



# STATE OF NEVADA

Department of Conservation & Natural Resources

DIVISION OF ENVIRONMENTAL PROTECTION

Jim Gibbons, Governor

Allen Biaggi, Director

Leo M. Drozdoff, P.E., Administrator

May 4, 2009

Ryan Williams  
Western Elite Inc  
6345 E. Bonanza  
Las Vegas NV 89110

Re: Final Inspection of the Western Elite Legacy Waste Area  
Subject: Determination of compliance with the Consent Decree of 7/9/01 (amended 6/7/05 and revised 3/11/08) [collectively Decree]

Dear Mr. Williams:

The Nevada Division of Environmental Protection (NDEP) has received your survey of existing material (3/18/09) certifying the removal of the 1,073, 221 yds<sup>3</sup> as required by paragraph 14 of the Decree. Subsequently the NDEP performed a site inspection (report enclosed) on 4/16/09 and confirmed the removal of all the remaining legacy waste. Therefore in accordance with Paragraph 12 of the Decree, the NDEP finds that Western Elite has, in all material aspects, complied with the intent and letter of the Decree and is herein released from any further action as detailed in the Consent Order and Decree. Accordingly the NDEP will authorize final release of trust funds as noted in Paragraph 12 of the Decree. The NDEP appreciates the effort on the part of Western Elite to comply with the Consent Decree and Order and perform the removal in an efficient manner.

Under separate cover the NDEP will reissue the permit (SW277REV02) modifying the relevant sections necessitating a change as a result of the compliance with the Decree.

If you have any questions regarding the above, please do not hesitate to contact me at 775-687-9477 or [jtaylor@ndep.nv.gov](mailto:jtaylor@ndep.nv.gov).

Sincerely,

*Original Signed*

Jon Taylor PE CEM  
Staff Engineer III  
Solid Waste Branch  
Bureau of Waste Management

JT:cb

enc: [Final Inspection Report](#)

cc: Clint Wertz, Lincoln County Building and Planning PO Box 307, Pioche, NV, 89043  
Lincoln County Commissioners P.O. Box 90 Pioche, NV 89043  
Mark E. Ferrario Seventh Floor 3800 Howard Hughes Parkway Las Vegas NV 89169

cc: Leo Drozdoff NDEP  
Colleen Cripps NDEP  
Ed Glick NDEP

Eric Noack NDEP  
Bill Frey DAG

File: 277\_jtaylor\_04202009\_10\_LTR\_Final Inspection and Closure of Legacy Waste.doc