

BRIAN SANDOVAL
Governor



STATE OF NEVADA
STATE ENVIRONMENTAL COMMISSION

901 South Stewart Street, Suite 4001
Carson City, Nevada 89701-5249
Telephone (775) 687-9308
Fax (775) 687-5856
www.sec.nv.gov

Leo Drozdoff, P.E.
Director



CHAIRMAN:
Eugene Gans
Las Vegas, NV

May 11, 2012

VICE CHAIRMAN:
Alan Coyner
Administrator
Division of Minerals
Commission on Mineral
Resources

Brain Musser
Environmental Manager
Barrick Cortez, Inc.
HC 66, Box 1250
Crescent Valley, Nevada 89821-1250

MEMBERS

Pete Anderson
State Forester
Division of Forestry

RE: Penalty Assessments for Air Quality Violation (NOAV - Notice of Alleged Air Quality Violation No 2397)

Frances Barron
State Board of Health
Las Vegas, NV

Dear Mr. Musser:

Jason King
State Engineer
Division of Water Resources

In January 2012 representatives from the Nevada Division of Environmental Protection (NDEP) met with officials from your company in an enforcement conference concerning Barrick Cortez's alleged failure to comply with requirements set forth in Class I Air Quality Operating Permit AP1041-2141. As an outcome of that meeting NDEP issued the above referenced NOAV (see attached).

Kathryn Landreth
Reno, NV

When NDEP sent the NOAV by certified mail on February 13, 2012, it notified Barrick Cortez of its appeal rights pursuant to NRS 445B.340 and NRS 445B.360. Since your company did not appeal the NOAV, the State Environmental Commission (SEC) will determine the appropriate penalty for the violations contained in NOAV No. 2397 at its meeting on June 12, 2012. This meeting will be held on Tuesday, June 12, 2012 at 9:30 a.m. in the Bryan Building in Carson City, Nevada (901 S. Stewart Street, 2nd Floor Tahoe Room).

Jim Barbee
Director, Department of
Agriculture

Ken Mayer, Director
Department of Wildlife

Tom Porta
Reno, NV

Mark Turner
Carson City, NV

Cary Richardson
Carson City, NV

Pursuant to NRS 445B.640(1), the SEC may levy an administrative fine of not more than \$10,000 per day per violation. At the meeting staff from NDEP will provide the SEC with a brief overview of the NOAV and its recommendation for an administrative fine of **\$3,000.00**, 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.

COUNSEL
Rose Marie Reynolds

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

Your presence is not required at the June 12, 2012 meeting, although you or a company representative may wish to attend and speak on behalf of Barrick Cortez. The SEC may, without further notice, take administrative action against Barrick Cortez, if the SEC determines that such administrative action is warranted after it considers NOAV 2397.

If you have any questions regarding this notice, please contact me at (775) 687-9308.

Sincerely,

John B. Walker
Executive Secretary

JBW

Certified Mail # 9171 9690 0935 0010 5553 13

ec: Colleen Cripps, Ph.D., Administrator
Michael Elges, Deputy Administrator
Francisco Vega, NDEP/BAPC
Rose Marie Reynolds, SEC/DAG