

**BRIAN SANDOVAL**  
Governor



STATE OF NEVADA  
**STATE ENVIRONMENTAL COMMISSION**

901 South Stewart Street, Suite 4001  
Carson City, Nevada 89701-5249  
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[www.sec.nv.gov](http://www.sec.nv.gov)

**Leo Drozdoff, P.E.**  
Director



September 06, 2013

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Las Vegas, NV

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Agriculture

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Reno, NV

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Carson City, NV

Cary Richardson  
Carson City, NV

**COUNSEL**  
Rose Marie Reynolds

**STAFF**  
Valerie King  
Executive Secretary

Art Wilson  
Owner/Operator  
Western States Gypsum  
P.O. Box 20160  
Carson City, Nevada 89721

RE: Notice of Alleged Air Quality Violation and Order No. 2450  
Class II Air Quality Operating Permit AP1499-0504.02 (RN A0739)

Dear Mr. Wilson:

On July 23, 2013 a representatives from the Nevada Division of Environmental Protection (NDEP) met with officials from your company in an enforcement conference concerning Western States Gypsum alleged failure to comply with certain requirements set for in the above referenced Air Quality Operating Permit. As an outcome of that meeting NDEP issued the above referenced NOAV(s); see attached.

When NDEP sent the NOAV by certified mail on September 06, 2013, it Notified Western States Gypsum of its appeal rights pursuant to NRS 445B.340 and NRS 445B.360. Since your company did not appeal the NOAV, the State Environmental Commission (SEC) will determine the appropriate penalty for the violation contained in the above referenced NOAV at its meeting on October 9, 2013. This meeting will be held on Wednesday, October 09, 2013 at 10:00 a.m. in the Bryan Building in Carson City, Nevada (901 S. Stewart Street, 2nd Floor Tahoe Room).

Pursuant to NRS 445B.640(1), the SEC may levy an administrative fine of not more than \$10,000 per day per violation. At the meeting staff from NDEP will provide the SEC with a brief overview of the NOAV and its recommendation for an administrative fine of \$22,520.00 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 October 09, 2013 meeting, although you or a company representative may wish to attend and speak on behalf of Western States Gypsum. The SEC may, without further notice, take administrative action against Western States Gypsum, if the SEC determines that such administrative action is warranted after it considers NOAV 2450.

If you have any questions regarding this notice, please contact me at (775) 687-9374.

Sincerely,

Valerie King  
Executive Secretary

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Certified Mail # 9171 9690 0935 0012 2751 65

ec: Colleen Cripps, Ph.D., Administrator  
Michael Elges, Deputy Administrator  
Francisco Vega, NDEP/BAPC  
Rose Marie Reynolds, SEC/DAG