

Joe Lombardo
Governor



STATE OF NEVADA
STATE ENVIRONMENTAL COMMISSION

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Sheryl Fontaine
Executive Secretary

Destiney Fitch
Recording Secretary

October 10, 2024

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

RE: Notice of Alleged Air Quality Violation and Order No. 2892
Class II Air Quality Operating Permit AP1611-0835 (FIN A0480)

Dear Mr. Reck:

On December 21, 2021, the Nevada Division of Environmental Protection (NDEP) held an enforcement conference with Reck Brothers (Reck) to discuss supporting information regarding the draft Notice of Alleged Violation and Order (NOAV) No. 2892. As a result of that meeting, NDEP formally issued the above NOAV via certified mail on April 8, 2022.

Upon formal issuance of the NOAV, NDEP notified Reck of its appeal rights pursuant to NRS 445B.340 and NRS 445B.360. Reck did not appeal NOAV No. 2892. The Nevada State Environmental Commission (SEC) heard NOAV No. 2892 during their September 7, 2023, meeting and tabled the discussion pending further discussion regarding a reduced penalty amount. The SEC heard NOAV No. 2892 again during the December 5, 2023, SEC meeting. NOAV No. 2892 was upheld for a penalty total of \$24,000.00, with \$12,000.00 payable to the State of Nevada and \$12,000.00 to be held in abeyance and dismissed after Reck Bros. and NDEP agree upon, and Reck Bros. completes to the satisfaction of the NDEP, a supplemental environmental project with at least equivalent value. NDEP will provide an update on the status of NOAV No. 2892 to the SEC 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](#) or telephone into the meeting at 1(877) 321-6111, ID 646342902#.**

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 update on the status of the NOAV. The SEC may take further administrative action on the original recommendation for an administrative penalty of \$24,000.00 for NOAV No.

2892 at this time.

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. 2892.

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 79

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