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STATE OF NEVADA
OFFICE OF THE ATTORNEY GENERAL

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Chief of Staff

June 4, 2013

VIA ELECTRONIC MAIL AND U.S. MAIL

John Walker, Executive Secretary
Nevada State Environmental Commission
901 South Stewart Street, Suite 4001
Carson City, Nevada 89701
Email: jbwalker@ndep.nv.gov

RE: Clark and Nye County Development Corp. appeal dismissal

Dear Mr. Walker:

I am writing on behalf of the Nevada Division of Environmental Protection, Bureau of Air Pollution Control (NDEP-BAPC) to move to dismiss the appeal by Clark and Nye County Development Corp., Permit No. AP1629-1123. The appeal from NOAV 1819 was filed January 12, 2004 and has been pending for nearly 10 years.

Pursuant to the SEC's new rules governing practice before the SEC, and in particular NAC 445B.894(4), the SEC may, after providing notice to the parties, dismiss an appeal for lack of prosecution on the motion of any party or the SEC's own motion if the appellant has failed to bring the matter to a hearing within one year of the appeal. The above appeal has been pending for more than one year. Therefore, NDEP moves to dismiss it and for the NOAV and penalties to stand.

Clark and Nye County Development Corp. appears to have had its business license revoke. Nonetheless, a copy of this letter is being sent to Clark and Nye County Development Corp. via its registered agent:

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Hans Seibt
Clark and Nye County Development Corp.
8645 W. Sahara Avenue
Las Vegas, Nevada 89117

Please do not hesitate to contact me if you have any questions about the foregoing.

Sincerely,

CATHERINE CORTEZ MASTO
Attorney General

By:


KATIE S. ARMSTRONG
Deputy Attorney General
(775) 684-1224

JKM:htc

cc: Michael Elges, NDEP, Deputy Administrator
Robert Bamford, NDEP, Chief of the Bureau of Air Pollution Control