM from a facility being demolished or renovated before any activity begins that would break up, dislodge, or similarly disturb the material or preclude access to the material for subsequent removal 40 C.F.R. 61, Subpart M 61.145(c)(1) (AQMV21-0005).

Each of these violations are major violations of the Washoe County District Board of Health Regulations Governing Air Quality Management and 40 C.F.R. 61, Subpart M – National Emissions Standards for Asbestos.

Recommended Administrative Fine: \$36,500.00

BACKGROUND

Please refer the attached NOV No.'s AQMV21-0002, AQMV21-0003, AQMV21-0004, AQMV21-0005. These NOV's contain the facts associated with each incident of noncompliance and supporting documentation relevant to each NOV.

SETTLEMENT

On January 11, 2021, a compliance and enforcement meeting was held between AQMD staff and Mr. Taylor Jenkins, attorney representing Mr. Schmidt, via virtual TEAMS meeting. After discussing the details of Case No. 1229 and the facts associated with *Draft* NOV No.'s AQMV21-0002, AQMV21-0003, AQMV21-0004 and AQMV21-0005, the AQMD determined that the NOV's be issued as final, with a recommended administrative fine of \$36,500.00. An offer to reduce the administrative fine by 10% (\$3,650.00) to settle the violations was offered to Mr. Jenkins. Mr. Jenkins did not agree with the NOV's or to settle and requested the information to file an appeal. Correspondence was sent certified mail to the address on file for Mr. Schmidt and Mr. Jenkins which included a cover letter, the final Notice of Violations, final Recommended Penalty Calculation Worksheets and the Appeal Petition Form. Instructions for filing an appeal of the NOV's was included in the cover letter.

Appeal Petition's from Mr. Jenkins for NOV No.'s AQMV21-0002, AQMV21-0003, AQMV21-0004 and AQMV21-0005 were received by the AQMD on February 10, 2021. On March 12, 2021 the AQMD sent a certified letter to Mr. Jenkins informing him that an Air Pollution Control Hearing Board meeting was scheduled for April 6, 2021 at 6:00 p.m. to hear the appeals.

RECOMMENDATION

Staff recommends the Board deny the appeal of NOV No.'s AQMV21-0002, AQMV21-0003, AQMV21-0004 and AQMV21-0005 associated with Case No. 1229 issued to Gary R. Schmidt, with a recommended administrative fine of \$36,500.00.

ALTERNATIVES

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

1. The Air Pollution Control Hearing Board may determine that no violation of the Regulations has taken place and dismiss Notice of Violation No. AQMV21-0002; and/or AQMV21-0003; and/or AQMV21-0004; and/or AQMV21-0005.
2. The Board may determine to uphold Notice of Violation No. AQMV21-0002; and/or AQMV21-0003; and/or AQMV21-0004; and/or AQMV21-0005 and levy any fine in the range of \$0.00 to \$10,000.00 per day per violation.

POSSIBLE MOTION(s)

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

1. "Move to deny the appeal of NOV No.'s AQMV21-0002, AQMV21-0003, AQMV21-0004 and AQMV21-0005 associated with Case No. 1229 issued to Gary R. Schmidt, with a \$36,500.00 administrative fine."

Subject: APCHB/Gary R. Schmidt/Case No. 1229

Date: April 6, 2021

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

1. "Move to dismiss Case No. 1229, NOV No.'s AQMV21-0002 and/or, AQMV21-0003 and/or AQMV21-0004 and/or AQMV21-0005, issued to Gary R. Schmidt", or
2. "Move to uphold Case No. 1229 and levy an administrative fine in the amount of \$0.00 to \$10,000.00 per day per violation for NOV No.'s AQMV21-0002, AQMV21-0003, AQMV21-0004 and AQMV21-0005.

4-2-2021

Date

Francisco Vega

Francisco Vega P.E., MBA

Director

Washoe County Health District
Air Quality Management Division

**ATTACHMENT TO THE STAFF REPORT
AIR POLLUTION CONTROL HEARING BOARD**

**Notice of Violations
AQMV21-0002, AQMV21-0003, AQMV21-0004 and
AQMV21-0005**

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

**NOTICE OF VIOLATION
ISSUED TO**

**Gary R. Schmidt
Reindeer Lodge
9000 Mt Rose Hwy
Reno, Nevada 89511**

**Date of Issuance: February 1, 2021
Notice of Violation No.: AQMV21-0002**

The Air Quality Management Division of the Washoe County Health District (AQMD) has determined that Gary R. Schmidt owner and operator of the Reindeer Lodge located at 9000 Mt. Rose Highway in Reno, Nevada 89511 is in violation of the Washoe County District Board of Health Regulations Governing Air Quality Management Section 030.107 A. Hazardous Air Pollutants for failure to submit a signed copy of an asbestos survey report at the Washoe County District Health Department and obtain an Asbestos Assessment Acknowledgement Form before being issued a permit for demolition and renovation.

1. VIOLATION

- A. Failure to submit a complete signed copy of an asbestos survey report must be filed at the Washoe County District Health Department and an “Asbestos Assessment Acknowledgement Form” obtained before any permit for demolition or renovation.

2. BASIS OF VIOLATION

- A. Regulatory Authority

The Washoe County District Board of Health Regulations Governing Air Quality Management 030.107 Hazardous Air Pollutants A. Asbestos Sampling and Notification:

...A complete signed copy of an asbestos survey report must be filed at the Washoe County District Health Department and an “Asbestos Assessment Acknowledgement Form” obtained before any permit for demolition or renovation, as noted above, is issued. Failure to conduct an asbestos survey, or obtain a completed “Asbestos Assessment Acknowledgement Form”, may result in a citation or other enforcement

action, including the issuance of a stop work order if a reasonable possibility for the release of asbestos fibers exists...

B. Facts to Constitute the Violation

On June 10, 2019, the AQMD was made aware of demolition activity associated with the facility at the Reindeer Lodge (9000 Mt. Rose Hwy). A review of records demonstrated that the AQMD had not received the required notification of the demolition in the form of an Asbestos Assessment Acknowledgment Form pursuant to Washoe County District Board of Health Regulations Governing Air Quality Management Section 030.107 A. Hazardous Air Pollutants.

On the same day, AQMD staff was able to confirm that demolition activity as defined by 40 C.F.R. 61, Subpart M had occurred in the northeast portion of the facility (Attachment 1).

Demolition is defined in 40 C.F.R. Part 61, Subpart M as “*the wrecking or taking out of any load-supporting structural member of a facility together with any related handling operations or the intentional burning of any facility.*”

Facility is defined in 40 C.F.R. Part 61, Subpart M as “*any institutional, commercial, public, industrial, or residential structure, installation, or building (including any structure, installation, or building containing condominiums or individual dwelling units operated as a residential cooperative, but excluding residential buildings having four or fewer dwelling units); any ship; and any active or inactive waste disposal site. For purposes of this definition, any building, structure, or installation, that contains a loft used as a dwelling is not considered a residential structure, installation, or building. Any structure, installation or building that was previously subject to this subpart is not excluded, regardless of its current use or function.*”

Building Permit No. WBLD18-105119 was issued by Washoe County Community Services Department on April 6, 2018.

The asbestos survey was conducted by Nova Geotechnical and Inspection services on June 14, 2019.

The Asbestos Assessment Acknowledgement Form (Attachment 2) was applied for and obtained for the demolition of the Reindeer Lodge on September 12, 2019.

3. APPEAL PROCEDURE AND TIME LIMITATIONS

A. Appeal Procedure

Gary R. Schmidt is advised that within (10) working days of the receipt of this Notice of Violation, Gary R. Schmidt may submit a written petition for appeal to the Washoe

Subject: Notice of Violation AQMV21-0002/Gary R. Schmidt
Date: February 1, 2021
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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
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 Washoe County District Board of Health with a recommendation for the assessment of an administrative fine of \$4,000.00.

ATTACHMENT 1

Photographs

Reindeer Lodge
9000 Mt. Rose Highway
Reno, Nevada
Taken on June 10, 2019

Photograph 1

Date: June 10, 2019

Direction: West

Image demonstrates the demolition that occurred to the Reindeer Lodge at 9000 Mt. Rose Highway observed by the AQMD upon initial investigation.



Photograph 2

Date: June 10, 2019

Direction: Northwest

Image identifies the location of the demolition that occurred at 9000 Mt. Rose Highway.



Photograph 3

Date: June 10, 2019

Direction: Southwest


Image demonstrates the demolition that occurred to the Reindeer Lodge at 9000 Mt. Rose Highway observed by the AQMD upon initial investigation.



ATTACHMENT 2

**WASHOE COUNTY
HEALTH DISTRICT**
ENHANCING QUALITY OF LIFE

Washoe County Health District
Air Quality Management Division
1001 East Ninth Street, Bldg B Reno, Nevada 89512
(775) 784-7200

Permit # ASB19-0963 
Asbestos Acknowledgement

Acknowledgement Issued To:

All Eagle
Max Cardenas
4865 Joule #C3
Reno, NV 89502

Project Address:

9000 MOUNT ROSE HWY, WASHOE COUNTY, NV 89511

Project Type:

Asbestos

Assessment Category:

Demo Only

Assessment Results:

ACM Present

Project Description:

Removal of transite siding, acoustic ceiling, and debris pile on north west side of building. ACM detected during sampling (10 - 20% chrysotile). Abatement and clearances to be completed prior to demo of lodge building beginning. If unsampled materials are identified during abatement, work must stop until asbestos sampling is completed to the satisfaction of AQMD.

*****If asbestos is present, abatement must be conducted in accordance with NESHAP and OSHA regulations before renovation or demolition work may proceed. All Abatement and Demolition Notifications must be filed separately.*****



Owner / Representative Signature



Health District Representative



Date

ACKNOWLEDGMENT OF ASBESTOS ASSESSMENT

CONSULTING FIRM: Nova Geotechnical & inspection services PERSON CONDUCTING ASSESSMENT: Lynn Minedew

695 Edison Way Reno NV 89502
STREET CITY STATE ZIP

TELEPHONE: 775-856-5566 E-MAIL: _____

ASSESSMENT RESULTS: Asbestos Present Asbestos Absent Friable Non-Friable Both Not Tested

ASBESTOS ABATEMENT CONTRACTOR (if applicable): All Eagle LLC

4865 Joule St #C3 Reno NV 89502
STREET CITY STATE ZIP

TELEPHONE: 775-400-8290 E-MAIL: admin@alleaglellc.com

ASBESTOS TO BE REMOVED: 27CY mixed debris pile, 200SF acoustic ceiling & 3180SF transite
(QUANTITY & MATERIAL)

DATE ASBESTOS ABATEMENT COMPLETED/SCHEDULED TO BE COMPLETED 10-4-19

**** NOTE: If asbestos present, abatement must be conducted in accordance with NESHAP and OSHA Regulations before renovation or demolition work may proceed.**

Signature on this asbestos assessment document does NOT constitute full Health Department approval for this project. Any additional Health permits such as are required for bar or restaurant operations, underground storage tanks, hazardous material disposal or air pollution sources must be obtained separately.

Signature by the Washoe County Health District does not warrant, nor should this report be taken to warrant, that asbestos was or was not present on stated property. Exposure to even small amounts of airborne asbestos fibers may cause cancer. For this reason the District Health Department recommends that all asbestos handling and abatement work be performed by certified asbestos contractors.

APPLICANT SIGNATURE DATE

By signing the above I accept responsibility for the project as described and certify that the information is accurate and current. I acknowledge that any changes to the project from how it is presented on the date of signature require AQMD notification. Submitting project information that is NOT accurate and current or failure to notify AQMD of changes to the project will result in a notice of violation with associated fines assessed.

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

**NOTICE OF VIOLATION
ISSUED TO**

**Gary R. Schmidt
Reindeer Lodge
9000 Mt Rose Hwy
Reno, Nevada 89511**

**Date of Issuance: February 1, 2021
Notice of Violation No.: AQMV21-0003**

The Air Quality Management Division of the Washoe County Health District (AQMD) has determined that Gary R. Schmidt owner and operator of the Reindeer Lodge located at 9000 Mt. Rose Highway in Reno, Nevada 89511 is in violation of the Clean Air Act 40 C.F.R. 61, Subpart M – National Emission Standards for Asbestos §61.145 Standards for demolition and renovation (a) Applicability for failure to thoroughly inspect the affected facility or part of the facility where the demolition or renovation operation will occur for the presence of asbestos.

1. VIOLATION

- A. Failure to thoroughly inspect the affected facility or part of the facility where the demolition or renovation operation will occur for the presence of asbestos.

2. BASIS OF VIOLATION

- A. Regulatory Authority

Per section 030.105 b. 10., The Washoe County District Board of Health Regulations Governing Air Quality Management adopted by reference, 40 C.F.R. 61, Subpart M and has been delegated authority to implement and ensure compliance with this Subpart within the Washoe County Health District.

Per 40 C.F.R. 61, Subpart M – National Emission Standards for Asbestos §61.145 Standards for demolition and renovation (a) Applicability:

(a) Applicability. To determine which requirements of paragraphs (a), (b), and (c) of this section apply to the owner or operator of a demolition or renovation activity and prior to the commencement of the demolition or renovation, thoroughly inspect the affected facility or part of the facility where the demolition or renovation operation

will occur for the presence of asbestos, including Category I and Category II nonfriable ACM. The requirements of paragraphs (b) and (c) of this section apply to each owner or operator of a demolition or renovation activity, including the removal of RACM as follows:

(1) In a facility being demolished, all the requirements of paragraphs (b) and (c) of this section apply, except as provided in paragraph (a)(3) of this section, if the combined amount of RACM is

(i) At least 80 linear meters (260 linear feet) on pipes or at least 15 square meters (160 square feet) on other facility components, or

(ii) At least 1 cubic meter (35 cubic feet) off facility components where the length or area could not be measured previously.

B. Facts to Constitute the Violation

On June 10, 2019, the AQMD was made aware of demolition activity associated with the facility at the Reindeer Lodge (9000 Mt. Rose Hwy). A review of records demonstrated that a thoroughly conducted asbestos survey had not been completed prior to the start of demolition pursuant 40 C.F.R. 61, Subpart M – National Emission Standards for Asbestos §61.145 Standards for demolition and renovation (a) Applicability.

On the same day, AQMD staff was able to confirm that demolition activity as defined by 40 C.F.R. 61, Subpart M had occurred in the northeast portion of the facility (Attachment 1).

Demolition is defined in 40 C.F.R. 61, Subpart M as “*the wrecking or taking out of any load-supporting structural member of a facility together with any related handling operations or the intentional burning of any facility.*”

Facility is defined in 40 C.F.R. 61, Subpart M as “*any institutional, commercial, public, industrial, or residential structure, installation, or building (including any structure, installation, or building containing condominiums or individual dwelling units operated as a residential cooperative, but excluding residential buildings having four or fewer dwelling units); any ship; and any active or inactive waste disposal site. For purposes of this definition, any building, structure, or installation, that contains a loft used as a dwelling is not considered a residential structure, installation, or building. Any structure, installation or building that was previously subject to this subpart is not excluded, regardless of its current use or function.*”

40 C.F.R. 61, Subpart M – Asbestos §61.145 Standards for demolition and renovation (a) Applicability, “*To determine which requirements of paragraphs (a), (b), and (c), of this section apply to the owner or operator of a demolition or renovation activity prior to the commencement of the demolition or renovation, thoroughly inspect the*

affected facility of part of the facility where the demolition or renovation operation will occur for the presence of asbestos...”

Per the direction of the AQMD, the Reindeer Lodge was inspected by Nova Geotechnical & Inspection Services, LLC on June 14, 2019 approximately 4 days after the start of demolition of the main structure (Attachment 2).

3. APPEAL PROCEDURE AND TIME LIMITATIONS

A. Appeal Procedure

Gary R. Schmidt is advised that within (10) working days of the receipt of this Notice of Violation, Gary R. Schmidt 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
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 Washoe County District Board of Health with a recommendation for the assessment of an administrative fine of \$10,000.00.

ATTACHMENT 1

Photographs

Reindeer Lodge
9000 Mt. Rose Highway
Reno, Nevada
Taken on June 10, 2019

Photograph 1

Date: June 10, 2019

Direction: West

Image demonstrates the demolition that occurred to the Reindeer Lodge at 9000 Mt. Rose Highway observed by the AQMD upon initial investigation.



Photograph 2

Date: June 10, 2019

Direction: Northwest

Image identifies the location of the demolition that occurred at 9000 Mt. Rose Highway.



Photograph 3

Date: June 10, 2019

Direction: Southwest

Image demonstrates the demolition that occurred to the Reindeer Lodge at 9000 Mt. Rose Highway observed by the AQMD upon initial investigation.



ATTACHMENT 2



**LIMITED ASBESTOS SURVEY REPORT
REINDEER LODGE
9000 MOUNT ROSE HIGHWAY
RENO, NEVADA**

**NOVA PROJECT NO.: RE-19-025
INSPECTION DATE: JUNE 14, 2019**

Prepared for:

MR. GARY SCHMIDT

Prepared by:

**NOVA GEOTECHNICAL & INSPECTION SERVICES, LLC
695 EDISON WAY
RENO, NEVADA 89502
Phone: (775) 856-5566**

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- B. Site Map
- C. Sample Location Map
- D. PLM Laboratory Analysis Report
- E. General Notes/Exclusions
- F. EPA NESHAP Notification Information
- G. Certifications

**LIMITED ASBESTOS SURVEY REPORT
REINDEER LODGE
9000 MOUNT ROSE HIGHWAY
RENO, NEVADA**

1.0 INTRODUCTION

As authorized by you, NOVA Geotechnical and Inspection Services (NOVA) conducted limited AHERA-style asbestos inspection at the Reindeer Lodge located at 9000 Mount Rose Highway, Reno, Nevada on June 14, 2019

2.0 BACKGROUND

The subject property is an iconic Reno landmark. The building is generally of wood frame construction with transite and wood siding. Heavy snows in 2017 collapsed a portion of the roof. Recently, some amount of demolition had been performed to start to clean-up the debris. However, as required by Washoe County, an asbestos survey was mandated prior to additional demolition at the site.

NOVA was retained to conduct a limited asbestos inspection and to collect bulk samples of suspect asbestos containing building materials scheduled to be demolished.

3.0 ASBESTOS SURVEY PROCEDURES

Mr. Lynn Minedew, an accredited AHERA Asbestos Building Inspector and Nevada OSHA Certified Asbestos Consultant (See Appendix G – Certifications), performed the limited asbestos inspection of the subject property. The inspection was conducted using procedures similar to the EPA AHERA regulations, 40 CFR 763.

Prior to the inspection, the site was walked by Mr. Minedew as well as Mr. Joshua Ristori of Washoe County Air Quality Management Division.

A sufficient number of samples were collected of each material to satisfy the Occupational Safety and Health Administration (OSHA) and National Emission Standards for Hazardous Air Pollutants (NESHAP) requirements for the determination of asbestos content. A total of 51 bulk samples were collected within the various areas of the building, including existing debris piles. Bulk samples were collected utilizing safety and health practices as required by the OSHA.

Each sample was assigned a unique sample identification number and mapped to identify the sampling location (See Appendix C – Sample Location Map). The samples, with chain of custody documentation, were delivered to EMLab P&K, LLC (EMLab) for analysis.

EMLab is accredited by the U.S. Department of Commerce, National Institute for Science and Technology (NIST) under the National Voluntary Laboratory Accreditation Program (NVLAP) for bulk asbestos sample analysis.

Following is the outlined suspect materials that were sampled during the limited asbestos inspection:

1. Transite – Debris Pile
 - Gray Transite
2. Composition Shingle – Debris Pile
 - Black Roofing Shingle with Green Pebbles
 - Black Roofing Tar and Paper
3. Swirl Texture, Joint Compound, Drywall – Debris Pile
 - White Drywall with Brown Paper
 - White Texture with Paint
 - Joint Compound
 - Cream Tape
4. 12x12 Tan Tile with Mastic – Debris Pile
 - Beige Floor Tile
 - Yellow Adhesive
5. Layered Roof Mastic – Debris Pile
 - Dark Gray Roofing Shingle with Gray Pebbles
 - Black Roofing Tar and Felt
 - Black Roofing Mastic
 - Black Roofing Tar and Felt
 - White Drywall and Brown Paper
6. Window Putty
 - Cream Window Putty
7. Blown Insulation
 - Dull Insulation
8. Spray Acoustic
 - White Semi-fibrous Material
9. Wood Gravel Sheet Floor
 - Brown Sheet Flooring
 - Yellow Mastic
10. 12x12 Gray Tile and Mastic
 - Blue Floor Tile
 - Brown Adhesive
11. Texture, Joint Compound, Drywall
 - White Drywall with Brown Paper
 - White Texture with Paint
 - Joint Compound
 - Cream Tape
12. Sheet Flooring, White with Blue Diamonds
 - Light Brown Sheet Flooring with Fibrous Backing
 - Brown Mastic
13. Sheet Flooring Tan with Mastic
 - Light Brown Sheet Flooring with Fibrous Backing

- Brown Mastic
- 14. Sheet Flooring Blue/Black
 - Multicolored Sheet Flooring with Fibrous Backing
- 15. Texture - Drywall
 - White Texture with Paint
 - White Drywall with Brown Paper
- 16. Flue Pipe Insulation
 - Cream Semi-fibrous Material

4.0 FINDINGS

Based on our analysis, the following materials were found to contain asbestos:

- Gray Transite
- Spray Accoustic

All other building materials sampled were reported by laboratory PLM analysis to be “none detected” for asbestos (See Appendix D – PLM Laboratory Analytical Report).

5.0 RECOMMENDATIONS AND CONCLUSIONS

The following recommendations are made based on our site observations and the results of our asbestos testing.

- Spray acoustic material should be removed to the extent possible while maintaining worker safety by a State of Nevada Licensed Asbestos Contractor and properly disposed of in accordance with all Local, State and Federal guidelines.
- The transite material should be removed by a State of Nevada Licensed Asbestos Contractor and properly disposed of.

Based on the data presented herein, the demolition of the remainder of the Reindeer Lodge can continue.

6.0 PROJECT LIMITATIONS

This report was prepared for the sole and exclusive use of the Client. No other party is entitled to rely in any way on the conclusions, observations, recommendations, or data contained herein without the express written consent of NOVA Geotechnical and Inspection Services, LLC.

This project was performed using practices consistent with standards acceptable within the industry at this time, and a level of diligence typically exercised by industrial hygiene and environmental consultants performing similar services. No other warranty is either expressed or implied. The results, findings, conclusions, and recommendations expressed in the report are based only on conditions on the specified times and locations. If any additional materials which were hidden, inaccessible, undiscovered or are not a part of this project presented in this report during renovation

or demolition activities, they should be assumed to be asbestos-containing materials and not disturbed, unless sampling and analysis of the materials proves to be otherwise.

NOVA assumes no responsibility for conditions or consequences arising from relevant facts that were withheld, concealed, undiscovered, or not fully disclosed, for omissions or errors resulting from inaccurate information, and/or data, provided by sources outside of NOVA, or from omissions or errors in public records. NOVA is not a law firm and does not provide legal representation or advice regarding any potential liability of any person or entity for site conditions. NOVA is not qualified to present medical advice and it is recommended that the findings contained in this report should be presented to a qualified medical professional (e.g. a qualified doctor/physician, nurse).

The PLM method is most commonly used for analysis of bulk building materials for asbestos utilizing optical properties of mineral fibers to identify the percentage and type. The amendment to the NESHAP for asbestos (Federal Register, Volume 55, Number 224, November 20, 1990) requires that when the asbestos content of a bulk material is determined using procedures outlined in the interim method (40 CFR Part 763, Appendix A to Subpart F), and the asbestos content is estimated to be less than 10% by a method other than point counting, the quantitative analysis must be repeated using the point count technique. However, the owner/operator of the building may also elect to assume the amount of the asbestos to be greater than 1% and treat the material as ACM. The PLM method is not consistently reliable in detecting asbestos in floor covering and similar non-friable organically bound (NOB) materials. For this reason, NOVA suggests that the all negative results of floor covering and NOB materials to be confirmed with transmission electron microscopy (TEM) Chatfield Semi-Quantitative analysis. Additional fees will apply if Client elects for TEM analysis and/or point count methods.

The scope of services for this report did not include the inspection for, or identification of fungi, lead paint, or any other hazardous or controlled substances not specifically identified herein.

Furthermore, it is emphasized that the final decision on how much risk to accept always remains with the Client since NOVA is not in a position to fully understand all of the Client's needs. Clients with a greater aversion to risk may want to take additional actions while others, with less aversion to risk, may want to take no further action.

Limited Asbestos Inspection
Project No.: RE-19-025



All documentation is provided to Mr. Schmidt and should be retained in a permanent record. Should you have any questions regarding the procedures that were followed on this project, please contact me at any time. Thank you for the opportunity to provide these environmental consulting services.

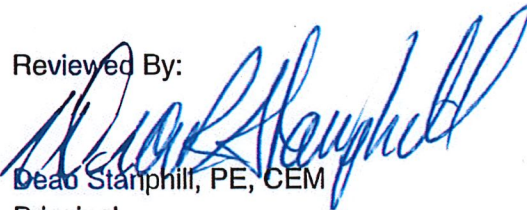
Respectfully,

NOVA Geotechnical and Inspection Services

By:


Lynn Minedew
Project Coordinator

Reviewed By:


Deao Stanphill, PE, CEM
Principal

NV Asbestos Inspector
Certification Number: IJM-1075
Expires: November 14, 2019

APPENDIX A

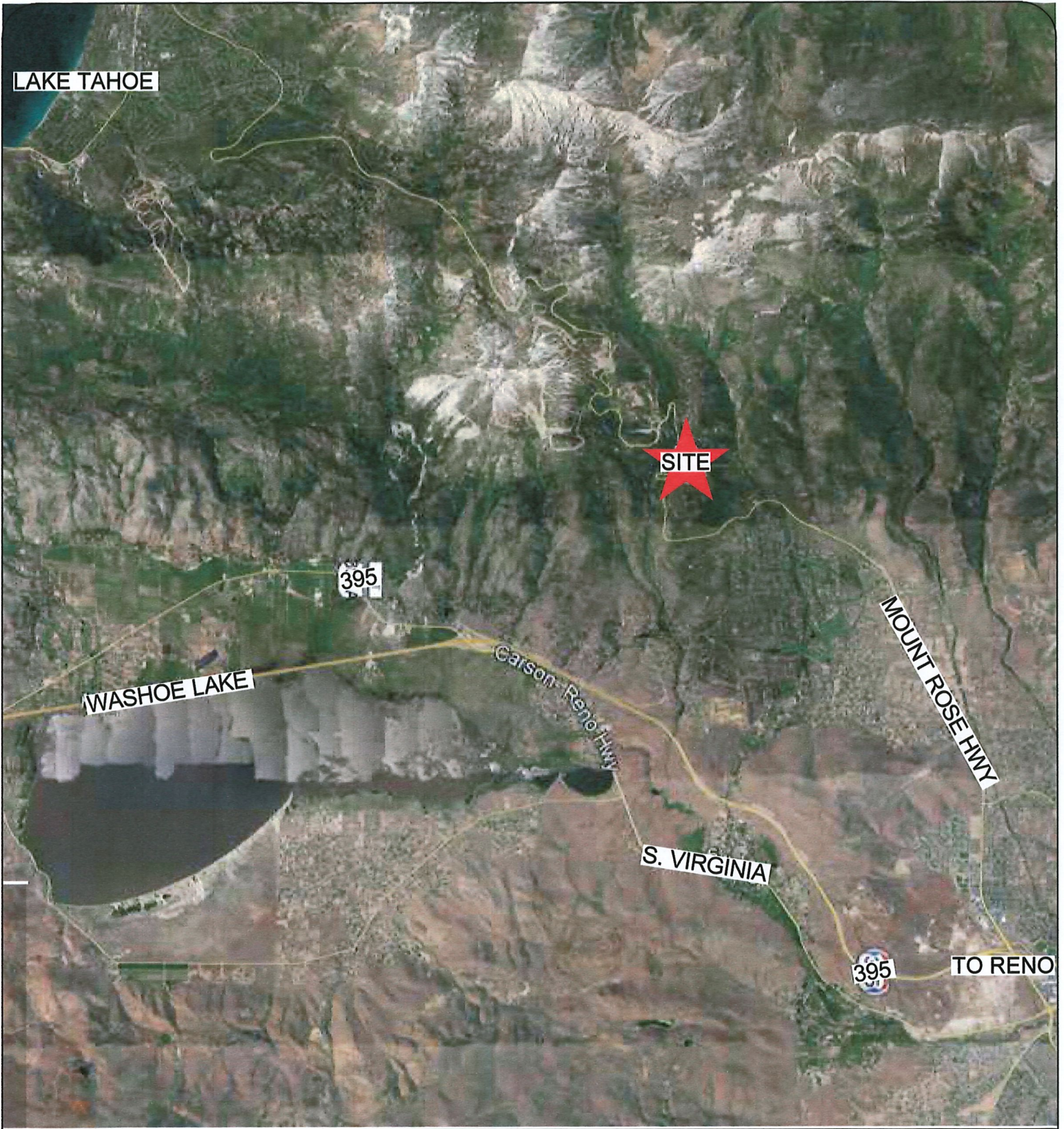
Photo Log



APPENDIX B

Site Map

LAKE TAHOE



SITE

395

WASHOE LAKE

Carson-Reno Hwy

MOUNT ROSE HWY

S. VIRGINIA

395

TO RENO

Date:
06-17-2019

Job No:
RE-19-025

1 MILE



REINDEER LODGE



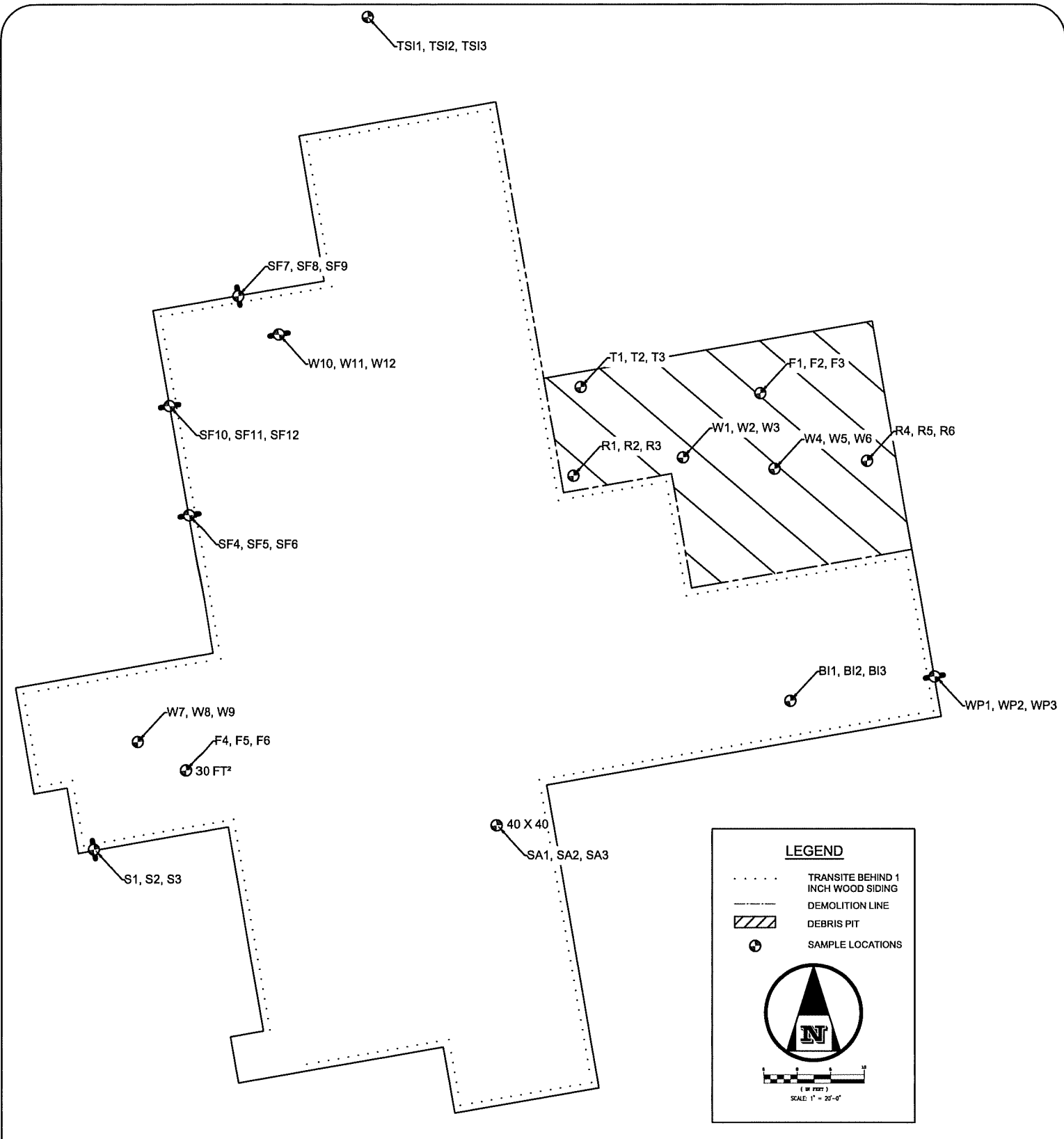
695 EDISON WAY
RENO, NV 89502
T: (775) 856-5566
F: (775) 856-6042

**9000 MOUNT ROSE HIGHWAY
RENO, NEVADA 89511
APN: 048-081-02**

Figure 2

APPENDIX C

Sample Location Map



Date:
06-17-2019

Job No:
RE-19-025

REINDEER LODGE



695 EDISON WAY T: (775) 856-5566
RENO, NV 89502 F: (775) 856-6042

9000 MOUNT ROSE HIGHWAY

RENO, NEVADA 89511

APN: 048-081-02

Figure 1

APPENDIX D
PLM Laboratory Analysis
Report



EMLab P&K

A TestAmerica Company

Report for:

Dean Stanphill
NOVA Geotechnical & Inspection Services
4480 W. Hacienda Ave.
Suite 104
Las Vegas, NV 89118

Regarding: Project: Reindeer Lodge; RE-19-025
 EML ID: 2184600

Approved by:

Approved Signatory
Charlene Kingston

REVISED REPORT

Dates of Analysis:
Asbestos PLM: 06-18-2019 and 06-19-2019

Service SOPs: Asbestos PLM (EPA 40CFR App E to Sub E of Part 763 & EPA METHOD 600/R-93-116, SOP EM-AS-S-1267)

All samples were received in acceptable condition unless noted in the Report Comments portion in the body of the report. The results relate only to the samples as received. The results include an inherent uncertainty of measurement associated with estimating percentages by polarized light microscopy. Measurement uncertainty data for sample results with >1% asbestos concentration can be provided when requested.

EMLab P&K ("the Company") shall have no liability to the client or the client's customer with respect to decisions or recommendations made, actions taken or courses of conduct implemented by either the client or the client's customer as a result of or based upon the Test Results. In no event shall the Company be liable to the client with respect to the Test Results except for the Company's own willful misconduct or gross negligence nor shall the Company be liable for incidental or consequential damages or lost profits or revenues to the fullest extent such liability may be disclaimed by law, even if the Company has been advised of the possibility of such damages, lost profits or lost revenues. In no event shall the Company's liability with respect to the Test Results exceed the amount paid to the Company by the client therefor.

Client: NOVA Geotechnical & Inspection Services
 C/O: Dean Stanphill
 Re: Reindeer Lodge; RE-19-025

Date of Sampling: 06-14-2019
 Date of Receipt: 06-17-2019
 Date of Report: 07-03-2019

ASBESTOS PLM REPORT

Total Samples Submitted: 51
Total Samples Analyzed: 51
Total Samples with Layer Asbestos Content > 1%: 6

Location: T-1, Transite-Debris Pile

Lab ID-Version‡: 10376886-1

| Sample Layers | Asbestos Content |
|---|------------------|
| Gray Transite | 15% Chrysotile |
| Sample Composite Homogeneity: Good | |

Location: T-2, Transite-Debris Pile

Lab ID-Version‡: 10376887-1

| Sample Layers | Asbestos Content |
|---|------------------|
| Gray Transite | 15% Chrysotile |
| Sample Composite Homogeneity: Good | |

Location: T-3, Transite-Debris Pile

Lab ID-Version‡: 10376888-1

| Sample Layers | Asbestos Content |
|---|------------------|
| Gray Transite | 15% Chrysotile |
| Sample Composite Homogeneity: Good | |

Location: R-1, Comp V/B-Debris Pile

Lab ID-Version‡: 10376889-1

| Sample Layers | Asbestos Content |
|---|-----------------------------------|
| Black Roofing Shingle with Green Pebbles | ND |
| Black Roofing Tar and Felt | ND |
| Composite Non-Asbestos Content: | 15% Cellulose 10% Glass Fibers |
| Sample Composite Homogeneity: Moderate | |

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ASBESTOS PLM REPORT

Location: R-2, Comp V/B-Debris Pile

Lab ID-Version‡: 10376890-1

| Sample Layers | Asbestos Content |
|--|-----------------------------------|
| Black Roofing Shingle with Green Pebbles | ND |
| Black Roofing Tar and Felt | ND |
| Composite Non-Asbestos Content: | 15% Cellulose 10% Glass Fibers |
| Sample Composite Homogeneity: | Moderate |

Location: R-3, Comp V/B-Debris Pile

Lab ID-Version‡: 10376891-1

| Sample Layers | Asbestos Content |
|--|-----------------------------------|
| Black Roofing Shingle with Green Pebbles | ND |
| Black Roofing Tar and Felt | ND |
| Composite Non-Asbestos Content: | 15% Cellulose 10% Glass Fibers |
| Sample Composite Homogeneity: | Moderate |

Location: W-1, Swirl Tex J/C D/W-DP

Lab ID-Version‡: 10376892-1

| Sample Layers | Asbestos Content |
|--|------------------|
| White Drywall with Brown Paper | ND |
| White Texture with Paint | ND |
| Composite Non-Asbestos Content: | 10% Cellulose |
| Sample Composite Homogeneity: | Moderate |

Location: W-2, Swirl Tex J/C D/W-DP

Lab ID-Version‡: 10376893-1

| Sample Layers | Asbestos Content |
|--|------------------|
| White Drywall with Brown Paper | ND |
| Joint Compound | ND |
| Cream Tape | ND |
| White Texture with Paint | ND |
| Composite Non-Asbestos Content: | 15% Cellulose |
| Sample Composite Homogeneity: | Moderate |

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ASBESTOS PLM REPORT

Location: W-3, Swirl Tex J/C D/W-DP

Lab ID-Version‡: 10376894-1

| Sample Layers | Asbestos Content |
|--|------------------|
| White Drywall with Brown Paper | ND |
| Joint Compound | ND |
| Cream Tape | ND |
| White Texture with Paint | ND |
| Composite Non-Asbestos Content: | 15% Cellulose |
| Sample Composite Homogeneity: | Moderate |

Location: W-4, Text J/C D/W-DP

Lab ID-Version‡: 10376895-1

| Sample Layers | Asbestos Content |
|--|------------------|
| White Drywall with Brown Paper | ND |
| White Texture with Paint | ND |
| Composite Non-Asbestos Content: | 10% Cellulose |
| Sample Composite Homogeneity: | Moderate |

Location: W-5, Text J/C D/W-DP

Lab ID-Version‡: 10376896-1

| Sample Layers | Asbestos Content |
|--|------------------|
| White Drywall with Brown Paper | ND |
| Joint Compound | ND |
| Cream Tape | ND |
| White Texture with Paint | ND |
| Composite Non-Asbestos Content: | 15% Cellulose |
| Sample Composite Homogeneity: | Moderate |

Location: W-6, Text J/C D/W-DP

Lab ID-Version‡: 10376897-1

| Sample Layers | Asbestos Content |
|--|------------------|
| White Drywall with Brown Paper | ND |
| Joint Compound | ND |
| Cream Tape | ND |
| White Texture with Paint | ND |
| Composite Non-Asbestos Content: | 15% Cellulose |
| Sample Composite Homogeneity: | Moderate |

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ASBESTOS PLM REPORT

Location: F1, 12x12 Tan Tile Mastic-Dp

Lab ID-Version‡: 10376898-1

| Sample Layers | Asbestos Content |
|--------------------------------------|------------------|
| Beige Floor Tile | ND |
| Yellow Adhesive | ND |
| Sample Composite Homogeneity: | Good |

Location: F2, 12x12 Tan Tile Mastic-Dp

Lab ID-Version‡: 10376899-1

| Sample Layers | Asbestos Content |
|--------------------------------------|------------------|
| Beige Floor Tile | ND |
| Yellow Adhesive | ND |
| Sample Composite Homogeneity: | Good |

Location: F3, 12x12 Tan Tile Mastic-Dp

Lab ID-Version‡: 10376900-1

| Sample Layers | Asbestos Content |
|--------------------------------------|------------------|
| Beige Floor Tile | ND |
| Yellow Adhesive | ND |
| Sample Composite Homogeneity: | Good |

Location: R4, Layered Roof Mastic-DP

Lab ID-Version‡: 10376901-1

| Sample Layers | Asbestos Content |
|---|-----------------------------------|
| Dark Gray Roofing Shingle with Gray Pebbles | ND |
| Black Roofing Tar and Felt | ND |
| Black Roofing Mastic | ND |
| Black Roofing Tar and Felt | ND |
| White Drywall with Brown Paper | ND |
| Composite Non-Asbestos Content: | 30% Cellulose 10% Glass Fibers |
| Sample Composite Homogeneity: | Poor |

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ASBESTOS PLM REPORT

Location: R5, Layered Roof Mastic-DP

Lab ID-Version‡: 10376902-1

| Sample Layers | Asbestos Content |
|---|-----------------------------------|
| Dark Gray Roofing Shingle with Gray Pebbles | ND |
| Black Roofing Tar and Felt | ND |
| Black Roofing Mastic | ND |
| Black Roofing Tar and Felt | ND |
| White Drywall with Brown Paper | ND |
| Composite Non-Asbestos Content: | 30% Cellulose 10% Glass Fibers |
| Sample Composite Homogeneity: | Poor |

Location: R6, Layered Roof Mastic-DP

Lab ID-Version‡: 10376903-1

| Sample Layers | Asbestos Content |
|---|-----------------------------------|
| Dark Gray Roofing Shingle with Gray Pebbles | ND |
| Black Roofing Tar and Felt | ND |
| Black Roofing Mastic | ND |
| Black Roofing Tar and Felt | ND |
| White Drywall with Brown Paper | ND |
| Composite Non-Asbestos Content: | 30% Cellulose 10% Glass Fibers |
| Sample Composite Homogeneity: | Poor |

Location: WP1, Window Putty

Lab ID-Version‡: 10376904-1

| Sample Layers | Asbestos Content |
|--------------------------------------|------------------|
| Cream Window Putty | ND |
| Sample Composite Homogeneity: | Good |

Location: WP2, Window Putty

Lab ID-Version‡: 10376905-1

| Sample Layers | Asbestos Content |
|--------------------------------------|------------------|
| Cream Window Putty | ND |
| Sample Composite Homogeneity: | Good |

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ASBESTOS PLM REPORT

Location: WP3, Window Putty

Lab ID-Version‡: 10376906-1

| Sample Layers | Asbestos Content |
|--------------------------------------|------------------|
| Cream Window Putty | ND |
| Sample Composite Homogeneity: | Good |

Location: BI-1, Blown Insulation

Lab ID-Version‡: 10376907-1

| Sample Layers | Asbestos Content |
|--|------------------|
| Dull Insulation | ND |
| Composite Non-Asbestos Content: | 90% Glass Fibers |
| Sample Composite Homogeneity: | Good |

Location: BI-2, Blown Insulation

Lab ID-Version‡: 10376908-1

| Sample Layers | Asbestos Content |
|--|------------------|
| Dull Insulation | ND |
| Composite Non-Asbestos Content: | 90% Glass Fibers |
| Sample Composite Homogeneity: | Good |

Location: BI-3, Blown Insulation

Lab ID-Version‡: 10376909-1

| Sample Layers | Asbestos Content |
|--|------------------|
| Dull Insulation | ND |
| Composite Non-Asbestos Content: | 90% Glass Fibers |
| Sample Composite Homogeneity: | Good |

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ASBESTOS PLM REPORT

Location: SA-1, Spray Acoustic

Lab ID-Version‡: 10376910-1

| Sample Layers | Asbestos Content |
|--|------------------|
| White Semi-Fibrous Material | 15% Chrysotile |
| Composite Non-Asbestos Content: | 15% Cellulose |
| Sample Composite Homogeneity: | Moderate |

Location: SA-2, Spray Acoustic

Lab ID-Version‡: 10376911-2

| Sample Layers | Asbestos Content |
|--|------------------|
| White Semi-Fibrous Material | 10% Chrysotile |
| Composite Non-Asbestos Content: | 15% Cellulose |
| Sample Composite Homogeneity: | Moderate |

Location: SA-3, Spray Acoustic

Lab ID-Version‡: 10376912-2

| Sample Layers | Asbestos Content |
|--|------------------|
| White Semi-Fibrous Material | 10% Chrysotile |
| Composite Non-Asbestos Content: | 15% Cellulose |
| Sample Composite Homogeneity: | Moderate |

Location: SF-1, Wood Gravel Sheet Floor

Lab ID-Version‡: 10376913-1

| Sample Layers | Asbestos Content |
|--------------------------------------|------------------|
| Brown Sheet Flooring | ND |
| Yellow Mastic | ND |
| Sample Composite Homogeneity: | Good |

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ASBESTOS PLM REPORT

Location: SF-2, Wood Gravel Sheet Floor

Lab ID-Version‡: 10376914-1

| Sample Layers | Asbestos Content |
|--------------------------------------|------------------|
| Brown Sheet Flooring | ND |
| Yellow Mastic | ND |
| Sample Composite Homogeneity: | Good |

Location: SF-3, Wood Gravel Sheet Floor

Lab ID-Version‡: 10376915-1

| Sample Layers | Asbestos Content |
|--------------------------------------|------------------|
| Brown Sheet Flooring | ND |
| Yellow Mastic | ND |
| Sample Composite Homogeneity: | Good |

Location: F4, 12x12 Gray Tile and Mastic

Lab ID-Version‡: 10376916-1

| Sample Layers | Asbestos Content |
|--------------------------------------|------------------|
| Blue Floor Tile | ND |
| Brown Adhesive | ND |
| Sample Composite Homogeneity: | Good |

Location: F5, 12x12 Gray Tile and Mastic

Lab ID-Version‡: 10376917-1

| Sample Layers | Asbestos Content |
|--------------------------------------|------------------|
| Blue Floor Tile | ND |
| Brown Adhesive | ND |
| Sample Composite Homogeneity: | Good |

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ASBESTOS PLM REPORT

Location: F6, 12x12 Gray Tile and Mastic

Lab ID-Version‡: 10376918-1

| Sample Layers | Asbestos Content |
|--------------------------------------|------------------|
| Blue Floor Tile | ND |
| Brown Adhesive | ND |
| Sample Composite Homogeneity: | Good |

Location: W7, Text J/C D/W NWC

Lab ID-Version‡: 10376919-1

| Sample Layers | Asbestos Content |
|--|------------------|
| White Drywall with Brown Paper | ND |
| Joint Compound | ND |
| Cream Tape | ND |
| White Texture with Paint | ND |
| Composite Non-Asbestos Content: | 15% Cellulose |
| Sample Composite Homogeneity: | Moderate |

Location: W8, Text J/C D/W DORM

Lab ID-Version‡: 10376920-1

| Sample Layers | Asbestos Content |
|--|------------------|
| White Drywall with Brown Paper | ND |
| Joint Compound | ND |
| Cream Tape | ND |
| White Texture with Paint | ND |
| Composite Non-Asbestos Content: | 15% Cellulose |
| Sample Composite Homogeneity: | Moderate |

Location: W9, Text J/C D/W LR

Lab ID-Version‡: 10376921-1

| Sample Layers | Asbestos Content |
|--|------------------|
| White Drywall with Brown Paper | ND |
| White Texture with Paint | ND |
| Composite Non-Asbestos Content: | 10% Cellulose |
| Sample Composite Homogeneity: | Moderate |

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ASBESTOS PLM REPORT

Location: SF4, Sheet Floor White with Blue Dia

Lab ID-Version‡: 10376922-1

| Sample Layers | Asbestos Content |
|---|-----------------------------------|
| Black/White Sheet Flooring with Fibrous Backing | ND |
| Brown Mastic | ND |
| Composite Non-Asbestos Content: | 20% Cellulose 10% Glass Fibers |
| Sample Composite Homogeneity: | Good |

Location: SF5, Sheet Floor White with Blue Dia

Lab ID-Version‡: 10376923-1

| Sample Layers | Asbestos Content |
|---|-----------------------------------|
| Black/White Sheet Flooring with Fibrous Backing | ND |
| Brown Mastic | ND |
| Composite Non-Asbestos Content: | 20% Cellulose 10% Glass Fibers |
| Sample Composite Homogeneity: | Good |

Location: SF6, Sheet Floor White with Blue Dia

Lab ID-Version‡: 10376924-1

| Sample Layers | Asbestos Content |
|---|-----------------------------------|
| Black/White Sheet Flooring with Fibrous Backing | ND |
| Brown Mastic | ND |
| Composite Non-Asbestos Content: | 20% Cellulose 10% Glass Fibers |
| Sample Composite Homogeneity: | Good |

Location: SF7, Sheet Floor Tan End with Mastic

Lab ID-Version‡: 10376925-1

| Sample Layers | Asbestos Content |
|---|-----------------------------------|
| Light Brown Sheet Flooring with Fibrous Backing | ND |
| Brown Mastic | ND |
| Composite Non-Asbestos Content: | 20% Cellulose 10% Glass Fibers |
| Sample Composite Homogeneity: | Good |

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ASBESTOS PLM REPORT

Location: SF8, Sheet Floor Tan End with Mastic

Lab ID-Version‡: 10376926-1

| Sample Layers | Asbestos Content |
|---|-----------------------------------|
| Light Brown Sheet Flooring with Fibrous Backing | ND |
| Brown Mastic | ND |
| Composite Non-Asbestos Content: | 20% Cellulose 10% Glass Fibers |
| Sample Composite Homogeneity: | Good |

Location: SF9, Sheet Floor Tan End with Mastic

Lab ID-Version‡: 10376927-1

| Sample Layers | Asbestos Content |
|---|-----------------------------------|
| Light Brown Sheet Flooring with Fibrous Backing | ND |
| Brown Mastic | ND |
| Composite Non-Asbestos Content: | 20% Cellulose 10% Glass Fibers |
| Sample Composite Homogeneity: | Good |

Location: SF10, Sheet Floor Blue/Black-Mid

Lab ID-Version‡: 10376928-1

| Sample Layers | Asbestos Content |
|--|------------------|
| Multicolored Sheet Flooring with Fibrous Backing | ND |
| Composite Non-Asbestos Content: | 20% Cellulose |
| Sample Composite Homogeneity: | Good |

Location: SF11, Sheet Floor Blue/Black-Mid

Lab ID-Version‡: 10376929-1

| Sample Layers | Asbestos Content |
|--|------------------|
| Multicolored Sheet Flooring with Fibrous Backing | ND |
| Composite Non-Asbestos Content: | 20% Cellulose |
| Sample Composite Homogeneity: | Good |

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ASBESTOS PLM REPORT

Location: SF12, Sheet Floor Blue/Black-Mid

Lab ID-Version‡: 10376930-1

| Sample Layers | Asbestos Content |
|--|------------------|
| Multicolored Sheet Flooring with Fibrous Backing | ND |
| Composite Non-Asbestos Content: | 20% Cellulose |
| Sample Composite Homogeneity: | Good |

Location: W10, Text North Side

Lab ID-Version‡: 10376931-1

| Sample Layers | Asbestos Content |
|--------------------------------------|------------------|
| White Texture with Paint | ND |
| Sample Composite Homogeneity: | Moderate |

Location: W11, Text D/W North Side

Lab ID-Version‡: 10376932-1

| Sample Layers | Asbestos Content |
|--|------------------|
| White Drywall with Brown Paper | ND |
| White Texture with Paint | ND |
| Composite Non-Asbestos Content: | 10% Cellulose |
| Sample Composite Homogeneity: | Moderate |

Location: W12, Text D/W North Side

Lab ID-Version‡: 10376933-1

| Sample Layers | Asbestos Content |
|--|------------------|
| White Drywall with Brown Paper | ND |
| White Texture with Paint | ND |
| Composite Non-Asbestos Content: | 10% Cellulose |
| Sample Composite Homogeneity: | Moderate |

The test report shall not be reproduced except in full, without written approval of the laboratory. The report must not be used by the client to claim product certification, approval, or endorsement by any agency of the federal government. EMLab P&K reserves the right to dispose of all samples after a period of thirty (30) days, according to all state and federal guidelines, unless otherwise specified.

Inhomogeneous samples are separated into homogeneous subsamples and analyzed individually. ND means no fibers were detected. When detected, the minimum detection and reporting limit is less than 1% unless point counting is performed. Floor tile samples may contain large amounts of interference material and it is recommended that the sample be analyzed by gravimetric point count analysis to lower the detection limit and to aid in asbestos identification.

‡ A "Version" indicated by "-x" after the Lab ID# with a value greater than 1 indicates a sample with amended data. The revision number is reflected by the value of "x".

Client: NOVA Geotechnical & Inspection Services Date of Sampling: 06-14-2019
 C/O: Dean Stanphill Date of Receipt: 06-17-2019
 Re: Reindeer Lodge; RE-19-025 Date of Report: 07-03-2019

ASBESTOS PLM REPORT**Location: TSI-1, Flue Pipe Away Building 10ft**

Lab ID-Version‡: 10376934-1

| Sample Layers | Asbestos Content |
|--|------------------|
| Cream Semi-Fibrous Material | ND |
| Composite Non-Asbestos Content: | 30% Cellulose |
| Sample Composite Homogeneity: | Moderate |

Location: TSI-2, Flue Pipe Away Building 10ft

Lab ID-Version‡: 10376935-1

| Sample Layers | Asbestos Content |
|--|------------------|
| Cream Semi-Fibrous Material | ND |
| Composite Non-Asbestos Content: | 30% Cellulose |
| Sample Composite Homogeneity: | Moderate |

Location: TSI-3, Flue Pipe Away Building 10ft

Lab ID-Version‡: 10376936-1

| Sample Layers | Asbestos Content |
|--|------------------|
| Cream Semi-Fibrous Material | ND |
| Composite Non-Asbestos Content: | 30% Cellulose |
| Sample Composite Homogeneity: | Moderate |

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Inhomogeneous samples are separated into homogeneous subsamples and analyzed individually. ND means no fibers were detected. When detected, the minimum detection and reporting limit is less than 1% unless point counting is performed. Floor tile samples may contain large amounts of interference material and it is recommended that the sample be analyzed by gravimetric point count analysis to lower the detection limit and to aid in asbestos identification.

‡ A "Version" indicated by "-x" after the Lab ID# with a value greater than 1 indicates a sample with amended data. The revision number is reflected by the value of "x".

Client: NOVA Geotechnical & Inspection Services Date of Sampling: 06-14-2019
C/O: Dean Stanphill Date of Receipt: 06-17-2019
Re: Reindeer Lodge; RE-19-025 Date of Report: 07-03-2019

SUMMARY OF REVISIONS

Location: SA-2; Spray Acoustic Lab ID-Version‡: 10376911-2
Analysis Time revised. Asbestos content revised.

Location: SA-3; Spray Acoustic Lab ID-Version‡: 10376912-2
Analysis Time revised. Asbestos content revised.

‡ A "Version" indicated by "-x" after the Lab ID# with a value greater than 1 indicates a sample with amended data. The revision number is reflected by the value of "x".

APPENDIX E

General Notes/Exclusions

GENERAL NOTES/EXCLUSIONS

- Mr. Gary Schmidt, outlined the areas and the materials scheduled to be disturbed during the renovation activities, instructed NOVA to only collect bulk samples of the outlined materials, and to have those samples analyzed for the presence of asbestos fibers by a qualified laboratory.
- This was a limited inspection and those areas not specifically identified in this report were not inspected or any area outside the specific area described herein.
- If any un-sampled suspect building materials are discovered during the renovation activities, those materials should be properly sampled by a certified inspector and analyzed by a qualified laboratory prior to their disturbance.
- No estimated quantities are provided.

APPENDIX F
EPA NESHAP
Notification Information

**EPA NESHAP NOTIFICATION INFORMATION
REINDEER LODGE
9000 MOUNT ROSE HIGHWAY
RENO, NEVADA**

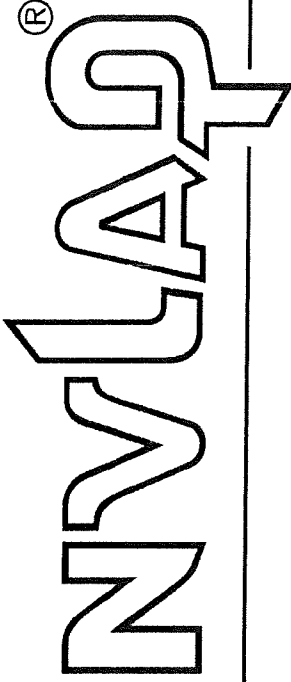
| | |
|----------------------------|---|
| Property Owner/Operator | <u>Gary Schmidt</u> |
| Date of Inspection | <u>June 14, 2019</u> |
| Laboratory | <u>EMLab P & K</u> |
| Testing Method | <u>Polarized Light Microscopy (PLM)</u> |
| Number of Samples | <u>51 PLM</u> |
| Date Analyzed | <u>June 17, 2019</u> |
| Inspector Certification(s) | |
| Name | <u>Lynn Minedew</u> |
| Training Provider | <u>M&C Environmental Training</u> |
| AHERA Certificate Number | <u>042923 IR</u> |
| Expiration Date | <u>November 15, 2018</u> |

All building materials sampled were reported by laboratory PLM analysis to be "none detected" for asbestos.

APPENDIX G

Certifications

United States Department of Commerce
National Institute of Standards and Technology



Certificate of Accreditation to ISO/IEC 17025:2005

NVLAP LAB CODE: 500031-0

EMLab P&K
Phoenix, AZ

is accredited by the National Voluntary Laboratory Accreditation Program for specific services,
listed on the Scope of Accreditation, for:

Asbestos Fiber Analysis

*This laboratory is accredited in accordance with the recognized International Standard ISO/IEC 17025:2005.
This accreditation demonstrates technical competence for a defined scope and the operation of a laboratory quality
management system (refer to joint ISO-ILAC-IAF Communique dated January 2009).*

2019-01-01 through 2019-12-31

Effective Dates



A handwritten signature in black ink, appearing to read "Peter S. Gorman".

For the National Voluntary Laboratory Accreditation Program

M&C Environmental Training

Asbestos Contractor/Supervisor Refresher Training Course

Lynn Mincedew

has successfully completed the Asbestos Contractor/Supervisor Refresher course approved by the California Division of Occupational Safety and Health for purposes of certification required by Title 8, Article 2.7 Chapter 3.2, Section 341.16 and the accreditation required under the Toxic Substances Control Act, Title II. Conducted by M&C Environmental Training, Inc., 1619 Beverly Place, Berkeley, California 94707. Tel. #(510) 525 - 1388

Course Approval Number: CA-003-04

Location: **Reno, Nevada**

Expiration: **November 14, 2019**

Dates: **November 14, 2018**

Director of Training: **John McGinnis**



Certificate Number **44801 SR**

M&C Environmental Training

Asbestos Inspector Refresher Training Course

Lynn Minedew

has successfully completed the Asbestos Inspector Refresher course approved by the California Division of Occupational Safety and Health for purposes of certification required by Title 8, Article 2.7 Chapter 3.2, Section 341.16 and the accreditation required under the Toxic Substances Control Act, Title II. Conducted by M&C Environmental Training, Inc., 1619 Beverly Place, Berkeley, California 94707. Tel. #(510) 525 - 1388

Course Approval Number: CA-003-06

Location: **Reno, Nevada**

Expiration: **November 15, 2019**

Dates: **November 15, 2018**

Director of Training: **John McGinnis**

John McGinnis

Certificate Number **44827 IR**

M&C Environmental Training

Asbestos Management Planner Refresher Training Course

Lynn Minedew

has successfully completed the Asbestos Management Planner Refresher course approved by the California Division of Occupational Safety and Health for purposes of certification required by Title 8, Article 2.7 Chapter 3.2, Section 341.16 and the accreditation required under the Toxic Substances Control Act, Title II. Conducted by M&C Environmental Training, Inc., 1619 Beverly Place, Berkeley, California 94707. Tel. #(510) 525 - 1388

Course Approval Number: CA-003-08

Location: Reno, Nevada

Expiration: November 15, 2019

Dates: November 15, 2018

Director of Training: John McGinnis



Certificate Number 44863 PR

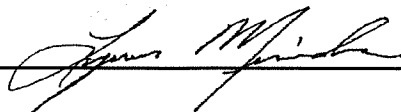
STATE OF NEVADA
DEPARTMENT OF BUSINESS AND INDUSTRY
DIVISION OF INDUSTRIAL RELATIONS
Occupational Safety and Health Administration
Asbestos Control Program

Certifies That Lynn Minedew
Pezonella Associates, Inc.
is Licensed As Asbestos Abatement Consultant

License No. IJM-1075

Expiration Date 11/14/2019

Signature Of Licensee



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 Shoreline Ct. Ste 203, S. San Francisco, CA 94080 * (866) 882-6653 6000



102184600

Water, Bulk, Dust, Soil, Contact

| | |
|----------------|----------------|
| Non-Culturable | Other Requests |
| Spore Trap | |
| Tape Swab | |
| Bulk | |

| | |
|---|--|
| Fungi - Spore Trap Analysis | |
| Spore Trap Analysis - Other particles | |
| Direct Microscopic Exam (Qualitative) | |
| Quantitative Spore Count Direct Exam | |
| 1-Media Surface Fungi (Genus ID + Asp. spp.) | |
| 2-Media Surface Fungi (Genus ID + Asp. spp.) | |
| 3-Media Surface Fungi (Genus ID + Asp. spp.) | |
| Culturable Air Fungi (Genus ID + Asp. spp.) | |
| Gram Stain and Counts (Culturable Air and Surface Bacteria) | |
| Legionella culture, potable or nonpotable (please select) | |
| Total Coliform, E.coli (Presence/Absence) | |
| Membrane Filtration (Please specify organism) | |
| MPN Bacteria (Please specify organism) | |
| Quantitray - Sewage Screen | |
| Asbestos Analysis - PCM Airborne Fiber Count (NIOSH 7400) | |
| Asbestos Analysis - PCM (EPA method 600/4-93-118) | |
| PCR (please specify test) | |

| WEATHER: | Fog | Rain | Snow | Wind | Clear |
|----------|-----|------|------|------|-------|
| None | | | | | |
| Light | | | | | |
| Moderate | | | | | |
| Heavy | | | | | X |

CONTACT INFORMATION

Company: **NDVA**
 Contact: **Dean Stuphill**
 Phone/Email: **775-560-3911**
 Project ID: **REWEVER LODGE**
 Project Desc.: **RE-19-025**
 Project Sampling Date & Time: **6/14/19 1000**
 PO Number:

Special Instructions:

| TURNOURROUND TIME CODES (TAT) |
|-------------------------------|
| STD - Standard (DEFAULT) |
| ND - Next-Business-Day |
| SD - Same Business Day Rush |
| WH - Weekend/Holiday |

| Sample ID | Description | Sample Type (Below) | Volume/Area (Above) | NOTES |
|-----------|-------------------------|---------------------|---------------------|-------|
| T-1 | Transito - Debris Pile | B | | |
| T-2 | Transito - Debris Pile | B | | |
| T-3 | Transito - Debris Pile | B | | |
| R-1 | Comp. V/B - Debris Pile | B | | |
| R-2 | Comp. V/B - Debris Pile | B | | |
| R-3 | Comp. V/B - Debris Pile | B | | |
| W-1 | Swirl Tex 1/c P/W - DP | B | | |
| W-2 | Swirl Tex 1/c P/W - DP | B | | |
| W-3 | Swirl Tex 1/c P/W - DP | B | | |
| W-4 | Text 1/c D/W - DP | B | | |
| W-5 | Text 1/c D/W - DP | B | | |
| W-6 | Text 1/c D/W - DP | B | | |

| SAMPLE TYPES | DATE/TIME |
|------------------------|-----------|
| ST - Spore Trap | |
| Zefon | |
| Allergenco, Burkard... | |
| P - Potable Water | |
| NP - Non-Potable Water | |
| T - Tape | |
| D - Dust | |
| SW - Swab | |
| SO - Soil | |
| B - Bulk | |
| O - Other: | |

| | |
|---------------------------------|--------------------|
| RECEIVED BY: <i>[Signature]</i> | DATE/TIME: 6.17.19 |
| | 6.10.54PM |

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Shoreline Ct. Ste 203, S. San Francisco, CA 94080 (866) 888-6663

5000

Company: **NOVA**
 Contact: **Dean Stambull**
 Phone/Email: **715-560-3911**

Special Instructions:

Project ID: **Reinforce Large**

Project Desc: **RE-19-025**
 Project: **Sampling**
 Zip Code: **6/14/19 1000**

PO Number:

TURNAROUND TIME CODES: (TAT)
 STD - Standard (DEFAULT)
 ND - Next Business Day
 SD - Same Business Day Rush
 WH - Weekend/Holiday

NOTES
 Rushes received after 2pm on non
 weekdays will be considered
 received the next business day
 Please alert us if you have any
 special handling needs.

| Sample ID | Description | Sample Type | TAT | Volume/No. of Containers | Notes |
|-----------|-----------------------------|-------------|-----|--------------------------|-------|
| F1 | 12x12 Tan Tile Masonry - DP | B | | | |
| F2 | 12x12 Tan Tile Masonry - DP | B | | | |
| F3 | 12x12 Tan Tile Masonry - DP | B | | | |
| R4 | Layover Pool Masonry - DP | B | | | |
| R5 | Layover Pool Masonry - DP | B | | | |
| R6 | Layover Pool Masonry - DP | B | | | |
| W1 | Window Putty | B | | | |
| W2 | Window Putty | B | | | |
| W3 | Window Putty | B | | | |
| BI-1 | Blown Insulation | B | | | |
| BI-2 | Blown Insulation | B | | | |
| BI-3 | Blown Insulation | B | | | |

| Sample ID/Code | Sample Type | D - Dust | T - Tape | D - Dust |
|---------------------------|----------------------------|------------|-----------|----------|
| BC - BioCassette™ | ST - Spore Trap: Zefon. | SW - Swab | SO - Soil | |
| A1S - Andersen | Allergenco, Burkard... | B - Bulk | | |
| SAS - Surface Air Sampler | P - Potable Water | Q - Other: | | |
| CP - Contact Plates | NP - Non-Potable Water | | | |

| WEATHER: | Fog | Rain | Snow | Wind | Grant |
|----------|-----|------|------|------|-------|
| None | | | | | |
| Light | | | | | |
| Moderate | | | | | |
| Heavy | | | | | X |

Barcode: 1-02184600

Non-Cultured: Spore Trap, Tap, Svat, Bulk

Other Requests: PCR (please specify test)

| TEST: | DATE/TIME |
|---|-----------|
| Fungi - Spore Trap Analysis | |
| Spore Trap Analysis - Other particles | |
| Direct Microscopic Exam (Qualitative) | |
| Quantitative Spore Count Direct Exam | |
| 1-Media Surface Fungi (Genus ID + Asp. spp.) | |
| 2-Media Surface Fungi (Genus ID + Asp. spp.) | |
| 3-Media Surface Fungi (Genus ID + Asp. spp.) | |
| Cultureko Air Fungi (Genus ID + Asp. spp.) | |
| Gram Stain and Counts (Culturable Air and Surface Bacteria) | |
| Logskella cultura potabile or nonpotabile (please select) | |
| Total Coliform, E.coli (Presence/Absence) | |
| Membrane Filtration (Please specify organism) | |
| MPN Bacteria (Please specify organism) | |
| Quantitray - Sewage Screen | |
| Asbestos Analysis - PCM (EPA method 600/R-93-116) | |
| Asbestos Analysis - PCM Airborne Fiber Count (NIOSH 7400) | |

| RECEIVED BY: | DATE/TIME: |
|--------------------|------------|
| <i>[Signature]</i> | 6/17/19 |
| | 01054RM |

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S. San Francisco, CA: 6000
 Shoreline Ct Ste 209, S. San Francisco, CA 94080 * (866) 888-6655

| WEATHER | Fog | Rain | Snow | Wind | Cloud |
|----------|-----|------|------|------|-------|
| None | | | | | |
| Light | | | | | |
| Moderate | | | | | |
| Heavy | | | | | |



102184600

Non-C

Spore Trap

Bulk

Water, Soil, Contact

| | | |
|----------------|---|--|
| Other Requests | PCR (please specify test) | |
| | Asbestos Analysis - PLM (EPA method 504/8-93-116) | |
| | Asbestos Analysis - PCM (Albion Fiber Count (NIOSH 7400)) | |
| | Quantitray - Sewage Screen | |
| | MPN Bacteria (Please specify organism) | |
| | Membrane Filtration (Please specify organism) | |
| | Total Coliform, E.coli (Presence/Absence) | |
| | Legionella culture (please select) | |
| | Gram Stain and Counts (Culturable Air and Surface Bacteria) | |
| | Culturable Air Fungi (Genus ID + Asp. spp.) | |
| | 3-Media Surface Fungi (Genus ID + Asp. spp.) | |
| | 2-Media Surface Fungi (Genus ID + Asp. spp.) | |
| | 1-Media Surface Fungi (Genus ID + Asp. spp.) | |
| | Quantitative Spore Count Direct Exam | |
| | Direct Microscopic Exam (Qualitative) | |
| | Fungal - Spore Trap Analysis | |
| | Spore Trap Analysis - Other particles | |

CONTACT INFORMATION

Company: **NOVA**

Contact: **Dean Staphilli**

Phone/Email: **775-320-3911**

Project ID: **LAUNDEER LODGE**

Project Description: **RE-19-075**

Sampling Date & Time: **6/19/19 1000**

Zip Code:

PO Number:

Special Instructions:

TURN AROUND TIME CODES (TAT):

STD - Standard (DEFAULT)

ND - Next Business Day

SD - Same Business Day Rush

WH - Weekend/Holiday

Notes: Rushes received after 2pm on non-business days will be considered received the next business day. Please select rush service if you need a turnaround time less than 24 hours.

PROJECT INFORMATION

Sample Type (Below):

Volume/Amount:

Notes:

| Sample ID | Description | Sample Type (Below) | Volume/Amount | Notes |
|-----------|--------------------------|---------------------|---------------|-------|
| SA-1 | Sporey Acoustic | B | | |
| SA-2 | Sporey Acoustic | B | | |
| SA-3 | Sporey Acoustic | B | | |
| SPH | Wood Grand Sheet Floor | B | | |
| SE-1 | Wood Grand Sheet Floor | B | | |
| SE-2 | Wood Grand Sheet Floor | B | | |
| SE-3 | Wood Grand Sheet Floor | B | | |
| FA | 12x12 Gray Tile & Mosaic | B | | |
| F5 | 12x12 Gray Tile & Mosaic | B | | |
| F6 | 12x12 Gray Tile & Mosaic | B | | |
| W7 | Text -/K P/W NUL | B | | |
| W8 | Text -/K P/W DREM | B | | |
| W9 | Text -/K P/W LR | B | | |

RECEIVED BY / DATE TIME

RECEIVED BY: *[Signature]* DATE TIME: **6/19/19 1552**

RECEIVED BY: *[Signature]* DATE TIME: **6/19/19**

RECEIVED BY: *[Signature]* DATE TIME: **6/10/19**

BC - BioCassette

AIS - Andersen

SAS - Surface Air Sampler

CP - Contact Plate

ST - Spore Trap

Zefon

Allergenco, Burkard...

P - Potable Water

NP - Non-Potable Water

T - Tape

D - Dust

SW - Swab

SO - Soil

B - Bulk

Q - Other:

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Shoreline Ct. Ste 203, S. San Francisco, CA 94080 * (866) 888-6655

6000

Company: **IOUVA**

Contact: **Dean Stankovich**

Phone/Email: **775-560-3911**

Project ID: **REINDER LODGE**

Project Desc.: **RE-19-025**

Project Date & Time: **6/14/19 1000**

Zip Code:

PO Number:

Special Instructions:

CONTACT INFORMATION

PROJECT INFORMATION

| | |
|-----------------------------|---|
| STD - Standard (DEFAULT) | Flashes, recalcitrant, appropriate weekends will be considered for testing on business days |
| ND - Next Business Day | Please start (as advanced) on business days |
| SD - Same Business Day Rush | |
| WH - Weekend/Holiday | |

TURN AROUND TIME CODES (TAT)

| Sample Type (Volume/Temp) | Turnaround Time (Days) |
|-----------------------------|------------------------|
| ST - Spore Trap (100ml/4°C) | 1-2 |
| SW - Swab (100ml/4°C) | 1-2 |
| SO - Soil (100ml/4°C) | 1-2 |
| B - Bulk (100ml/4°C) | 1-2 |
| Q - Other (100ml/4°C) | 1-2 |

| Sample ID | Description | Sample Type (Volume/Temp) | Turnaround Time (Days) |
|-----------|--------------------------------|---------------------------|------------------------|
| SF4 | sheet floor white w blue dia | | |
| SF5 | sheet floor white w blue dia | | |
| SF6 | sheet floor white w blue dia | | |
| SF7 | sheet floor tan end of hallway | | |
| SP8 | sheet floor tan end of hallway | | |
| SP9 | sheet floor tan end of hallway | | |
| SF10 | sheet floor blue/black - mid | | |
| SF11 | sheet floor blue/black - mid | | |
| SF12 | sheet floor blue/black - mid | | |
| W10 | toilet north side | | |
| W11 | toilet north side | | |
| W12 | toilet north side | | |

SAMPLET CODES

| | | | |
|---------------------------|------------------------|-----------|-----------|
| BC - BioCassette™ | ST - Spore Trap | T - Tape | D - Dust |
| A1S - Andersen | Zeton | SW - Swab | SO - Soil |
| SAS - Surface Air Sampler | Allergenco, Burkard... | B - Bulk | Q - Other |
| CP - Contact Plate | P - Potable Water | | |
| | NP - Non-Potable Water | | |

BEING WISHED BY

| | |
|------------------------|--------------|
| <i>Dean Stankovich</i> | DATE/TIME |
| | 6/14/19 1830 |



1-02184600

Non-Culture

Spore Trap

To, Swab Bulk

Water, Bulk, Dust, Soil, Contact

Other Requests

PCR (please specify test)

Asbestos Analysis - FLM (EPA method 8000-R-93-116)

Asbestos Analysis - FCM Airborne Fiber Count (NIOSH 7400)

Quantitative Spore Count Direct Exam

Direct Microscopic Exam (Qualitative)

Fungi Spore Trap Analysis

Spore Trap Analysis - Other particles

1-Media Surface Fungi (Genus ID + Asp. spp.)

2-Media Surface Fungi (Genus ID + Asp. spp.)

3-Media Surface Fungi (Genus ID + Asp. spp.)

Culturable Air Fungi (Genus ID + Asp. spp.)

Gram Stain and Counts (Culturable Air and Surface Bacteria)

Legionella culture (potable or nonpotable) (please select)

Total Coliform, E.coli (Presence/Absence)

Membrane Filtration (Please specify organism)

MFN Bacteria (Please specify organism)

QuantTray - Sewage Screen

RECEIVED BY

| | |
|--------------------|------------|
| <i>[Signature]</i> | DATE/TIME |
| | 6-17-19 |
| | 6-10-54 AM |

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

**NOTICE OF VIOLATION
ISSUED TO**

**Gary R. Schmidt
Reindeer Lodge
9000 Mt Rose Hwy
Reno, Nevada 89511**

**Date of Issuance: February 1, 2021
Notice of Violation No.: AQMV21-0004**

The Air Quality Management Division of the Washoe County Health District (AQMD) has determined that Gary R. Schmidt owner and operator of the Reindeer Lodge located at 9000 Mt. Rose Highway in Reno, Nevada 89511 is in violation the Clean Air Act 40 C.F.R. 61, Subpart M – National Emission Standards for Asbestos §61.145 Standards for demolition and renovation (b) Notification requirements for failure to provide the AQMD with written notice of intention to demolish or renovate 10 days prior to the start of the demolition of the Reindeer Lodge as required by 40 C.F.R. 61, Subpart 61.145 (a) (1).

1. VIOLATION

- A. Failure to provide the AQMD with written notice of intention to demolish or renovate 10 days prior to the start of the demolition of the Reindeer Lodge as required by 40 C.F.R. 61, Subpart 61.145 (a) (1).

2. BASIS OF VIOLATION

- A. Regulatory Authority

Per section 030.105 b. 10., The Washoe County District Board of Health Regulations Governing Air Quality Management adopted by reference, 40 C.F.R. 61, Subpart M and has been delegated authority to implement and ensure compliance with this Subpart within the Washoe County Health District.

Per 40 C.F.R. 61, Subpart M – National Emission Standards for Asbestos §61.145 Standards for demolition and renovation (b) Notification requirements:

(b) Notification requirements. Each owner or operator of a demolition or renovation activity to which this section applies shall:

(1) Provide the Administrator with written notice of intention to demolish or renovate. Delivery of the notice by U.S. Postal Service, commercial delivery service, or hand delivery is acceptable.

(2) Update notice, as necessary, including when the amount of asbestos affected changes by at least 20 percent.

(3) Postmark or deliver the notice as follows:

(i) At least 10 working days before asbestos stripping or removal work or any other activity begins (such as site preparation that would break up, dislodge or similarly disturb asbestos material), if the operation is described in paragraphs (a) (1) and (4) (except (a)(4)(iii) and (a)(4)(iv)) of this section. If the operation is as described in paragraph (a)(2) of this section, notification is required 10 working days before demolition begins.

(ii) At least 10 working days before the end of the calendar year preceding the year for which notice is being given for renovations described in paragraph (a)(4)(iii) of this section.

(iii) As early as possible before, but not later than, the following working day if the operation is a demolition ordered according to paragraph (a)(3) of this section or, if the operation is a renovation described in paragraph (a)(4)(iv) of this section.

(iv) For asbestos stripping or removal work in a demolition or renovation operation, described in paragraphs (a) (1) and (4) (except (a)(4)(iii) and (a)(4)(iv)) of this section, and for a demolition described in paragraph (a)(2) of this section, that will begin on a date other than the one contained in the original notice, notice of the new start date must be provided to the Administrator as follows:

(A) When the asbestos stripping or removal operation or demolition operation covered by this paragraph will begin after the date contained in the notice,

(1) Notify the Administrator of the new start date by telephone as soon as possible before the original start date, and

(2) Provide the Administrator with a written notice of the new start date as soon as possible before, and no later than, the original start date. Delivery of the updated notice by the U.S. Postal Service, commercial delivery service, or hand delivery is acceptable.

(B) When the asbestos stripping or removal operation or demolition operation covered by this paragraph will begin on a date earlier than the original start date,

(1) Provide the Administrator with a written notice of the new start date at least 10 working days before asbestos stripping or removal work begins.

(2) For demolitions covered by paragraph (a)(2) of this section, provide the Administrator written notice of a new start date at least 10 working days before commencement of demolition. Delivery of updated notice by U.S. Postal Service, commercial delivery service, or hand delivery is acceptable.

(C) In no event shall an operation covered by this paragraph begin on a date other than the date contained in the written notice of the new start date.

B. Facts to Constitute the Violation

On June 10, 2019, the AQMD was made aware of demolition activity associated with the facility at the Reindeer Lodge (9000 Mt. Rose Hwy). A review of records demonstrated that a NESHAP Notification of Demolition had not been submitted 10 days prior to the start of demolition pursuant to 40 C.F.R. 61, Subpart M – National Emission Standards for Asbestos §61.145 Standards for demolition and renovation (b) Notification requirements.

On the same day, AQMD staff was able to confirm that demolition activity as defined by 40 C.F.R. 61, Subpart M had occurred in the northeast portion of the facility (Attachment 1).

Demolition is defined in 40 C.F.R. 61 Subpart M as *“the wrecking or taking out of any load-supporting structural member of a facility together with any related handling operations or the intentional burning of any facility.”*

Facility is defined in 40 C.F.R. 61 Subpart M as *“any institutional, commercial, public, industrial, or residential structure, installation, or building (including any structure, installation, or building containing condominiums or individual dwelling units operated as a residential cooperative, but excluding residential buildings having four or fewer dwelling units); any ship; and any active or inactive waste disposal site. For purposes of this definition, any building, structure, or installation, that contains a loft used as a dwelling is not considered a residential structure, installation, or building. Any structure, installation or building that was previously subject to this subpart is not excluded, regardless of its current use or function.”*

On August 17, 2020 the AQMD received a NESHAP Notification of Demolition and Renovation for the demolition of the Reindeer Lodge from Ray Pezonella, representative for Gary R. Schmidt (Attachment 2). The document was deemed incomplete by the AQMD as it did not contain the signatures of the owner/operator. An email was sent to Ray Pezonella on August 18, 2020 stating that the Notification was incomplete (Attachment 3).

The NESHAP Notification of Demolition and Renovation for the Reindeer Lodge was submitted with a letter from Gary R. Schmidt’s attorney, Taylor Jenkins, on September 14, 2020. The Notification was reviewed and approved on September 14, 2020 (Attachment 4).

3. APPEAL PROCEDURE AND TIME LIMITATIONS

A. Appeal Procedure

Gary R. Schmidt is advised that within (10) working days of the receipt of this Notice of Violation, Gary R. Schmidt 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
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 Washoe County District Board of Health with a recommendation for the assessment of an administrative fine of \$12,500.00.

ATTACHMENT 1

Photographs

Reindeer Lodge
9000 Mt. Rose Highway
Reno, Nevada
Taken on June 10, 2019

Photograph 1

Date: June 10, 2019

Direction: West

Image demonstrates the demolition that occurred to the Reindeer Lodge at 9000 Mt. Rose Highway observed by the AQMD upon initial investigation.



Photograph 2

Date: June 10, 2019

Direction: Northwest

Image identifies the location of the demolition that occurred at 9000 Mt. Rose Highway.



Photograph 3

Date: June 10, 2019

Direction: Southwest

Image demonstrates the demolition that occurred to the Reindeer Lodge at 9000 Mt. Rose Highway observed by the AQMD upon initial investigation.



ATTACHMENT 2

EPA NESHAP

Notification OF DEMOLITION AND RENOVATION

FILL IN ALL NUMBERED BLANKS

| | | | | | | |
|---|-----------|---|---|--------|--|----------|
| Operator Project # | Postmark | Notification Permit # | Date Received | | | |
| 1. TYPE OF NOTIFICATION (O=Original R= Revised C=Canceled) Original | | | | | | |
| 2. FACILITY INFORMATION (Identify Owner, Removal Contractor, and Other Operator) | | | | | | |
| OWNER NAME: DPG SCHMIDT, INC | | | | | | |
| Address: P O BOX 861 | | | | | | |
| City: RENO | State: NV | Zip: 89511 | | | | |
| Contact Person: RAY PEZONELLA / GARY SCHMIDT | | | Tel: 775-742-4196 | | | |
| REMOVAL CONTRACTOR: ALL EAGLE,LLC | | | | | | |
| Address: 4215 REWANA WAY | | | | | | |
| City: RENO | State: NV | Zip: 89502 | | | | |
| Contact Person: MAX CARDENAS JR. | | | Tel: 775-400-8290 | | | |
| OTHER OPERATOR/CONSULTANT: WISE CONSULTING AND TRAINING, INC | | | | | | |
| Address: 5400 MILL STREET, STE A | | | | | | |
| City: RENO | State: NV | Zip: 89505 | | | | |
| Contact Person: TOM WISE | | | Tel: 775-827-2717 | | | |
| 3. TYPE OF OPERATION (D=Demo O=Ordered Demo R=Renovation E=Emergency Renovation) Renovation <input type="checkbox"/> | | | | | | |
| 4. IS ASBESTOS PRESENT? (Yes/No) Yes | | | | | | |
| 5. Facility Description (Include Building Name, Number, and Floor or Room Number) | | | | | | |
| Building Name: OLD REINDEER LODGE | | | | | | |
| Address: 9000 MT. ROSE HWY | | Parcel #: | | | | |
| City: RENO | State: NV | County: WASHOE | Zip Code: 89511 | | | |
| On-Site Location: | | | | | | |
| Building Size: 4,000- 5,000 Sqft | | # of Floors: 2 | Age in Years: 60 | | | |
| Present Use: Unoccupied Residence | | Prior Use: Residential | | | | |
| 6. PROCEDURE INCLUDING ANALYTICAL METHOD, IF APPROPRIATE, USED TO DETECT THE PRESENCE OF ACM: PLM Method 600/R-93-116 | | | | | | |
| 7. APPROXIMATE AMOUNT OF ASBESTOS, INCLUDING: | | | | | | |
| 1. Regulated ACM to be removed. | | Amount of RACM To Be Removed | Amount of Nonfriable ACM Not To Be Removed | | Amount of Nonfriable ACM To Be Removed | |
| 2. Category I ACM Not Removed. | | | Cat I | Cat II | Cat I | Cat II |
| 3. Category II ACM Not Removed. | | *** Note material being removed to the right of measurement *** | | | | |
| Pipes (Linear Ft.) | | | | | | |
| Surface Area (Square Ft.) | | | | | | 300 s.f. |
| Vol RACM off facility Component (Cubic Ft.) | | | | | | |
| 8. SCHEDULED DATES ASBESTOS REMOVAL (MM/DD/YY) Start: 09/01/2020 Completed: 09/10/2020 | | | | | | |
| Days Worked (circle) M T W TH F *Sat *Sun Day Shift hours: *Evening Shift Hours: *Non-Standard Working Hours - additional \$192.00 per hour for AQM inspection | | | | | | |
| 9. SCHEDULED DATES DEMO/RENOVATION (MM/DD/YY) Start: 09/01/2020 Completed: 09/10/2020 | | | | | | |

| | | | |
|--|-----------------|-----------------------------------|-------------------|
| 10. DESCRIPTION OF PLANNED DEMOLITION OR RENOVATION WORK, AND METHODS TO BE USED: | | | |
| Continued demolition of the snow damaged lodge with standard construction equipment. | | | |
| 11. DESCRIPTION OF WORK PRACTICES AND ENGINEERING CONTROLS TO BE USED TO PREVENT EMISSIONS OF ASBESTOS AT THE DEMOLITION AND RENOVATION SITE: | | | |
| Expose Transite Siding with demolition equipment, then remove Siding with standard misting and removal is largest sections practicable. | | | |
| 12. WASTE TRANSPORTER #1 | | | |
| Name: Rubbish Runners | | | |
| Address: 1085 Telegraph St. | | | |
| City: Reno | State: Nev | Zip: 89502 | |
| Contact Person: | | Telephone: 775-786-0159 | |
| WASTE TRANSPORTER #2 | | | |
| Name: | | | |
| Address: | | | |
| City: | State: | Zip: | |
| Contact Person: | | Telephone: | |
| 13. WASTE DISPOSAL SITE | | | |
| Name: Lockwood | | | |
| Location: | | | |
| City: | State: | Zip: | |
| Telephone: | | | |
| 14. IF DEMOLITION ORDERED BY A GOVERNMENT AGENCY, PLEASE IDENTIFY THE AGENCY BELOW: | | | |
| Name: | | Title: | |
| Authority: | | | |
| Date of order (MM/DD/YY): | | Date ordered to begin (MM/DD/YY): | |
| 15. FOR EMERGENCY RENOVATIONS: | | | |
| Date and hour of emergency (MM/DD/YY - HH:MM): | | | |
| Description of Sudden, Unexpected Event: | | | |
| Collapse of roof over main building and part of two wings during winter snow loads in 2019. | | | |
| Explanation of how the event caused unsafe conditions or would cause equipment damage or an unreasonable financial burden: | | | |
| Area appropiatley safety fenced per Washoe County Standards. | | | |
| 16. DESCRIPTION OF PROCEDURES TO BE FOLLOWED IN THE EVENT THAT UNEXPECTED ASBESTOS IS FOUND OR PREVIOUSLY NONFRIABLE ASBESTOS MATERIAL BECOMES CRUMBLED, PULVERIZED, OR REDUCED TO POWDER: | | | |
| Stop work and contact asbestos consultant for evaluation and direction. | | | |
| 17. I CERTIFY THAT AN INDIVIDUAL TRAINED IN THE PROVISIONS OF THIS REGULATION (40 CFR PART 61, SUBPART M) WILL BE ON-SITE DURING THE DEMOLITION OR RENOVATION AND EVIDENCE THAT THE REQUIRED TRAINING HAS BEEN ACCOMPLISHED BY THIS PERSON WILL BE AVAILABLE FOR INSPECTION DURING NORMAL BUSINESS HOURS. | | | |
| _____ | _____ | _____ | _____ |
| (Print Name: Owner/Operator) | (Title) | (Signature of Owner/Operator) | (Date) |
| 18. I CERTIFY THAT THE ABOVE INFORMATION IS CORRECT | | | |
| J. Tom Wise | Asbestos | NV. IJPM 43 | 8/28/20 |
| _____ | _____ | _____ | _____ |
| (Print Name: Owner/Operator) | (Affiliation) | (AHERA Certificate Number) | (Expiration Date) |
| 19. I CERTIFY THAT THE ABOVE INFORMATION IS CORRECT | | | |
| _____ | _____ | _____ | _____ |
| (Print Name: Owner/Operator) | (Title) | (Signature of Owner/Operator) | (Date) |

ATTACHMENT 3

Restori, Joshua

From: Restori, Joshua
Sent: Tuesday, August 18, 2020 7:50 AM
To: Ray Pezonella
Cc: Tom Wise; Max Cardenas; Hauenstein, Mojra; nobullschmidt@hotmail.com
Subject: RE: form
Attachments: Reindeer Lodge NESHAP Notification.pdf

Good morning Ray,

The NESHAP Notification for the Demolition of the Reindeer Lodge has been reviewed and cannot be accepted without the required edits. The areas where the form requires editing have been highlighted and comments have been made regarding these sections. Please complete these sections and resubmit for processing.

Further, we received an email that continued demolition and loading of debris was occurring at the Reindeer Lodge over the weekend. The Air Quality Management Division has discussed on several occasions the requirement of having a NESHAP Notification of Demolition submitted and approved, a certified asbestos consultant onsite and a licensed asbestos abatement contractor onsite during demolition of the structure. Would you please provide comment on what activity was occurring over the past weekend at the Reindeer Lodge?

Regards,

Joshua Restori

Senior Air Quality Specialist | Air Quality Management Division | Washoe County Health District
jrestori@washoecounty.us | O: (775) 784-7202 | C: (775) 772-8881 | F: (775) 784-7225 |
1001 E. Ninth St., Bldg. B, Reno, NV 89512

OurCleanAir.com



 Please consider the environment before printing this e-mail.

From: Ray Pezonella <ray@pezonella.com>
Sent: Monday, August 17, 2020 2:14 PM
To: Restori, Joshua <JRestori@washoecounty.us>
Subject: form

[NOTICE: This message originated outside of Washoe County -- DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

Josh

Please review the form and call me with any comments. Thanks Ray 775-742-4196

EPA NESHAP

Notification OF DEMOLITION AND RENOVATION

FILL IN ALL NUMBERED BLANKS

| | | | | | | |
|---|-----------|---|---|--------|--|----------|
| Operator Project # | Postmark | Notification Permit # | Date Received | | | |
| 1. TYPE OF NOTIFICATION (O=Original R= Revised C=Canceled) Original | | | | | | |
| 2. FACILITY INFORMATION (Identify Owner, Removal Contractor, and Other Operator) | | | | | | |
| OWNER NAME: DPG SCHMIDT, INC | | | | | | |
| Address: P O BOX 861 | | | | | | |
| City: RENO | State: NV | Zip: 89511 | | | | |
| Contact Person: RAY PEZONELLA / GARY SCHMIDT | | | Tel: 775-742-4196 | | | |
| REMOVAL CONTRACTOR: ALL EAGLE,LLC | | | | | | |
| Address: 4215 REWANA WAY | | | | | | |
| City: RENO | State: NV | Zip: 89502 | | | | |
| Contact Person: MAX CARDENAS JR. | | | Tel: 775-400-8290 | | | |
| OTHER OPERATOR/CONSULTANT: WISE CONSULTING AND TRAINING, INC | | | | | | |
| Address: 5400 MILL STREET, STE A | | | | | | |
| City: RENO | State: NV | Zip: 89505 | | | | |
| Contact Person: TOM WISE | | | Tel: 775-827-2717 | | | |
| 3. TYPE OF OPERATION (D=Demo O=Ordered Demo R=Renovation E=Emergency Renovation) Renovation <input type="button" value="v"/> | | | | | | |
| 4. IS ASBESTOS PRESENT? (Yes/No) Yes | | | | | | |
| 5. Facility Description (Include Building Name, Number, and Floor or Room Number) | | | | | | |
| Building Name: OLD REINDEER LODGE | | | | | | |
| Address: 9000 MT. ROSE HWY | | Parcel #: | | | | |
| City: RENO | State: NV | County: WASHOE | Zip Code: 89511 | | | |
| On-Site Location: | | | | | | |
| Building Size: 4,000- 5,000 Sqft | | # of Floors: 2 | Age in Years: 60 | | | |
| Present Use: Unoccupied Residence | | Prior Use: Residential | | | | |
| 6. PROCEDURE INCLUDING ANALYTICAL METHOD, IF APPROPRIATE, USED TO DETECT THE PRESENCE OF ACM: PLM Method 600/R-93-116 | | | | | | |
| 7. APPROXIMATE AMOUNT OF ASBESTOS, INCLUDING: | | | | | | |
| 1. Regulated ACM to be removed. | | Amount of RACM To Be Removed | Amount of Nonfriable ACM Not To Be Removed | | Amount of Nonfriable ACM To Be Removed | |
| 2. Category I ACM Not Removed. | | | Cat I | Cat II | Cat I | Cat II |
| 3. Category II ACM Not Removed. | | *** Note material being removed to the right of measurement *** | | | | |
| Pipes (Linear Ft.) | | | | | | |
| Surface Area (Square Ft.) | | | | | | 300 s.f. |
| Vol RACM off facility Component (Cubic Ft.) | | | | | | |
| 8. SCHEDULED DATES ASBESTOS REMOVAL (MM/DD/YY) Start: 09/01/2020 Completed: 09/10/2020 | | | | | | |
| Days Worked (circle) M T W TH F *Sat *Sun Day Shift hours: *Evening Shift Hours: *Non-Standard Working Hours - additional \$192.00 per hour for AQM inspection | | | | | | |
| 9. SCHEDULED DATES DEMO/RENOVATION (MM/DD/YY) Start: 09/01/2020 Completed: 09/10/2020 | | | | | | |

| | | | |
|--|-----------------|-----------------------------------|-------------------|
| 10. DESCRIPTION OF PLANNED DEMOLITION OR RENOVATION WORK, AND METHODS TO BE USED: | | | |
| Continued demolition of the snow damaged lodge with standard construction equipment. | | | |
| 11. DESCRIPTION OF WORK PRACTICES AND ENGINEERING CONTROLS TO BE USED TO PREVENT EMISSIONS OF ASBESTOS AT THE DEMOLITION AND RENOVATION SITE: | | | |
| Expose Transite Siding with demolition equipment, then remove Siding with standard misting and removal is largest sections practicable. | | | |
| 12. WASTE TRANSPORTER #1 | | | |
| Name: Rubbish Runners | | | |
| Address: 1085 Telegraph St. | | | |
| City: Reno | State: Nev | Zip: 89502 | |
| Contact Person: [REDACTED] | | Telephone: 775-786-0159 | |
| WASTE TRANSPORTER #2 | | | |
| Name: | | | |
| Address: | | | |
| City: | State: | Zip: | |
| Contact Person: | | Telephone: | |
| 13. WASTE DISPOSAL SITE | | | |
| Name: Lockwood | | | |
| Location: | | | |
| City: | State: | Zip: | |
| Telephone: | | | |
| 14. IF DEMOLITION ORDERED BY A GOVERNMENT AGENCY, PLEASE IDENTIFY THE AGENCY BELOW: | | | |
| Name: | | Title: | |
| Authority: | | | |
| Date of order (MM/DD/YY): | | Date ordered to begin (MM/DD/YY): | |
| 15. FOR EMERGENCY RENOVATIONS: | | | |
| Date and hour of emergency (MM/DD/YY - HH:MM): | | | |
| Description of Sudden, Unexpected Event: | | | |
| Collapse of roof over main building and part of two wings during winter snow loads in 2019. | | | |
| Explanation of how the event caused unsafe conditions or would cause equipment damage or an unreasonable financial burden: | | | |
| Area appropriatley safety fenced per Washoe County Standards. | | | |
| 16. DESCRIPTION OF PROCEDURES TO BE FOLLOWED IN THE EVENT THAT UNEXPECTED ASBESTOS IS FOUND OR PREVIOUSLY NONFRIABLE ASBESTOS MATERIAL BECOMES CRUMBLED, PULVERIZED, OR REDUCED TO POWDER: | | | |
| Stop work and contact asbestos consultant for evaluation and direction. | | | |
| 17. I CERTIFY THAT AN INDIVIDUAL TRAINED IN THE PROVISIONS OF THIS REGULATION (40 CFR PART 61, SUBPART M) WILL BE ON-SITE DURING THE DEMOLITION OR RENOVATION AND EVIDENCE THAT THE REQUIRED TRAINING HAS BEEN ACCOMPLISHED BY THIS PERSON WILL BE AVAILABLE FOR INSPECTION DURING NORMAL BUSINESS HOURS. | | | |
| [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] |
| (Print Name: Owner/Operator) | (Title) | (Signature of Owner/Operator) | (Date) |
| 18. I CERTIFY THAT THE ABOVE INFORMATION IS CORRECT | | | |
| <u>J. Tom Wise</u> | <u>Asbestos</u> | <u>NV. IJPM 43</u> | <u>8/28/20</u> |
| (Print Name: Owner/Operator) | (Affiliation) | (AHERA Certificate Number) | (Expiration Date) |
| 19. I CERTIFY THAT THE ABOVE INFORMATION IS CORRECT | | | |
| [REDACTED] | [REDACTED] | [REDACTED] | [REDACTED] |
| (Print Name: Owner/Operator) | (Title) | (Signature of Owner/Operator) | (Date) |

ATTACHMENT 4

AIR QUALITY MGMT.

SEP 14 2020

WASHOE COUNTY
HEALTH DIST.

LAW OFFICES
TAYLOR M JENKINS
ATTORNEY AT LAW
3748 Lakeside Drive #102
RENO, NEVADA 89509

TAYLOR M JENKINS

VOICE (775) 622-6285

August 25, 2020

VIA: USPS Regular Mail and
Certified Mail

Air Quality Management Division
Washoe County Health District
1001 East Ninth Street #B171
Reno, Nevada 89512

Re: Reindeer Lodge Notification Asbestos Application/Removal
9000 Mount Rose HWY

To Whom it may concern:

Gary Schmidt has retained our office to represent his interests in regards to actions and activities on the real property commonly known as the Reindeer Lodge (9000 Mount Rose Hwy, Washoe County, Nevada 89511 APN 048-081-02) due to the unexpected damage from heavy snowfall to the existing structure, which occurred in March of 2017.

Mr. Schmidt has complied with and/or attempted to comply with any and all requests and requirements made by various Washoe County Officials over the last three years. While Mr. Schmidt does not believe many of these requests and requirements have been warranted he has nonetheless complied. It would appear that many of these requests and requirements may not have been supported by the facts of the situation. It is Mr. Schmidt's contention that the law as applied to this particular situation do not support the requests and requirements made of Mr. Schmidt by Washoe County and Officials thereof.

Mr. Schmidt contends that 40 CFR Part 61 Subpart M does not apply to the Reindeer lodge project based on the following exemptions:

1. Reindeer Lodge is excluded from the definition of facility as set forth in 40 CFR §61.141 "but, excluding residential buildings having four or fewer dwelling units". The only

active use of Reindeer Lodge has been Mr. Schmidt's primary residence. Which has been rendered unusable from the occurrence of the damage in March 2017 to date.

2. In the event that our reading of the definition of facility is incorrect and Reindeer Lodge was deemed to be a facility for the purposes of 40 CFR §61.145. 40 CFR §61.145 would still not apply based on the exemption in 40 CFR §61.145 (4) (ii) which states in pertinent part that any nonscheduled renovation operations are subject to the requirements paragraphs (b) and (c) if the combined amount of RACM to be stripped, removed, dislodge, cut, drilled or similarly disturbed is "at least 1 cubic meter (35 cubic feet). 40 CFR §61.141 states that Nonscheduled renovation operation is defined as Nonscheduled renovation operation means a renovation operation necessitated by the routine failure of equipment, which is expected to occur within a given period based on past operating experience, but for which an exact date cannot be predicted. The damage to the roof would surely meet the definition of nonscheduled renovation and the total amount of RACM at Reindeer Lodge is less than 20 cubic feet, which falls far short of the required 35 cubic feet exempting the Reindeer Lodge project from the application of 40 CFR §61.145.

3. The roof of the Lodge collapsed under the unusually high snow load during the month of March in 2017 resulting in an emergency situation. The structure was immediately safety fenced per Washoe County Building Department standards. As such due, to the interruption of utilities to the building, the entire building which was Mr. Schmidt's primary residence was made unusable for the last three years and continuing. The only active use of the building at the time of the collapse and until present was and is as a residence which Mr. Schmidt has not been able to physically occupy. Therefore, it is our belief that this situation qualifies for an exemption of the Title 40 Part 61 regulations as extreme financial burden was encountered.

Based on the foregoing Mr. Schmidt contends that 40 CFR §61.145 does not apply to the Reindeer Lodge project and as such the Notification requirements of 40 CFR §61.145 (b) do not apply. Mr. Schmidt further contends that the Air Quality Management Division of the Washoe County Health District has constructive notice of any asbestos related activities occurring at Reindeer Lodge by issuance of permits to Mr. Schmidt himself and to contractors working on the Reindeer Lodge project; specifically:

1. Mr. Schmidt was issued a remodel/renovation permit in February of 2019 for the removal of the damaged portions of the building which constitutes constructive "notice".
2. All Eagle, LLC, as an agent of Mr. Schmidt's provided the county with notice by applying for and the Washoe County issuing permits for work at the Reindeer Lodge location.

Page 3
Air Quality Management Division
Reindeer Lodge

All work performed at Reindeer Lodge has been performed under permits issued to Mr. Schmidt and All Eagle, LLC. Mr. Schmidt and others have relied upon these permits for all the activities that have occurred at the site

The attached form is provided under protest as demanded by Washoe County Air Quality. All of the information contained within has been previously provided timely to the county by various agents of Gary Schmidt including but not limited to All Eagle, LLC, Nova, Tom Wise, Ray Pezonella, Don Jepson, and Gary Schmidt. This office is not aware of any legal requirements to provide this information in the specific form demanded and again we do so only in the spirit of compromise and cooperation but under duress and under protest.

Very truly yours,


Taylor M. Jenkins, Esq.

cc:
Client

Enclosure:
Notification Asbestos Application Removal



WASHOE COUNTY HEALTH DISTRICT

AIR QUALITY MANAGEMENT DIVISION



Public Health
Prevent. Promote. Protect

NOTIFICATION ASBESTOS APPLICATION/REMOVAL

DEMOLITION

RENOVATION

NOTIFICATION REQUIREMENTS

Postmarked or delivered to the Air Quality Management Division at the address indicated below no later than **10 working days prior to beginning the asbestos removal activity** (dates specified in NESHAP Regulations Section VIII) or the demolition (dates specified in Section IX).

FEES

NOTE: The project notification form is incomplete until the Division receives the project notification fee.

- \$ 336 Non-NESHAP Demolition
- \$ 687 for each project greater than 260 but less than 520 linear feet or 160 square feet but less than 320 square feet.
- \$ 1,515 for each project greater than 520 but less than 1000 linear feet or 320 square feet but less than 1000 square feet.
- \$ 3,733 for each project greater than 1000 linear feet or 1000 square feet.
- \$ 7,906 Facility Annual Notification
- \$ 98 Administrative Modification

NOTE: In accordance with 40 CFR Part 61, Subpart M, 61.145(a)(4), facilities must confirm the applicability of the notifiable limits based on the cumulative total of materials abated during the calendar year. For confirmation of the cumulative total amount of materials abated in a year at a specific facility, please contact the Air Quality Management Division at (775) 784-7200.

Check or money order made payable to:

Air Quality Management Division
Washoe County Health District
1001 East Ninth Street #B171, Reno NV 89512
(775) 784-7200 • FAX (775) 784-7225
AQMDAsbestos@washoecounty.us
www.OurCleanAir.com

8. Scheduled Dates of Asbestos Removal (MM/DD/YY): Enter scheduled dates (month/day/year) for asbestos removal work. Asbestos removal work includes any activity, including site preparation, which may break up, dislodge or disturb asbestos material.
9. Scheduled Dates of Demolition/Renovation (MM/DD/YY): Enter scheduled dates (month/day/year) for beginning and ending the planned demolition or renovation.
10. Description of Planned Demolition or Renovation Work and Method(s) to be Used: Include in this description the demolition and renovation techniques to be used and a description of the areas and types of facility components that will be affected by this work.
11. Description of Engineering Controls and Work Practices to be Used to Control Emissions of Asbestos at the Demolition and Renovation Site: Describe the work practices and engineering controls selected to ensure compliance with the requirements of the regulations, including both asbestos removal and waste-handling emission control procedures.
12. Waste Transporter(s): Enter the names, addresses, contact persons and telephone numbers of the persons or companies responsible for transporting ACM from the removal site to the waste disposal site. If the removal contractor or owner is the waste transporter, state "same as owner" or "same as removal contractor". If additional parties are responsible include complete information on an additional sheet submitted with the form.
13. Waste Disposal Site: Identify the waste disposal site, including the complete name, location and telephone number of the facility. If ACM is to be disposed of at more than one site, provide complete information on an additional sheet submitted with the form.
14. If Demolition is Ordered by a Government Agency, Please Identify the Agency Below: Provide the name of the responsible official, title and agency, authority under which the order was issued, the dates of the order and the dates of the demolition.
15. Emergency Renovation Information: Provide the date and time of the emergency, a description of the event and a description of unsafe conditions, equipment damage or financial burden resulting from the event. The information should be detailed enough to evaluate whether a renovation falls within the emergency exception.
16. Description of Procedures to be Followed in the Event that Unexpected Asbestos is Found or Previously Non-friable Asbestos Material becomes Crumbled, Pulverized or Reduced to Powder: Provide adequate information to demonstrate that appropriate actions have been considered and can be implemented to control asbestos emissions adequately, including at a minimum, conformance with applicable work practice standards.
17. Certification of Presence of Trained Supervisor: One year after promulgation of the applicable regulation, the notifier must certify that a person trained in asbestos-removal procedures will supervise the demolition or renovation. The supervisor is responsible for the activity on-site. Evidence that the supervisor has completed the training must be available for inspection during normal business hours.
18. Certification of AHERA (Asbestos Hazard Emergency Response Act) Training. Please certify that a person trained in AHERA procedures will supervise the demolition or renovation at the designated school facility. Evidence that the training has been completed must be available for inspection during normal business hours.
19. Verification: Please certify the accuracy and completeness of the information provided by signing and dating the notification form.

GENERAL INFORMATION

The Asbestos NESHAP, 40 CFR Part 61, Subpart M, requires written notification of demolition or renovation operations under Section 61.145. This form may be used to fulfill this requirement. Only complete notification forms are acceptable. Incomplete notification may result in enforcement action.

INSTRUCTIONS

1. Type of Notification: Enter "O" if the notification is a first time or original notification, "R" if the notification is a revision of a prior notification, or "C" if the activity has been cancelled.

2. Facility Information: Enter the names, addresses, contact persons and telephone numbers for the following:

Owner - Legal owner of the site at which asbestos is being removed or demolition planned.

Removal Contractor - Contractor hired to remove asbestos.

Other Operator - Demolition contractor, general contractor, or any other person who leases, operates, controls or supervises the site.

If known, the name of the site supervisor should be entered as the contact person for the notification. If additional parties share responsibility for the site, demolition activity, renovations or asbestos containing material (ACM) removal, include complete information (including name, address, contact person and telephone number) on additional sheets submitted with the form.

3. Type of Operation: Enter "D" for facility demolition, "R" for facility renovation, "O" for ordered demolitions or "E" for emergency renovations.

4. Is Asbestos Present? Answer "Yes" or "No" regardless of the amount or type of asbestos.

5. Facility Description: Provide detailed information on the areas being renovated or demolished. If applicable, provide the floor numbers and room numbers where renovations are to be conducted.

Site Location - Provide information needed to locate site in the event that the address alone is inadequate.

Building Size - Provide in square meters or square feet.

Number Of Floors - Enter the number of floors including basement or ground level floors.

Age in Years - Enter approximate age of the facility.

Present Use/Prior Use - Describe the primary use of the facility or enter the following codes: H-Hospital; S-School; P-Public Building; O-Office; I-Industrial; U-University or College; B-Ship; C-Commercial; or R-Residence.

6. Asbestos Detection Procedure: Describe methods and procedures used to determine whether ACM is present at the site, including a description of the analytical methods employed.

7. Approximate Amount of Asbestos: (1) Regulated ACM to be removed (including non-friable ACM to be sanded, ground or abraded); (2) Non-Friable ACM not to be removed (Category I and Category II)

For both removals and demolitions, enter the amount of regulated asbestos containing materials (RACM) to be removed by entering a number in the appropriate box. Enter the amount of Category I and II non-friable asbestos not to be removed in the appropriate boxes.

Category I non-friable material includes packing, gaskets, resilient floor covering and asphalt roofing materials containing more than one percent asbestos. Category II non-friable material includes any material, excluding Category I products, containing more than one percent asbestos, that when dry, cannot be crumbled, pulverized or reduced to powder (for example, vinyl floor tile).

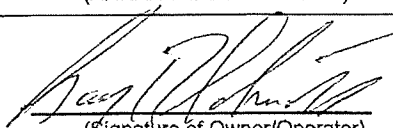
EPA NESHAP

Notification OF DEMOLITION AND RENOVATION

FILL IN ALL NUMBERED BLANKS

AIR QUALITY MGMT.

| | | | | |
|--|-----------|---------------------------------|--|---------|
| Operator Project # | Postmark | Notification Permit # | Date Received: SEP 14 2020 | |
| 1. TYPE OF NOTIFICATION (O=Original R= Revised C=Canceled) Original | | | WASHOE COUNTY HEALTH DIST. | |
| 2. FACILITY INFORMATION (Identify Owner, Removal Contractor, and Other Operator) | | | | |
| OWNER NAME: DPG SCHMIDT, INC | | | | |
| Address: P O BOX 861 | | | | |
| City: Virginia City | State: NV | Zip: 89511 | | |
| Contact Person: RAY PEZONELLA / GARY SCHMIDT | | | Tel: 775-742-4196 | |
| REMOVAL CONTRACTOR: ALL EAGLE, LLC | | | | |
| Address: 4215 REWANA WAY | | | | |
| City: RENO | State: NV | Zip: 89502 | | |
| Contact Person: MAX CARDENAS JR. | | | Tel: 775-400-8290 | |
| OTHER OPERATOR/CONSULTANT: WISE CONSULTING AND TRAINING, INC | | | | |
| Address: 5400 MILL STREET, STE A | | | | |
| City: RENO | State: NV | Zip: 89505 | | |
| Contact Person: TOM WISE | | | Tel: 775-827-2717 | |
| 3. TYPE OF OPERATION (D=Demo O=Ordered Demo R=Renovation E=Emergency Renovation) Renovation | | | <input checked="" type="checkbox"/> | |
| 4. IS ASBESTOS PRESENT? (Yes/No) Yes | | | | |
| 5. Facility Description (Include Building Name, Number, and Floor or Room Number) | | | | |
| Building Name: OLD REINDEER LODGE | | | | |
| Address: 9000 MT. ROSE HWY | | Parcel #: | | |
| City: Virginia City | State: NV | County: WASHOE | Zip Code: 89511 | |
| On-Site Location: | | | | |
| Building Size: 4,000-5,000 sqft | | # of Floors: 2 | Age in Years: 60 | |
| Present Use: Unoccupied residential | | Prior Use: Occupied Residential | | |
| 6. PROCEDURE INCLUDING ANALYTICAL METHOD, IF APPROPRIATE, USED TO DETECT THE PRESENCE OF ACM: PLM Method 600/R-93-116 | | | | |
| 7. APPROXIMATE AMOUNT OF ASBESTOS, INCLUDING: | | | | |
| 1. Regulated ACM to be removed. | | Amount of RACM To Be Removed | Amount of Nonfriable ACM To Be Removed | |
| 2. Category I ACM Not Removed. | | | Cat I | Cat II |
| 3. Category II ACM Not Removed. | | | Cat I | Cat II |
| *** Note material being removed to the right of measurement *** | | | | |
| Pipes (Linear Ft.) | N/A | | | |
| Surface Area (Square Ft.) | N/A | | | |
| Vol RACM off facility Component (Cubic Ft.) | | | | < 20 cf |
| 8. SCHEDULED DATES ASBESTOS REMOVAL (MM/DD/YY) | | Start: 09/01/2020 | Completed: 09/10/2020 | |
| Days Worked (circle) M T W TH F *Sat *Sun | | Day Shift hours: | *Evening Shift Hours: | |
| *Non-Standard Working Hours - additional \$192.00 per hour for AQM inspection | | | | |
| 9. SCHEDULED DATES DEMO/RENOVATION (MM/DD/YY) | | Start: 09/01/2020 | Completed: 09/10/2020 | |

| | | | |
|--|------------------------------|--|----------------------------------|
| 10. DESCRIPTION OF PLANNED DEMOLITION OR RENOVATION WORK, AND METHODS TO BE USED: | | | |
| Continued removal of the debris from collapsed portion of the building which was inspected and certified to be asbestos free. | | | |
| 11. DESCRIPTION OF WORK PRACTICES AND ENGINEERING CONTROLS TO BE USED TO PREVENT EMISSIONS OF ASBESTOS AT THE DEMOLITION AND RENOVATION SITE: | | | |
| Expose Transite Siding and remove siding with standard misting and removal of largest sections practicable. | | | |
| 12. WASTE TRANSPORTER #1 | | | |
| Name: Carmen Dumpster Service | | | |
| Address: 5775 Stella Drive | | | |
| City: Sun Valley | State: Nevada | Zip: 89431 | |
| Contact Person: Rosa | | Telephone: 775-677-9079 | |
| WASTE TRANSPORTER #2 | | | |
| Name: All Eagle, LLC | | | |
| Address: 415 Rewana Way | | | |
| City: Reno | State: Nevada | Zip: 89502 | |
| Contact Person: Max Caradenas Jr | | Telephone: 775-400-8290 | |
| 13. WASTE DISPOSAL SITE | | | |
| Name: Lockwood Landfill | | | |
| Location: 2700 Mustang Road | | | |
| City: Sparks | State: Nevada | Zip: 89434 | |
| Telephone: 775-342-0401 | | | |
| 14. IF DEMOLITION ORDERED BY A GOVERNMENT AGENCY, PLEASE IDENTIFY THE AGENCY BELOW: | | | |
| Name: | | Title: | |
| Authority: | | | |
| Date of order (MM/DD/YY): | | Date ordered to begin (MM/DD/YY): | |
| 15. FOR EMERGENCY RENOVATIONS: | | | |
| Date and hour of emergency (MM/DD/YY - HH:MM): | | | |
| Description of Sudden, Unexpected Event: | | | |
| <small>Collapse of roof over main building and part of two wings during winter snow loads in 2017</small> | | | |
| Explanation of how the event caused unsafe conditions or would cause equipment damage or an unreasonable financial burden: | | | |
| Complete loss of the structure as a residence and severe hardship from catastrophic repairs. | | | |
| 16. DESCRIPTION OF PROCEDURES TO BE FOLLOWED IN THE EVENT THAT UNEXPECTED ASBESTOS IS FOUND OR PREVIOUSLY NONFRIABLE ASBESTOS MATERIAL BECOMES CRUMBLED, PULVERIZED, OR REDUCED TO POWDER: | | | |
| Stop work and contact asbestos consultant for evaluation and direction. | | | |
| 17. I CERTIFY THAT AN INDIVIDUAL TRAINED IN THE PROVISIONS OF THIS REGULATION (40 CFR PART 61, SUBPART M) WILL BE ON-SITE DURING THE DEMOLITION OR RENOVATION AND EVIDENCE THAT THE REQUIRED TRAINING HAS BEEN ACCOMPLISHED BY THIS PERSON WILL BE AVAILABLE FOR INSPECTION DURING NORMAL BUSINESS HOURS. | | | |
| J. Tom Wise | Consultant | | |
| <small>(Print Name: Owner/Operator)</small> | <small>(Title)</small> | <small>(Signature of Owner/Operator)</small> | <small>(Date)</small> |
| 18. I CERTIFY THAT THE ABOVE INFORMATION IS CORRECT | | | |
| J. Tom Wise | Asbestos | NV. IJPM 43 | 8/28/20 |
| <small>(Print Name: Owner/Operator)</small> | <small>(Affiliation)</small> | <small>(AHERA Certificate Number)</small> | <small>(Expiration Date)</small> |
| 19. I CERTIFY THAT THE ABOVE INFORMATION IS CORRECT | | | |
| Gary Schmidt | Owner |  | 8-27-20 |
| <small>(Print Name: Owner/Operator)</small> | <small>(Title)</small> | <small>(Signature of Owner/Operator)</small> | <small>(Date)</small> |

| | | | |
|--|---------------|--|--|
| 10. DESCRIPTION OF PLANNED DEMOLITION OR RENOVATION WORK, AND METHODS TO BE USED: | | | |
| Continued removal of the debris from collapsed portion of the building which was inspected and certified to be asbestos free. | | | |
| 11. DESCRIPTION OF WORK PRACTICES AND ENGINEERING CONTROLS TO BE USED TO PREVENT EMISSIONS OF ASBESTOS AT THE DEMOLITION AND RENOVATION SITE: | | | |
| Expose Transite Siding and remove siding with standard misting and removal of largest sections practicable. | | | |
| 12. WASTE TRANSPORTER #1 | | | |
| Name: Carmen Dumpster Service | | | |
| Address: 5775 Stella Drive | | | |
| City: Sun Valley | State: Nevada | Zip: 89431 | |
| Contact Person: Rosa | | Telephone: 775-677-9079 | |
| WASTE TRANSPORTER #2 | | | |
| Name: All Eagle, LLC | | | |
| Address: 415 Rewana Way | | | |
| City: Reno | State: Nevada | Zip: 89502 | |
| Contact Person: Max Caradenas Jr | | Telephone: 775-400-8290 | |
| 13. WASTE DISPOSAL SITE | | | |
| Name: Lockwood Landfill | | | |
| Location: 2700 Mustang Road | | | |
| City: Sparks | State: Nevada | Zip: 89434 | |
| Telephone: 775-342-0401 | | | |
| 14. IF DEMOLITION ORDERED BY A GOVERNMENT AGENCY, PLEASE IDENTIFY THE AGENCY BELOW: | | | |
| Name: | | Title: | |
| Authority: | | | |
| Date of order (MM/DD/YY): | | Date ordered to begin (MM/DD/YY): | |
| 15. FOR EMERGENCY RENOVATIONS: | | | |
| Date and hour of emergency (MM/DD/YY - HH:MM): | | | |
| Description of Sudden, Unexpected Event: <small>Collapse of roof over main building and part of two wings during winter snow loads in 2017</small> | | | |
| Explanation of how the event caused unsafe conditions or would cause equipment damage or an unreasonable financial burden: Complete loss of the structure as a residence and severe hardship from catastrophic repairs. | | | |
| 16. DESCRIPTION OF PROCEDURES TO BE FOLLOWED IN THE EVENT THAT UNEXPECTED ASBESTOS IS FOUND OR PREVIOUSLY NONFRIABLE ASBESTOS MATERIAL BECOMES CRUMBLLED, PULVERIZED, OR REDUCED TO POWDER: | | | |
| Stop work and contact asbestos consultant for evaluation and direction. | | | |
| 17. I CERTIFY THAT AN INDIVIDUAL TRAINED IN THE PROVISIONS OF THIS REGULATION (40 CFR PART 61, SUBPART M) WILL BE ON-SITE DURING THE DEMOLITION OR RENOVATION AND EVIDENCE THAT THE REQUIRED TRAINING HAS BEEN ACCOMPLISHED BY THIS PERSON WILL BE AVAILABLE FOR INSPECTION DURING NORMAL BUSINESS HOURS. | | | |
| <u>J. Tom Wise</u> <small>(Print Name: Owner/Operator)</small> | | <u>Consultant</u> <small>(Title)</small> | |
| <u>J. Tom Wise</u> <small>(Print Name: Owner/Operator)</small> | | <u>[Signature]</u> <small>(Signature of Owner/Operator)</small> | |
| <u>J. Tom Wise</u> <small>(Print Name: Owner/Operator)</small> | | <u>8-27-20</u> <small>(Date)</small> | |
| 18. I CERTIFY THAT THE ABOVE INFORMATION IS CORRECT | | | |
| <u>J. Tom Wise</u> <small>(Print Name: Owner/Operator)</small> | | <u>Asbestos</u> <small>(Affiliation)</small> | |
| <u>J. Tom Wise</u> <small>(Print Name: Owner/Operator)</small> | | <u>NV. IJPM 43</u> <small>(AHERA Certificate Number)</small> | |
| <u>J. Tom Wise</u> <small>(Print Name: Owner/Operator)</small> | | <u>8/28/20</u> <small>(Expiration Date)</small> | |
| 19. I CERTIFY THAT THE ABOVE INFORMATION IS CORRECT | | | |
| <u>Gary Schmidt</u> <small>(Print Name: Owner/Operator)</small> | | <u>Owner</u> <small>(Title)</small> | |
| <u>Gary Schmidt</u> <small>(Print Name: Owner/Operator)</small> | | <u>[Signature]</u> <small>(Signature of Owner/Operator)</small> | |
| <u>Gary Schmidt</u> <small>(Print Name: Owner/Operator)</small> | | <u>8-27-20</u> <small>(Date)</small> | |

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

**NOTICE OF VIOLATION
ISSUED TO**

**Gary R. Schmidt
Reindeer Lodge
9000 Mt Rose Hwy
Reno, Nevada 89511**

**Date of Issuance: February 1, 2021
Notice of Violation No.: AQMV21-0005**

The Air Quality Management Division of the Washoe County Health District (AQMD) has determined that Gary R. Schmidt owner and operator of the Reindeer Lodge located at 9000 Mt. Rose Highway in Reno, Nevada 89511 is in violation Clean Air Act 40 C.F.R. 61, Subpart M – National Emission Standards for Asbestos §61.145 Standards for demolition and renovation (c) (1) Procedures for asbestos emission control for failure to remove all RACM from a facility being demolished or renovated before any activity begins that would break up, dislodge, or similarly disturb the material or preclude access to the material for subsequent removal.

1. VIOLATION

- A. Failure to remove all RACM from a facility being demolished or renovated before any activity begins that would break up, dislodge, or similarly disturb the material or preclude access to the material for subsequent removal.

2. BASIS OF VIOLATION

- A. Regulatory Authority

Per section 030.105 b. 10., The Washoe County District Board of Health Regulations Governing Air Quality Management adopted by reference, 40 C.F.R. 61, Subpart M and has been delegated authority to implement and ensure compliance with this Subpart within the Washoe County Health District.

Per 40 C.F.R. 61, Subpart M – National Emission Standards for Asbestos §61.145 Standards for demolition and renovation (c) (1) Procedures for asbestos emission control:

Procedures for asbestos emission control. Each owner or operator of a demolition or renovation activity to whom this paragraph applies, according to paragraph (a) of this section, shall comply with the following procedures:

(1) Remove all RACM from a facility being demolished or renovated before any activity begins that would break up, dislodge, or similarly disturb the material or preclude access to the material for subsequent removal. RACM need not be removed before demolition if:

(i) It is Category I nonfriable ACM that is not in poor condition and is not friable.

(ii) It is on a facility component that is encased in concrete or other similarly hard material and is adequately wet whenever exposed during demolition; or

(iii) It was not accessible for testing and was, therefore, not discovered until after demolition began and, as a result of the demolition, the material cannot be safely removed. If not removed for safety reasons, the exposed RACM and any asbestos-contaminated debris must be treated as asbestos-containing waste material and adequately wet at all times until disposed of.

(iv) They are Category II nonfriable ACM and the probability is low that the materials will become crumbled, pulverized, or reduced to powder during demolition.

B. Facts to Constitute the Violation

On June 10, 2019, the AQMD was made aware of demolition activity associated with the facility at the Reindeer Lodge (9000 Mt. Rose Hwy). Upon arrival at the site on the same day, the northeast portion of the facility at the Reindeer Lodge had undergone demolition activity as defined by 40 C.F.R. 61, Subpart M (Attachment 1).

Demolition is defined in 40 C.F.R. 61, Subpart M as “*the wrecking or taking out of any load-supporting structural member of a facility together with any related handling operations or the intentional burning of any facility.*”

Facility is defined in 40 C.F.R. 61, Subpart M as “*any institutional, commercial, public, industrial, or residential structure, installation, or building (including any structure, installation, or building containing condominiums or individual dwelling units operated as a residential cooperative, but excluding residential buildings having four or fewer dwelling units); any ship; and any active or inactive waste disposal site. For purposes of this definition, any building, structure, or installation, that contains a loft used as a dwelling is not considered a residential structure, installation, or building. Any structure, installation or building that was previously subject to this subpart is not excluded, regardless of its current use or function.*”

On June 11, 2019, after a complete review of records, the AQMD determined that an asbestos survey for the demolition of the Reindeer Lodge had not been completed.

Per the direction of the AQMD, the Reindeer Lodge was inspected by Nova Geotechnical & Inspection Services, LLC on June 14, 2019, approximately 4 days after the start of demolition of the main structure. The asbestos survey conducted on this date determined that the Reindeer Lodge contained Category II nonfriable ACM in the form of gray transite panels (15% Chrysotile) and friable asbestos material in the form of spray acoustic ceiling texture (10-15% Chrysotile). The gray transite panels existed around the exterior of the modular barracks used to construct the Reindeer Lodge. The spray acoustic ceiling texture was found on the ceiling of the restaurant area in the south wing of the Reindeer Lodge. The asbestos survey determined that the facility at the Reindeer Lodge contained regulated asbestos containing material (RACM) in excess of 160 square feet. Therefore, pursuant to 40 C.F.R. 61, Subpart 61.145 (a) (1), the facility was required to comply with “*all requirements of paragraphs (b) and (c)*”.

40 C.F.R. 61, Subpart M – Asbestos §61.145 Standards for demolition and renovation (a) Applicability, “*To determine which requirements of paragraphs (a), (b), and (c), of this section apply to the owner or operator of a demolition or renovation activity prior to the commencement of the demolition or renovation, thoroughly inspect the affected facility of part of the facility where the demolition or renovation operation will occur for the presence of asbestos, including Category I and Category II nonfriable ACM. The requirements of paragraphs (b) and (c) of this section apply to each owner or operator of a demolition or renovation activity, including the removal of RACM as follows:*

- (1) In a facility being demolished, all the requirements of paragraphs (b) and (c) of this section apply, except as provided in paragraph (a)(3) of this section, if the combined amount of RACM is*
 - (i.) At least 80 linear meters (260 linear feet) on pipes or at least 15 square meters (160 square feet) on other components, or*
 - (ii.) At least 1 cubic meter (35 cubic feet) off facility components where the length or area could not be measure previously.*

Regulated asbestos-containing material (RACM) is defined in 40 C.F.R. 61, Subpart M as “*(a) Friable asbestos material, (b) Category I nonfriable ACM that has become friable, (c) Category I nonfriable ACM that will be or has been subject to sanding, grinding, cutting, or abrading, or (d) Category II nonfriable ACM that has a high probability of becoming or has become crumbled, pulverized, or reduced to a powder by the forces expected to act on the material in the course of demolition or renovation operations regulated by this subpart.*

The demolition activity observed on June 10, 2019, associated with the facility at the Reindeer Lodge had started prior to the removal of all RACM that would break up, dislodge, or similarly disturb the material or preclude access to the material for

subsequent removal pursuant to 40 C.F.R. 61, Subpart M – National Emission Standards for Asbestos §61.145 Standards for demolition and renovation (c) (1) Procedures for asbestos emission control. As a result, Category II nonfriable ACM transite panels were disturbed and as a result became crumbled, pulverized and reduced to a powder during the demolition activity.

The Category II nonfriable ACM transite panels disturbed during the unpermitted demolition activity and all contaminated debris was removed from the northeast portion of the facility at the Reindeer Lodge on November 22, 2020.

3. APPEAL PROCEDURE AND TIME LIMITATIONS

A. Appeal Procedure

Gary R. Schmidt is advised that within (10) working days of the receipt of this Notice of Violation, Gary R. Schmidt 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
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 Washoe County District Board of Health with a recommendation for the assessment of an administrative fine of \$10,000.00.

ATTACHMENT 1

Photographs

Reindeer Lodge
9000 Mt. Rose Highway
Reno, Nevada

Taken on June 10, 2019 and September 25, 2019

Photograph 1

Date: June 10, 2019

Direction: West

Image demonstrates the demolition that occurred to the Reindeer Lodge at 9000 Mt. Rose Highway observed by the AQMD upon initial investigation.



Photograph 2

Date: June 10, 2019

Direction: Northwest

Image identifies the location of the demolition that occurred at 9000 Mt. Rose Highway.



Photograph 3

Date: June 10, 2019

Direction: Southwest

Image demonstrates the demolition that occurred to the Reindeer Lodge at 9000 Mt. Rose Highway observed by the AQMD upon initial investigation.



Photograph 4

Date: September 25, 2019

Direction: Direct

Image demonstrates a section of Category II nonfriable ACM attached to the facility at the Reindeer Lodge adjacent to the unpermitted demolition area.



Photograph 5

Date: September 25, 2019

Direction: Direct

Image demonstrates a section of Category II nonfriable ACM attached to the facility at the Reindeer Lodge adjacent to the unpermitted demolition area.



Photograph 6

Date: September 25, 2019

Direction: Direct

Image demonstrates a section of Category II nonfriable ACM attached to the facility at the Reindeer Lodge adjacent to the unpermitted demolition area.



Photograph 7

Date: September 25, 2019

Direction: Direct

Image demonstrates crumbled sections of Category II nonfriable ACM associated with the debris pile generated during the initial demolition at the Reindeer Lodge facility.



Photograph 8

Date: September 25, 2019

Direction: Direct

Image demonstrates crumbled sections of Category II nonfriable ACM associated with the debris pile generated during the initial demolition at the Reindeer Lodge facility.



**ATTACHMENT TO THE STAFF REPORT
AIR POLLUTION CONTROL HEARING BOARD**

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 | 2500 |
| 040.030 | Dust Control (fugitive) | 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 (maintenance) | 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

| 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 |

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

Company Name Reindeer Lodge
Contact Name Gary R. Schmidt
Case Number 1229

I. Violation of Section DBOH Regulations 030.107 A.

I. Recommended Penalty = \$ 4000.00

II. Violation of Section 40 C.F.R. 61, Subpart M 61.145 (a)

II. Recommended Penalty = \$ 10000.00

III. Violation of Section 40 C.F.R. 61, Subpart M 61.145 (b)

III. Recommended Penalty = \$ 12500.00

IV. Violation of Section 40 C.F.R. 61, Subpart M 61.145 (c) (1)

IV. Recommended Penalty = \$ 10000.00

V. Violation of Section 0

V. Recommended Penalty = \$ 0.00

Total Recommended Penalty = \$ 36,500.00

John C. Resto
Senior AQ Specialist/Supervisor

2/1/2021
Date

Francisco Vega
AQ Director

2/1/2021
Date

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

Company Name Reindeer Lodge
 Contact Name Gary R. Schmidt
 Case Number 1229
 Violation Number AQMV21-0002

Violation of Section DBOH Regulations 030.107 A.
 Permit Condition n/a

I. Base Penalty as specified in the Penalty Table = \$ **2,000.00**

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 **2**

Comment: Asbestos is considered a Hazardous Air Pollutant

2. Environmental/Public Health Risk (Proximity to sensitive environment or group)

Negligible - 1x Moderate - 1.5x Significant - 2x Adjustment Factor **1**

Comment: Based on the location of the Reindeer Lodge, the risk was negligible

Total Adjustment Factors (1 x 2) = **2**

B. Adjusted Base Penalty

Base Penalty \$ 2,000.00 x Adjustment Factor 2 = \$ **4,000.00**

C. Number of Days/Weeks/Months or Units in Violation

Adjusted Penalty \$ 4,000.00 x Number of Days/Weeks/Mo **1** = \$ **4,000.00**

Comment: One administrative violation of DBOH regulations

D. Economic Benefit

Avoided Costs \$ **0.00** + Delayed Costs \$ **0.00** = \$ 0.00

Comment: No avoided costs or delayed costs were determined with this violation

Penalty Subtotal

Adjusted Base Penalty \$ 4,000.00 + Economic Benefit \$ 0.00 = \$ **4,000.00**

**Washoe County Air Quality Management
Permitting & Enforcement Branch
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: No unrelated violations in the past 5 years

Total Penalty Adjustment Factors – Sum of A & B

0%

IV. Recommended Penalty

Penalty Adjustment:

| | | | | |
|---------------------------------------|---|--|---|--|
| \$ 4,000.00 | x | 0% | = | \$ 0.00 |
| Penalty Subtotal (From Section II) | | Total Adjustment Factors (From Section III) | | Total Adjustment Value |

Additional Credit for Environmental Investment/Training - \$

Comment: _____

Adjusted Penalty:

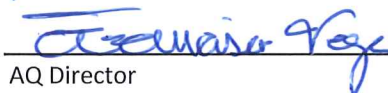
| | | | | |
|---------------------------------------|-----|---|---|--|
| \$ 4,000.00 | +/- | \$ 0.00 | = | \$ 4,000.00 |
| Penalty Subtotal (From Section II) | | Total Adjustment Value (From Section III + Credit) | | Recommended Penalty |



Senior AQ Specialist/Supervisor

2/1/2021

Date



AQ Director

2/1/2021

Date

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

Company Name Reindeer Lodge
 Contact Name Gary R. Schmidt
 Case Number 1229
 Violation Number AQMV21-0003
 Violation of Section 40 C.F.R. 61, Subpart M 61.145 (a)
 Permit Condition n/a

I. **Base Penalty as specified in the Penalty Table** = \$ **5,000.00**

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 **2**

Comment: Asbestos is considered a Hazardous Air Pollutant

2. **Environmental/Public Health Risk** (Proximity to sensitive environment or group)

Negligible – 1x Moderate – 1.5x Significant – 2x Adjustment Factor **1**

Comment: Based on the location of the Reindeer Lodge, the risk was negligible

Total Adjustment Factors (1 x 2) = **2**

B. **Adjusted Base Penalty**

Base Penalty \$ 5,000.00 x Adjustment Factor 2 = \$ **10,000.00**

C. **Number of Days/Weeks/Months or Units in Violation**

Adjusted Penalty \$ 10,000.00 x Number of Days/Weeks/Mo **1** = \$ **10,000.00**

Comment: One incident of failure to conduct an asbestos inspection prior to demolition

D. **Economic Benefit**

Avoided Costs \$ **0.00** + Delayed Costs \$ **0.00** = \$ 0.00

Comment: No avoided costs or delayed costs were determined with this violation

Penalty Subtotal

Adjusted Base Penalty \$ 10,000.00 + Economic Benefit \$ 0.00 = \$ **10,000.00**

**Washoe County Air Quality Management
Permitting & Enforcement Branch
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: No unrelated violations in the past 5 years

Total Penalty Adjustment Factors – Sum of A & B

0%

IV. Recommended Penalty

Penalty Adjustment:

\$ 10,000.00 x _____ 0%
Penalty Subtotal Total Adjustment Factors
(From Section II) (From Section III)

= \$ 0.00

Total Adjustment Value

Additional Credit for Environmental Investment/Training

- \$ _____

Comment: _____

Adjusted Penalty:

\$ 10,000.00 +/- \$ 0.00 =
Penalty Subtotal Total Adjustment Value
(From Section II) (From Section III + Credit)

\$ 10,000.00
Recommended Penalty

John C. Pesta
Senior AQ Specialist/Supervisor

2/1/2021
Date

Francisco Vega
AQ Director

2/1/2021
Date

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

Company Name Reindeer Lodge
 Contact Name Gary R. Schmidt
 Case Number 1229
 Violation Number AQMV21-0004

Violation of Section 40 C.F.R. 61, Subpart M 61.145 (b)
 Permit Condition n/a

I. Base Penalty as specified in the Penalty Table = \$ **5,000.00**

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 **2**

Comment: Asbestos is considered a Hazardous Air Pollutant

2. Environmental/Public Health Risk (Proximity to sensitive environment or group)

Negligible - 1x Moderate - 1.5x Significant - 2x **Adjustment Factor** **1**

Comment: Based on the location of the Reindeer Lodge, the risk was negligible

Total Adjustment Factors (1 x 2) = **2**

B. Adjusted Base Penalty

Base Penalty \$ 5,000.00 x Adjustment Factor 2 = \$ **10,000.00**

C. Number of Days/Weeks/Months or Units in Violation

Adjusted Penalty \$ 10,000.00 x Number of Days/Weeks/Mon **1.25** = \$ **12,500.00**

Comment: Years without providing written notice of intention to demolish or renovate

D. Economic Benefit

Avoided Costs \$ **0.00** + Delayed Costs \$ **0.00** = \$ 0.00

Comment: No avoided costs or delayed costs were determined with this violation

Penalty Subtotal

Adjusted Base Penalty \$ 12,500.00 + Economic Benefit \$ 0.00 = \$ **12,500.00**

**Washoe County Air Quality Management
Permitting & Enforcement Branch
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: No unrelated violations in the past 5 years

Total Penalty Adjustment Factors – Sum of A & B

0%

IV. Recommended Penalty

Penalty Adjustment:

\$ 12,500.00 x 0%

= \$ 0.00

Penalty Subtotal (From Section II) Total Adjustment Factors (From Section III)

Total Adjustment Value

Additional Credit for Environmental Investment/Training

- \$ _____

Comment: _____

Adjusted Penalty:

\$ 12,500.00 +/- \$ 0.00 =

\$ 12,500.00

Penalty Subtotal (From Section II) Total Adjustment Value (From Section III + Credit)

Recommended Penalty

Justin C. Resto
Senior AQ Specialist/Supervisor

2/1/2021
Date

Armando Vega
AQ Director

2/1/2021
Date

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

Company Name Reindeer Lodge
 Contact Name Gary R. Schmidt
 Case Number 1229
 Violation Number AQMV21-0005

Violation of Section 40 C.F.R. 61, Subpart M 61.145 (c) (1)
 Permit Condition n/a

I. Base Penalty as specified in the Penalty Table = \$ **5,000.00**

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 **2**

Comment: Asbestos is considered a Hazardous Air Pollutant

2. Environmental/Public Health Risk (Proximity to sensitive environment or group)

Negligible - 1x Moderate - 1.5x Significant - 2x **Adjustment Factor** **1**

Comment: Based on the location of the Reindeer Lodge, the risk was negligible

Total Adjustment Factors (1 x 2) = **2**

B. Adjusted Base Penalty

Base Penalty \$ 5,000.00 x Adjustment Factor 2 = \$ **10,000.00**

C. Number of Days/Weeks/Months or Units in Violation

Adjusted Penalty \$ 10,000.00 x Number of Days/Weeks/Mo **1** = \$ **10,000.00**

Comment: One incident of failure to employ procedures for emissions control during demolition

D. Economic Benefit

Avoided Costs \$ **0.00** + Delayed Costs \$ **0.00** = \$ 0.00

Comment: No avoided costs or delayed costs were determined with this violation

Penalty Subtotal

Adjusted Base Penalty \$ 10,000.00 + Economic Benefit \$ 0.00 = \$ **10,000.00**

**Washoe County Air Quality Management
Permitting & Enforcement Branch
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: No unrelated violations in the past 5 years

Total Penalty Adjustment Factors – Sum of A & B

0%

IV. Recommended Penalty

Penalty Adjustment:

\$ 10,000.00 x 0%

= \$ 0.00

Penalty Subtotal (From Section II) Total Adjustment Factors (From Section III)

Total Adjustment Value

Additional Credit for Environmental Investment/Training

- \$ _____

Comment: _____

Adjusted Penalty:

\$ 10,000.00 +/- \$ 0.00 =

\$ 10,000.00

Penalty Subtotal (From Section II) Total Adjustment Value (From Section III + Credit)

Recommended Penalty

John C. Rosta
Senior AQ Specialist/Supervisor

2/1/2021
Date

Francisco Vega
AQ Director

2/1/2021
Date

**ATTACHMENT TO THE STAFF REPORT
AIR POLLUTION CONTROL HEARING BOARD**

Appeals

FEB 10 2021

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

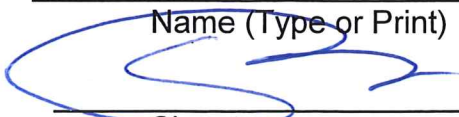
PETITIONER: Taylor M. Jenkins, Esq. on behalf of Gary PHONE: 775-827-6886
ADDRESS (MAILING): 3748 Lakeside Dr. #102, Reno, Nevada ZIP CODE: 89509
ADDRESS (ACTUAL LOCATION): 9000 Mt. Rose Hwy, Reno, Nevada 89511

EQUIPMENT OR PROCESS REGISTERED WITH CONTROL OFFICER? YES NO

APPEAL OF ORDER _____
APPEAL OF VIOLATION X

VIOLATION NOTICE RECEIVED: # AQMV21-0002 DATE: 2/1/2021
REGULATION INVOLVED: SECTION: Washoe County District Board of Health
Regulations Governing Air Quality Management Section 030.107 A.

Incorrect application, interpretation, and/or implementation of code(s); applicability of exemptions;
BASIS FOR APPEAL/VARIANCE: _____
arbitrary and capricious application and enforcement of code sections; lack of evidence to support alleged violations;
_____ lack of standing or authority to inspect a "building" due to failure to comply with NRS 278 and/or code(s);
_____ failure to receive evidence of innocence or argument as to the application of code(s) at enforcement "meeting";
_____ lack of capacity or authority of inspector to inspect a building or structure due to lack of compliance with state law and code(s);
_____ lack of capacity or authority of agency due to failure to comply with state and county laws, ordinances, regulations, code(s) and requirements;
_____ Petitioner reserves the right to plead any other potential defenses which may be discovered upon
_____ further investigation of the information received from the numerous public records requests
_____ made by the Petitioner and Counsel, which to date have not been fulfilled.

FILED BY: Taylor M. Jenkins, Esq. Attorney
Name (Type or Print) Title
 2/10/2021
Signature Date

**WASHOE COUNTY
HEALTH DISTRICT**

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

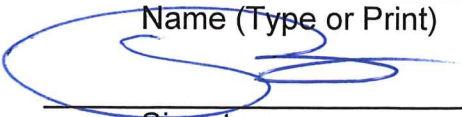
PETITIONER: Taylor M. Jenkins, Esq. on behalf of Gary PHONE: 775-827-6886
ADDRESS (MAILING): 3748 Lakeside Dr. #102, Reno, Nevada ZIP CODE: 89509
ADDRESS (ACTUAL LOCATION): 9000 Mt. Rose Hwy, Reno, Nevada 89511

EQUIPMENT OR PROCESS REGISTERED WITH CONTROL OFFICER? YES NO

APPEAL OF ORDER _____
APPEAL OF VIOLATION X

VIOLATION NOTICE RECEIVED: # AQMV21-0003 DATE: 2/1/2021
REGULATION INVOLVED: SECTION: Clean Air Act 40 C.F.R. 61,
Subpart M- National Emissions Standards for Asbestos §61.45 (a)

BASIS FOR APPEAL/VARIANCE: Incorrect application, interpretation, and/or implementation of code(s); applicability of exemptions;
arbitrary and capricious application and enforcement of code sections; lack of evidence to support alleged violations;
lack of standing or authority to inspect a "building" due to failure to comply with NRS 278 and/or code(s);
failure to receive evidence of innocence or argument as to the application of code(s) at enforcement "meeting";
lack of capacity or authority of inspector to inspect a building or structure due to lack of compliance with state law and code(s);
lack of capacity or authority of agency due to failure to comply with state and county laws, ordinances, regulations, code(s) and requirements;
Petitioner reserves the right to plead any other potential defenses which may be discovered upon
further investigation of the information received from the numerous public records requests
made by the Petitioner and Counsel, which to date have not been fulfilled.

FILED BY: Taylor M. Jenkins, Esq. Attorney
Name (Type or Print) Title
 2/10/2021
Signature Date

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: Taylor M. Jenkins, Esq. on behalf of Gary PHONE: 775-827-6886
ADDRESS (MAILING): 3748 Lakeside Dr. #102, Reno, Nevada ZIP CODE: 89509
ADDRESS (ACTUAL LOCATION): 9000 Mt. Rose Hwy, Reno, Nevada 89511

EQUIPMENT OR PROCESS REGISTERED WITH CONTROL OFFICER? YES NO

APPEAL OF ORDER _____
APPEAL OF VIOLATION X

VIOLATION NOTICE RECEIVED: # AQMV21-0004 DATE: 2/1/2021

REGULATION INVOLVED: SECTION: Clean Air Act 40 C.F.R. 61,
Subpart M- National Emissions Standards for Asbestos §61.45 (b)

BASIS FOR APPEAL/VARIANCE: Incorrect application, interpretation, and/or implementation of code(s); applicability of exemptions;

arbitrary and capricious application and enforcement of code sections; lack of evidence to support alleged violations;

lack of standing or authority to inspect a "building" due to failure to comply with NRS 278 and/or code(s);

failure to receive evidence of innocence or argument as to the application of code(s) at enforcement "meeting";

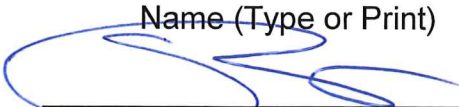
lack of capacity or authority of inspector to inspect a building or structure due to lack of compliance with state law and code(s);

lack of capacity or authority of agency due to failure to comply with state and county laws, ordinances, regulations, code(s) and requirements;

Petitioner reserves the right to plead any other potential defenses which may be discovered upon

further investigation of the information received from the numerous public records requests

made by the Petitioner and Counsel, which to date have not been fulfilled.

FILED BY: Taylor M. Jenkins, Esq. Attorney
Name (Type or Print) Title
 2/10/2021
Signature Date

**WASHOE COUNTY
HEALTH DISTRICT**

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: Taylor M. Jenkins, Esq. on behalf of Gary PHONE: 775-827-6886
ADDRESS (MAILING): 3748 Lakeside Dr. #102, Reno, Nevada ZIP CODE: 89509
ADDRESS (ACTUAL LOCATION): 9000 Mt. Rose Hwy, Reno, Nevada 89511

EQUIPMENT OR PROCESS REGISTERED WITH CONTROL OFFICER? YES NO

APPEAL OF ORDER _____
APPEAL OF VIOLATION X

VIOLATION NOTICE RECEIVED: # AQMV21-0005 DATE: 2/1/2021
REGULATION INVOLVED: SECTION: Clean Air Act 40 C.F.R. 61,
Subpart M- National Emissions Standards for Asbestos §61.45 (c)(1)

Incorrect application, interpretation, and/or implementation of code(s); applicability of exemptions;
BASIS FOR APPEAL/VARIANCE: _____
arbitrary and capricious application and enforcement of code sections; lack of evidence to support alleged violations;

lack of standing or authority to inspect a "building" due to failure to comply with NRS 278 and/or code(s);

failure to receive evidence of innocence or argument as to the application of code(s) at enforcement "meeting";

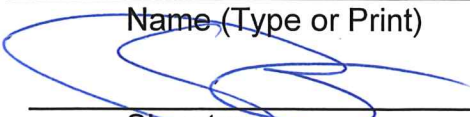
lack of capacity or authority of inspector to inspect a building or structure due to lack of compliance with state law and code(s);

lack of capacity or authority of agency due to failure to comply with state and county laws, ordinances, regulations, code(s) and requirements;

Petitioner reserves the right to plead any other potential defenses which may be discovered upon

further investigation of the information received from the numerous public records requests

made by the Petitioner and Counsel, which to date have not been fulfilled.

FILED BY: Taylor M. Jenkins, Esq. Attorney
Name (Type or Print) Title
 2/10/2021
Signature Date