

STEVE SISOLAK
Governor



STATE OF NEVADA
STATE ENVIRONMENTAL COMMISSION

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August 11, 2022

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Sheryl Fontaine
Executive Secretary

Loren Borst
Recording Secretary

Donald Matthews
TSD Manager, Chief Engineer
Wulfenstein Construction Company, Inc.
10240 San Sevaine Way
Jurupa Valley, CA 91752

RE: Notice of Alleged Air Quality Violation and Order No. 2888
Class II Air Quality Operating Permit AP1611-0519 (FIN A0475)

Dear Mr. Matthews:

On November 30, 2021, the Nevada Division of Environmental Protection (NDEP) held an enforcement conference with Wulfenstein Construction Company, Inc. (WCC) to discuss supporting information regarding the draft Notice of Alleged Violation and Order (NOAV) No. 2888. As a result of that meeting, NDEP formally issued the above NOAV via certified mail on March 22, 2022. See attachment.

Upon formal issuance of the NOAV, NDEP notified WCC of its appeal rights pursuant to NRS 445B.340 and NRS 445B.360. WCC 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, September 20, 2022, at 9:00 a.m. at the Richard H. Bryan Building, Tahoe Conference Room (2nd 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 September 20, 2022, meeting, NDEP will provide the SEC with a brief overview of the NOAV and the recommendation for an administrative penalty of \$9,000.00 for NOAV 2888. 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 WCC.

The SEC may, without further notice, take administrative action against WCC if the SEC determines that such administrative action is warranted after it considers NOAV No. 2888.

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

Sincerely,



Sheryl Fontaine
Executive Secretary

Certified Mail # 9171 9690 0935 0270 6140 27

ec: Greg Lovato, Administrator
Jeff Kinder, Deputy Administrator
Danilo Dragoni, Chief, BAQP
Jennifer Schumacher, Chief, BAPC
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