

**JIM. GIBBONS**  
Governor



STATE OF NEVADA  
**STATE ENVIRONMENTAL COMMISSION**

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Acting Director



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Las Vegas, NV

May 12, 2011

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Commission on Mineral  
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Mr. Steven Leroy  
Paramount NV Asphalt  
P.O. Box 2247  
Fernley, NV 89408

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COUNSEL  
Rose Marie Reynolds

STAFF  
John B. Walker  
Executive Secretary

RE: Penalty Assessments for Air Quality Violation No. 2273  
Class II Air Quality Operating Permit AP5032-2054 (FIN A0508)

Dear Mr. Leroy:

On September 9, 2010, the Nevada Division of Environmental Protection, Bureau of Air Pollution Control (NDEP-BAPC) held an enforcement conference with Paramount NV Asphalt Company, LLC (Paramount), to discuss alleged violations related to operations at Paramount's asphalt storage and transfer facility in Fernley, Lyon County, Nevada.

Based on the information presented and discussed during the conference, the NDEP concluded that issuance of the above referenced Notice of Air Quality Violation and Orders (NOAV) was warranted. The NOAV details Paramount failure to comply with certain requirement for recordkeeping, monitoring, reporting or compliance certification contained in the above referenced operating permit.

When NDEP sent the NOAV by certified mail on October 14, 2011, it notified Paramount of its appeal rights pursuant to NRS 445B.340 and NRS 445B.360. Since Paramount did not appeal the NOAV, the State Environmental Commission (SEC) will determine the appropriate penalty for the violations contained in NOAV No2273 at its meeting on June 16, 2011.

This meeting will be held on Thursday, June 16, 2010 at 9:30 a.m. at the Nevada Department of Wildlife's Conference Room A, 1100 Valley Road, Reno, Nevada.

Pursuant to NRS 445B.640(1), the SEC may levy an administrative fine of not more than \$10,000 per day per violation. Staff from NDEP will provide the SEC with a brief overview of the NOAV and its recommendation for an administrative fine of \$5,400.00, which has been calculated from a penalty matrix previously approved by the Commission.

The Commission will formally levy a fine by accepting NDEP's recommendation or increasing or decreasing the fine amount based on the information presented at the meeting.

Your presence is not required at the June 16, 2011 meeting, although you or a company representative may wish to attend and speak on behalf of Paramount. The SEC may, without further notice, take administrative action against Paramount, if the SEC determines that such administrative action is warranted after it considers NOAV No. 2273.

If you have any questions regarding this notice, please contact me at (775) 687-9308.

Sincerely,

John B. Walker  
Executive Secretary

JW:jw

Certified Mail # 7007 0220 0003 5226 0811

cc: Colleen Cripps, NDEP  
Michael Elges, NDEP  
Francisco Vega, NDEP  
Rose Marie Reynolds, SEC/DAG