

FORM # 3
FORM FOR REQUESTING AN APPEAL HEARING
BEFORE THE NEVADA STATE ENVIRONMENTAL COMMISSION

1. Name, address, telephone number, and signature of applicant:
 Name: Donald & Sandra Mello
 Address: 13999 Cadet Road Fallon, Nev. 89406
 Telephone: 1-775-867-2424 Cell 1-775-427-1181
 Signature: Donald A Mello
 Representative Capacity (if applicable): NA
 2. Specify type of applicant: Individual, Partnership, Corporation, or Other: Individual
 3. Other person or persons authorized to receive service of notice: _____
 4. Complete description of the business or activity and the location of the activity involved in the request: BANGO OIL FALLON, NV

 5. Nature of the appeal and grounds thereof: TO ADDRESS THE CONTINUOUS
ODDROUS EMISSIONS FROM BANGO OIL

 6. Section or sections of the State Air Quality Regulations, Water Pollution Control Regulations, Hazardous Waste Regulations, Solid Waste Management Regulations, or NRS section involved in the appeal: NRS 459.520 NRS 445B.115 NRS 445B.340
PERMITS AIR POLLUTION APPEALS
 7. Approximate time in hours and minutes necessary for delivery of oral testimony and reading of prepared statements as admissible evidence to be entered in the record: 20 min
- Date of Request 07-20-11

Send Form To: John Walker, State Environmental Commission, 901 South Stewart Street, Suite 4001
 Carson City, Nevada 89701-5249 (Fax 775-687-5856)

ATTN: JOHN WALKER

We need an open ended extension on the appeal hearing for the Renewal Air Quality Operating Permit for Bango handed down on July 8, 2011.

We do not want to hold up the Air Quality Operating Permit, but wish it to be implemented so the CURRANT MODIFICATION APPLICATION submitted by Bango Oil to the NDEP changing to natural gas for all of their burner/heaters can go forward because it is our understanding that Bango Oil LLC must obtain the Air Quality permit before the Modification Application can be addressed by the NDEP. We need to see if the conversion to natural gas solves the odorous emissions problem.

We would like to ask that within 6 months of the conversion that the Air Quality Operating Permit for Bango Oil be reviewed in an open hearing with all of the residents affected by the odorous emissions from said facility.

1. The reason being that we want to wait to see if Bango switching to natural gas in their burners/heaters will have a positive impact on the odorous emissions. The change will occur in or around September.
2. We do not want to challenge if the natural gas resolves our issue with Bango Oil.
3. We do not want to lose our right to Appeal if it does not have the desired outcome.
4. COULD WE PLEASE HAVE CONFIRMATION OF THE DECISION TO PUT OUR APPEAL IN ABEYANCE FOR THE ABOVE REASONS IN WRITING.
5. If this is not possible than we need to proceed with the appeal.

Churchill County has received nearly 1500 noxious odor complaints since March 2007. Residents testified before the Bango Oil public hearing on January 26, 2011. In discussion with Mike Elges at this hearing I informed him that the Bango Oil noxious odor was horrendous over the Martin Luther King weekend.

Again residents testified before the Senate Natural Resources Committee on SB 298 sponsored by Mike McGinness on March 25, 2011. In discussions with Mike Elges, he said the NDEP had no idea the residents were still getting the Bango Oil

noxious odor. In the past 4 1/2 yrs NDEP representatives have never called a single resident of Churchill County to follow up on complaints made about noxious odors.

At a meeting where residents in the vicinity of Bango Oil testified before SEC April 29, 2009, Leo Drozdoff stated NDEP would be having quartely or bi annually meetings with the counties. These meetings with Churchill County have never happened.

I believe it is now time for the SEC to insist that Leo Drozdoff and the NDEP report monthly to the SEC, for oversight purposes, until such time that this situation with Bango Oil is finally resolved.

Thank you, Don Mello submitting for myself and the complainants.

In memoriam Lorraine Griffin and Albert Raines.

A handwritten signature in cursive script that reads "Don Mello". The signature is written in black ink and is positioned above a horizontal line.

Don Mello
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Fallon, NV 89406
1-775-867-2424