

1 BEFORE THE STATE OF NEVADA, STATE ENVIRONMENTAL COMMISSION

2
3 In Re:)

4 Prehearing Conference Regarding)
5 Motion for Summary Judgment of Appeal)
6 Hearing Request filed by ABC Recycling)
7 Industries, LLC – Lathrop Mill Reclamation)
8 Permit #0171)

ORDER GRANTING
PREHEARING CONFERENCE
FOR SUMMARY JUDGMENT

9
10 On February 17, 2020, Mr. Robert Ford filed a request for an appeal hearing with the State
11 Environmental Commission (SEC) to contest the February 6, 2020 letter from the Nevada
12 Division of Environmental Protection (NDEP) to ABC Recycling Industries, LLC, informing Mr.
13 Ford that Reclamation Permit #0171 for the Lathrop Mill would be revoked due to failure to
14 pay an annual reclamation permit fee.

15
16 On March 11, 2020, NDEP filed a Motion for Summary Judgment with the SEC. Pursuant to
17 NAC 445B.8913, the SEC will conduct a prehearing conference on April 23, 2020, to rule on
18 NDEP's Motion for Summary Judgment regarding Mr. Ford's Request for an Appeal Hearing.

19
20 Pursuant to NAC 445B.8925, it is hereby ORDERED that ABC Recycling Industries, LLC shall
21 file a reply brief to NDEP's Motion for Summary Judgment regarding the Appeal filed by ABC
22 Recycling Industries, LLC with the SEC on or before April 3, 2020. It is also ORDERED that
23 NDEP may file a reply brief on or before April 17, 2020.

24
25 Dated this 12th day of March 2020

26
27 

Member
State Environmental Commission

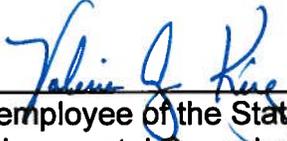
1 **CERTIFICATE OF SERVICE**

2
3 I, Valerie King, certify that I am an employee of the State of Nevada, State Environmental
4 Commission, and do hereby certify that on this 12th day of March, 2020, I served a true and
5 correct copy of the foregoing ORDER REGARDING PREHEARING CONFERENCE FOR
6 SUMMARY JUDGMENT AND BRIEFING SCHEDULE, via email, to the following:
7

8 Byron Thomas, Esq.
9 byronthomaslaw@gmail.com
10 ***Attorney for Appellant***
ABC Recycling Industries, LLC

11 Dan Nubel, Esq.
12 dnubel@ag.nv.gov
13 ***Attorney for Appellee,***
Nevada Division of
Environmental Protection

14
15 Henna Rasul, Esq.
16 hrasul@ag.nv.gov
SEC Legal Counsel

17
18
19
20 
21 _____
22 An employee of the State
23 Environmental Commission
24
25
26
27
28