

**Summary Minutes of the
STATE ENVIRONMENTAL COMMISSION (SEC)**

**Bango Oil Appeal Hearing
July 28, 2009**

Nevada Department of Conservation & Natural Resources
Bryan Building, 901 S. Stewart St., 2nd Floor Tahoe Room
Carson City Nevada

Appeal Panel:

Alan Coyner, Chairman
(Eugene) Jim Gans
Pete Anderson

SEC Staff Present:

Rose Marie Reynolds, SEC/DAG
John Walker, Executive Secretary
Kathy Rebert, Recording Secretary

On July 28, 2009 at 9:30 a.m. the Bango Oil Appeal hearing continued from April 29, 2009. One member of the appeal panel who participated in the April 29, 2009 hearing, Ira Rackley, having concluded his term on the State Environmental Commission, was replaced on the panel by Commissioner Pete Anderson.

A full copy of the transcripts for both meetings as well as the audio recordings of both can be found at: http://sec.nv.gov/main/bango09_appeal.htm

The following is a brief summary of the public comments which were given after the panel decision had been made regarding the appeal.

Ms. Lorraine Griffin thanked the Commissioners and everyone involved for assisting the appellants in presenting their case since they had no legal training.

Mr. Donald Mello said the meeting pointed out some real holes in the county and NDEP's process when it comes to odors. He said "the residents will suffer the rest of their lives regardless of what Bango Oil does; there will always be an odor". Mr. Mello also expressed his appreciation in the fairness of the Panel.

Mr. Stuart Mackie raised the issue of disclosure regarding the odor that people now have to fill out when they sell their homes. He said he believes the Panel's decision makes them responsible and liable. Mr. Mackie also objected to the Panel's decision not to allow consideration in the appeal process of the video by SINCAT of a previous meeting where Mr. Randy Soule spoke on behalf of Bango Oil.

Ms. Esther Moore relayed in detail to the Panel what she considers to be abuse related to the odors -- including medical issues she believes are related. Ms. Moore said she also has horses who have medical conditions she believes are related to the odors. In addition to her and her animals' health, she said she was concerned about selling her home, noting that no one would buy it because of the odors.

Mr. Coyner advised that there is opportunity at the next Bango Oil air pollution control permit renewal to bring odor issues to the attention of NDEP. He also said local residents will have an opportunity to bring issues concerning Bango Oil to the County through their permitting process.

There being no other public comment, Chairman Coyner closed the meeting.