

FORM FOR REQUESTING AN APPEAL HEARING

FEB 27 2009

BEFORE THE NEVADA STATE ENVIRONMENTAL COMMISSION

ENVIRONMENTAL PROTECTION

1. Name, address, telephone number, and signature of applicant:

Name :Lorraine Griffin

Address: 12960 Carson Hwy, Fallon, NV 89406

Telephone:(775) 867-3113

Signature: *Lorraine Griffin*

Representative Capacity (if applicable):N/A

2.. Specify type of applicant: Individual, Partnership, Corporation, or Other:Individual

3. Other person or persons authorized to receive service of notice: N/A

Complete description of the business or activity and the location of the activity involved in the request: Bango Oil, LLC/Best Energy, LLC 22211 Bango Rd, Fallon, NV 89406 Waste Oil re-refiner located in Churchill County, NV . Waste Oil recycling facility that processes used oil from many sources, including manifested oil from CA, which is designated by NAC 444, as hazardous waste due to hazardous waste designation in the state of it's origin. According to Mike Leigh, Supervisor of Hazardous Waste Facilities," the facility average in 2008 for used oil received from California by Bango Oil was 29%" The location of the facility is within one and 4 tenths of a mile of the Carson River and adjacent agricultural lands. This is in close proximity to Lake Lahontan State Park . This Facility is also located within 1800 feet of the Truckee canal and 400 ft from the TCID lateral that serves the agricultural community of Swingle Bench

5. Nature of the appeal and grounds thereof: The NDEP's decision to grant Bango Oil permission to expand without regard for the Churchill County District Attorney's specific request to make this approval contingent upon Bango Oil securing an amended Special Use Permit ( as required by County Code) denies the citizens of Churchill County the right of due process.

NDEP was made aware at the January 28, 2009 hearing that a complaint was filed against Bango oil on January 28, 2009 pursuant to county administrative procedure 16.08 110 of Churchill County Code, for a "show cause hearing" to address four possible violations of their existing special use permit application.

NDEP officials were informed that action taken could result in revocation of the existing special use permit. NDEP's lack of acknowledgement for County Procedures in process undermines the citizen's rights and the County's jurisdictional authority.

Original variances that were granted under NAC 444.8456 were not revisited.

6. Section or sections of the State Air Quality Regulations, Water Pollution Control Regulations, Hazardous Waste Regulations, Solid Waste Management Regulations, or NRS section involved in the appeal: NRS 459.520 Regulations governing permits , paragraph 2. NAC 444.8456 Stationary new or expanding facility for management of hazardous waste. NRS. 445B.100 2 (b)
  
7. Approximate time in hours and minutes necessary for delivery of oral testimony and reading of prepared statements as admissible evidence to be entered in the record: 30 minutes

Date of Request \_\_\_\_\_

Send Form To: John B. Walker, State Environmental Commission, 901 South Stewart Street, Suite 4001  
Carson City, NV 89701-5249