



STATE OF NEVADA

Department of Conservation & Natural Resources

DIVISION OF ENVIRONMENTAL PROTECTION

Jim Gibbons, Governor

Allen Biaggi, Director

Leo M. Drozdoff, P.E., Administrator

NOTICE OF PROPOSED ACTION

Web posting 7/21/09

The Administrator, Division of Environmental Protection, Carson City, Nevada is issuing the following notice of proposed action under the Nevada Revised Statutes and the Clean Water Act. The Administrator has received an application for renewal of National Pollutant Discharge Elimination System Permit NV0023272 from the following applicant:

**Cowan's Chevron Service (formerly Lightning Lube)
Estate of Robert E. Cowan
c/o Mackedon, McCormick and King
179 South Laverne Street
Fallon, Nevada 89407**

The Applicant owns the former Lightning Lube Facility, which included a fueling station, located at 1 South Maine Street, Fallon, Nevada. The groundwater beneath the facility is contaminated with petroleum hydrocarbons. A groundwater recovery and remediation system has been designed to remove elevated levels of petroleum hydrocarbon contaminants prior to discharge into the City of Fallon storm drain system. The storm drain system conveys the treated groundwater to a discharge outfall located on Wildes Irrigation Ditch. Treatment design capacity is stated as 0.02 million gallons per day (MGD) and the permitted maximum 30-day average discharge rate of this treatment system is proposed to be 0.0115 MGD. The Applicant will discharge from this treatment system until the Division's Bureau of Corrective Actions has approved final site closure and cleanup criteria. The Division has made the tentative determination to issue the proposed permit for a period of five (5) years.

Persons wishing to comment upon or object to the proposed determinations by the Administrator regarding permit issuance, or request a hearing pursuant to the Nevada Administrative Code, Water Pollution Control, should submit their comments or request, in writing, within thirty (30) days of the date of newspaper publication, hand-delivered or postmarked no later than **5:00 P.M. on August 24, 2009**, either in person or by mail to:

**Division of Environmental Protection
Bureau of Water Pollution Control
901 S. Stewart Street, Suite 4001
Carson City, NV 89701-5249**

Comments and/or hearing requests received via facsimile or e-mail before **5:00 P.M. August 24, 2009** will also be accepted. All requests for hearings must indicate the interest of the person filing the request and the reason(s) why a hearing is warranted. All comments or objections received within the thirty (30) day comment period will be considered in the formulation of final determinations regarding the application. If written comments indicate a significant degree of

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public interest in the proposed permit, the Administrator shall hold a public hearing. The public notice of such hearings will be issued not less than thirty (30) days prior to the public hearing date.

If no hearing is held and the determinations of the Administrator are substantially changed from the tentative determinations, the Administrator will give public notice of the revised determinations. Additional comments and objections will be considered at that time.

The application, proposed permit, comments received, and other information are on file and may be copied or copies may be obtained by writing to the above address or by contacting Jeryl Gardner, Bureau of Water Pollution Control at (775) 687-9423, or at jgardner@ndep.nv.gov. The office facsimile number is (775) 687-4684. This notice and the Fact Sheet for this facility are also available on the NDEP website at www.ndep.nv.gov/admin/public.htm.

Please bring the foregoing notice to the attention of all persons who may be interested in this matter.

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