

NDEP-BAPC SETTLEMENT AGREEMENTS – September 24, 2008

TAB NO.	COMPANY NAME	VIOLATION	NOAV NUMBER(S)	PROPOSED SETTLEMENT AMOUNT
1	Baker Hughes Drilling Fluids, Lander County	NAC445B.275 “Violations: Acts Constituting; notice.” For failing to conduct emission compliance tests (source tests) within the required timeframe. The tests were conducted five months after the deadline specified by Order 2007-39. The penalty is based on the Administrative Penalty Table developed by the NDEP-BAPC to assess penalties for violations not directly related to emissions.	2147	\$5,000
2	Service Rock Products Corporation, Nye County	NAC445B.275 “Violations: Acts Constituting; notice.” For operating a cement batch plant without the required air quality operating permit; the facility’s operating permit expired on May 28, 2008. In June 2008, the SEC ratified a \$8,800 Settlement Agreement with Service Rock Products for violations relating to operating and constructing unpermitted equipment at another facility in Lincoln County. Although the batch plant is a small facility, the NDEP-BAPC recommended a maximum base penalty of \$10,000; application of the Penalty Matrix to account for the recurring violation resulted in a 45% (\$4,500) increase in the penalty. The NDEP-BAPC also requested that Service Rock Products send a representative to the SEC meeting in order to explain how the company will prevent this violation from occurring in the future.	2149	\$14,500