

STEVE SISOLAK
Governor



STATE OF NEVADA
STATE ENVIRONMENTAL COMMISSION

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COUNSEL
Henna Rasul

STAFF
Valerie King
Executive Secretary

October 28, 2020

Ms. Erin Loza
Environmental Manager
Cemex Construction Materials Pacific, LLC
2365 Iron Point Road, Ste. 120
Folsom, CA 95630

RE: Notice of Alleged Air Quality Violation and Order No. 2788
Class II Air Quality Operating Permit AP1442-3826 (FIN A0425)

Dear Ms. Loza:

On May 18, 2020, the Nevada Division of Environmental Protection (NDEP) held an enforcement conference with Cemex Construction Materials Pacific, LLC (Cemex) to discuss supporting information regarding the draft Notice of Alleged Violation and Order (NOAV) No. 2788. As a result of that meeting, NDEP formally issued the above NOAV via certified mail on June 3, 2020. See attachment.

Upon formal issuance of the NOAV, NDEP notified Cemex of its appeal rights pursuant to NRS 445B.340 and NRS 445B.360. Cemex 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, December 9, 2020 at 9:00am**. Pursuant to the Governor's Emergency Directive 006, the meeting will be conducted remotely. To join, please go to <https://call.lifesizecloud.com/5156420> or telephone into the meeting at **1 (877) 422-8614**.

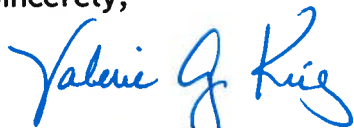
Pursuant to NRS 445B.640(1), the SEC may approve an administrative penalty of not more than \$10,000 per day per violation. During the December 9th meeting, NDEP will provide the SEC with a brief overview of the NOAV and the recommendation for an administrative penalty of \$25,620.00. This recommended penalty was calculated using a penalty matrix previously approved by the SEC. Please note that this is your final administrative remedy regarding this NOAV.

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

The SEC may, without further notice, take administrative action against Cemex if the SEC determines that such administrative action is warranted after it considers NOAV No. 2788.

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

Sincerely,



Valerie King, CPM
Executive Secretary

Certified Mail # 9171 9690 0935 0012 2756 46

ec: Greg Lovato, Administrator
Jeffrey Kinder, Deputy Administrator
Danilo Dragoni, Chief, BAQP
Lisa Kremer, Chief, BAPC
Andrew Tucker, Supervisor, BAQP
Henna Rasul, SEC/DAG