

March 12, 2009

John B. Walker, Executive Secretary
State of Nevada
State Environmental Commission
901 South Stewart Street, Suite 4001
Carson City, Nevada 89701-5249

RE: SEC Appeal for Revised Class II Air Quality Operating Permit AP2992-1473—Motion to Intervene

Dear Mr. Walker:

Pursuant to NAC 445B.8915, Bango Oil LLC, by and through its undersigned attorneys, hereby petitions the State Environmental Commission (the "Commission" or "SEC") for leave to intervene in the appeals filed with the Commission by Lorraine Griffin, Donald Mello, and David C. Mathewson, respectively, regarding the Class II Air Quality Operating Permit AP2992-1473. In support of its petition, Bango Oil submits the following information in accordance with NAC 445B.8915.2:

a. The proceeding in which petitioner requests leave to intervene

Petitioner requests leave to intervene in all appeals from the decision of the Nevada Department of Environmental Protection ("NDEP") on February 13, 2009 to approve the request of Bango Oil to revise the Class II Air Quality Operating Permit, No. AP2992-1473 (at times, the "Permit"), for its facility in Fallon, Nevada, including appeals filed by Lorraine Griffin, Donald Mello and David C. Mathewson.

b. The name and address of the Petitioner and any attorney or other authorized person representing the Petitioner

The Petitioner and its mailing address are:

Bango Oil, LLC
16640 Wedge Parkway,
Reno, Nevada 89511

In this proceeding, Petitioner will be represented by:

Bryce C. Alstead
Denise W. Kennedy
Holland & Hart LLP
5441 Kietzke Lane, Second Floor
Reno, NV 89511

775-327-3000
balstead@hollandhart.com

c. Petitioner's interest in this proceeding:

Petitioner is the permittee of the Class II Air Quality Operating Permit that is the subject of this proceeding, and therefore its interests are directly and substantially affected by this proceeding.

d. The manner in which Petitioner will be affected by this proceeding.

As noted above, the Petitioner is the permittee in the Permit that is the subject of this proceeding. The Permit, as revised, is important to the continued operation of the Bango Oil facility and any modification or reversal of the permit could have substantial adverse effects on the ability of Petitioner to continue to operate the facility.

e. Whether the Petitioner intends to present evidence in the proceeding

At this time, Petitioner intends to present evidence in the proceeding.

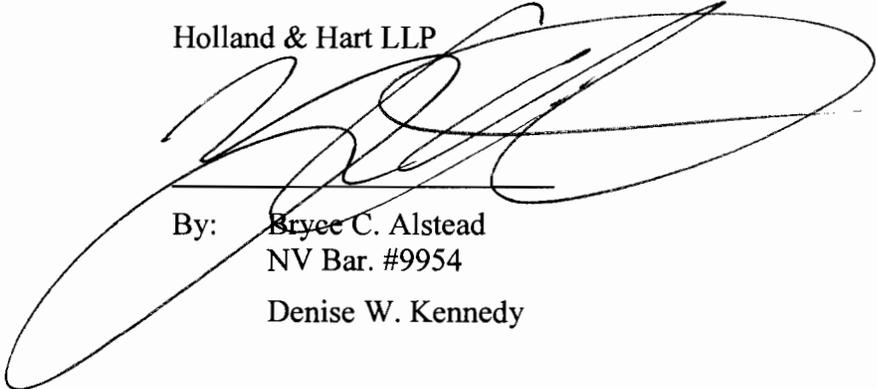
f. Time of filing Petition

It appears that two of the appeals of the Permit were filed with the Commission on February 27, 2009. There is no stamp on the third appeal to indicate the date on which it was filed. The Commission notified Bango Oil of each of the appeals and of its right to request intervention by letter dated March 6, 2009. This Petition to Intervene was promptly filed after receipt of the Commission's notice, and, therefore, it should be considered timely pursuant to NAC 445B.8915(2). Because no action has been taken by the Commission on the appeals and no hearing has been conducted, no party will be prejudiced by granting this Petition to Intervene.

Thank you for your consideration of this Petition. If there are any questions, please feel free to call me at 775-327-3000 or contact me via e-mail at balstead@hollandhart.com.

Very truly yours,

Holland & Hart LLP



By: Bryce C. Alstead
NV Bar. #9954

Denise W. Kennedy

CERTIFICATE OF SERVICE

I certify that on March 12, 2009 I served a copy of the foregoing document to the following by

- U.S. Mail, postage prepaid
- Hand Delivery
- Fax
- Electronic Service by LexisNexis File & Serve

Donald Mello
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