

STEVE SISOLAK  
Governor



STATE OF NEVADA  
STATE ENVIRONMENTAL COMMISSION

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Valerie King  
Executive Secretary

October 28, 2020

Mr. Robert Matthews  
Owner  
Tahoe Western Asphalt, LLC  
PO Box 21645  
Carson City, Nevada 89721

RE: Notice of Alleged Air Quality Violation and Order Nos. 2783, 2784, &  
2786  
Class II Air Quality Operating Permit 1611-3748 (FIN A1969)

Dear Mr. Matthews:

On April 16, 2020, the Nevada Division of Environmental Protection (NDEP) held an enforcement conference with Tahoe Western Asphalt, LLC (TWA) to discuss supporting information regarding the draft Notice of Alleged Violation and Order (NOAV) Nos. 2783, 2784, & 2786. As a result of that meeting, NDEP formally issued the above NOAVs via certified mail on August 14, 2020. See attachment.

Upon formal issuance of the NOAVs, NDEP notified TWA of its appeal rights pursuant to NRS 445B.340 and NRS 445B.360. TWA did not appeal the NOAVs. Therefore, the State Environmental Commission (SEC) will determine the appropriate penalty for the violations contained in the above referenced NOAVs 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.

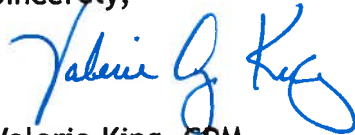
Pursuant to NRS 445B.640(1), the SEC may approve an administrative penalty of not more than \$10,000 per day per violation. During the December 9<sup>th</sup> meeting, NDEP will provide the SEC with a brief overview of the NOAVs and the recommendation for an administrative penalty of \$870.00 for NOAV 2783, \$117,450.00 for NOAV 2784, and \$10,000.00 for NOAV 2786, totaling \$128,320.00. These recommended penalties were calculated using a penalty matrix previously approved by the SEC. Please note that this is your final administrative remedy regarding these NOAVs.

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

The SEC may, without further notice, take administrative action against TWA if the SEC determines that such administrative action is warranted after it considers NOAV Nos. 2783, 2784, & 2786.

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 53

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