

JIM. GIBBONS
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

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Acting Director



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September 1, 2011

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PO BOX 358
Coalville, Utah 84017

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[John B. Walker](#)
Executive Secretary

RE: Penalty Assessments for Air Quality Violation No. 2328

Dear Mr. Olson:

On March 4, 2011, Nevada Division of Environmental Protection, Bureau of Air Pollution Control (NDEP-BAPC) conducted an on-site inspection of the Rees's aggregate processing facility in Lovelock, Nevada. During the inspection it was discovered that Rees was in violation of Class II General Air Quality Operating Permit AP1442-0045.02, COLA 2248. Subsequently, and on July 28, 2011, NDEP-BAPC and Rees's Enterprise held an enforcement conference to discuss the company's failure to comply with the referenced Air Quality Permit.

NDEP then sent Rees's Enterprise the attached NOAV # 2328 by certified mail. The letter accompanying the NOAV notified Rees's Enterprise of its appeal rights pursuant to NRS 445B.340 and NRS 445B.360. Since Rees's Enterprise did not appeal the NOAV, the State Environmental Commission (SEC) will determine the appropriate penalty for the violation referenced above at the SEC's October 2011 regulatory hearing. This hearing will be held on Wednesday, October 5, 2010 at 9:30 a.m. at the Nevada Department of Wildlife's Conference Room A, 1100 Valley Road, Reno, Nevada.

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 above referenced hearing, staff from NDEP will provide the SEC with a brief overview of the NOAV and its recommendation for an administrative fine of **\$600.00**, which has been calculated from a penalty matrix previously approved by the Commission. The SEC will formally levy a fine by accepting NDEP's recommendation or increasing or decreasing the fine amount based on the information presented at the hearing.

Your presence is not required at the October 5th 2011 hearing, although you or a company representative may wish to attend and speak on behalf of Rees's Enterprise. The SEC may, without further notice, take administrative action against Rees's Enterprise, if the SEC determines that such administrative action is warranted after it considers NOAV No. 2328.

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

Sincerely,

John B. Walker
Executive Secretary

Jbw
Enclosed

Certified Mail # 7007 0220 0003 5226 1160

ec: Colleen Cripps, NDEP
Michael Elges, NDEP
Francisco Vega, NDEP
Rose Marie Reynolds, SEC/DAG