

STEVE SISOLAK  
Governor



STATE OF NEVADA  
STATE ENVIRONMENTAL COMMISSION

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Bradley Crowell  
Director



January 10, 2022

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Asheesh S. Bhalla

STAFF

Sheryl Fontaine  
Executive Secretary

Jessica Higday  
Recording Secretary

Mr. Brian Simpson  
General Manager  
Premier Magnesia, LLC.  
PO Box 177  
Gabbs, Nevada 89409

RE: Notice of Alleged Air Quality Violation and Order No. 2886  
Class II Air Quality Operating Permit AP1459-0433 (FIN A0461)

Dear Mr. Simpson:

On December 2, 2021, the Nevada Division of Environmental Protection (NDEP) held an enforcement conference with Premier Magnesia, LLC. (Premier Magnesia) to discuss supporting information regarding the draft Notice of Alleged Violation and Order (NOAV) No. 2886. As a result of that meeting, NDEP formally issued the above NOAV via certified mail on December 20, 2021. See attachment.

Upon formal issuance of the NOAV, NDEP notified Premier Magnesia of its appeal rights pursuant to NRS 445B.340 and NRS 445B.360. Premier Magnesia did not appeal the NOAV. Therefore, the State Environmental Commission (SEC) will determine the appropriate penalty for the violation contained in the above referenced NOAV on **Wednesday, February 9, 2021, at 9:00 a.m. at the Richard H. Bryan Building, Tahoe Conference Room (2<sup>nd</sup> Floor) located at 901 South Stewart Street, Carson City.**

Pursuant to NRS 445B.640(1) the SEC may approve an administrative penalty of not more than \$10,000 per day per violation. During the February 9<sup>th</sup> meeting, NDEP will provide the SEC with a brief overview of the NOAV and the recommendation for an administrative penalty of \$5,000.00 for NOAV 2886. This recommended penalty was calculated using a penalty matrix previously approved by the SEC.

Although your presence is not required at this meeting, you or a representative may wish to attend to speak on behalf of Premier Magnesia.

The SEC may, without further notice, take administrative action against Premier Magnesia if the SEC determines that such administrative action is warranted after it considers NOAV No. 2886.

If you have any questions regarding this notice, please contact me at (775) 687-9374.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Sheryl Fontaine', with a stylized flourish at the end.

Sheryl Fontaine  
Executive Secretary

Certified Mail # 9171 9690 0935 0244 2660 16

ec: Greg Lovato, Administrator  
Jeffrey Kinder, Deputy Administrator  
Danilo Dragoni, Chief, BAQP  
Jennifer Schumacher, Chief, BAPC  
Andrew Tucker, Supervisor, BAQP  
Asheesh S. Bhalla, SEC/DAG