

BRIAN SANDOVAL
Governor



STATE OF NEVADA
STATE ENVIRONMENTAL COMMISSION

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COUNSEL
Rose Marie Reynolds

STAFF
Valerie King
Executive Secretary

September 9, 2013

Donald and Sandra Mello
13999 Cadet Road
Fallon, Nevada 89406

Richard Wideman
13993 Cadet Road
Fallon, Nevada 89406

Re: Motion to Dismiss Appeal of Renewal of Air Quality Operating Permit:
Class II Operating Permit No. 6 AP2992-1473.01 issued to Bango Oil, LLC

Gentleman:

The State Environmental Commission (SEC) is in receipt of a motion to dismiss appeal from Ms. Katie S. Armstrong of the Nevada Attorney Generals office dated June 18, 2013; the motion requests that the appeal of the above referenced permit be dismissed.

Details regarding the appeals are described in the attached "Motion To Dismiss."

Since you have failed to bring the appeal to a hearing and pursuant to NAC 445B.894(4), the Commission may, after providing notice to each party, dismiss an appeal for want of prosecution if the party filing the appeal has failed to bring the appeal to hearing within one year of filing the appeal.

Accordingly, this letter is to notify you that the SEC will consider NDEP's request to dismiss the appeal of the above referenced permit at its meeting on October 9, 2013. The meeting will be held on October 9, 2013, at 10:00 a.m., at 901 S. Stewart Street, Tahoe Room (2nd Floor), Carson City, NV 89701.

The SEC's rules of practice governing appeal (NAC 445B.875 to NAC 445B.899) can be found at: <http://leg.state.nv.us/NAC/NAC-445B.html#NAC445BSec875>

If you have any questions regarding this notice, please contact me at (775) 687-9310.

Sincerely,

Valerie King, CPM
Executive Secretary

VK:jbw

Certified Mail # 9171 9690 0925 0012 2752 26

cc: Bango Oil
Katie S. Armstrong, NDEP/DAG
Rose Marie Reynolds, SEC/DAG