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Governor



STATE OF NEVADA
STATE ENVIRONMENTAL COMMISSION

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Leo Drozdoff, P.E.
Director



January 11, 2013

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RE: Motion to Dismiss Appeal of NOAV No. 2084

Gentlemen:

The State Environmental Commission (SEC) is in receipt of a letter from Jasmine Mehta dated August 29, 2012, requesting that the appeal of Notice of Alleged Air Quality Violation and Order (NOAV) No. 2084 be dismissed and for the NOAV and penalties to stand. As you may recall, the Nevada Division of Environmental Protection (NDEP) issued NOAV No. 2084 to Mud Camp Mining Company on November 20, 2006, with a fine of \$25,000, for failure to timely test five units. Mud Camp Mining Company filed an appeal on December 8, 2006, but has failed to bring the appeal to a hearing. 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.

This letter is to notify you that the SEC will consider NDEP's request to dismiss the appeal of NOAV No. 2084 at its meeting on February 13, 2013. The meeting will be held on February 13, 2013, at 10:30 a.m., at 901 S. Stewart Street, Tahoe Room (2nd Floor), Carson City, NV 89701.

The SEC's rules of practice, NAC 445B.875 to NAC 445B.899, can be found on the Internet at the following: <http://leg.state.nv.us/NAC/NAC-445B.html#NAC445BSec894>. If you have any questions regarding this notice, please contact me at (775) 687-9308.

Sincerely,

John B. Walker
Executive Secretary

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Jasmine Mehta, DAG
Rose Marie Reynolds, SEC/DAG