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STATE OF NEVADA
STATE ENVIRONMENTAL COMMISSION

901 South Stewart Street, Suite 4001
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Telephone (775) 687-9374
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www.sec.nv.gov

November 4, 2014

Leo Drozdoff, P.E.
Director



Bart Hiatt
General Manager
A&K Earth Movers, Inc.
5544 Rivers Edge Drive
Fallon, NV 89406

RE: Notice of Alleged Air Quality Violation and Order No. 2512
Class II Air Quality Operating Permit AP1442-3321 (FIN A0637)

Dear Mr. Hiatt:

On September 9, 2014, the Nevada Division of Environmental Protection (NDEP) held an enforcement conference with A&K Earth Movers, Inc. (A&K) to discuss supporting information regarding the draft Notice of Alleged Violation and Order (NOAV) No. 2512. As a result of that meeting, NDEP formally issued NOAV No. 2512. See attached.

NDEP sent NOAV No. 2512 via certified mail on September 18, 2014, notifying A&K of its appeal rights pursuant to NRS 445B.340 and NRS 445B.360. A&K submitted a request for an appeal hearing and later withdrew it. Therefore, the State Environmental Commission (SEC) will determine the appropriate penalty for the violations contained in the above referenced NOAV on **Wednesday, December 3, 2014 at 10:00 a.m.** in the Bryan Building in Carson City, Nevada (901 S. Stewart Street, 2nd Floor Tahoe conference Room).

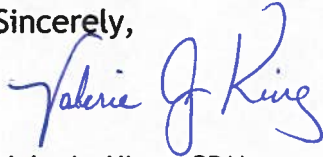
Pursuant to NRS 445B.640(1), the SEC may approve an administrative penalty of not more than \$10,000 per day per violation. During the December 3 meeting, NDEP will provide the SEC with a brief overview of the NOAV and its recommendation for an administrative penalty of \$24,840.00. This recommended penalty was calculated using a penalty matrix previously approved by the SEC.

Although your presence is not required at this meeting, you or a representative may wish to attend to speak on behalf of A&K.

The SEC may, without further notice, take administrative action against A&K if the SEC determines that such administrative action is warranted after it considers NOAV No. 2512.

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

Sincerely,



Valerie King, CPM
Executive Secretary

Certified Mail # 9171 9690 0935 0012 2753 32

ec: Colleen Cripps, Ph.D., Administrator
Rob Bamford, Chief, BAPC
Francisco Vega, NDEP/BAPC
Colleen Platt, SEC/DAG