



February 18, 2014

Via Overnight Delivery

Lewis Wallenmeyer
Clark County Department of Air Quality
4701 W Russell Road, Suite 200
Las Vegas, Nevada 89118

Subject: Notice of Violation # 008569 and Payment for Invoice # 003478

Dear Lewis Wallenmeyer:

The Nevada Environmental Response Trust (the Trust) maintains an air permit issued by the Clark County Department of Air Quality. The Trust received a Notice of Violation (NOV, #008569) dated February 11, 2014 for failure to pay fees (a balance of \$728.28 was due on January 1, 2014). As recommended by the NOV and indicated on Invoice # 003478, please find enclosed a check for \$792.28 to cover the Trust's fees.

Should you have any questions concerning this NOV, please contact John Pekala at (602) 734-7710 or jpekala@environcorp.com. Thank you.

Sincerely,

A handwritten signature in blue ink, appearing to read "John M. Pekala", with a long horizontal flourish extending to the right.

John M. Pekala, PG
Senior Manager

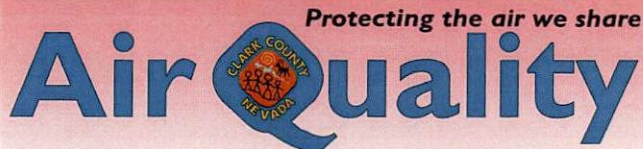
Attachments

- Attachment 1: Notice of Violation
- Attachment 2: Check No. 1342

cc: Nevada Environmental Response Trust
Tanya O'Neill, Foley and Lardner LLP
Todd Webster, Envirogen Technologies, Inc.
Michael Del Vecchio, Envirogen Technologies, Inc.
Allan J. DeLorme, ENVIRON International Corporation

ATTACHMENT 1

**Clark County Department of Air Quality
Notice of Violation # 008569 and Invoice # 003478**



Clark County Nevada Department of Air Quality

4701 W Russell Road, Suite 200, Las Vegas, NV 89118-2231
Phone (702) 455-5942 Fax(702) 383-9994
Lewis Wallenmeyer, Director

Notice of Violation

008569

February 11, 2014

CERTIFIED MAIL # 91 7199 9991 7032 4118 0547
Email: ANDREW.STEINBERG@LEPETOMANEINC.COM

JAY STEINBERG
ENVIROGEN TECHNOLOGIES INC.
35 E WACKER DR
CHICAGO IL 60601

Company: ENVIROGEN TECHNOLOGIES INC.,
Source ID: 17249, (hereinafter the "Source")
Source Name (Facility) : NEVADA ENVIRONMENTAL RESPONSE TRUST
Source Responsible Official: JAY STEINBERG
Source Location: 35 E WACKER DR
CHICAGO TX 60601

Notice

Pursuant to Nevada Revised Statutes (NRS) §445B.450 and Subsection 4.7.1 of the Clark County Air Quality Regulations (AQR), the Control Officer hereby gives notice to the Source of the alleged violation(s) and findings of fact that constitute the violation(s). In consideration of the findings of fact contained in this notice, the Control Officer alleges that the Source is in violation of Section 18 of the AQR for failing to pay in full all assessed fees within the required timeframe and proposes to revoke the Source operating permit. This determination is based on staff review of the Source records on file with Air Quality.

Authority

All Air Quality fees are assessed under authority of Section 18 of the AQR, which contains the fee schedule for Air Quality stationary source fees. The Source is required to remit full payment of assessed fees within the following time limit:

- Subsection 18.16.1 of the AQR states the following: "Fee(s) shall be due within thirty (30) days of billing date."
• Subsection 18.16.3 of the AQR states the following: "Failure to pay any fee within ninety (90) days may result in a Notice of Violation (NOV) which may impose additional penalties and enforcement action up to and including permit revocation."

Furthermore, the Source operating permit also requires full payment of assessed fees within thirty (30) days of billing date, based on the applicable permitting rule, i.e., Sections 12 (Subsection 12.1.4.1(h)), 16 (Subsection 16.2), and 19 (subsection 19.4.1.7) prior to July 1, 2010; and Sections 12.1 (Subsection 12.1.4.1(k)), 12.5 (Subsection 12.5.2.6(h)), and 12.11(Subsection 12.11.8) on or after July 1, 2010.

Findings of Fact

Air Quality issued an invoice(s) for payment of required fees to the **Source**. The particulars of the invoice(s) are summarized as follows:

Invoice#	Issue Date	Due Date	Invoice Amt	Balance Due
003478	12/2/2013	1/1/2014	\$792.28	\$792.28

Based on the referenced invoice(s), the **Source** failed to pay in full all assessed fees within thirty (30) days of the Billing Date. As of the date of this Notice of Violation, Air Quality has not received full payment of the Outstanding Invoice Amount(s). Therefore, the **Source** failed to pay in full all assessed fees within the prescribed time limits specified in Section 18 of the AQR and the **Source** operating permit.

Recommended Actions

The **Source** must pay in full the Outstanding Invoice Amount(s) to Air Quality within ten (10) days from the date of receipt of this Notice of Violation. If the **Source** fails to comply with the terms of this notice and continues to operate emission units under the **Source** operating permit, Air Quality will initiate revocation of the **Source** operating permit pursuant to Subsection 18.16.3 of the AQR. Such revocation shall become effective on March 26, 2014 if the **Source** fails to pay in full the Outstanding Invoice Amount(s) within the allotted timeframe stated in this paragraph.

Be advised that if the **Source** operates any emission unit at the **Source** Location after permit revocation, this is a violation of Subsection 12.1.3.1 or 12.4.1.1 of the AQR and will subject the **Source** to further enforcement action, which may include actions through District Court.

If the **Source** desires to operate emission units at the **Source** Location after permit revocation, the **Source** must submit an application for a new stationary source permit in accordance with Section 12.1 or 12.4 of the AQR. In conjunction with the application submittal, the **Source** must conduct a control technology analysis based on current technologies (based on the applicable Airshed designation). Furthermore, the **Source** must remit full payment of all outstanding penalties owed to Air Quality that are associated with this **Source** and all outstanding Section 18 fees assessed in association with the permit application submittal, review and issuance for a new permit.

Appeal Process

If the **Source** is aggrieved by the permit revocation, the **Source** may appeal to the Air Pollution Control HEARING OFFICER pursuant to NRS §445B.360.1(a). The appeal must be submitted, in writing and within ten (10) days of receipt of this notice, to the Control Officer at the following address:

Department of Air Quality
4701 W Russell Road, Suite 200
Las Vegas, NV 89118-2231

An appeal filing shall stay the permit revocation, pending a decision thereon by the Air Pollution Control HEARING OFFICER. The HEARING OFFICER will convene a meeting on March 26, 2014, at 9:00 AM to hear the appeal and rule on the case. The meeting will be held in the Clark County Building Department, Presentation Room.



Lewis Wallenmeyer, Control Officer
Department of Air Quality

4701 W Russell Road, Suite 200, Las Vegas, NV 89118
 Phone (702) 455-5942 Fax (702) 383-9994
 AirQuality@clarkcountynv.gov

NEVADA ENVIRONMENTAL RESPONSE TRUST
 35 E WACKER DR
 CHICAGO TX 60601

This invoice is PAST DUE and has been assessed a 10% late fee.

Invoice #	Invoice Date	Invoice By	Invoice Type	Due Date
003478	12/2/2013	System	ANNUAL AIR QUALITY INVOICE (SS)	1/1/2014

Quantity	Description	Fee Code	Fee	Total
1	ANNUAL PERMIT FEE - BASELINE SOURCE	ANAF01	\$67.00	\$67.00
2	ANNUAL EU FEE - PROCESS EQUIPMENT	ANEU07	\$231.00	\$462.00
5	ANNUAL EMISSIONS FEE - REGULATED AIR POLLUTANTS, EXCEPT CO (PER TON)	ANEF01	\$38.25	\$191.25
	ON 01-17-2014 APPLIED LATE FEE - 10% OF INVOICE PRINCIPAL AMOUNT	AALF01		\$72.03

Notes: 2014 Annual Billing Invoice

Subtotal:	\$792.28
Paid:	\$0.00
Adjustments:	\$0.00
Balance Due:	\$792.28

Make check or money order payable to DAQ. Credit card payment must be made in person at the DAQ office.
 For questions regarding this invoice, please contact Mike Sanders at MIS@ClarkCountyNV.gov or (702)455-6131.

Clark County
 Department of Air Quality
 4701 W Russell Road, Suite 200
 Las Vegas, NV 89118-2231

Source Name: NEVADA ENVIRONMENTAL RESPONSE TRUST
 Source ID: 17249
 Invoice #: 003478
 Balance Due: \$792.28
 Due Date: 1/1/2014

ATTACHMENT 2

Check No. 1342

ENVIRON INTERNATIONAL CORPORATION

2200 POWELL ST STE 700
EMERYVILLE, CA 94608-1877

1342

11-4288/1210 4048
8940328068

DATE 2/14/14

PAY TO THE ORDER OF

DAQ

\$ 792.28

Seven Hundred Ninety Two and 28/100

DOLLARS

Security Features Details on Back.



Wells Fargo Bank, N.A.
California
wellsfargo.com

FOR _____

[Signature]

MP

⑈0000001342⑈ ⑆121042882⑆ 8940328068⑈