

BRIAN SANDOVAL
Governor



STATE OF NEVADA
STATE ENVIRONMENTAL COMMISSION

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COUNSEL
Rose Marie Reynolds

STAFF
Valerie King
Executive Secretary

October 30, 2013

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

Re: Motion to Dismiss Appeal of NOAV No. 1819

Dear Mr. Seibt:

The State Environmental Commission (SEC) is in receipt of a motion for and appeal dismissal from Ms. Katie S. Armstrong of the Nevada Attorney General's office dated June 4, 2013. The motion requests that the appeal of the above referenced Notice of Alleged Violation (NOAV) filed on January 12, 2004, be dismissed.

Details regarding the appeal 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 the Nevada Division of Environmental Protection's request to dismiss the appeal of the above referenced NOAV at its meeting on December 4, 2013. The meeting will be held on December 4, 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) 687-9374.

Sincerely,

A handwritten signature in blue ink that reads "Valerie King".

Valerie King, CPM
Executive Secretary

VK

Certified Mail # 9171 9690 0935 0011 9073 88

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