

JIM. GIBBONS
Governor



STATE OF NEVADA
STATE ENVIRONMENTAL COMMISSION

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Leo Drozdoff, P.E.
Acting Director



CHAIRMAN:
Eugene Gans
Las Vegas, NV

May 12, 2011

VICE CHAIRMAN:
Alan Coyner
Administrator
Division of Minerals
Commission on Mineral
Resources

Paul Huet
General Manager
Rodeo Creek Gold, Inc.
P.O. Box 2610
Winnemucca, Nevada 89446

MEMBERS

Pete Anderson
State Forester
Division of Forestry

RE: Penalty Assessments for Air Quality Violation No. 2297

Dear Mr. Huet:

Frances Barron
State Board of Health
Las Vegas, NV

On March 1, 2011, the Nevada Division of Environmental Protection, Bureau of Air Pollution Control (NDEP-BAPC) and Rodeo Creek Gold, Inc. (Rodeo Creek) held an enforcement conference to discuss Rodeo Creek's failure to comply with Class 1 Air Quality Operating Permit AP1041-1298.01. Rodeo Creek operates an underground gold mine, near Midas in Elko County, Nevada

Jason King
State Engineer
Division of Water Resources

On December 7 and 8, 2010, Rodeo Creek conducted and failed a source test on System 2. Failure to comply with permit requirements represents air quality violations under NRS 445B.275

Kathryn Landreth
Reno, NV

Jim Barbee
Director, Department of
Agriculture

When NDEP sent the NOAV by certified mail on March 17, 2011, it notified Rodeo Creek of its appeal rights pursuant to NRS 445B.340 and NRS 445B.360. Since Rodeo Creek did not appeal the NOAV, the State Environmental Commission (SEC) will determine the appropriate penalty for the violations contained in NOAV No. 2297 at its meeting on June 16, 2011.

Kenneth Mayer - Director
Department of Wildlife

Tom Porta
Reno, NV

Mark Turner
Carson City, NV

Stephanne Zimmerman
Las Vegas, NV

This meeting will be held on Thursday June 16, 2011 at 9:30 a.m. at the Nevada Department of Wildlife's Conference Room A, 1100 Valley Road, Reno, Nevada.

COUNSEL
Rose Marie Reynolds

STAFF
[John B. Walker](#)
Executive Secretary

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 **\$11,760.00**, 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 Rodeo Creek. The SEC may, without further notice, take administrative action against Rodeo Creek, if the SEC determines that such administrative action is warranted after it considers NOAV No. 2297.

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 0880

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