

JIM. GIBBONS
Governor



STATE OF NEVADA
STATE ENVIRONMENTAL COMMISSION

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Leo Drozdoff, P.E.
Acting Director



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Eugene Gans
Las Vegas, NV

May 12, 2011

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Division of Minerals
Commission on Mineral
Resources

Paul Glauser
Vice President
Staker & Parson
1000 W Center Street
P.O. BOX 27598
Salt Lake City, UT 84127-0598

MEMBERS

Pete Anderson
State Forester
Division of Forestry

RE: Penalty Assessments for Air Quality Violation No. 2289 and 2298
Class II Air Quality Operating Permit AP1442-0017 (FIN A0033) Change of
Location Approval # 2236

Frances Barron
State Board of Health
Las Vegas, NV

Dear Mr. Glauser:

Jason King
State Engineer
Division of Water Resources

On January 11, 2011, the Nevada Division of Environmental Protection, Bureau of Air Pollution Control (NDEP) and Staker & Parson (S&P) held an enforcement conference to discuss the violations related to operating prior to the issuance of the above referenced "Change of Location Approval (COLA) # 2236". During the enforce conference S&P self-reported that the crushing and screening plant associated with the Change of Location Approval" exceeded the permitted production limit.

Kathryn Landreth
Reno, NV

Based on the information presented during the conference the NDEP determined that issuance of the above referenced Notice of Alleged Air Quality Violation was warranted, (i.e., operating without an air quality permit is a violation of NAC 445B.275).

Jim Barbee
Director, Department of
Agriculture

Kenneth Mayer - Director
Department of Wildlife

Tom Porta
Reno, NV

Mark Turner
Carson City, NV

Stephanne Zimmerman
Las Vegas, NV

When NDEP sent the NOAVs by certified mail on February 16, 2011, it notified S&P of its appeal rights pursuant to NRS 445B.340 and NRS 445B.360. Since S&P did not appeal the NOAV, the State Environmental Commission (SEC) will determine the appropriate penalty for the violations contained NOAV Nos. 2289 and 2298 at its meeting on June 16, 2011.

COUNSEL
Rose Marie Reynolds

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

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 \$17,200.00, 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 S&P. The SEC may, without further notice, take administrative action against S&P, if the SEC determines that such administrative action is warranted after it considers NOAV Nos. 2289 and 2298.

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 0842

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