

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

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

MEMBERS

Pete Anderson
State Forester
Division of Forestry

Frances Barron
State Board of Health
Las Vegas, NV

Jason King
State Engineer
Division of Water Resources

Kathryn Landreth
Reno, NV

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

COUNSEL
Rose Marie Reynolds

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

January 10, 2013

Scott Lehman
Operations Manager
Gold Canyon Mining and Construction, LLC
9790 Gateway, Suite 220
Reno, Nevada 89521

RE: Penalty Assessments for Notice of Alleged Air Quality Violations & Order Nos. 2402-2406 as per Class II General Air Quality Operating Permit AP1442-2807.02 COLA 2290 (FIN A1231)

Dear Mr. Lehman:

In May 2012 representatives from the Nevada Division of Environmental Protection (NDEP) met with officials from your company in an enforcement conference concerning Gold Canyon Mining and Construction alleged failure to comply with several requirements set for in the above referenced Air Quality Operating Permit. As an outcome of that meeting NDEP issued the above referenced NOAV(s); see attached.

When NDEP sent the NOAV(s) by certified mail on June 27, 2012, it notified Gold Canyon Mining and Construction 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 the above referenced NOAV(s) at its meeting on February 13, 2013. This meeting will be held on Wednesday, February 13, 2013 at 10:30 a.m. in the Bryan Building in Carson City, Nevada (901 S. Stewart Street, 2nd Floor Tahoe Room).

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(s) and its recommendation for an administrative fine of **\$24,600.00** 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.

Your presence is not required at the February 13, 2013 meeting, although you or a company representative may wish to attend and speak on behalf of Gold Canyon Mining and Construction.

The SEC may, without further notice, take administrative action against Gold Canyon Mining and Construction, if the SEC determines that such administrative action is warranted after it considers the above referenced NOAV(s).

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 5552 52

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