

Joe Lombardo  
Governor



STATE OF NEVADA  
**STATE ENVIRONMENTAL COMMISSION**

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Sheryl Fontaine  
Executive Secretary

Destiney Fitch  
Recording Secretary

October 8, 2024

Terry Reck  
Owner  
Reck Brothers, LLC  
P.O. Box 151372  
Ely, Nevada 89315

RE: Notice of Alleged Air Quality Violation and Order No. 3139  
Class II Air Quality Operating Permit AP1611-0835.03 (FIN A0480)

Dear Mr. Reck:

On February 6, 2024, the Nevada Division of Environmental Protection (NDEP) held an enforcement conference with Reck Brothers LLC (Reck) to discuss supporting information regarding the draft Notice of Alleged Violation and Order (NOAV) No. 3139. As a result of that meeting, NDEP formally issued the above NOAV via certified mail on February 15, 2024.

Upon formal issuance of the NOAV, NDEP notified Reck of its appeal rights pursuant to NRS 445B.340 and NRS 445B.360. Reck submitted an appeal on February 23, 2024, and submitted an amended appeal on March 6, 2024. An appeal hearing was scheduled for October 2, 2024. Reck withdrew their appeal on September 30, 2024. The SEC will consider the penalty for the violation contained in the above referenced NOAV on **Tuesday, November 19, 2024, at 9:00 a.m. at the Richard H. Bryan Building, Bonnie B. Bryan Conference Room (first floor) located at 901 South Stewart Street, Carson City. The meeting will also be video streamed to the Red Rock Conference room located at the NDEP offices 375 East Warm Springs Blvd., Las Vegas. It will also be held virtually. To join remotely, please use the link on the [SEC website](http://www.sec.nv.gov) or telephone into the meeting at 1(877) 321-6111, ID 646 342 902#.**

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 November 19, 2024, meeting, NDEP will provide the SEC with a brief review of the NOAV and the recommendation for an administrative penalty of \$21,024.00 for NOAV 3139.

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

The SEC may, without further notice, take administrative action against Reck if the SEC determines that such administrative action is warranted after it considers NOAV No. 3139.

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

Sincerely,



Sheryl Fontaine  
Executive Secretary

Certified Mail # 9489 0090 0027 6499 9018 62

ecc: Jennifer Carr, Administrator  
Danilo Dragoni, Deputy Administrator  
Jeff Kinder, Deputy Administrator  
Andrew Tucker, Chief, BAQP  
Jennifer Schumacher, Chief, BAPC  
Michelle Grover, Supervisor, BAQP  
Angela M. Lee, SEC/DAG