NEVADA DIVISION OF ENVIRONMENTAL PROTECTION

Bureau of Air Pollution Control
Response to Comments during Public Notice Period Concerning Knox Excavating Inc. – Painted Rock Mine
FIN: A2342; AP1442-4782
October 2026

DATE	FROM	TOPIC	QUESTION	DIVISION RESPONSE	PERMIT SECTION/ REGULATORY CITATION
10/10/2025	L Bar <lbar2989@gmail.com>	Opposing Air Quality Permit for Knox Excavating – Painted Rock Mine	To Whom It May Concern, I am writing to oppose the approval of the Class II Air Quality Operating Permit for Knox Excavating at the Painted Rock Mine site. This operation poses significant risks to the Johnson Lane community's air quality, public health, and natural resources. The proposed dust control plan, which is limited primarily to wetting truck loads, is insufficient in our arid Nevada climate, where water evaporates quickly and groundwater is already a scarce and valuable resource. Using large quantities of water for dust control under these conditions is both ineffective and environmentally irresponsible. Knox Excavation has shown its blatant disregard for our air quality through its operation in 2025. Many residents, including myself, submitted multiple complaints to government regulators and county commissioners about the large dust clouds coming from Painted Rock Mine trucks traveling on Johnson Lane. This has created poor air quality for residents living here and traffic hazards on our roadways. A more sustainable and effective approach would require all truck loads to be tarped during transport to minimize airborne particulate matter. Additionally, strict dust suppression must be enforced at the mine site itself to prevent fugitive dust emissions that degrade local air quality. For these reasons, I respectfully request that NDEP **deny the proposed Class II Air Quality Operating Permit for Knox Excavating** until the company can demonstrate effective, enforceable, and sustainable dust control and mitigation measures that do not rely on excessive water use. Thank you for considering my comments. Sincerely, Richard L. Barbin Minden, Nevada	**<u>Controlling Fugitive Dust and Surface Area Disturbance (SAD) Conditions</u>** The Bureau of Air Pollution Control (BAPC) is responsible under the Clean Air Act (CAA) with achieving attainment with both the Nevada and National Ambient Air Quality Standards (see Nevada Administrative Code (NAC) 445B.22097) throughout our jurisdiction. This includes particulate matter standards, for both $PM_{2.5}$ and PM_{10}. The BAPC implements NAC 445B.22037 which provides for fugitive dust control requirements for the Painted Rock Mine including the main haul road used by Knox Excavating (Knox) to haul materials to and from the mine site. The BAPC requires an ongoing program using "best practical methods" to prevent particulate matter from becoming airborne which includes, but is not limited to, paving, chemical stabilization, watering, phased construction, and revegetation. The permit has four SAD conditions in the Class II Air Quality Operating Permit (AQOP): 1) All storage piles shall be stabilized to minimize (or mitigate) fugitive dust emissions in a manner such as applying water or dust suppressants. 2) Fugitive dust shall be mitigated from becoming airborne during all loading and unloading activities in a manner such as minimizing loading during high wind events or utilizing adjusted transfer rates. 3) All haul trucks must utilize best management practices, such as covering loads, sufficiently wetting loads, or load trucks with a minimum of 6-inch freeboard space before leaving the facility to prevent fugitive dust emissions during transport and hauling. 4) Mitigate dust and track-out at the facility exit by installing or maintaining a track-out pad or utilizing other track-out control methods. Clean-up track-out at the end of each day of operation. Conduct and record an observation of visible emissions on facility exit and tracking controls on a weekly basis while operating. Additionally, the permit has monitoring, recordkeeping, and reporting requirements for conducting and recording observations of visible emissions on a weekly basis and a Method 9 opacity test on a monthly basis for the first year after issuance for specific process fugitive emission units. If opacity observations are above permit limits, the facility shall take immediate corrective action. Note: Method 9 is an EPA approved methodology to measure opacity in the field. Method 9 tests are an average of opacity readings taken every 15 seconds for a minimum of 24 observations for a full 6 minutes. For fugitive dust areas and most equipment, unless otherwise specified by a federal subpart, the opacity requirement is 20% with the sun at the testers back. These will be performed at the facility by a certified visible emissions reader in accordance with 40 CFR Part 60, Appendix A. Certification is required every 6 months. **Note: Condition 1 above was revised to address public comments and ensure the condition applies at all times; additionally, "load trucks with a minimum of 6-inch freeboard space before leaving the facility to prevent fugitive dust emissions during transport and hauling" Was added to Condition 3.** Please note that water usage and quantity is outside the scope of the BAPC's authorities in Nevada Revised Statutes (NRS) and NAC 445B.	NRS 445B NAC 445B.22017 NAC 445B.22037 NAC 445B.281 NAC 445B.346

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DATE	FROM	TOPIC	QUESTION	DIVISION RESPONSE	PERMIT SECTION/ REGULATORY CITATION
10/15/202521	Vicki Jackson <vickijackson22@outlook.com>	New Permit for KNOX access for Painted Rock Mine	I am strongly opposed to providing any additional permits to KNOX that would allow easier access on the road to the Painted Rock Mine. KNOX has continually and blatantly ignored the existing agreement with Douglas County on multiple issues. Why should a company like that be given any further access privileges? They continue to create a health hazard with the dust at the site and on the road. Thank you, Vicki Jackson	**Haul Road** The BAPC is not a party to the referenced agreement with Douglas County. The BAPC has requested that Knox comply with operational hours, speed limits, application of water and/or dust suppressant, stabilization (including applying a sufficient layer of grindings and oil), and monitoring requirements on the main haul road as it relates to fugitive dust. Knox has been observed complying with these requirements. See "Controlling Fugitive Dust and SAD Conditions" Discussion on Page 1.	NAC 445B.068 NAC 445B.187 NAC 445B.205 EPA Guidance (https://www.epa.gov/system/files/documents/2022-02/fugitive-dust-control-best-practices.pdf)
10/17/2025	Work <ccclayworks@gmail.com>	Air quality	My husband and I have a home on the corner of a side street and Johnson Lane we quite often follow a Knox truck full to the top with dirt and watch the dirt blow out all the way down JL to the highway. We have pictures to prove it is so. I know these pictures were submitted to the county. The police will do nothing nor the commissioners or any other agency that we have reported to. I feel we are treated as second class citizens and I'd be willing to bet this never would have happened in the commissioners the neighborhood. As the people who are responsible for this atrocity enjoy their back yards and roads we get to breath it all in. It is evident no one cares! Resident of Johnson Lane	See "Controlling Fugitive Dust and SAD Conditions" Discussion on Page 1 and "Haul Road" Discussion on Page 2.	

DATE	FROM	TOPIC	QUESTION	DIVISION RESPONSE	PERMIT SECTION/ REGULATORY CITATION
10/23/2025	Pam Crone <pcrone408@gmail.com>	Class II Air Quality Operating Permit AP1442-4782 (A2342)	I am writing to express my concerns related to issuing a permit to Knox Excativing for activities at the Painted Rock Mine. I am not an expert in this area but my understanding is that this permit would allow water to be the only source of dust suppression used for both mining operations and transportation of materials by truck. I believe allowing water as the sole method of dust mitigation would be ineffective and detrimental to the community for the following reasons: • The current route used by the trucks (Johnson Lane) goes right through a populated area • We literally live in a desert! The watered down materials will dry very quickly, likely about the time the trucks reach county roads (where the homes are) • Dirt in our area does not absorb water well. This means that the watering down area for the trucks will be quite muddy. This mud will attach to the tires and sides of the trucks, only to fall off as it dries. This additional mud/dirt will greatly increase the dust along Johnson Lane • The winds in our area are frequent and quite strong. One can already see dust being carried across the valley by the winds. Both the mine operations and the transport of materials will increase the amount of loose dirt/dust, increasing this negative affect on air quality I understand that it is unreasonable to deny Knox the ability to operate its business. I simply ask that this agency keeps Nevada residents' health and safety as their PRIMARY concern, not a secondary one to commerce. I urge you to put in place strict requirements that will truly protect the air quality of our beautiful area. I believe a more comprehensive study of the operations is required before a Class II Operating Permit is issued and that permit should have detailed requirements for dust mitigation, specific to this unique situation. Thank you for your consideration, Pam Crone Minden, NV	See “Controlling Fugitive Dust and SAD Conditions” Discussion on Page 1 and “Haul Road” Discussion on Page 2.	
10/23/2025	Angie Bonser-Lain <mrspib@gmail.com>	Knox Excavating Class II General Air Quality Operating Permit Comments	Greetings all, I am concerned about the details involved in the Class II General Air Quality Operating Permit application submitted by Knox Excavating. It is my understanding that the primary method of dust control will be via water sprays and full saturation methods. I see no mention of if this water will be potable or not, and given the Painted Rock Mine well that was installed recently, I must assume that the water to be used in dust mitigation will be from the aquifer. I highly oppose using our groundwater (aquifer, or city drinking supply) for mining purposes. Being that we are the driest State in the union, we must be very water-savvy with our ground supplies. If water must be used, it should be reclaimed and non-potable, and used around mining equipment only (no transport trucks). There are a variety of dry methods, including tarping and truck routes, that mitigate dust from a moving load. I encourage you to revisit the dust mitigation methods outlined in the permit application, and require more-effective and less resource-draining methods, such as proper load containment, and a dedicated truck route with effective speed limits and enforcement. Sincerely, your neighbor, Angela Bonser-Lain Johnson Lane Resident	See “Controlling Fugitive Dust and SAD Conditions” Discussion on Page 1 and “Haul Road” Discussion on Page 2. Please note that water usage and quantity is outside the scope of the BAPC’s authorities in NRS/NAC 445B.	

DATE	FROM	TOPIC	QUESTION	DIVISION RESPONSE	PERMIT SECTION/ REGULATORY CITATION
10/23/2025	HEIDI SNOW <tahoesnow1@aol.com>	Painted Rock Mine	I live on Chiquita Circle which is near to the top of Johnson Lane and in fact our home backs up directly to Johnson Lane. Not only do we encounter noisy trucks all day long we have to endure the dust that comes off of these uncovered trucks. This dust blows directly onto our property. I urge you to require that all haul trucks cover their loads as required by the Environmental Assessment for Painted Rock. Using water to spray the loads will further deplete our already declining water table and in the future require our entire community to incur a huge financial expense to either dig new wells or extend the ones we have without a guarantee of hitting additional water supplies. Preserving water for drinking and residential use would seem much more important than using that water to spray the truck trailer loads when simply covering the loads would serve the same purpose without the loss of residential water supplies. Thank you in advance for your attention to this matter. Heidi Snow	**Environmental Assessment** The BAPC is an independent regulatory agency with responsibility to implement the CAA through NRS/NAC 445B. Our permitting action is not dependent on requirements of federal and/or local agencies outside our delegated authorities from EPA. See "Controlling Fugitive Dust and SAD Conditions" Discussion on Page 1 and "Haul Road" Discussion on Page 2. Please note that water usage and quantity is outside the scope of the BAPC's authorities in NRS/NAC 445B.	NRS/NAC 445B

DATE	FROM	TOPIC	QUESTION	DIVISION RESPONSE	PERMIT SECTION/ REGULATORY CITATION
10/23/2025	Protect Johnson Lane <protectjohnsonlane@gmail.com>	Public Notice of Proposed Action - Knox Excavating, Inc. Air Permit	To Whom It May Concern: The purpose of this email is to express our group's opposition to the approval of the Class II Air Quality Operating Permit for Knox Excavating at the Painted Rock Mine site. This operation poses significant risks to the Johnson Lane community's air quality, public health, and natural resources. The proposed dust control plan, which is limited primarily to wetting truck loads, is insufficient in our arid Nevada climate, where water evaporates quickly and groundwater is already a scarce and valuable resource. This has created poor air quality for residents living here and traffic hazards on our roadways. Using large quantities of our pristine aquifer water for dust control under these conditions is both ineffective and environmentally irresponsible. A more sustainable and effective approach would require all truck loads to be tarped prior to transport to minimize airborne particulate matter. Additionally, strict dust suppression must be enforced at the mine site itself to prevent fugitive dust emissions that degrade local air quality. Areas of concern and reasons why we oppose the approval of this air permit: • The proposed dust control measures in this permit—using water suppression on the truck loads—are ineffective in our arid climate and represent a wasteful use of our limited groundwater resources. Mud from the tires will be tracked on to community roads which in turn become airborne fugitive dust. • A more effective and environmentally responsible method is to **require all truck loads to be properly covered**, which is essential to prevent airborne dust during transport. • The Environmental Assessment for Painted Rock Mine states that loads would be covered. Airborne sand from uncovered loads can cause silicosis (a fatal lung disease) from the silica dust. • Proper dust suppression protocols must also be followed at the mine site to ensure compliance with air quality standards. • Per NDEP Best Practices-insist on reduced truck speed limits on non-County-maintained roads and at the terminus of Johnson Lane, should be lowered to 5 mph to further minimize dust emissions. • Locate a new haul route whether established or to be constructed that is not in a populated area to avoid fugitive dust from being ingested by residents. • The State and County must be held accountable for enforcing their own air quality laws and ordinances. Strict enforcement is not optional—it is necessary to protect public health and our environment. Douglas County is failing to enforce their own ordinance 8.28.020 Sifting or leaking loads & 8.28.030 Covered loads Douglas County Ordinance Sifting or leaking loads Douglas County Ordinance Covered loads *(continued on next page)*	See "Controlling Fugitive Dust and SAD Conditions" Discussion on Page 1, "Haul Road" Discussion on Page 2, and "Environmental Assessment" Discussion on Page 4. Please note that water usage and quantity is outside the scope of the BAPC's authorities in NRS/NAC 445B. Please note that NRS 484.850 is outside the scope of the BAPC's authorities in NRS/NAC 445B.	

DATE	FROM	TOPIC	QUESTION	DIVISION RESPONSE	PERMIT SECTION/ REGULATORY CITATION
10/23/2025	Protect Johnson Lane <protectjohnsonlane@gmail.com>	Public Notice of Proposed Action - Knox Excavating, Inc. Air Permit	Nevada State laws are also not being enforced 445B.22037 Emissions of particulate matter: Fugitive dust See NRS 484D.850 Load on vehicle Since beginning operations in 2024, Knox Excavation has demonstrated a blatant disregard for our community's air quality. Their continued failure to follow required dust control protocols shows a lack of good faith and responsibility. Knox has not been a good neighbor to local residents. Please do not approve this air permit.  Board Members of Protect Johnson Lane Protect Johnson Lane, Inc. www.protectjohnsonlane.com	See above.	

DATE	FROM	TOPIC	QUESTION	DIVISION RESPONSE	PERMIT SECTION/ REGULATORY CITATION
10/23/2025	carol sanford <carol.sanford@att.net>	Re: Knox Mining - application for Class II Air Quality Operating Permit	Dear Shantell Davis, Isn't it bad enough the mine is allowed to even operate let alone so closely to tens of thousands of people, children, livestock, and food supplies. Allowed to drain 475 thousand gallons of water from the Johnson Lane and surrounding community!!!! It's amazing to think that none of you and your cohorts can't place yourself in our shoes. If/do you live in the Johnson Lane area? Would you want that contamination and exposure to serious harmful air particles and run off? I'm going to have to say as a reasonable person, to answer that with, NO you wouldn't. We pay to live here and our taxes are suppose to go things such as roads, and I understand the Knox Excavating, LLC is too responsible for road upkeep and maintenance do to the damage these massive trucks do to the roads because our roads are not built for that weight. When will they start doing something they are supposed to be doing AND when will they expect every truck that leaves that facility to use the cover they are supposed to use! We can't handle them stealing more resources from the area so I want to be crystal clear in stating I OPPOSE giving them a permit to further pollute our air, water, food and livestock! They don't need more water, they need to move their operational roads to the east and pollute their own surroundings. This is criminal if the permit is issued! Do the right thing and decline the permit! Carol Sanford Johnson Lane resident Sent from my iPhone	See "Controlling Fugitive Dust and SAD Conditions" Discussion on Page 1, "Haul Road" Discussion on Page 2, and "Environmental Assessment" Discussion on Page 4. Please note that water usage and quantity is outside the scope of the BAPC's authorities in NRS/NAC 445B.	

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10/24/2025	Susan Jean Wexler <suziwexler1@hotmail.com>	Knox Clas II General Air Quality Operating Permit	Dear Sirs/Madame, The expectation of our tax dollars at work, is that the County Commissioners of Douglas County would and should be looking out for the best interests of the tax payers, residents and constituents of this County. However, in the past 3+ years during the negotiations of the BIA, BLM, and KNOX EXCAVATING, it has become glaringly apparent that is not the case. I would strongly encourage any and all parties with governing authority, to demand and require, that all haul trucks have loads completely covered with tarps (not just sprayed down with water...what a TOTAL WASTE of our precious resources!!). To ensure our air quality and potential health risks to our community at a minimum. There should be a check and balance for this, to ensure that KNOX and trucking contractors comply with these rules, and the County Commissioners should have an enforcement team in place. The residents should not have to take photographs, and monitor these trucks in and around our neighborhood....**<u>THAT IS YOUR JOB!!!</u>**! Please FOR THE LOVE OF GOD.....DO YOUR JOBS!!!! Suzi Wexler Michael Haggerty 1338 Stephanie Way Minden NV Suzi Wexler Broker/Owner * RETIRED =D Bottomline Realty & Investment BRE # 01046506 (714)915-1899 "Behold! I stand at the door and knock. If you hear my voice and open the door, I will come in and we will share a meal together as friends." ***Revelations 3:20***	See "Controlling Fugitive Dust and SAD Conditions" Discussion on Page 1, "Haul Road" Discussion on Page 2, and "Environmental Assessment" Discussion on Page 4. Please note that water usage and quantity is outside the scope of the BAPC's authorities in NRS/NAC 445B.	

10/31/2025	**mcamposroot@gmail.com**	**Opposition of Permanent Air Quality Permit for Knox Excavation**	Dear Sir and Madam, Please see our attached letter and comments for your review regarding the proposed air quality permit from Knox Excavation. Thank you. Neal and Miriam Root 2690 Fuller Ave. Minden, NV 89423 --- **Nevada Division of Environmental Protection** October 31, 2025 Bureau of Air Pollution Control 901 S. Stewart Street, Suite 4001 Carson City, Nevada 89701 Re: Public Notice of Proposed Action - Knox Excavating, Inc. Air Permit Dear Sir or Madam, This letter pertains to the application currently submitted by Knox Excavating for the **Class II Air Quality Operating Permit**. **We are adamantly opposed to the approval of this permit.** My husband and I are residents of the Johnson Lane area in Minden, NV, and the Painted Rock Mine project has affected us significantly. More specifically, the impacts and the continual degradation of our community's air quality. We have especially witnessed the recent operations of Knox Excavation since the start of the project under their temporary permit. We have experienced dramatic increase in dust in our air, and incessant accumulation on our house even though we live a half mile from Johnson Lane. We have witnessed trucks frequently traveling not only on Johnson and East Valley, but on smaller residential roads in our neighborhood and on our street without a secure load cover, and exceeding the speed limit. More critically, we are concerned with the risk of exposure to airborne fugitive dust that contain harmful minerals in the form of fine particulate matter including silicon oxides, aluminum oxides, calcium carbonates and iron oxides, and heavy metals. My wife has an autoimmune condition that can be triggered by any of these emissions, and will further impair her immune system. In addition, our community primarily consists of retired and elderly people that are further disadvantaged because of their age with a weakened immune system. We live in this wonderful and quiet neighborhood because of the clean air and water for our health, and now our quality of life is being threatened. Below are our areas of concerns and reasons why we oppose the approval of this air permit: 1. The proposed dust control measures in this permit—using water suppression on the truck loads—are ineffective in our arid climate and represent a wasteful use of our limited groundwater resources. Mud from the tires will be tracked on to community roads which in turn become airborne fugitive dust. 2. A more effective and environmentally responsible method is to require all truck loads to be properly covered, which is essential to prevent airborne dust during transport. 3. The Environmental Assessment for Painted Rock Mine states that loads should be covered. Airborne sand from uncovered loads can cause silicosis (a fatal lung disease) from the silica dust, and other respiratory conditions including asthma, chronic bronchitis, and other heart-lung diseases, as well as autoimmune conditions that develop from the body's accumulation of foreign particle matter and heavy metals. All these conditions from exposure can lead to permanent organ damage and increased mortality rates. *(continued on next page)*	**<u>Ambient Air Quality Standards and Hazardous Air Pollutants (HAPs)</u>** Modeling for the facility demonstrates that the proposed operation will be in compliance with the Nevada and National Ambient Air Quality Standards. The CAA requires EPA to set National Ambient Air Quality Standards for six principal pollutants ("criteria" air pollutants) which can be harmful to public health and the environment. The CAA identifies two types of national ambient air quality standards. Primary standards provide public health protection, including protecting the health of "sensitive" populations such as asthmatics, children, and the elderly. Secondary standards provide public welfare protection, including protection against decreased visibility and damage to animals, crops, vegetation, and buildings. Additionally, EPA develops standards for controlling the emissions of air toxics from sources in an industry group (or "source category"). These maximum achievable technology standards are based on emissions levels that have been determined to be achievable. The proposed operation will be in compliance with regulations for hazardous (toxic) air pollutants. See "Controlling Fugitive Dust and SAD Conditions" Discussion on Page 1, "Haul Road" Discussion on Page 2, and "Environmental Assessment" Discussion on Page 4. Please note that water usage and quantity is outside the scope of the BAPC's authorities in NRS/NAC 445B.	NAC 445B.2201 NAC 445B.22013 NAC 445B.310 NAC 445B.311

DATE	FROM	TOPIC	QUESTION	DIVISION RESPONSE	PERMIT SECTION/ REGULATORY CITATION
10/31/2025	mcamposroot@gmail.com	Opposition of Permanent Air Quality Permit for Knox Excavation	5. Proper dust suppression protocols must also be followed and enforced at the mine site to ensure compliance with air quality standards. 6. Per NDEP Best Practices-enforce reduced truck speed limits on non-County-maintained roads and at the terminus of Johnson Lane, should be lowered to 5 mph to further minimize dust emissions. 7. A more suitable and healthier solution is to locate a new haul route whether established or to be constructed that is not in a populated area to avoid fugitive dust from being inhaled by residents. 8. The State and County must be held accountable for enforcing their own air quality laws and ordinances. Strict enforcement is not optional—it is necessary to protect public health and our environment. Upon your further review of Knox Excavation's application, please take into account that during their operations under their temporary permit, they have not been good neighbors, and have not been acting in good faith in complying with their environmental requirements, and disrespecting the quality of life of our community. They continue to drive at speeds that exceed our speed limits and drive uncovered trucks allowing dust and debris to be released into the air. All the truck traffic has significantly damaged our residential roads with no indication of repair now that we are coming into our winter season. In addition, Knox has cut corners and have bypassed the required permits for water well compliance, and understand they also plan to install a future asphalt pit that would further devastate our air quality and quality of life. Thank you for your time and consideration of our concerns. Sincerely, Neal and Miriam Root 2690 Fuller Ave. Minden, NV 89423 mcamposroot@gmail.com njroot@centurylink.net	See above.	

DATE	FROM	TOPIC	QUESTION	DIVISION RESPONSE	PERMIT SECTION/ REGULATORY CITATION
10/31/2025	Donna Theriault detheriault@hotmail.com via Michelle Cook, Michelle.Cook@humboldtcountynv.gov	Painted Rock Mine	To Douglas county commisioners regarding approval of new permitting of the Painted Rock Mine. I am a 30+ year resident of Johnson lane. In fact I live one block off Johnson lane. That said, I have concerns about the Painted Rock Mine. We all know that Carson Valley has wind frequently & often severe. Since the opening of the mine & the flood of trucks traveling on Johnson lane as well as East Valley Rd, the dust in our area & our home has increased significantly. The truck traffic is also going to tear up the road in a county that can't afford to replace it. We don't know what we are breathing as most of the trucks leaving the mine are not covered. I am not clear on how much of a difference covering the loaded trucks would actually make but it should still be done. There is also the dust the actual mine creates while drilling or loading the trucks. The solutions seem to be the watering down of the loads & the work area. That brings up another issue of concern. My home sits on a property with a 30+ year old well which has served us well. I will be doing a water test to determine what the effects of the mine has done to our ground water. I am also concerned about the amount of water the mine is sourcing. We practice water conservation in order to preserve the water our well accesses. I fear that the mine will lower the water level making our conservation efforts futile. We are retired, not wealthy people & would not be able to dole out tens of thousands of dollars to drill a new well. It is no secret that Nevada is the most arid state in the US. With the amount of water the mine uses daily, they should be trucking in water instead of using the only water source many of our residents have. I was never a fan of the mine but I thought that our county would protect its residents from these issues. Knox is making money hand over fist while putting Douglas County resident's health in danger, potentially drying up our water source & tearing up our roads. My opinion is that Knox should have pursued right of way through a nonresidential area to accommodate the trucks. I have doubts that the county commissioners took our concerns seriously before entering into a contract with Knox as there were so many issues facing the residents of Johnson Lane. At the very least there should be accountability & oversight which is nonexsistant currently. I urge that before any new permit is granted to Knox, the commission take care of the current concerns residents express. If those concerns are ignored, we the residents of Johnson Lane will know the commission is more concerned with what Knox wants than the health & wellbeing of your own constituents. Sincerely, Donna Theriault	See "Controlling Fugitive Dust and SAD Conditions" Discussion on Page 1, "Haul Road" Discussion on Page 2, "Environmental Assessment" Discussion on Page 4, and "Ambient Air Quality Standards and HAPs" Discussion on Page 9. Please note that water usage and quantity is outside the scope of the BAPC's authorities in NRS/NAC 445B.	

DATE	FROM	TOPIC	QUESTION	DIVISION RESPONSE	PERMIT SECTION/ REGULATORY CITATION
11/02/2025	Wendi Yankoskie <wendi.yankoskie@gmail.com>	Comment: Class II General Air Quality Operating Permit	To Whom It May Concern, Attached, please find my letter I am submitting for public comment. Please confirm you have received it. Respectfully, Wendi Yankoskie --- Wendi Yankoskie 1736 Toni Court Minden, NV 89423 (775) 450-2129 yankoskie@charter.net Nov. 3, 2025 Bureau of Air Pollution Control - Environmental Protection Agency 901 South Stewart Street, Suite 4001 Carson City, NV 89701-5249 RE: New Class II Air Quality Operating Permit AP1442-4782 (A2342) Bureau of Air Pollution Control - Knox Excavating, Inc. - Painted Rock Mine. To Whom It May Concern: Thank you for the opportunity to provide public comment on the New Class II Air Quality Operating Permit AP1442-4782 (A2342) Bureau of Air Pollution Control - Knox Excavating, Inc. - Painted Rock Mine. My name is Wendi Yankoskie and my husband and I purchased our home 25 years ago on Toni Court, a quiet peaceful neighborhood that sadly is now adjacent to the haul route of the Painted Rock Mine. Our home is situated approximately 1.5 miles west from the mine site if you hike directly through the BLM. Since the operation began in October 2024, the trucks, noise, and air pollution have negatively impacted our quality of life and the enjoyment of the beautiful area in which we live. We no longer enjoy sitting on the porch having coffee and listening to the birds as we have for the past 25 years. Over the past year, I have written to the EPA, Air Quality Division, numerous times complaining about fugitive dust. I have shared time/date stamped photos and videos on especially problematic days. Each photo and video clearly shows the fugitive dust visible from my front porch. When I open my front door each morning (to sit on the porch with coffee or take my dog for a walk) nasty air quality is the first thing I see looking east toward the mine. I would like to ask that you deny this proposed New Class II Air Permit AP1442-4782 (A2342) for the following reasons: *(continued on next page)*	See “Controlling Fugitive Dust and SAD Conditions” Discussion on Page 1, “Haul Road” Discussion on Page 2, and “Environmental Assessment” Discussion on Page 4. Please note that water usage and quantity is outside the scope of the BAPC’s authorities in NRS/NAC 445B.	

DATE	FROM	TOPIC	QUESTION	DIVISION RESPONSE	PERMIT SECTION/ REGULATORY CITATION
11/02/2025	Wendi Yankoskie <wendi.yankoskie@gmail.com>	Comment: Class II General Air Quality Operating Permit	First, water, our most precious resource, is being wasted to water down the trucks in lieu of enforcing covered loads. Water in our area is being depleted at concerning rates. A report from the United States Geological Survey (USGS) 2024 titled, *Assessment of Water Levels, Nitrate, and Arsenic in the Carson Valley Alluvial Aquifer and the Development of a Data Visualization Tool for the Carson River Basin, Nevada, states, "Results of the trend analysis indicate water levels are declining (p<0.05) in 17 of 26 selected monitoring wells (65 percent). Areas with the largest change in water levels, with more than 20 feet of declines, were within the community areas of Johnson Lane, Ruhenstroth, South Agricultural, East Valley, and Fish Springs. Variations in water levels measured in wells from the Central Agricultural, Minden, Foothill, Alpine County (one well), and Gardnerville Ranchos areas show periods of increase and decrease over time, but they also maintain long-term declining trends (p<0.05)."* Given this information, I find it negligible to use water to wash trucks in lieu of covering them! Watering is ineffective in our arid climate and represents a wasteful use of our limited groundwater resources. A more effective and environmentally responsible method is to require all truck loads to be properly covered, which is essential to prevent airborne dust during transport and was delineated in the July 2024 environmental assessment (EA). Second, the July 2024 EA was completed requiring trucks to have covered loads. To date, this has not been enforced. Fugitive dust flies off those trucks all the way down the haul route and onto paved roads. Anyone living or recreating in the area is breathing in the fugitive dust as the trucks pass by. Knox has paved the remainder of the haul route on BLM land but the fugitive dust is still horrible. Proper dust suppression protocols must also be followed at the mine site to ensure compliance with air quality standards. Third, trucks consistently drive past our homes on Johnson Lane and the BLM haul route going well above the 25 mph required speed limit. Speeding, uncovered triple trailer haul trucks, are very noisy and regularly have escaping materials/dust. There has been no enforcement on the BLM route or on county roads. Per NDEP best practices-insist on reduced truck speed limits on non-county-maintained roads and at the terminus of Johnson Lane, should be lowered to further minimize dust emissions. Fourth, the State and County must be held accountable for enforcing their own air quality laws and ordinances. Strict enforcement is not optional—it is necessary to protect public health and our environment. It should not fall to local residents to police and supervise the operations related to Painted Rock Mine. Local residents should not be negatively subjected to excessive truck noise, truck speeding, poor air quality, fugitive dust, and the negative impacts that will ensue from wasteful use of water. These are photos taken from my front yard the morning of Friday October 24, 2025. The air quality is horrible. We are requesting support from the Bureau of Air Quality to protect our residential neighborhoods from encroachment of mine activities that are negatively impacting our living environment. Therefore, deny the permit for all of these reasons. Thank you for the opportunity to comment. Respectfully, Wendi Yankoskie	See above.	

DATE	FROM	TOPIC	QUESTION	DIVISION RESPONSE	PERMIT SECTION/ REGULATORY CITATION
11/02/2025	Susie Brown <susiebrown749@gmail.com>	Knox Excavating Permit	As a homeowner living within a quarter mile of the BLM access road being used by Knox I strongly oppose the issuing of this permit. * Using water suppression on the truck loads is ineffective and will dry out quickly thus creating a wasteful use of our limited aquifer. * truck loads should be required to be covered * Insist on reduced truck speed limits should be required on the BLM access road, the current 25mph is to high * A new haul route should be required that does not go through the residential area * there needs to be accountability that the laws and ordinances in place are enforced. Thank you for your attention to these matters. Sincerely, Susie Brown Toni Ct, Minden, NV	See "Controlling Fugitive Dust and SAD Conditions" Discussion on Page 1, "Haul Road" Discussion on Page 2, and "Environmental Assessment" Discussion on Page 4. Please note that water usage and quantity is outside the scope of the BAPC's authorities in NRS/NAC 445B.	
10/31/25	Marcy Lee (Physical Letter received 11/3/25)	Public Notice Comment	To: Nevada Division of Environmental Protection 901 S. Stewart St. Carson City, NV 89701 Re: Knox Excavating, lnc.-Request for Class ll General Air Quality Operating Permit We are residents of Skyline Ranch at the top of Johnson Lane in Minden, NV. The Painted Rock Mine is just east of us. The loaded gravel trucks traverse a dirt road from the mining location to Johnson Lane. They may continue on Johnson Lane to Hwy 395, or they turn onto East Valley Road. The loads are not covered. The dust billows at the loading site and while on the dirt road. Dirt, dust, sand and gravel escapes from these loads as well. There's no provision for enforcement of these issues. There are many reasons the local residents are concerned as I'm sure you would be if this operation were in your back yard. But the air quality affects us all. lf this permit is issued, who will be monitoring the compliance? Knox doesn't seem to care what the rules are. It's business; it's profit. We are opposed to any more permanent permitting of this operation. We'd like to see Knox move to a less intrusive site. It's not like there aren't rocks anywhere else. lf, however, they are going to stay then they should be held accountable for their infractions. * Loads should be covered to save our air quality. * Water usage for dust control affects our already endangered water supply. * Watering down the dirt creates mud that gets tracked to the highway. * Moving this operation to a less populated area would make everybody happy. * Monitor the air quality regularly. Thank you for listening, Sincerely, Mike and Marcy Lee	**<u>Compliance</u>** If the facility exceeds any of the limits listed in the permit, they are subject to compliance and potentially enforcement. The BAPC Compliance Branch investigates all complaints. The BAPC will respond to all complaints within one week of the complaint. Please also note that the facility is required to notify the BAPC of any excess emissions within 24 hours after any malfunction or upset of the process equipment or equipment for controlling pollution or during start-up or shutdown of that equipment. See "Controlling Fugitive Dust and SAD Conditions" Discussion on Page 1, "Haul Road" Discussion on Page 2, and "Environmental Assessment" Discussion on Page 4. Please note that water usage and quantity is outside the scope of the BAPC's authorities in NRS/NAC 445B.	NRS 445B NAC 445B.232 NAC 445B.275 NAC 445B.281

DATE	FROM	TOPIC	QUESTION	DIVISION RESPONSE	PERMIT SECTION/ REGULATORY CITATION
11/03/2025	Protect Johnson Lane <protectjohnsonlane@gmail.com>	Public Notice of Proposed Action - Knox Excavating, Inc. Air Permit	To Whom It May Concern: What's in the dust? The surface samples originally collected and noted in the Environmental Assessment, do not adequately assess the full range of potential contaminants. It remains unclear whether other toxic materials—whether naturally occurring or introduced through mining operations—were included in the initial analyses. With active mining now underway, the previous surface sampling is insufficient. Comprehensive subsurface coring should be conducted to evaluate the composition of newly exposed materials, whose chemical and radiological contents are currently unknown. We are deeply concerned about the dust becoming airborne from uncovered and leaking loads during transport. This fugitive dust, both from mine site operations and from transport activities, is likely to contain high levels of arsenic, crystalline silica, uranium, radon, and other harmful contaminants that pose serious health risks if inhaled. We strongly urge your agency to investigate these issues thoroughly before considering approval of this permit. In the interest of protecting public health and the wellbeing of the Carson Valley community, we respectfully request that approval of this air permit be denied until comprehensive testing and appropriate mitigation measures have been completed. Board Members of PJL Protect Johnson Lane, Inc. www.protectjohnsonlane.com	See “Controlling Fugitive Dust and SAD Conditions” Discussion on Page 1, “Haul Road” Discussion on Page 2, and “Ambient Air Quality Standards and HAPs” Discussion on Page 9.	

DATE	FROM	TOPIC	QUESTION	DIVISION RESPONSE	PERMIT SECTION/ REGULATORY CITATION
11/04/2025	Lynne Fischer <673sunset@gmail.com>	Class II Air Quality Permit for Knox Painted Mine	Areas of concern and reasons why I oppose the approval of this air permit: • The proposed dust control measures in this permit—using water suppression on the truck loads—are ineffective in our arid climate and represent a wasteful use of our limited groundwater resources. Mud from the tires will be tracked on to community roads which in turn become airborne fugitive dust. • A more effective and environmentally responsible method is to **require all truck loads to be properly covered**, which is essential to prevent airborne dust during transport. • The Environmental Assessment for Painted Rock Mine states that loads would be covered. Airborne sand from uncovered loads can cause silicosis (a fatal lung disease) from the silica dust. • Proper dust suppression protocols must also be followed at the mine site to ensure compliance with air quality standards. • Per NDEP Best Practices-insist on reduced truck speed limits on non-County-maintained roads and at the terminus of Johnson Lane, should be lowered to 5 mph to further minimize dust emissions. • Locate a new haul route whether established or to be constructed that is not in a populated area to avoid fugitive dust from being ingested by residents. • The State and County must be held accountable for enforcing their own air quality laws and ordinances. Strict enforcement is not optional—it is necessary to protect public health and our environment. Thank you. Lynne Fischer 1639 Nansue Ln, Minden, NV 89423	See “Controlling Fugitive Dust and SAD Conditions” Discussion on Page 1, “Haul Road” Discussion on Page 2, and “Environmental Assessment” Discussion on Page 4. Please note that water usage and quantity is outside the scope of the BAPC’s authorities in NRS/NAC 445B.	

DATE	FROM	TOPIC	QUESTION	DIVISION RESPONSE	PERMIT SECTION/ REGULATORY CITATION
11/04/2025	Michael Stiller <shadow2984@yahoo.com>	Johnson Lane Air Quality from Painted Rock Mine	To Whom it May Concern, I fully understand the weight on your shoulder. How do you delineate between financial concerns, public complaints and real health issues? I would never envy someone in your position. In my 22 years in the medical field, I have seen countless people lose their lives. Some of them will remain with me. There is little more important than preserving life. The air quality here is at risk of creating loss of life. If implemented, it will take time, but I am certain some will suffer and others will actually be able to medically link their diagnoses to the decisions made in our community. At that point, like so many situations before in several other towns, there will be no legal foothold and you will be held liable. There is nothing you can measure the value of a human's life against; most certainly not a for-profit company such as Knox. I implore you to look at the long-term ramifications of the impact of this company's decision and the air quality vs the health risks associated with this decision. I intended for this to be our forever home, and now we are weighing what we can do to reduce the health risks of our school-age daughter. Again, I ask you to fully consider the decisions you are making and the lives it will take after implemented. Thank you for your consideration. Best, Michael Stiller, BSN, RN, VA-BC	See "Controlling Fugitive Dust and SAD Conditions" Discussion on Page 1 and "Ambient Air Quality Standards and HAPs" Discussion on Page 9.	
11/04/2025	D. Shoop <suprshoopr@gmail.com>	Knox Painted Rock Mine Air Operating permit	Hello, I am a resident of the Johnson Lane area of Minden NV and am writing to ask that the loaded trucks leaving the mine conform to the existing local law which requires loads to be covered as a minimum requirement in order to issue any new permits of any type. I believe as well that the road from the end of Johnson lane to the mine should have to be paved to reduce the dust created by all of the trucks. I drive on Johnson Lane several times a day and the dust is bad at the top of Johnson Lane and I have been behind many trucks (all noncovered) spewing dust everywhere on their trip to 395. It's horrible that Douglas County is allowing the mine to use Johnson Lane for access as it passes through residential areas. All of the trucks with the noise and dust have greatly reduced the quality of life in our neighborhood. Thank you for your consideration of my comments. Dave Shoop 2656 Wade St Minden	See "Controlling Fugitive Dust and SAD Conditions" Discussion on Page 1, "Haul Road" Discussion on Page 2, and "Environmental Assessment" Discussion on Page 4.	

DATE	FROM	TOPIC	QUESTION	DIVISION RESPONSE	PERMIT SECTION/ REGULATORY CITATION
11/04/2025	Marilyn Richardson <nvmcr60@gmail.com>	Knox permit for PRM	As a resident of Johnson lane I highly oppose the 5 year air permit for Knox Excavating. The PRM has posed many health risks, water concerns and we have already suffered poor air quality due to heavy dust escaping the trucks and ruined our quality of life in this valley. Knox Excavating does not adhere to regulations put in place. Marilyn Richardson 1532 Johnson Lane Minden NV 89423 775 2912488 Sent from my iPhone	See "Controlling Fugitive Dust and SAD Conditions" Discussion on Page 1, "Haul Road" Discussion on Page 2, and "Environmental Assessment" Discussion on Page 4. Please note that water usage and quantity is outside the scope of the BAPC's authorities in NRS/NAC 445B.	
11/04/2025	Denise Gosé <denisegose@gmail.com>	Painted Rock Mine - Class II Air Quality Operating Permit	To whom it may concern at NDEP, **I oppose the pending air quality permit for the Painted Rock Mine.** As you might expect, the air I breathe and the safety and viability of our groundwater are of utmost concern. The proposed dust control measures in this permit—using water suppression on the truck loads—are ineffective in our arid climate and represent a severely wasteful use of our limited groundwater resources. Additionally, mud from the tires will be tracked on to community roads which in turn become airborne fugitive dust. A more effective and environmentally responsible method is to **require all truck loads to be properly covered**, which is essential to prevent airborne dust during transport. This dust can cause silicosis, a fatal lung disease. The Environmental Assessment for PRM stated that loads would be covered. Per NDEP Best Practices-insist on reduced truck speed limits on non-County-maintained roads and at the terminus of Johnson Lane, should be lowered to 5 mph to further minimize dust emissions. The State and County must be held accountable for enforcing their own air quality laws and ordinances. Strict enforcement is not optional—it is necessary to protect public health and our environment. Please do the right thing to protect the 4000-plus residents of the Johnson Lane community! Thank you, Denise Gosé	See "Controlling Fugitive Dust and SAD Conditions" Discussion on Page 1, "Haul Road" Discussion on Page 2, "Environmental Assessment" Discussion on Page 4, "Ambient Air Quality Standards and HAPs" Discussion on Page 9, and "Compliance" Discussion on Page 14. Please note that water usage and quantity is outside the scope of the BAPC's authorities in NRS/NAC 445B.	
11/04/2025	Bruce Kozak <bfkozak@gmail.com>	Painted Rock Mine, Douglas County	NDEP, The Painted Rock Mine was opened too close to an existing residential neighborhood and should be closed. The environment is being destroyed and won't be restored with permits that aren't enforced anyhow. We've experienced the lack of enforcement for over one year and nothing has been done to address the many problems. Bruce and Linda Kozak 1713 Eldon Way, Minden, NV 89423 330-651-4948	See "Controlling Fugitive Dust and SAD Conditions" Discussion on Page 1 and "Compliance" Discussion on Page 14.	

DATE	FROM	TOPIC	QUESTION	DIVISION RESPONSE	PERMIT SECTION/ REGULATORY CITATION
11/04/2025	Jen Churchward <mahgnillig@gmail.com>	Painted Rock Mine	Dear NDEP, I am writing to oppose the issuance of a permanent air operating permit for Painted Rock Mine. As a local resident I have witnessed in person the complete disregard that Knox Excavating and their customers have had for any and all rules that have been put in place for the protection of the environment and the neighborhood, and I do not think they should be rewarded with a permanent license to continue polluting. Gravel trucks from this site create a constant plume of dust when they are operating due to the lack of covers on their loads. The trucks even have tarps fitted, the operators just choose not to use them. Sprinkling a little bit of water on the loads does nothing... this is a desert, water dries in less than 5 minutes. It is not just dust but rocks that are spilled too. 25mph is too fast for them to be traveling. Noise pollution is also an issue... I can no longer enjoy my yard in peace as the trucks thunder past constantly. I am also greatly concerned about the dust coming from the site itself. Water is the limiting factor in the growth of all desert communities. Allowing Knox to draw down our drinking water resources so they can spray it on dirt to keep the dust down is wrong. We need that water to sustain life! This is not an essential industry, and the future of our community does not depend on having gravel from this location. Wasting water like this will eventually impact the whole valley. The bottom line is that Knox is polluting our air with dust and diesel fumes, their road has polluted our desert (just go and stand on it, it stinks like oil). The noise pollution is unbearable. And they are taking water from the citizens who will likely have to pay to have drinking water wells redrilled. Your duty is to use the law to protect the residents of this great state from pollution. Please use that law to the maximum extent and do not allow this exploitation to continue. Sincerely, Jen Churchward Johnson Lane Resident.	See “Controlling Fugitive Dust and SAD Conditions” Discussion on Page 1, “Haul Road” Discussion on Page 2, and “Environmental Assessment” Discussion on Page 4. Please note that water usage and quantity is outside the scope of the BAPC’s authorities in NRS/NAC 445B.	

DATE	FROM	TOPIC	QUESTION	DIVISION RESPONSE	PERMIT SECTION/ REGULATORY CITATION
11/04/2025	bweigler@charter.net	Public Comment - Class II Air Quality Operating Permit, AP1442-4782 (FIN A2342)	Dear Ms. Shantell Davis and Ms. Jennifer Schumacher: Please see attached my public comment regarding the application by Knox Excavating, Inc. for a new Class II Air Quality Operating Permit, AP1442-4782 (FIN A2342) regarding its activity at the Painted Rock Mine in Douglas County. My concerns come from decades of experience as a practicing researcher in disease prevention and population-based fields of study. Feel welcome to reach back to me if you would like me to elaborate with illustrations of case examples where my concerns are exemplified in the scientific literature, resulting in adverse impacts to the public - including those at higher risk, as exists in the Johnson Lane residential census. Very sincerely, Ben Weigler, DVM, MPH, Ph.D., DACLAM, DACVPM 1719 Sunrise Pass Rd. Minden, NV 89423 Attn: Ms. Jennifer Schumacher November 4th, 2025 Nevada Division of Environmental Protection - Bureau of Air Pollution Control 901 S. Stewart Street, Suite 4001 Carson City, NV 89701 Email: aircomments@ndep.nv.gov RE: Application for Class II Air Quality Operating Permit, AP1442-4782 (FIN A2342) Dear Ms. Schumacher: This letter is to express my opposition to the issuance of a Class II Air Quality Operating Permit, AP1442-4782 (FIN A2342), to Knox Excavating, Inc., which is located at1165 Sawmill Road, Unit A, Gardnerville, NV 89410. The company's application seeks to allow its continued operations at the Painted Rock Mine in Douglas County, NV under a stationary permit, and furthermore to expand its operations to include both crushing and screening equipment. My concerns are regarding public safety given the close proximity of this mine to a large number of pre-existing private homes, and to the added unmeasured hazards which are occurring due to the truck haul routes from the mine site along public roads serving the mostly aged and frequently disabled residents of the Johnson Lane community. My 30+ years of experience as an epidemiologist with 40 journal articles, 5 book chapters, and a vast array of graduate-level lectures and collaborative studies as of this writing allow me to legitimately state that the available data on hazardous air pollutants generated from the Painted Rock Mine are presently insufficient for your office to suggest that the air dispersion model of emissions estimates in your Preliminary Determination document are accurate. *(continued on next page)*	See "Controlling Fugitive Dust and SAD Conditions" Discussion on Page 1, "Environmental Assessment" Discussion on Page 4, and "Ambient Air Quality Standards and HAPs" Discussion on Page 9.	

DATE	FROM	TOPIC	QUESTION	DIVISION RESPONSE	PERMIT SECTION/ REGULATORY CITATION
11/04/2025	bweigler@charter.net	Public Comment - Class II Air Quality Operating Permit, AP1442-4782 (FIN A2342)	Additional testing and sampling of soil and airborne pollutants from the existing operation is warranted before your Determination and Permitting of this application. The list of hazardous air pollutants shown in Table 3 (Soil Constituents and HAP Emission Factors) and in Table 5 (Source Emission Assumptions) for the project's NEPA Environmental Assessment, Appendix J, Human Health Risk Assessment (Dudek, July 2024) were determined from only four (4) soil samples taken prior to mine operations. None of my colleagues would expect that this extraordinarily small sample size could be representative or generalizable to the large and deep soil material being mined, which makes this aspect of the study and your conclusions fundamentally flawed. Furthermore, no statements are made regarding how this aspect of the studies limit interpretation of the data for it to be scientifically or statistically justifiable. I request that your office please delay issuance of this permit application until the matter can be further studied and the protection of Johnson Lane residents more confidently assured. Thank you. Ben Weigler, DVM, MPH, Ph.D., DACLAM, DACVPM 1719 Sunrise Pass Rd. Minden, NV 89423 PAINTED ROCK MINE / HUMAN HEALTH RISK ASSESSMENT Table 3 presents the emission factor assumptions for soil constituents based on the soil sample data. Of importance, the emission factor for each soil constituent is based on the greatest reported amount in any of the samples. Soil constituents that were not detected in any of the samples were not included in the assessment. **Table 3. Soil Constituents Hazardous Air Pollutant Emission Factors** | Pollutant | Emission Factors ppmw | | --- | --- | | Arsenic | 2.6 | | Beryllium | ND | | Cadmium | ND | | Chromium (nonhexavalent) | 8.1 | | Cobalt | 4.4 | | Copper | 11 | | Lead | 3.3 | | Manganese | 140 | | Mercury | 0.02 | | Nickel | 5.2 | | Selenium | ND | | Silica, crystalline | 600 | **Source:** Soil sample Analytical Report for Painted Rock Mine (Eurofins 2023) for all constituents except for mercury, which was based on NGDB soil sample D286622 (NGDB 1987). **Notes:** ppmw = parts per million by weight; ND = not detected. *(continued on next page)*	See above.	

DATE	FROM	TOPIC	QUESTION	DIVISION RESPONSE	PERMIT SECTION/ REGULATORY CITATION
			PAINTED ROCK MINE / HUMAN HEALTH RISK ASSESSMENT **Table 5. Source Emission Assumptions**	See above.	

	SLINE1		SLINE2		ARLN1		ARLN2		PAREA1		STCK1		STCK2		STCK3		STCK4		VOL1		AREA1	
Air Toxic	ppy	pph	ppy	pph	ppy	pph	ppy	pph	ppy	pph	ppy	pph	ppy	pph	ppy	pph	ppy	pph	ppy	pph	ppy	pph
Initial Production (Years 0-1)																						
Exhaust PM_{10}	196.05	0.09	46.11	0.02	–	–	–	–	–	–	177.88	0.09	36.82	0.02	36.82	0.02	–	–	–	–	–	–
Dust PM_{10}	–	–	–	–	3.53E+04	1.70E+01	–	–	1.29E+02	6.19E-02	–	–	–	–	–	–	–	–	2.60E+03	1.25E+00	2.48E+03	1.19E+00
Arsenic	–	–	–	–	9.17E-02	4.41E-05	–	–	3.35E-04	1.61E-07	–	–	–	–	–	–	–	–	6.75E-03	3.25E-06	6.45E-03	3.10E-06
Chromium Nonhexavalent	–	–	–	–	3.88E-01	1.87E-04	–	–	1.42E-03	6.81E-07	–	–	–	–	–	–	–	–	2.86E-02	1.37E-05	2.73E-02	1.31E-05
Cobalt	–	–	–	–	1.16E-01	5.60E-05	–	–	4.25E-04	2.04E-07	–	–	–	–	–	–	–	–	8.57E-03	4.12E-06	8.19E-03	3.94E-06
Copper	–	–	–	–	4.94E+00	2.37E-03	–	–	1.80E-02	8.66E-06	–	–	–	–	–	–	–	–	3.64E-01	1.75E-04	3.47E-01	1.67E-04
Lead	–	–	–	–	7.06E-04	3.39E-07	–	–	2.57E-06	1.24E-09	–	–	–	–	–	–	–	–	5.20E-05	2.50E-08	4.96E-05	2.39E-08
Manganese	–	–	–	–	1.83E-01	8.82E-05	–	–	6.69E-04	3.22E-07	–	–	–	–	–	–	–	–	1.35E-02	6.50E-06	1.29E-02	6.20E-06
Mercury	–	–	–	–	2.12E+01	1.02E-02	–	–	7.72E-02	3.71E-05	–	–	–	–	–	–	–	–	1.56E+00	7.49E-04	1.49E+00	7.16E-04
Nickel	–	–	–	–	3.53E+04	1.70E+01	–	–	1.29E+02	6.19E-02	–	–	–	–	–	–	–	–	2.60E+03	1.25E+00	2.48E+03	1.19E+00
Silica, Crystalline	–	–	–	–	2.86E-01	1.37E-04	–	–	1.04E-03	5.01E-07	–	–	–	–	–	–	–	–	2.10E-02	1.01E-05	2.01E-02	9.66E-06
Benzene	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	2.01E-01	2.30E-05	–	–	–	–
Hexane	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	3.94E-01	4.50E-05	–	–	–	–
Toluene	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	1.17E-01	1.34E-05	–	–	–	–

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DATE	FROM	TOPIC	QUESTION	DIVISION RESPONSE	PERMIT SECTION/ REGULATORY CITATION
			PAINTED ROCK MINE / HUMAN HEALTH RISK ASSESSMENT **Table 5. Source Emission Assumptions**	See above.	

	SLINE1		SLINE2		ARLN1		ARLN2		PAREA1		STCK1		STCK2		STCK3		STCK4		VOL1		AREA1	
Air Toxic	ppy	pph	ppy	pph	ppy	pph	ppy	pph	ppy	pph	ppy	pph	ppy	pph	ppy	pph	ppy	pph	ppy	pph	ppy	pph
2,2,4-Trimethylpentane	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	3.35E-02	3.83E-06	–	–	–	–
Initial Production (Years 1-5)																						
Exhaust PM_{10}	196.05	0.09	46.11	0.02	–	–	–	–	–	–	177.88	0.09	36.82	0.02	36.82	0.02	–	–	–	–	–	–
Dust PM_{10}	–	–	–	–	1.91E+04	9.16E+00	–	–	1.29E+02	6.19E-02	–	–	–	–	–	–	–	–	2.60E+03	1.25E+00	2.48E+03	1.19E+00
Arsenic	–	–	–	–	4.95E-02	2.38E-05	–	–	3.35E-04	1.61E-07	–	–	–	–	–	–	–	–	6.75E-03	3.25E-06	6.45E-03	3.10E-06
Chromium Nonhexavalent	–	–	–	–	2.10E-01	1.01E-04	–	–	1.42E-03	6.81E-07	–	–	–	–	–	–	–	–	2.86E-02	1.37E-05	2.73E-02	1.31E-05
Cobalt	–	–	–	–	6.29E-02	3.02E-05	–	–	4.25E-04	2.04E-07	–	–	–	–	–	–	–	–	8.57E-03	4.12E-06	8.19E-03	3.94E-06
Copper	–	–	–	–	2.67E+00	1.28E-03	–	–	1.80E-02	8.66E-06	–	–	–	–	–	–	–	–	3.64E-01	1.75E-04	3.47E-01	1.67E-04
Lead	–	–	–	–	3.81E-04	1.83E-07	–	–	2.57E-06	1.24E-09	–	–	–	–	–	–	–	–	5.20E-05	2.50E-08	4.96E-05	2.39E-08
Manganese	–	–	–	–	9.91E-02	4.76E-05	–	–	6.69E-04	3.22E-07	–	–	–	–	–	–	–	–	1.35E-02	6.50E-06	1.29E-02	6.20E-06
Mercury	–	–	–	–	1.14E+01	5.50E-03	–	–	7.72E-02	3.71E-05	–	–	–	–	–	–	–	–	1.56E+00	7.49E-04	1.49E+00	7.16E-04
Nickel	–	–	–	–	1.91E+04	9.16E+00	–	–	1.29E+02	6.19E-02	–	–	–	–	–	–	–	–	2.60E+03	1.25E+00	2.48E+03	1.19E+00
Silica, Crystalline	–	–	–	–	1.54E-01	7.42E-05	–	–	1.04E-03	5.01E-07	–	–	–	–	–	–	–	–	2.10E-02	1.01E-05	2.01E-02	9.66E-06
Benzene	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	2.01E-01	2.30E-05	–	–	–	–

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DATE	FROM	TOPIC	QUESTION	DIVISION RESPONSE	PERMIT SECTION/ REGULATORY CITATION

PAINTED ROCK MINE / HUMAN HEALTH RISK ASSESSMENT

Table 5. Source Emission Assumptions

	SLINE1		SLINE2		ARLN1		ARLN2		PAREA1		STCK1		STCK2		STCK3		STCK4		VOL1		AREA1	
Air Toxic	ppy	pph	ppy	pph	ppy	pph	ppy	pph	ppy	pph	ppy	ppy	ppy	pph	ppy	pph	ppy	pph	ppy	pph	ppy	pph
Hexane	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	3.94E-01	4.50E-05	–	–	–	–
Toluene	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	1.17E-01	1.34E-05	–	–	–	–
2,2,4-Trimethylpentane	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	3.35E-02	3.83E-06	–	–	–	–
Full Production (Years 5-35)																						
Exhaust PM_{10}	257.63	0.10	65.32	0.03	–	–	–	–	–	–	250.53	0.10	51.86	0.02	51.86	0.02	–	–	–	–	–	–
Dust PM_{10}	–	–	–	–	–	–	–	–	1.29E+02	4.95E-02	–	–	–	–	–	–	–	–	3.39E+03	1.30E+00	2.54E+03	9.76E-01
Arsenic	–	–	–	–	–	–	–	–	3.35E-04	1.29E-07	–	–	–	–	–	–	–	–	8.80E-03	3.39E-06	6.60E-03	2.54E-06
Chromium Nonhexavalent	–	–	–	–	–	–	–	–	1.42E-03	5.44E-07	–	–	–	–	–	–	–	–	3.72E-02	1.43E-05	2.79E-02	1.07E-05
Cobalt	–	–	–	–	–	–	–	–	4.25E-04	1.63E-07	–	–	–	–	–	–	–	–	1.12E-02	4.30E-06	8.37E-03	3.22E-06
Copper	–	–	–	–	–	–	–	–	1.80E-02	6.93E-06	–	–	–	–	–	–	–	–	4.74E-01	1.82E-04	3.55E-01	1.37E-04
Lead	–	–	–	–	–	–	–	–	2.57E-06	9.90E-10	–	–	–	–	–	–	–	–	6.77E-05	2.60E-08	5.08E-05	1.95E-08
Manganese	–	–	–	–	–	–	–	–	6.69E-04	2.57E-07	–	–	–	–	–	–	–	–	1.76E-02	6.77E-06	1.32E-02	5.08E-06
Mercury	–	–	–	–	–	–	–	–	7.72E-02	2.97E-05	–	–	–	–	–	–	–	–	2.03E+00	7.81E-04	1.52E+00	5.86E-04
Nickel	–	–	–	–	–	–	–	–	1.29E+02	4.95E-02	–	–	–	–	–	–	–	–	3.39E+03	1.30E+00	2.54E+03	9.76E-01

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See above.

DATE	FROM	TOPIC	QUESTION	DIVISION RESPONSE	PERMIT SECTION/ REGULATORY CITATION
			PAINTED ROCK MINE / HUMAN HEALTH RISK ASSESSMENT **Table 5. Source Emission Assumptions**	See above.	

	SLINE1		SLINE2		ARLN1		ARLN2		PAREA1		STCK1		STCK2		STCK3		STCK4		VOL1		AREA1	
Air Toxic	ppy	pph	ppy	pph	ppy	pph	ppy	pph	ppy	pph	ppy	pph	ppy	pph	ppy	pph	ppy	pph	ppy	pph	ppy	pph
Silica, Crystalline	–	–	–	–	–	–	–	–	1.04E-03	4.01E-07	–	–	–	–	–	–	–	–	2.74E-02	1.05E-05	2.06E-02	7.91E-06
Benzene	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	2.01E-01	2.30E-05	–	–	–	–
Hexane	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	3.94E-01	4.50E-05	–	–	–	–
Toluene	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	1.17E-01	1.34E-05	–	–	–	–
2,2,4-Trimethylpentane	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	3.35E-02	3.83E-06	–	–	–	–

Notes:
ppy = pounds per year; pph = pounds per hour
AERMOD Source ID and description:
SLINE1 – Off-road equipment and on-site truck exhaust
SLINE2 – Haul truck exhaust
ARLN1 – Unpaved road dust
ARLN2 – Paved Road Dust. ARLN2 does not include sources relevant to the HHRA, but is included in the PM_{10} evaluation provided herein.
PAREA1 – Overburden removal/grading
STCK1 – Screening/crushing plant exhaust
STCK2 – Generator for office
STCK3 – Generator for potential wash plant
STCK4 – Diesel fuel tank
VOL1 – Screening/crushing plant fugitive dust and on-site truck fugitive PM
AREA1 – stockpile and aggregate handling

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DATE	FROM	TOPIC	QUESTION	DIVISION RESPONSE	PERMIT SECTION/ REGULATORY CITATION
11/04/2025	Protect Johnson Lane <protectjohnsonlane@gmail.com>	Request for 30-Day Extension of Public Comment Period – Knox Excavating, Inc. (Painted Rock Mine) Class II Air Quality Operating Permit, Application #AP1442-4782	November 4, 2025 Jennifer Schumacher, Bureau Chief Bureau of Air Pollution Control (BAPC) Nevada Division of Environmental Protection 901 S. Stewart Street, Suite 4001, Carson City, NV 89701 **Subject: Request for 30-Day Extension of Public Comment Period – Knox Excavating, Inc. (Painted Rock Mine) Class II Air Quality Operating Permit, Application #AP1442-4782** Dear Ms. Schumacher: Protect Johnson Lane, Inc. ("PJL), on behalf of the residents of the Johnson Lane community in Douglas County, respectfully requests a 30-day extension of the public comment period for the above-referenced proposed Class II Air Quality Operating Permit for the Painted Rock Mine. The current deadline for public comments and the public hearing is November 5, 2025.[1] We ask that the deadline be extended by an additional 30 days (to December 5, 2025) to ensure the public can fully review the extensive materials and provide meaningful input.[2] This request is made pursuant to applicable NDEP regulations and policies which allow commenters to seek additional time for public review, and it is based on several extraordinary circumstances outlined below. **I. The Federal Government Shutdown Has Limited Access to Certain Vital Information and Paused Updates to Others, Raising Questions as to Accuracy of Such Information** The ongoing federal government shutdown began October 1, 2025, when notice was provided of the public comment period at issue, and has severely hampered the public's ability to access critical information on federal websites that is necessary for informed comments. The Painted Rock Mine's environmental review was conducted by federal agencies (Bureau of Indian Affairs in coordination with BLM), and much of the Environmental Assessment (EA) and related documents are hosted on federal platforms. During the shutdown, many federal agencies posted notices that their websites are not being updated and that services are curtailed. For example, the BIA's official website warns that due to the lapse in appropriations, "this website may not be up to date" and that agency personnel may not be able to respond to inquiries until funding is restored.[3] This means residents have encountered difficulty obtaining materially relevant federal courts, and are unable to rely on the records that do appear to meaningfully evaluate the impacts of the Painted Rock Mine site. These unforeseen circumstances have limited the public's ability to provide public comment on the NPED draft at issue. *(continued on next page)*	The BAPC has held two meetings with members from Protect Johnson Lane to hear concerns, discuss jurisdiction, talk through the permitting process, and cite regulations on August 12, 2025, and October 20, 2025. The Class II Air Quality Operating permit application has been available for public view on the Division's website since the application was submitted in May 2025. After the BAPC received this communication on November 4, 2025, the BAPC responded on November 5, 2025: "Thank you for your email. While we appreciate the challenges the federal government shutdown may have on the work of federal agencies, NDEP's public notice documents and draft permit have been available as required per NAC 445B.3457. As staff will be reviewing information concerning the draft permit and permitting process at tonight's public hearing and the current weather conditions, we will grant an extension to the public notice period through 5 PM on this Friday, 11/7." The BAPC responded again the day after the comments received at the public hearing: "Thank you for your previous email and the public comments we received concerning the extension last night at the public hearing. To consider an additional extension, we ask you provide the following information: • Please specify what types of information or topics require additional time and how they relate to the draft BAPC Air Quality Operating Permit (AQOP). As noted in the public hearing last night, while the BLM, BIA, or other federal agencies may rely on the Environmental Assessment, the BAPC does not rely on those efforts and performs an independent analysis based on the application submitted and our requirements as delegated by the EPA and State NRS/NAC requirements; • Please identify the information or topics that have been already communicated through the public notice process and do not require additional research so that the BAPC can begin our work on the Response to Comments document (e.g. trailer covers, land usage, water usage and quality, silt content, etc.); and *(continued on next page)*	

DATE	FROM	TOPIC	QUESTION	DIVISION RESPONSE	PERMIT SECTION/ REGULATORY CITATION
11/04/2025	Protect Johnson Lane <protectjohnsonlane@gmail.com>	Request for 30-Day Extension of Public Comment Period – Knox Excavating, Inc. (Painted Rock Mine) Class II Air Quality Operating Permit, Application #AP1442-4782	**II. The Federal Government Shutdown Complicates the Already Large Volume and Complexity of Documents Necessary to Review and to Provide Meaningful Public Comment on the Draft Permit** The amount of material that interested citizens must review for NDEP's draft permit is extensive and technically complex, making the standard 30-day comment period insufficient under current conditions. The documents include BIA's 706-page Environmental Assessment (with technical appendices), 22-page Finding of No Significant Impact, 125-page Knox Application package for the Class II Air Operating Permit, Director's Review, and NDEP's own 57-page draft Class II Operating Permit with detailed emissions limits and conditions. Reviewing nearly a thousand pages of environmental analysis and permit conditions is a significant undertaking for community members, particularly in light of the government shutdown and related inability to research and answer critical questions. An extension would provide the necessary time for residents to thoroughly analyze these documents, seek expert advice if needed, and prepare thoughtful, substantive comments. **III. Unavailability of Federal Agency Staff and Expertise** The federal shutdown has also meant that federal agency staff who possess critical knowledge about the project are furloughed or unavailable to assist the public. Normally, during a public comment period, community members might reach out to federal officials (e.g. BIA or BLM project managers, or EPA experts on air quality) with questions or requests for clarification on the EA's findings or the federal standards referenced. This ability for community members to reach out to these resources is particularly relevant and crucial where the project site at issue is under the near-exclusive jurisdiction of the federal government. At present, such outreach is largely impossible—as noted earlier, the BIA has indicated it cannot process transactions or respond to inquiries during the funding lapse.[4] This unavailability deprives the public of expert input and clarifications that would ordinarily inform their comments. In fairness, the comment period should be extended to commence only when these federal resources are back online and available to the public—but in no event less than 30 days. **IV. Intermittent Outages of Online Information Systems** In addition to being out-of-date, some federal information systems have experienced intermittent outages or functionality issues during the shutdown. Many agencies' data portals and document repositories have not been maintained, increasing the risk of errors or downtime[4]. For example, if portions of the EA or reference materials are hosted on federal servers, users may encounter error messages or broken links. Even the federal e-rulemaking portal has noted that a prolonged shutdown can render certain features unusable, potentially blocking public participation if deadlines aren't adjusted.[5] While NDEP's own website and email systems remain operational, the supporting federal data essential to fully understanding the permit's context has been less reliably accessible. This situation creates an uneven playing field, where the community cannot readily gather all the facts. Extending the deadline will help mitigate the disadvantage caused by these web accessibility issues. *(continued on next page)*	• Please identify what specific information is Protect Johnson Lane not able to access in relation to the draft AQOP to see if the NDEP is able to assist in those resources?" The BAPC did not receive direct responses to the questions and determined to end the public comment period on November 14, 2025.	

DATE	FROM	TOPIC	QUESTION	DIVISION RESPONSE	PERMIT SECTION/ REGULATORY CITATION
11/04/2025	Protect Johnson Lane <protectjohnsonlane@gmail.com>	Request for 30-Day Extension of Public Comment Period – Knox Excavating, Inc. (Painted Rock Mine) Class II Air Quality Operating Permit, Application #AP1442-4782	**V. Ensuring Meaningful Public Participation** Granting a 30-day extension will uphold the spirit of public participation requirements in environmental permitting. Both state and federal policies recognize that the public must have a meaningful opportunity to review and comment on proposed actions. Indeed, NDEP's permitting rules anticipate that commenters may request additional time, and historically the Division can accommodate such requests for good cause.[6] Likewise, federal guidance affirms that comment periods may be extended for good reason, for example, at the request of another agency or due to external circumstances. The present scenario—a nationwide government shutdown overlapping almost entirely with the comment window—is exactly the kind of good cause that warrants an extension. Community members in Johnson Lane are highly engaged and have a strong interest in this permit's outcome. An extension would enable more informed, substantive feedback, which can only improve the quality of the decision-making process. Conversely, proceeding with the original deadline despite the shutdown's disruptions could undermine the intent of public notice requirements by effectively denying many stakeholders a fair chance to participate.[7] For all the reasons above, we believe an extension of the Painted Rock Mine permit comment period is necessary to preserve the public's rights to provide meaningful comments and to ensure a well-informed outcome. We note that during the last extended federal shutdown, broad calls were made to pause or extend open comment periods so that the public would not be prejudiced by circumstances outside their control.[8] By granting a 30-day extension in this case, NDEP would be acting consistently with those principles of fairness and transparency in environmental governance. Protect Johnson Lane, Inc., therefore, respectfully urges NDEP's Bureau of Air Pollution Control to extend the public hearing and comment deadline an additional 30 days from November 5, 2025, to December 5, 2025 (an additional 30 days). This short extension will not unduly delay the permitting process, but it will greatly enhance the ability of local residents to contribute meaningful input on the draft permit. We are confident that NDEP, as a public health and environmental agency, shares our commitment to an open and thorough review process. Allowing extra time under these unique circumstances—with federal information sources hindered by the shutdown, a large volume of material to digest, and confusion as to the date of the public hearing announced in the local newspaper—is both reasonable and in the public interest. Thank you for your consideration of this request. We appreciate NDEP's attention to community concerns regarding the Painted Rock Mine, and we look forward to your positive response. If you require any further information or have questions about this extension request, please do not hesitate to contact us at the information below. Sincerely, **Protect Johnson Lane, Inc.** *Protecting the health, safety, and welfare of the Johnson Lane Community* *Contact:* 775.400.1059 | protectjohnsonlane@gmail.com | PO Box 103; Minden, NV 89423-0103 Cc: NDEP Bureau of Air Pollution Control Director; Douglas County Officials; Interested Parties in Johnson Lane Community *(continued on next page)*	See above.	

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11/04/2025	Protect Johnson Lane <protectjohnsonlane@gmail.com>	Request for 30-Day Extension of Public Comment Period – Knox Excavating, Inc. (Painted Rock Mine) Class II Air Quality Operating	[1] https://ndep.nv.gov/posts/nopa-bapc-knox-excavating-inc-new-class-ii-aqop [2] Such extensions are allowable by states for good cause where public comment is requested in projects involving environmental assessments. 23 U.S. Code § 139(g)(2)(b)(ii) [3] https://www.bia.gov/ (accessed November 4, 2025) ("Due to the current lapse of federal appropriations: this website may not be up to date; transactions submitted via this website might not be processed until appropriations are enacted; and we may not be able to respond to inquiries until appropriations are enacted."). [4] https://www.bia.gov/ (accessed November 4, 2025) ("Due to the current lapse of federal appropriations: this website may not be up to date; transactions submitted via this website might not be processed until appropriations are enacted; and we may not be able to respond to inquiries until appropriations are enacted."). [5] Coalition for Sensible Safeguards, Government Shutdown Memo: Impact on Pending Rulemakings and Enforcement (Oct. 17, 2025), https://sensiblesafeguards.org/factsheets/government-shutdown-memo-impact-on-pending-rulemakings-and-enforcement/ (accessed November 4, 2025). [6] *See* U.S. Env'tl Prot. Agency, Nevada NPDES Permit Quality Review Report, 2017 (May 2018), https://www.epa.gov/sites/default/files/2018-05/documents/nv_pqr-2017.pdf) (accessed November 4, 2025) (explaining that Commenters may request an extension of the public comment period). [7] It is also worth noting the date of the hearing and deadline for public comment was misreported in a recent notification in the Record Courier, causing confusion among community members and the ability of some to attend the corrected date. *See* Kurt Hildebrand, The Nov. 4, 2025 R-C Morning Report, Record Courier (Nev.), Nov. 4, 2025, https://www.recordcourier.com/news/2025/nov/04/the-nov-4-2025-r-c-morning-report/ (accessed November 4, 2025) (explaining that "the air quality permit hearing for Painted Rock Mine is 6 p.m. Wednesday, not today as reported on Saturday. Tonight's meeting at the Community & Senior Center is the Douglas County Parks & Recreation Advisory Board. I've got a correction going on the front page of Wednesday's edition.") [8] *See* Coalition for Sensible Safeguards, supra note 4. (During the last shutdown from December 2018 to January 2019, the Coalition for Sensible Safeguards (CSS) sent a letter to OMB requesting that any comment periods impacted by the shutdown be extended by the length of the shutdown).	See above.	

11/07/2025	Protect Johnson Lane <protectjohnsonlane@gmail.com>	RE: Request for 30-Day Extension of Public Comment Period – Knox Excavating, Inc. (Painted Rock Mine) Class II Air Quality Operating Permit, Application #AP1442-4782	*Via email to jschumacher@ndep.nv.gov* Jennifer Schumacher, Bureau Chief Bureau of Air Pollution Control (BAPC) Nevada Division of Environmental Protection 901 S. Stewart Street, Suite 4001, Carson City, NV 89701 *Via email to aircomments@ndep.nv.gov* Shantell Davis Nevada Division of Environmental Protection Bureau of Air Pollution Control 901 South Stewart Street, Suite 4001 Carson City, NV 89701 Re: Public Comment Opposing Draft Class II Air Quality Operating Permit AP1442-4782; Facility ID No. A2342; Air Case 12481 (Knox Excavating, Inc. – Painted Rock Mine) Dear Ms. Schumacher and Ms. Davis, I write on behalf of Protect Johnson Lane (PJL), a community organization representing residents of the Johnson Lane area in Douglas County, Nevada, of which I am Board President and member. I am submitting these comments for PJL to oppose the Knox Excavating application for a new Class II Air Quality Operating Permit and the associated Draft Permit No. AP1442-4782 for Painted Rock Mine. PJL asks NDEP to deny the minor source application and rescind the draft permit for the following reasons: 1) our Johnson Lane community is uniquely vulnerable to harm from the project's fugitive dust, which contains arsenic, crystalline silica, and other contaminants; 2) the draft permit depletes water resources where other alternatives exist to suppress fugitive dust; 3) the permit fails to minimize air quality impacts because the fugitive dust controls are inadequate and unenforceable in practice; and 4) the permit relies on process emissions estimates and enforcement mechanisms that are flawed and assume unrealistic site conditions. PJL again notes that it is unfair to make a group of community members try to review an air permit as complex as this in 30 days, and during a federal government shutdown. Federal agencies, which are important sources of scientific information for the community, have placed warnings on their websites saying the information on those sites is not being updated; and federal agency workers are unavailable to contact. We realize that NDEP puts online all the information it considers in its own air permit review. But the point of public comment is for the public to share relevant information with the agency it believes the agency is not considering, not to regurgitate information it already has. Having said that, PJL is submitting these comments as instructed, under the two-day extension that NDEP granted us. **Our Johnson Lane Community Is Vulnerable to Harm from Fugitive Dust** Johnson Lane prides itself on its rural pedigree, and on its self-sufficiency. Our community was founded in the 1950s, in an area informally known as "Banana Flat," upon the arrival of homesteaders that cleared the land and planted crops to meet the requirements of the Homestead Act. Over the next several decades, these large homesteads, once abundant with wildlife including mustangs, deer, mountain lions, hawks and eagles, were incrementally subdivided into the one-acre and smaller lots that characterize our residential community today. Johnson Lane is primarily a residential community with hundreds of families, and we have a significant population of retirees. Many of our residents have lived here for decades, valuing the area's clean air and rural quality of life, and we care deeply about our community. *(continued on next page)*	**<u>Stationary Source</u>** The scope of the draft Class II AQOP is for a stationary source, as defined in NAC 445B.187 as "all buildings, structures, facilities, and installations, including temporary sources, which belong to the same major industrial groupings described in the *Standard Industrial Classification Manual*, are located at one or more contiguous or adjacent properties, are owned or operated by the same person or by persons under common control, and emit or may emit any regulated air pollutant. The term does not include motor vehicles, nonroad engines, or nonroad vehicles". **<u>Controls</u>** Knox requested the use of water sprays in their application; and these conditions were included in the draft permit to install and operate the water spray control systems at all times. Failure to operate controls is a violation. The BAPC utilizes default control efficiencies as they are based on documentation included in AP-42 and approved by the EPA. These default control efficiencies are used consistently across all of Industry. **<u>Emission Calculations</u>** The Potential to Emit (PTE) is calculated conservatively, assuming maximum emissions. The emission limits take into consideration the emission factors, hours, throughputs, and controls. The proposed emission limits for this facility demonstrate the facility is a minor source of air pollutant which means less than 100 tons per year of a regulated air pollutant and does not require EPA review. Emission factors are calculated using AP-42 (a compilation created in 1972 and approved by the EPA as acceptable standards for more than 200 air pollution source categories). These emission factors have consistently been confirmed to be an accurate representation of the source categories through source testing and monitoring. **<u>Monitoring, Recordkeeping, and Reporting</u>** The facility is required to maintain, in a log, the monitoring and recordkeeping of throughput, operational hours, start and stop times, visible emission observations (VEOs), Method 9 opacity tests, and inspections of controls. All records in the log must be identified with the calendar date of the record and must be entered into the log on the basis described in the draft permit. These records ensure that the facility is in compliance with permitted conditions, and the BAPC Compliance Branch will visit the site periodically to review these logs and verify compliance. **<u>Method 9s and Visible Emissions Observation (VEOs)</u>** Method 9s are not required for every facility or for every permit. Method 9s are required for the first year of this Class II AQOP to ensure the opacity does not exceed the threshold permitted. **These conditions were added in response to public comments and are not common in other crushing and screening permits.** See "Controlling Fugitive Dust and SAD Conditions" Discussion on Page 1, "Haul Road" Discussion on Page 2, "Environmental Assessment" Discussion on Page 4, "Ambient Air Quality Standards and HAPs" Discussion on Page 9, and "Compliance" Discussion on Page 14. Please note that water usage and quantity is outside the scope of the BAPC's authorities in NRS/NAC 445B.	NAC 445B.187 NAC 445B.227, NAC 445B.281 NAC 445B.138, NAC 445B.037 NAC 445B.346 NAC 445B.346

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11/07/2025	Protect Johnson Lane <protectjohnsonlane@gmail.com>	RE: Request for 30-Day Extension of Public Comment Period – Knox Excavating, Inc. (Painted Rock Mine) Class II Air Quality Operating Permit, Application #AP1442-4782	Johnson Lane lies at the foot of the Pine Nut Mountains, in an area known for its dry, windy conditions and fine, sandy soils. The dust generated by Knox is a concern for our community because it has been shown to contain multiple contaminants including arsenic, lead, chromium, cobalt, crystalline silica, and other hazardous air pollutants. For example, the Bureau of Indian Affairs' Environmental Assessment disclosed soil sampling results at the Painted Rock Mine site that exceed the federal health-based regional screening level for arsenic and hexavalent chromium. The Environmental Assessment also identified crystalline silica at 600 ppm. Crystalline silica is carcinogenic, and the Occupational Safety and Health Administration found that inhalation exposure to respirable crystalline silica likely increases the risk of silicosis, respiratory diseases, lung cancer, kidney disease, immunological effects, and infectious tuberculosis. We are, thus, uniquely vulnerable to fugitive dust pollution; and our residents have been alarmed by airborne dust they've observed emanating from the large scale mining and aggregate crushing operations, and the trucks running through our community, which began when Painted Rock Mine opened last year. We have repeatedly raised concerns regarding the fugitive dust generated by Knox's operations. We have taken pictures and recorded videos of dust blowing off the top of uncovered loads, visible from our homes and the roads. Trucks come through back to back, disrupting our neighborhood with sound, high speed, and hazes of dust. In just the first few months of construction at the mine, NDEP logged 29 separate dust complaints from residents, related to Painted Rock Mine operations. In response, NDEP issued a letter requiring that Knox implement certain efforts to mitigate the fugitive dust, some of which NDEP has not included in this draft permit. PJL requests all mitigating efforts described in NDEP's May 2025 letter to Knox be included in the draft permit, except those that rely on water use for fugitive dust suppression where other practical options exist. Despite NDEP's attempt to address the concerns, our residents continue to see frequent dust plumes and haze blowing through our neighborhood, from both the Painted Rock mine site and its uncovered trucks, coating homes, yards, windows, and vehicles with the fine powder. There are also the region's well-known challenges with groundwater contamination and water scarcity. Most residents in Johnson Lane rely exclusively on domestic wells drawing from an aquifer that has naturally occurring arsenic. Groundwater arsenic concentrations exceed 5 µg/L in most samples collected by the USGS from wells in Johnson Lane, and in many cases exceed the EPA Maximum Contaminant Level of 10 µg/L. Deeper wells tend to have higher arsenic concentrations. We are concerned that Knox's mining operations, which under NDEP's draft permit require the use of massive amounts of water to control the fugitive dust, will result in drawdown of the aquifer that will force people to deepen their wells and pump drinking water with even higher levels of arsenic. **The Draft Permit Depletes Water Resources Where Other Options Exist to Suppress Fugitive Dust.** NDEP has not considered the impact of Knox's extensive water use, which NDEP requires throughout the project's entire production, handling, storage, and transportation process, on the alluvial aquifer from which most Johnson Lane residents draw their drinking water. The only consideration of the question comes in the hydrology report Knox submitted to BIA, which claims no impact on local groundwater. But that report also says, "It should be noted that the drawdown calculations rely on a number of assumptions including that the aquifer is homogenous and isotropic, the aquifer has infinite areal extent, and others." There is no explanation in the report as to why it was appropriate to make any of these assumptions, the impact the assumptions on the report's conclusions regarding the groundwater use, or even what "other" assumptions were made. *(continued on next page)*	See above.	

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11/07/2025	Protect Johnson Lane <protectjohnsonlane@gmail.com>	RE: Request for 30-Day Extension of Public Comment Period – Knox Excavating, Inc. (Painted Rock Mine) Class II Air Quality Operating Permit, Application #AP1442-4782	In fact, studies show those assumptions are misguided. In USGS's 2010 Professional Paper 1781, it found the Carson Valley basin-fill aquifer's stratigraphy and sediment composition vary significantly across the valley: coarse, poorly sorted alluvial fan deposits (gravel and sand) flank the mountain fronts, while the basin center contains finer materials like silts and clays from floodplain deposits. These fine-grained layers act as local confining units, and are in scattered, discontinuous clay beds. These interbedded coarse and fine sediments produce a wide range of hydraulic conductivities—USGS indicated that "calculated hydraulic conductivity values ranging from about 1 to 9 ft/d in sediments between 300 and 500 ft deep and from 86 to 865 ft/d in sediments less than 300 ft." This means the aquifer is neither homogeneous nor isotropic, and it defies logic that Knox's hired environmental consultant would assume it was so. And neither does the Carson Valley aquifer have infinite areal extent. The valley is physically enclosed by the Carson Range to the west and the Pine Nut Mountains to the east, forming an oval-shaped basin of about 162 square miles. Despite Knox's EA claims of no impacts to groundwater, based on false assumptions, NDEP (which didn't look at the EA or studied any groundwater issues) drafted a permit that does not even quantify the total amount of aquifer water it is either requiring or authorizing be used for fugitive dust control. Other practical options are not even considered. Without an explanation as to the basic, flawed assumptions of Knox's Hydrology report, NDEP cannot begin to consider the degree of effect of the project on the public's water resources. PRM's planned water use could significantly reduce both the level and quality of the drinking water available to Johnson Lane residents, which already approaches unsafe levels of arsenic in drinking water. Knox plans to rely on a new onsite well for dust control and aggregate washing, pumping an estimated 13.4 acre-feet per year (approximately 12,000–24,000 gallons per day at peak—or up to an Olympic sized pool every 27 days) from local groundwater. In 2024, The USGS warned that results of its analysis show that water levels in Johnson Lane were declining and had already declined more than 20 feet over the monitored period. More concerning, the USGS made clear that "groundwater from domestic wells screened at deeper intervals are likely more vulnerable to elevated arsenic concentrations than shallower wells." If Knox's massive water use, which NDEP is either requiring or allowing to control fugitive dust emissions, contributes to the further decline of water levels at Johnson Lane's domestic wells, it could make those wells more vulnerable to the existing, elevated levels of arsenic at those deeper levels. Knox's application also does not take into consideration the impact on the aquifer of pumping an Olympic size swimming pool's worth of water every month, then dumping much of that water back on the ground. As noted earlier, the soil at the PRM site contains arsenic, lead, chromium, cobalt, crystalline silica, and other hazardous pollutants. What is the effect, for example, of pulling that quantity of water out of an aquifer that already contains heightened levels of arsenic, and dumping the arsenic-contaminated water back on the ground? Especially, where it can interact with more arsenic before the contaminated water makes its way back into the aquifer? And does that repeated process increase the level of arsenic contamination in the Johnson Lane wells? NDEP cannot answer those questions because they were never studied. In fact, the Knox hydrology report submitted to BIA relied on local well water sampling that did not even test for arsenic. *(continued on next page)*	See above.	

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11/07/2025	Protect Johnson Lane <protectjohnsonlane@gmail.com>	RE: Request for 30-Day Extension of Public Comment Period – Knox Excavating, Inc. (Painted Rock Mine) Class II Air Quality Operating Permit, Application #AP1442-4782	PJL believes Knox will choose wasting the public's drinking water over other sensible options to controlling fugitive dust. When presented with 16 choices for Best Management Practices in controlling fugitive dust as part of the Surface Area Disturbance Form in the permit application, Knox selected just two: water trucks and laying gravel or paving roadway storage areas and staging areas. Knox declined to implement other non-watering solutions, including: dust palliatives; posting and limiting vehicle speeds to 10-15 miles per hour; ceasing operations during high wind events; fencing or berming to prevent unauthorized access to disturbed areas; covering material storage piles with tarpaulin or geo-textiles; tenting; track-out controls (graveled entranced, exit area, and street sweeping); landscape preservation and impact avoidance; wind fence; informing all subcontractors (including truck drivers) of their responsibilities for the control of fugitive dust while they are on the project site; training of equipment operators to recognize fugitive dust generation; and others. With so many options disregarded, PJL is left to believe that Knox is choosing the cheapest remedies at the expense of the public's water, even if those remedies are insufficient. The watering measures Knox proposes and NDEP grants in this new permit are the same measures that have continually failed to prevent fugitive dust emissions from PRM's mine site and truck haul route. PJL asks NDEP to consider each of the Best Management Practices listed above and require measures that will prevent controllable particle matter from becoming airborne. Where the permit requires Knox to cover its storage piles, truck loads, or other sources of dust, it should require tarps or similar non-watering solutions. **The Draft Permit Fails to Ensure Minimal Impact on Air Quality** The permit application and the draft permit are incredibly inadequate in addressing fugitive dust control, particulate emissions calculations, operating parameters, and monitoring/enforcement. These deficiencies call into question whether sufficient information has been provided to NDEP, and whether NDEP has sufficiently thought about the project's impacts. For PJL, we are affected daily by Knox's operation through the fugitive dust, particles of soil, sand, and rock becoming airborne from blasting, excavation, crushing, screening, conveying, truck loading, and transit on unpaved roads. It is notoriously difficult to contain such dust, especially in open, arid and windy environments like Johnson Lane. As discussed above, the local geology means this dust is laced with crystalline silica and heavy metals, including arsenic and hexavalent chromium, posing severe health hazards unique to the region. Given these significant consequences and health effects, it is vital that measures to control the project's fugitive dust be specific and effective. The draft permit includes measures for the control of fugitive dust but relies on generic measures that are insufficient and only loosely enforceable in practice. For example, Section VII(A)(5) of the draft permit requires that "All storage piles shall be stabilized to prevent fugitive dust emissions in a manner such as applying water or dust suppressants on a *regular schedule* and *as needed during dry or windy conditions*, keeping storage piles at a *manageable height*, and *when practical*, located behind wind barriers to further minimize wind erosion." However, the permit says nothing about what counts as "a regular schedule" for the application of dust suppressants. Does hourly, daily, weekly, or monthly count as "regular"? How dry do conditions need to be, to meet the standard of "dry" conditions? How windy? And who determines when dry or windy conditions exist? Similarly, what constitutes a "manageable" height? Is there any guidance as to when it becomes "practical" to locate storage piles behind wind barriers? Without more specificity in these conditions, Knox is effectively left to determine for itself when it thinks it needs to stabilize its storage piles. *(continued on next page)*	See above.	

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11/07/2025	Protect Johnson Lane <protectjohnsonlane@gmail.com>	RE: Request for 30-Day Extension of Public Comment Period – Knox Excavating, Inc. (Painted Rock Mine) Class II Air Quality Operating Permit, Application #AP1442-4782	Likewise, Section VII(A)(6) requires that "Fugitive dust shall be mitigated from becoming airborne during all loading and unloading activities in a manner such as minimizing loading during *high wind events* or utilizing adjusted transfer rates." The permit provides no guidance as to what counts as a high wind event, especially in a region famous for its frequent and strong high winds. Without more specificity, this condition means little, and Knox will likely be able to decide for itself what is a high wind event. By contrast, when earlier this year NDEP issued a mitigation directive letter to Knox after investigating a barrage of dust complaints, the agency made its conditions more specific. In that May 14, 2025 letter NDEP mandated a list of dust control actions: • Ensuring drivers adhere to posted speed limits and/or speed limits established by Knox; • Watering the roads frequently, including before trucks begin driving in the morning; • Watering the parking area east of Johnson Lane; • Adding more oil on the access road; and • Adding base and/or grindings to the roads. • Within 3 weeks of issuance of the letter, install a sufficient layer of grindings, based on industry standards, rolled to compaction and sealed with an appropriate grade oil for ¾ of a mile from the eastern terminus of Johnson Lane heading east. • Within 6 weeks of issuance of the letter, install a sufficient layer of grindings, based on industry standards, rolled to compaction and sealed with an appropriate grade oil or a sufficient dust suppressant such as magnesium oxide or intermountain slurry for the remaining dirt road path to the Painted Rock Mine Site. • Until unpaved roads have sufficient coverage as described above and on a daily operational basis, perform EPA Method 9 on six trucks in one hour with an average. • After roads have sufficient coverage, Method 9's are no longer required. • Until Method 9's are no longer required and on a daily basis, keep records in a contemporaneous log of Method 9 tests. • Truck operational hours shall follow the Douglas County and Knox Excavating Inc. Contract under Operator's Covenants, Section 3.A.3. • On a daily basis, keep records in a contemporaneous log of truck operational hours with the number of daily roundtrip truck trips. • Apply water or an approved chemical dust suppressant on a regular basis. • On a daily basis, keep records in a contemporaneous log of the amount of water or dust suppressant (ie. gallons) applied to roads. • In the parking area at the very end of Johnson Lane, establish vehicle speed limits of no more than 15 mph. Although PJL disagrees that watering is effective for this purpose, these more specific conditions were deemed by the agency to be necessary to bring the mine's initial site work under some semblance of control just six months ago because residents observed the truck hauling was generating thick dust clouds. The fugitive dust conditions in the NDEP's permit should be similarly designed with appropriate specificity so that Knox is actually forced to follow them. *(continued on next page)*	See above.	

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11/07/2025	Protect Johnson Lane <protectjohnsonlane@gmail.com>	RE: Request for 30-Day Extension of Public Comment Period – Knox Excavating, Inc. (Painted Rock Mine) Class II Air Quality Operating Permit, Application #AP1442-4782	Also, Knox's application and NDEP's draft permit underestimate potential emissions for particulate matter and hazardous air pollutants, with overly optimistic control efficiency assumptions, no account of worst-case conditions, and lack of consideration of the possible presence of hazardous substances in the well water Knox will use for fugitive dust suppression. The estimates are flawed, and they assume incredibly unrealistic scenarios. Knox's application used AP-42 emission factors for aggregate handling and crushing and then assumed 75% control efficiency from water suppression on most transfer points. Even with this assumption, the projected emissions from key processes are substantial. For example, the primary crusher (PF1.002) is permitted to emit up to ~0.44 tons per year of PM_{10}, the screening plant (PF1.005) up to ~1.58 tons/year PM_{10}, and each of numerous conveyor transfer points about 0.20 tons/year PM_{10}. When summed across the dozens of emission units, NDEP estimates the facility's allowable particulate emissions are more than 7 tons per year for PM_{10}, and nearly 2 tons per year for $PM_{2.5}$. However, these numbers assume that Knox will maintain its dust suppression system in optimal working order to consistently achieve 75% dust reduction. Even though NDEP sent Knox an order to comply with fugitive dust conditions just six months ago, this permit acts as if Knox will appropriately manage its dust suppression system on its own. If the operator falls behind on watering even for a short period on a typical windy afternoon, actual emissions could be significantly higher. If the water spray bars become clogged by hard water, actual emissions could be significantly higher. If the water spray bars cease operating, even for one day, the actual emissions could be significantly higher. The draft permit's only mechanism to ensure the estimates hold true is the opacity standard—7% to 20% opacity depending on the transfer point. These limits, too, assume well-controlled conditions and a diligent operator. Nevertheless, NDEP requires only that Knox promise to, once a week, for the first twelve months, "stand at a distance" to observe whether there is any dust, and if the relevant percentage opacity is "observed" by a Knox employee, they must take corrective action. There is no indication, however, as to whether these observations are to be taken by any scientific method, or whether Knox will simply have an employee observe the dust and attempt to guess as to whether there is 7%, 12%, or 20% opacity. Even this questionable measure is reduced from a weekly to a monthly check after just one year of operation. Compliance in Knox's dust suppression process is crucial considering the groundwater Knox will use for dust suppression is drawn from the same area of the aquifer that USGS has found to contain elevated levels of arsenic. If Knox continually introduces that water to the aggregate material it generates at the mine site, which itself is drawn from soil that was shown in BIA's Environmental Assessment to contain arsenic, then any resulting fugitive dust could be contaminated beyond what NDEP anticipates. NDEP has not studied this effect, and it calls into serious question Knox's and NDEP's estimates for hazardous air emissions associated with the project. Despite the possible underestimation of fugitive dust and hazardous emissions, the permit does not require continuous PM, moisture, or opacity monitors, relying mostly on monthly EPA Method 9 observations (and even then, only for the first year). Enforceability of these emissions limits is inadequate in light of the unique environmental conditions at the mine site and the lack of information regarding the full extent of the potential presence of hazardous substances. Knox is blindly trusted to monitor its own production and emissions, and to stay under limits; but there is no direct measurement ensuring that, for example, "0.20 tons/year of PM_{10}" is not exceeded. This is a faith-based permit, and we request that NDEP mandate continuous monitoring to make sure pollution is within safe levels. *(continued on next page)*	See above.	

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11/07/2025	Protect Johnson Lane <protectjohnsonlane@gmail.com>	RE: Request for 30-Day Extension of Public Comment Period – Knox Excavating, Inc.	**Conclusion** We as a community are tired from the constant disturbance and pollution on Johnson Lane, and the lack of care shown towards us. Knox has repeatedly failed to heed even its temporary air permits by allowing fugitive dust to continually impact our community. The current draft permit does not address our concerns or offer us hope for change to our daily circumstances. Under this draft permit, Knox is effectively left to determine its own limits, monitor itself, and pollute as much as it wants. In other words, the fox is left to guard the henhouse. For the all of the above reasons, Protect Johnson Lane requests that NDEP deny the Knox Class II Air Quality Operating Permit Application for Painted Rock Mine and rescind draft permit AP1442-4782. Respectfully submitted, Ron Conway, President Protect Johnson Lane, Inc. Protecting the health, safety, and welfare of the Johnson Lane Community Contact: 775.400.1059 | protectjohnsonlane@gmail.com | PO Box 103; Minden, NV 89423-0103	See above.	
11/13/2025	Protect Johnson Lane <protectjohnsonlane@gmail.com>	Request for 30-Day Extension of Public Comment Period – Knox	**From:** Protect Johnson Lane <protectjohnsonlane@gmail.com> **Sent:** Thursday, November 13, 2025 7:24 AM **To:** Jennifer Schumacher <jschumacher@ndep.nv.gov> **Subject:** Subject: Request for 30-Day Extension of Public Comment Period – Knox Excavating, Inc. (Painted Rock Mine) Class II Air Quality Operating Permit, Application #AP1442-4782 Jennifer, Thank you for reaching out. I believe our public comment letter sent on November 7th clearly outlines Protect Johnson Lane's position regarding the limited time NDEP provided for public comment under these challenging circumstances. Regards, Ron Conway Protect Johnson Lane, Inc. www.protectjohnsonlane.com	See above.	
11/05/2025	Stephanie Scheick <bluemtnscout@gmail.com>	Class II Air Quality Permit - Knox	To whom it may concern, Taking into consideration the long term impact of approving the permit is imperative. Water is a precious and vital resource in the Carson Valley. It is a resource that impacts individuals, families and our community. Entities at the state and local level charged with protecting the environment as well as the people should take into consideration the sustainability of its decision to approve this permit including the ongoing concerns of how it will be monitored and the extent this will negatively impact our communities air quality and water supply now and in the future. Respectfully, Stephanie Scheick Johnson Lane	Please note that water usage and quantity is outside the scope of the BAPC's authorities in NRS/NAC 445B.	

DATE	FROM	TOPIC	QUESTION	DIVISION RESPONSE	PERMIT SECTION/ REGULATORY CITATION
11/05/2025	Keith Hill <bultaco79w@charter.net>	Knox new class2 AQOP	1.All trucks need to be properly covered. 2.State and county need to be accountable for enforcing the requirements. Keith Hill Minden,NV	See “Controlling Fugitive Dust and SAD Conditions” Discussion on Page 1, “Haul Road” Discussion on Page 2, “Environmental Assessment” Discussion on Page 4, and “Compliance” Discussion on Page 14. Please note that water usage and quantity is outside the scope of the BAPC’s authorities in NRS/NAC 445B.	

DATE	FROM	TOPIC	QUESTION	DIVISION RESPONSE	PERMIT SECTION/ REGULATORY CITATION
11/05/2025	Charles Heffernan <chuckhef@icloud.com>	Knox PRM Air Permit	Dear Ms Schumacher, Thank you for this opportunity to comment on the NDEP proposed action for the Painted Rock Mine. Unfortunately for the residents of Carson Valley and Johnson Lane especially, approval of this permit seems to be a foregone conclusion so I will limit my comments to revisions that should be made to the permit that are necessary to conform to best practices of the EPA and consistency with the projects' Federal approvals. **AQOP Section V. Specific Operating Conditions** - states that the project can operate 10 hours a day for a total of 3,640 hours per year. This would allow them to operate every day of the year. This needs to be revised for consistency. **AQOP Section IV. Surface area disturbance conditions**, states "All haul trucks must be covered or loads need to be sufficiently wetted before leaving the facility to prevent fugitive dust emissions during transport and hauling. The underlined section referring to wetting the truck's should be removed for the following reasons. The project's **Environmental Assessment (EA)** states" *the operations water needs are approximately 12,000 to 24,000 gallons of water per day during peak production principally for dust suppression on Access Hall Route roads and for the water screener stacker. Water may be periodically used to wash equipment. The proposed and anticipated operation is a dry process and does not consume water. However, wash plant can be used depending on material mined no chemicals are used in the process*." There is no mention of water use for the trucks and therefore not included in the NEPA approvals. The PRM project cannot use water for that purpose. Additionally, EPA bulletin titled **Fugitive Dust Control Measures and Best Practices** gives the following direction: -cover open bodied trucks when the trucks is carrying materials that can be released into the air. Soaking the dirt in an open bodied truck is not listed as a best practice. The **NDEP AQOP** permit should be modified to include the **EA's Appendix C. Environmental Protection Measures, Design Features, and Best Management Practices (copy attached).** In particular, the proposed PRM permit should include any practices in the section on air quality, not currently highlighted in the AQOP conditions. As an example, the project EA shows concern for exposure to the spores that cause Valley Fever. I saw nothing in the proposed **AQOP** regarding measures to reduce potential public exposure to the fungus that can cause valley fever. Respectfully submitted, Charles Heffernan Minden	**Hours of Operation** Please note that the proposed hours of operation are established in the draft permit based on modeling to demonstrate compliance with the Nevada and National Ambient Air Quality Standards. In the event there is conflict between these requirements and other requirements, the most stringent requirements would apply. See "Controlling Fugitive Dust and SAD Conditions" Discussion on Page 1, "Haul Road" Discussion on Page 2, "Environmental Assessment" Discussion on Page 4, and "Ambient Air Quality Standards and HAPs" Discussion on Page 9. Please note that water usage and quantity is outside the scope of the BAPC's authorities in NRS/NAC 445B.	

DATE	FROM	TOPIC	QUESTION	DIVISION RESPONSE	PERMIT SECTION/ REGULATORY CITATION
11/05/2025	nik.ncls@gmail.com	Painted Rock Mine	As a homeowner in the Johnson lane community, and just 1 house off Johnson lane, I'd like to request NDEP's evaluation of mineral, metals and toxic hazards in soil and well water before issuing any permit, including arsenic, uranium, and radon. These were not tested in the EA. The mine stated they would cover the loads in the EA and need to hold to their word. The trucks have been running UN-covered since the mine opened. In 2018 NDEP conducted a dust study in Johnson Lane and documented fine silica levels exceeded health-based limits. Combined wind patterns with unpaved mine haul routes, plus silica fractions in soil and unknown arsenic levels in water (was not tested), this qualifies NDEP oversight per NAC 445B.221 for contaminants and fugitive dust. A FONSI does NOT limit state authority. Thank you. _____ Nick Nichols 530.545.8744	To our knowledge there was not an NDEP study regarding Johnson Lane fine silica levels. See "Controlling Fugitive Dust and SAD Conditions" Discussion on Page 1, "Haul Road" Discussion on Page 2, "Environmental Assessment" Discussion on Page 4, and "Ambient Air Quality Standards and HAPs" Discussion on Page 9.	
11/05/2025	Terry Cuyler <cuykaylab@gmail.com>	PRM Air permit	I am against granting a permit to Knox for the PRM mine because I feel using water has not been effective. And using so much groundwater has to have a negative effect on neighboring residents' wells. I agree with the statement below. The proposed dust control measures in this permit—using water suppression on the truck loads—are ineffective in our arid climate and represent a wasteful use of our limited groundwater resources. Mud from the tires will be tracked on to community roads which in turn become airborne fugitive dust Thank you for your consideration. Terry L Cuyler	See "Controlling Fugitive Dust and SAD Conditions" Discussion on Page 1 and "Haul Road" Discussion on Page 2. Please note that water usage and quantity is outside the scope of the BAPC's authorities in NRS/NAC 445B.	

DATE	FROM	TOPIC	QUESTION	DIVISION RESPONSE	PERMIT SECTION/ REGULATORY CITATION
11/05/2025	Joseph Yankoskie <yankoskie@gmail.com>	PRM Meeting ndep 11-5-2025	To whom this may concern, Please see attached letter for public comment and please confirm this has been received. Thank you, Joseph Yankoskie 1736 Toni Court Minden, NV 89423 --- Joseph "Jay" Yankoskie 1736 Toni Court Minden, NV 89423 (775) 450-6968 yankoskie@gmail.com Nov. 5, 2025 Bureau of Air Pollution Control - Environmental Protection Agency 901 South Stewart Street, Suite 4001 Carson City, NV 89701-5249 RE: New Class II Air Quality Operating Permit AP1442-4782 (A2342) Bureau of Air Pollution Control - Knox Excavating, Inc. - Painted Rock Mine. To Whom It May Concern: Thank you for the opportunity to provide public comment on the New Class II Air Quality Operating Permit AP1442-4782 (A2342) Bureau of Air Pollution Control - Knox Excavating, Inc. - Painted Rock Mine. My name is Jay Yankoskie and my wife and I purchased our home 25 years ago on Toni Court, a quiet peaceful neighborhood that sadly is now adjacent to the haul route of the Painted Rock Mine. Our home is situated approximately 1.5 miles west from the mine site if you hike directly through the BLM. Since the operation began in October 2024, the trucks, noise, and air pollution have negatively impacted our quality of life and the enjoyment of the beautiful area in which we live. We no longer enjoy sitting on the porch having coffee and listening to the birds as we have for the past 25 years. Over the past year, I have written to the EPA, Air Quality Division, numerous times complaining about fugitive dust. I have shared time/date stamped photos and videos on especially problematic days. Each photo and video clearly shows the fugitive dust visible from my front porch. When I open my front door each morning (to sit on the porch with coffee or take my dog for a walk) nasty air quality is the first thing I see looking east toward the mine. I would like to ask that you deny this proposed New Class II Air Permit AP1442-4782 (A2342) for the following reasons: *(continued on next page)*	See "Controlling Fugitive Dust and SAD Conditions" Discussion on Page 1, "Haul Road" Discussion on Page 2, "Environmental Assessment" Discussion on Page 4, "Ambient Air Quality Standards and HAPs" Discussion on Page 9, and "Compliance" Discussion on Page 14. Please note that water usage and quantity is outside the scope of the BAPC's authorities in NRS/NAC 445B.	

DATE	FROM	TOPIC	QUESTION	DIVISION RESPONSE	PERMIT SECTION/ REGULATORY CITATION
11/05/2025	Joseph Yankoskie <yankoskie@gmail.com>	PRM Meeting ndep 11-5-2025	First, water, our most precious resource, is being wasted to water down the trucks in lieu of enforcing covered loads. Water in our area is being depleted at concerning rates. A report from the United States Geological Survey (USGS) 2024 titled, *Assessment of Water Levels, Nitrate, and Arsenic in the Carson Valley Alluvial Aquifer and the Development of a Data Visualization Tool for the Carson River Basin, Nevada, states, "Results of the trend analysis indicate water levels are declining (p<0.05) in 17 of 26 selected monitoring wells (65 percent). Areas with the largest change in water levels, with more than 20 feet of declines, were within the community areas of Johnson Lane, Ruhenstroth, South Agricultural, East Valley, and Fish Springs. Variations in water levels measured in wells from the Central Agricultural, Minden, Foothill, Alpine County (one well), and Gardnerville Ranchos areas show periods of increase and decrease over time, but they also maintain long-term declining trends (p<0.05)."* Given this information, I find it negligible to use water to wash trucks in lieu of covering them! Watering is ineffective in our arid climate and represents a wasteful use of our limited groundwater resources. A more effective and environmentally responsible method is to require all truck loads to be properly covered, which is essential to prevent airborne dust during transport and was delineated in the July 2024 environmental assessment (EA). Second, the July 2024 EA was completed requiring trucks to have covered loads. To date, this has not been enforced. Fugitive dust flies off those trucks all the way down the haul route and onto paved roads. Anyone living or recreating in the area is breathing in the fugitive dust as the trucks pass by. Knox has paved the remainder of the haul route on BLM land but the fugitive dust is still horrible. Proper dust suppression protocols must also be followed at the mine site to ensure compliance with air quality standards. Third, trucks consistently drive past our homes on Johnson Lane and the BLM haul route going well above the 25 mph required speed limit. Speeding, uncovered triple trailer haul trucks, are very noisy and regularly have escaping materials/dust. There has been no enforcement on the BLM route or on county roads. Per NDEP best practices-insist on reduced truck speed limits on non-county-maintained roads and at the terminus of Johnson Lane, should be lowered to further minimize dust emissions. Fourth, the State and County must be held accountable for enforcing their own air quality laws and ordinances. Strict enforcement is not optional—it is necessary to protect public health and our environment. It should not fall to local residents to police and supervise the operations related to Painted Rock Mine. Local residents should not be negatively subjected to excessive truck noise, truck speeding, poor air quality, fugitive dust, and the negative impacts that will ensue from wasteful use of water. This photo was taken from my front yard the morning of Friday October 24, 2025. The air quality is horrible. We are requesting support from the Bureau of Air Quality to protect our residential neighborhoods from encroachment of mine activities that are negatively impacting our living environment. Therefore, deny the permit for all of these reasons. Thank you for the opportunity to comment. Respectfully, Jay Yankoskie	See above.	

DATE	FROM	TOPIC	QUESTION	DIVISION RESPONSE	PERMIT SECTION/ REGULATORY CITATION
11/05/2025	ryan kennedy <rkennedy194@gmail.com>	Strong Opposition of Knox excavating permit	I expressed my concerns opposing the Knox Painted Rock Mine permit to countless entities. I've spoken at the Douglas county BOCC meetings many times, contacted BIA, BLM, EPA...etc. This is a major safety concern to the residents living in Johnson Lane and frankly the entire Carson valley. Nobody wants this commercial operation here, nobody! Families enjoy the public land behind our house and putting a mining operation there puts not only our children but everyone at great risk of being run over by an 80,000 truck speeding through public lands. Our property values have already started declining, our water table and wells have already started receding, and air quality and sound pollution have already become a problem. Get these commercial operations out of our neighborhood, nobody asked for this but everyone will certainly fight against it. Ryan Kennedy (714) 271-3273	See "Controlling Fugitive Dust and SAD Conditions" Discussion on Page 1 and "Ambient Air Quality Standards and HAPs" Discussion on Page 9. Please note that water usage and quantity is outside the scope of the BAPC's authorities in NRS/NAC 445B.	
11/05/2025	Jay Herbert <tigerjay1@hotmail.com>	Written Comment regarding issuing a five year air permit for Knox Excavation	Dear Bureau of Air Pollution Control, Please do not issue a 5-year Class II Air Quality Control Operating Permit the Knox Excavation Painted Rock Mine site, Douglas County, NV. Knox construction has, and continues to, violate the operating parameters as outlined in the submitted Environmental Assessment (EA). Knox Construction has not showed any intention to follow the EA as written. Knox Construction does not require trucks to cover their loads. Even after the county sent a letter to Knox requesting the loads be covered as outlined in the EA, loads are still uncovered. I personally observed uncovered loads driving down Johnson Lane last week. The speed limit on the road to the mine, located on BLM land, are such that subtantial dust is raised into the air. This dust, and dust from the loads is contaminated with Arsenic per soil analysis. Knox has also already using water at rates listed in the EA as "maximum". Water is a large issue for the valley, and drawing down this resource without regard for the amounts mentionend in the EA is indicative of the lack of concern for the environment shown by Knox Construction. Again, please do not grant a 5-year permit, and please suspend the temporary operating permit until Knox Construction adheres to the operating parameters outlined in the EA. Best Regards, Jay Herbert 1371 Sanden Lane Minden, NV 89423 Phone: 870 403 2818	See "Controlling Fugitive Dust and SAD Conditions" Discussion on Page 1, "Haul Road" Discussion on Page 2, "Environmental Assessment" Discussion on Page 4, and "Ambient Air Quality Standards and HAPs" Discussion on Page 9. Please note that water usage and quantity is outside the scope of the BAPC's authorities in NRS/NAC 445B.	

DATE	FROM	TOPIC	QUESTION	DIVISION RESPONSE	PERMIT SECTION/ REGULATORY CITATION
11/06/2025	Lori Piccini <loripiccini@me.com>	Painted Mine	Good afternoon, The Painted Mine is again being rammed down our proverbial throats. We live off of East Valley and Buckeye and can tell you: East Valley road is getting wrecked from the additional truck traffic, and the trucks are always uncovered. How will they repair these roads if after such a short time they are already in bad shape. I've had them cut me off multiple times off of East Valley. I have to close my vehicle windows to avoid the dust coming out of their trailers. Don't believe me come out and give it a whirl. Obviously, the powers that be do not live out here. Water should absolutely not be used in place of covered loads. Thats ridiculous, we are so dry here as it is. Under no circumstances should they be allowed to do that. Finally, soil and water testing needs to be requested by NDEP. Please and thank you. Thank you for your time! Best Lori Piccini	See "Controlling Fugitive Dust and SAD Conditions" Discussion on Page 1, "Haul Road" Discussion on Page 2, "Environmental Assessment" Discussion on Page 4, and "Ambient Air Quality Standards and HAPs" Discussion on Page 9. Please note that water usage and quantity is outside the scope of the BAPC's authorities in NRS/NAC 445B.	

DATE	FROM	TOPIC	QUESTION	DIVISION RESPONSE	PERMIT SECTION/ REGULATORY CITATION
11/06/2025	@gmail.com <nik.ncls@gmail.com>	Painted Rock mine/quarry	Mr Schumacher, As a homeowner in the Johnson lane community, just 1 house off Johnson lane, Id like to request NDEP's evaluation of minerals, metals, and toxic hazards in soil and well water, including arsenic, uranium, and radon, before considering issuance of any permit to the PRM. I don't believe those were all tested in the EA. The mine stated they would cover the loads in the EA and need to hold to their word. The trucks have been arrogantly & brazenly running UN-covered loads since the mine opened. It is beyond obvious the trucks hauling in & out of the PRM are testing authority and believe nothing will be done enforcement wise, so they do as they please. Besides the outrageous amount of fugitive dust being spread about, by an INDUSTRIAL operation running through our RESIDENTIAL community, neighbors are reporting that dust is preventing them from opening their house windows anymore during PRM operating hours, plus damaged windshields as a result of material coming off the mine/quarry UNCOVERED trucks. I spend alot of time up on Hot Springs hill off Stephanie lane & have witnessed massive plumes of dust out at the PRM location. In 2018, I believe NDEP conducted a dust study in Johnson Lane and documented fine silica levels exceeded health-based limits. Combined wind patterns with unpaved mine haul routes, plus silica fractions in soil and unknown arsenic levels in water (was not tested), this qualifies NDEP oversight per NAC 445B.221 for contaminants and fugitive dust. A FONSI does NOT limit state authority. Findings of no significant impact is a complete joke when we've already been negatively impacted in the first few months of the mine/quarry operation. Thank you for your time. _____ Nick Nichols 530.545.8744	To our knowledge there was not an NDEP study regarding Johnson Lane fine silica levels. See "Controlling Fugitive Dust and SAD Conditions" Discussion on Page 1, "Haul Road" Discussion on Page 2, "Environmental Assessment" Discussion on Page 4, and "Ambient Air Quality Standards and HAPs" Discussion on Page 9.	
11/07/2025	Gary Chandler <scshrkbait@yahoo.com>	air quality Johnson lane	You need to monitor air quality in Johnson lane, we have numerous trucks hauling dirt, making a mess, not just Knox all of them, no loads are covered, weighed. not doing the speed limit. this needs to be stopped, but I known the pay off is on.	**Monitoring** The BAPC previously responded to public questions concerning monitoring in a letter dated July 29, 2025. The letter addressed low-cost monitors, how ambient air is monitored with regulatory-grade monitors, and when monitoring is required and how it is implemented under the CAA. In summary 1) the use of low-cost monitors may seem practical, and the measurements may provide a status of the quality of ambient air where the monitor is located, but these types of monitors are often unreliable and result in unverifiable measurements. Additionally, other sources, such as dust from vehicles or human activities, may contribute to the measurements; and 2) Ambient air quality monitoring is conducted using EPA's approved instrumentation, methodologies, and requirements. The installation and maintenance of accurate and reliable monitors for the measurement of dust (PM10) may be costly and time-consuming, with deployment of the equipment taking from several weeks to several months. For this permitting action, monitoring is neither required nor practical.	

DATE	FROM	TOPIC	QUESTION	DIVISION RESPONSE	PERMIT SECTION/ REGULATORY CITATION
11/07/2025	Stacie Clark <painturpony@gmail.com>	public comment	Jennifer, Attached is my public comment. Stacie Stacie M. Clark, M.S., Protect Johnson Lane www.Protectjohnsonlane.com --- November 7, 2025 *Via email to jschumacher@ndep.nv.gov* Jennifer Schumacher, Bureau Chief Bureau of Air Pollution Control (BAPC) Nevada Division of Environmental Protection 901 S. Stewart Street, Suite 4001, Carson City, NV 89701 *Via email to aircomments@ndep.nv.gov* Shantell Davis Nevada Division of Environmental Protection Bureau of Air Pollution Control 901 South Stewart Street, Suite 4001 Carson City, NV 89701 Re: Public Comment Opposing Draft Class II Air Quality Operating Permit AP1442-4782; Facility ID No. A2342; Air Case 12481 (Knox Excavating, Inc. – Painted Rock Mine) Dear Ms. Schumacher and Ms. Davis, I submit these comments as a board member of Protect Johnson Lane (PJL), a community organization representing residents of the Johnson Lane area in Douglas County, Nevada, of which I offer my expertise in science to help ensure the health and safety of my community. Given the previous year's breach of conditions outlined in the Environmental Assessment by Knox Excavation, such as inadequate dust control and not covering loads, I strongly oppose the Knox Excavating application for a new Class II Air Quality Operating Permit and the associated Draft Permit No. AP1442-4782 for Painted Rock Mine. I ask NDEP to deny the minor source application and rescind the draft permit for the following reasons: 1) our Johnson Lane community is uniquely vulnerable to harm from the project's fugitive dust, which contains arsenic, crystalline silica, and other contaminants; 2) the draft permit depletes water resources where other alternatives exist to suppress fugitive dust; 3) the permit fails to minimize air quality impacts because the fugitive dust controls are inadequate and unenforceable in practice; and 4) the permit relies on process emissions estimates and enforcement mechanisms that are flawed by allowing Knox to monitor and essentially grade themselves using R9 methods. This is like giving the test and the answer sheet together. *(continued on next page)*	See "Controlling Fugitive Dust and SAD Conditions" Discussion on Page 1, "Haul Road" Discussion on Page 2, "Environmental Assessment" Discussion on Page 4, "Ambient Air Quality Standards and HAPs" Discussion on Page 9, "Compliance" Discussion on Page 14, "Controls" Discussion on Page 30, "Emission Calculations" Discussion on Page 30, "Monitoring, Recordkeeping, and Reporting" Discussion on Page 30, "Method 9s and VEOs" Discussion on Page 30, and "Monitoring" Discussion on Page 44. Please note that water usage and quantity is outside the scope of the BAPC's authorities in NRS/NAC 445B. Please see discussion regarding extension of public comment period on Pages 26 and 27 above. To our knowledge there was not an NDEP study regarding Johnson Lane fine silica levels.	

DATE	FROM	TOPIC	QUESTION	DIVISION RESPONSE	PERMIT SECTION/ REGULATORY CITATION
11/07/2025	Stacie Clark <painturpony@gmail.com>	public comment	PJL again notes that it is unfair to make a group of community members try to review an air permit as complex as this in 30 days, and during a federal government shutdown. Federal agencies, which are important sources of scientific information for the community, have placed warnings on their websites saying the information on those sites is not being updated; and federal agency workers are unavailable to contact. We realize that NDEP puts online all the information it considers in its own air permit review. But the point of public comment is for the public to share relevant information with the agency it believes the agency is not considering, not to regurgitate information it already has. Having said that, PJL is submitting these comments as instructed, under the two-day extension that NDEP granted us. **Our Johnson Lane Community Is Vulnerable to Harm from Fugitive Dust** Johnson Lane is primarily a residential community with hundreds of families, and we have a significant population of retirees. Many of our residents have lived here for decades, valuing the area's clean air and rural quality of life, and we care deeply about our community. Johnson Lane lies at the foot of the Pine Nut Mountains, in an area known for its dry, windy conditions and fine, sandy soils. In 2018, NDEP performed a Johnson Lane Dust Study which documented that windborne PM10/PM 2.5 concentrations in this same valley frequently exceeded health-based limits and were dominated by fine crystalline silica from disturbed alluvial soils and unpaved roads. The combination of regional wind conditions, unpaved mine haul routes, and Didek's measured silica fraction warrants direct NDEP oversight under NAC 445B.221 (Toxic Aire Contaminants) and NAC 445B.220227 (Fugitive Dust). The dust generated by Knox is a concern for our community because it has been shown to contain multiple contaminants including arsenic, lead, chromium, cobalt, crystalline silica, and other hazardous air pollutants. For example, the Bureau of Indian Affairs' Environmental Assessment disclosed soil sampling results at the Painted Rock Mine site that exceed the federal health-based regional screening level for arsenic and measured crystalline silica at 600 ppm. Crystalline silica is carcinogenic, and the Occupational Safety and Health Administration found that inhalation exposure to respirable crystalline silica likely increases the risk of silicosis, respiratory diseases, lung cancer, kidney disease, immunological effects, and infectious tuberculosis and should be carefully re-evaluated by NDEP using core depth drilling and current berm screening to determine accurate levels since Knox has advertised and is selling this material for both residential and commercial use (RELs will be lower than industrial as Hazardous Air Pollutants). We are, thus, uniquely vulnerable to fugitive dust pollution; and our residents who according to the 2020 census are skewed over 60 years of age, several of which deal with COPD, asthma, and other age-related breathing disorders. We have been alarmed by airborne dust they've observed emanating from the large-scale mining and aggregate crushing operations, and the trucks running through our community UNcovered, which began when Painted Rock Mine opened last year. In my own home, dust seeps in through the windows and fills my windowsills at a greater extent than any previous year I have lived here. Streams of dust trails from the mine area from disturbed baren soil and stockpiles blow throughout the valley as it hangs in the air. We have repeatedly raised concerns regarding the fugitive dust generated by Knox's operations. We have taken pictures and recorded videos of dust blowing off the top of uncovered loads, visible from our homes and the roads. Trucks come through back to back, disrupting our neighborhood with sound, high speed, and hazes of dust. In just the first few months of construction at the mine, NDEP logged 29 separate dust complaints from residents, related to Painted Rock Mine operations. Additional citizens have reached out to me personally sharing stories of gravel and road deterioration on the road, gravel trucks following too close for safety (see photo insert) to possibly stop if needed. *(continued on next page)*	See above.	

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11/07/2025	Stacie Clark <paintturpony@gmail.com>	public comment	The airborne gravel and sand that has flown out of the trucks has personally dinged and paint my windshield. On Freemont, I see children dropped off along this road with no shoulder, needing to jump in sagebrush to avoid the gravel trucks speeding along the road. This is dangerous and unacceptable and a devastating accident waiting to happen in icy or low-visibility conditions. NDEP should work with the road owner (BLM, Douglas County, NDOT) to ensure gravel trucks need to be constrained, by weight not length, to permitted haul-routes that have adequate road bases and wide shoulders for the safety of children with reduced speeds to allow for safe stopping distances. Currently, these trucks are going at least 45 MPH along Freemont, the posted speed limit, and I have followed other going at higher speeds. The stopping speed for dry conditions for a loaded truck and pup trailer is approximately 20 car lengths. Not only do these children breathe fugitive dust from diesel and dust from the uncovered loads, they must avoid being hit by these trucks since there is no shoulder. The airborne release of dust is a huge concern but the loading and speeding along the haul route creates dust that can extend across the valley in high winds. I request the speed limit along all portions of the haul route from the mine to Johnson Lane terminus be reduced to NDEP Best Practices of 5 MPH given the evaporation rates and high wind conditions, use of alternative acceptable dust mitigants other than precious water. In addition, I ask that NDEP clearly define wind speeds upon which the mine is required to suspend operations to prevent dust conditions and prevention of contamination of HAPs to nearby residents. In addition, I request all mitigating efforts described in NDEP's May 2025 letter to Knox be included in the draft permit, except those that rely on water use for fugitive dust suppression where other practical options exist. Despite NDEP's attempt to address the concerns, our residents continue to see frequent dust plumes and haze blowing through our neighborhoods, from both the Painted Rock mine site and its uncovered trucks, coating homes, yards, windows, and vehicles with the fine powder. Painted Rock Mine lies within a region of uranium-bearing volcanic tuffs, and excavation activities can release both alpha-emitting dust and radon through rock fracturing and haulage. None of these were tested in Dudek's report. Under EPA 402-R-92-078, Technical Support Document for Radon Soil, 1992) lead agencies are instructed to "evaluate potential radiological and heavy-metal hazard in soil, rock, or groundwater whenever earth materials are disturbed…". I respectfully ask that NDEP require at least 20 different site samples, at various depths, at the PRM 148.8 acre site are tested with a complete toxicological analysis, including arsenic and heavy metals, and in the groundwater. There are also the region's well-known challenges with groundwater contamination and water scarcity. Most residents in Johnson Lane rely exclusively on domestic wells drawing from an aquifer that has naturally occurring arsenic. Groundwater arsenic concentrations exceed 5 µg/L in most samples collected by the USGS from wells in Johnson Lane, and in many cases exceed the EPA Maximum Contaminant Level of 10 µg/L. Deeper wells tend to have higher arsenic concentrations. We are concerned that Knox's mining operations, which under NDEP's draft permit require the use of massive amounts of water to control the fugitive dust, will result in drawdown of the aquifer that will force people to deepen their wells and pump drinking water with even higher levels of arsenic. **The Draft Permit Depletes Water Resources Where Other Options Exist to Suppress Fugitive Dust.** NDEP has not considered the impact of Knox's extensive water use, which NDEP requires throughout the project's entire production, handling, storage, and transportation process, on the alluvial aquifer from which most Johnson Lane residents draw their drinking water. The only consideration of the question comes in the hydrology report Knox submitted to BIA, which claims no impact on local groundwater. But that report also says, "It should be noted that the drawdown calculations rely on a number of assumptions including that the aquifer is homogenous and isotropic, the aquifer has infinite areal extent, and others." There is no explanation in the report as to why it was appropriate to make any of these assumptions, the impact the assumptions on the report's conclusions regarding the groundwater use, or even what "other" assumptions were made. *(continued on next page)*	See above.	

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11/07/2025	Stacie Clark <painturpony@gmail.com>	public comment	In fact, studies show those assumptions are misguided. In USGS's 2010 Professional Paper 1781, it found the Carson Valley basin-fill aquifer's stratigraphy and sediment composition vary significantly across the valley: coarse, poorly sorted alluvial fan deposits (gravel and sand) flank the mountain fronts, while the basin center contains finer materials like silts and clays from floodplain deposits. These fine-grained layers act as local confining units, and are in scattered, discontinuous clay beds. These interbedded coarse and fine sediments produce a wide range of hydraulic conductivities—USGS indicated that "calculated hydraulic conductivity values ranging from about 1 to 9 ft/d in sediments between 300 and 500 ft deep and from 86 to 865 ft/d in sediments less than 300 ft." This means the aquifer is neither homogeneous nor isotropic, and it defies logic that Knox's hired environmental consultant would assume it was so. And neither does the Carson Valley aquifer have infinite areal extent. The valley is physically enclosed by the Carson Range to the west and the Pine Nut Mountains to the east, forming an oval-shaped basin of about 162 square miles. Despite Knox's EA claims of no impacts to groundwater, based on false assumptions, NDEP (which didn't look at the EA or studied any groundwater issues) drafted a permit that does not even quantify the total amount of aquifer water it is either requiring or authorizing be used for fugitive dust control. Other practical options are not even considered. Without an explanation as to the basic, flawed assumptions of Knox's Hydrology report, NDEP cannot begin to consider the degree of effect of the project on the public's water resources. PRM's planned water use could significantly reduce both the level and quality of the drinking water available to Johnson Lane residents, which already approaches unsafe levels of arsenic in drinking water. Knox plans to rely on a new onsite well for dust control and aggregate washing, pumping an estimated 13.4 acre-feet per year (approximately 12,000–24,000 gallons per day at peak—or up to an Olympic sized pool every 27 days) from local groundwater. In 2024, The USGS warned that results of its analysis show that water levels in Johnson Lane were declining and had already declined more than 20 feet over the monitored period. More concerning, the USGS made clear that "groundwater from domestic wells screened at deeper intervals are likely more vulnerable to elevated arsenic concentrations than shallower wells." If Knox's massive water use, which NDEP is either requiring or allowing to control fugitive dust emissions, contributes to the further decline of water levels at Johnson Lane's domestic wells, it could make those wells more vulnerable to the existing, elevated levels of arsenic at those deeper levels. Per the groundwater section in the EA (section 3-7) it clearly states that "….the well at the mine shall be constructed in accordance with State regulations…". In fact, according to NDWR the mine did not comply with state regulations as it did not obtain well-driller's permit prior to drilling the well, define how deep the well is nor how much the well pumps. Knox was not allowed on site to perform the necessary inspections to comply with the EA. We request NDEP to work with NDWR and BIA to stop the water use at the mine until the water that is being used at the mine is withing the guidelines outlined by the EA, corrective measures are taken (a clear well inspection, proper permits, etc) and the quality of the water used is within EPA residential limits prior to any continued pumping. Again, in the water testing section, Knox did not even test for arsenic and this is just one of many reasons the EA is flawed and state stakeholder agencies need to step in to protect the community. Knox's application also does not take into consideration the impact on the aquifer of pumping an Olympic size swimming pool's worth of water every month, then dumping much of that water back on the ground. As noted earlier, the soil at the PRM site contains arsenic, lead, chromium, cobalt, crystalline silica, and other hazardous pollutants. What is the effect, for example, of pulling that quantity of water out of an aquifer that already contains heightened levels of arsenic, and dumping the arsenic-contaminated water back on the ground? Especially, where it can interact with more arsenic before the contaminated water makes its way back into the aquifer? And does that repeated process increase the level of arsenic contamination in the Johnson Lane wells? NDEP cannot answer those questions because they were never studied. In fact, the Knox hydrology report submitted to BIA relied on local well water sampling that did not even test for arsenic. *(continued on next page)*	See above.	

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11/07/2025	Stacie Clark <painturpony@gmail.com>	public comment	PJL believes Knox will choose wasting the public's drinking water over other sensible options to controlling fugitive dust. When presented with 16 choices for Best Management Practices in controlling fugitive dust as part of the Surface Area Disturbance Form in the permit application, Knox selected just two: water trucks and laying gravel or paving roadway storage areas and staging areas. Knox declined to implement other non-watering solutions, including: dust palliatives; posting and limiting vehicle speeds to 10-15 miles per hour; ceasing operations during high wind events; fencing or berming to prevent unauthorized access to disturbed areas; covering material storage piles with tarpaulin or geo-textiles; tenting; track-out controls (graveled entranced, exit area, and street sweeping); landscape preservation and impact avoidance; wind fence; informing all subcontractors (including truck drivers) of their responsibilities for the control of fugitive dust while they are on the project site; training of equipment operators to recognize fugitive dust generation; and others. With so many options disregarded, PJL is left to believe that Knox is choosing the cheapest remedies at the expense of the public's water, even if those remedies are insufficient. The watering measures Knox proposes and NDEP grants in this new permit are the same measures that have continually failed to prevent fugitive dust emissions from PRM's mine site and truck haul route. PJL asks NDEP to consider each of the Best Management Practices listed above and require measures that will prevent controllable particle matter from becoming airborne. Where the permit requires Knox to cover its storage piles, truck loads, or other sources of dust, it should require tarps or similar non-watering solutions. **The Draft Permit Fails to Ensure Minimal Impact on Air Quality** The permit application and the draft permit are incredibly inadequate in addressing fugitive dust control, particulate emissions calculations, operating parameters, and monitoring/enforcement. These deficiencies call into question whether sufficient information has been provided to NDEP, and whether NDEP has sufficiently thought about the project's impacts. For PJL, we are affected daily by Knox's operation through the fugitive dust, particles of soil, sand, and rock **becoming airborne from blasting**, which was not even studied in the EA and therefore cannot be allowed by NDEP. Even excavation, crushing, screening, conveying, truck loading, and transit on unpaved roads have negatively impacted us and our enjoyment of our property. It is notoriously difficult to contain such dust, especially in open, arid and windy environments like Johnson Lane. As discussed above, the local geology means this dust is laced with crystalline silica and heavy metals, including arsenic and chromium, which may include significant levels of hexavalent chromium, imposing severe health hazards unique to the region. Given these significant consequences and health effects, it is vital that measures to control the project's fugitive dust be specific and effective. The draft permit includes measures for the control of fugitive dust but relies on generic measures that are insufficient and only loosely enforceable in practice. For example, Section VII(A)(5) of the draft permit requires that "All storage piles shall be stabilized to prevent fugitive dust emissions in a manner such as applying water or dust suppressants on a *regular schedule* and *as needed during dry or windy conditions*, keeping storage piles at a *manageable height*, and *when practical*, located behind wind barriers to further minimize wind erosion." However, the permit says nothing about what counts as "a regular schedule" for the application of dust suppressants. Does hourly, daily, weekly, or monthly count as "regular"? How dry do conditions need to be, to meet the standard of "dry" conditions? How windy? And who determines when dry or windy conditions exist? Similarly, what constitutes a "manageable" height? Is there any guidance as to when it becomes "practical" to locate storage piles behind wind barriers? Without more specificity in these conditions, Knox is effectively left to determine for itself when it thinks it needs to stabilize its storage piles. *(continued on next page)*	See above.	

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11/07/2025	Stacie Clark <painturpony@gmail.com>	public comment	Likewise, Section VII(A)(6) requires that "Fugitive dust shall be mitigated from becoming airborne during all loading and unloading activities in a manner such as minimizing loading during *high wind events* or utilizing adjusted transfer rates." The permit provides no guidance as to what counts as a high wind event, especially in a region famous for its frequent and strong high winds. Without more specificity, this condition means little, and Knox will likely be able to decide for itself what is a high wind event. By contrast, when earlier this year NDEP issued a mitigation directive letter to Knox after investigating a barrage of dust complaints, the agency made its conditions more specific. In that May 14, 2025 letter NDEP mandated a list of dust control actions: • Ensuring drivers adhere to posted speed limits and/or speed limits established by Knox; • Watering the roads frequently, including before trucks begin driving in the morning; • Watering the parking area east of Johnson Lane; • Adding more oil on the access road; and • Adding base and/or grindings to the roads. • Within 3 weeks of issuance of the letter, install a sufficient layer of grindings, based on industry standards, rolled to compaction and sealed with an appropriate grade oil for ¾ of a mile from the eastern terminus of Johnson Lane heading east. • Within 6 weeks of issuance of the letter, install a sufficient layer of grindings, based on industry standards, rolled to compaction and sealed with an appropriate grade oil or a sufficient dust suppressant such as magnesium oxide or intermountain slurry for the remaining dirt road path to the Painted Rock Mine Site. • Until unpaved roads have sufficient coverage as described above and on a daily operational basis, perform EPA Method 9 on six trucks in one hour with an average. • After roads have sufficient coverage, Method 9's are no longer required. • Until Method 9's are no longer required and on a daily basis, keep records in a contemporaneous log of Method 9 tests. • Truck operational hours shall follow the Douglas County and Knox Excavating Inc. Contract under Operator's Covenants, Section 3.A.3. • On a daily basis, keep records in a contemporaneous log of truck operational hours with the number of daily roundtrip truck trips. • Apply water or an approved chemical dust suppressant on a regular basis. • On a daily basis, keep records in a contemporaneous log of the amount of water or dust suppressant (ie. gallons) applied to roads. • In the parking area at the very end of Johnson Lane, establish vehicle speed limits of no more than 15 mph. While I strongly disagree that watering is effective for this purpose, these more specific conditions were deemed by the agency to be necessary to bring the mine's initial site work under some semblance of control just six months ago because residents observed the truck hauling was generating thick dust clouds. The fugitive dust conditions in the NDEP's permit should be similarly designed with appropriate specificity so that Knox is actually forced to follow them. *(continued on next page)*	See above.	

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11/07/2025	Stacie Clark <painturpony@gmail.com>	public comment	Also, Knox's application and NDEP's draft permit underestimate potential emissions for particulate matter and hazardous air pollutants, with overly optimistic control efficiency assumptions, no account of worst-case conditions, and lack of consideration of the possible presence of hazardous substances in the well water Knox will use for fugitive dust suppression. The estimates are flawed, and they assume incredibly unrealistic scenarios. Knox's application used AP-42 emission factors for aggregate handling and crushing and then assumed 75% control efficiency from water suppression on most transfer points. Even with this assumption, the projected emissions from key processes are substantial. For example, the primary crusher (PF1.002) is permitted to emit up to ~0.44 tons per year of PM_{10}, the screening plant (PF1.005) up to ~1.58 tons/year PM_{10}, and each of numerous conveyor transfer points about 0.20 tons/year PM_{10}. When summed across the dozens of emission units, NDEP estimates the facility's allowable particulate emissions are more than 7 tons per year for PM_{10}, and nearly 2 tons per year for $PM_{2.5}$. However, these numbers assume that Knox will maintain its dust suppression system in optimal working order to consistently achieve 75% dust reduction. Even though NDEP sent Knox an order to comply with fugitive dust conditions just six months ago, this permit acts as if Knox will appropriately manage its dust suppression system on its own. If the operator falls behind on watering even for a short period on a typical windy afternoon, actual emissions could be significantly higher. If the water spray bars become clogged by hard water, actual emissions could be significantly higher. If the water spray bars cease operating, even for one day, the actual emissions could be significantly higher. The draft permit's only mechanism to ensure the estimates hold true is the opacity standard—7% to 20% opacity depending on the transfer point. These limits, too, assume well-controlled conditions and a diligent operator. Nevertheless, NDEP requires only that Knox promise to, once a week, for the first twelve months, "stand at a distance" to observe whether there is any dust, and if the relevant percentage opacity is "observed" by a Knox employee, they must take corrective action. There is no indication, however, as to whether these observations are to be taken by any scientific method, or whether Knox will simply have an employee observe the dust and attempt to guess as to whether there is 7%, 12%, or 20% opacity. Even this questionable measure is reduced from a weekly to a monthly check after just one year of operation. Compliance in Knox's dust suppression process is crucial considering the groundwater Knox will use for dust suppression is drawn from the same area of the aquifer that USGS has found to contain elevated levels of arsenic. If Knox continually introduces that water to the aggregate material it generates at the mine site, which itself is drawn from soil that was shown in BIA's Environmental Assessment to contain arsenic, then any resulting fugitive dust could be contaminated beyond what NDEP anticipates. NDEP has not studied this effect, and it calls into serious question Knox's and NDEP's estimates for hazardous air emissions associated with the project. I specifically requested an air monitor from NDEP a few months back due to my concerns and the Dudek report but have received no concrete answer, only reasons why it was difficult and inappropriate place to put an air monitor. Yet the now defunct Bing Pit has an air monitor for a community that no longer even has a quarry. I again request that NDEP provide an air monitoring system near the haul route or mine to adequately monitor the conditions. This could be used as a sentinel to gauge when to stop mining activities due to wind, dry conditions etc. There is NO electricity at the mine. Please for fire protection alone, require Knox to bring out electricity for firefighting equipment. Despite the possible underestimation of fugitive dust and hazardous emissions, the permit does not require continuous PM, moisture, or opacity monitors, relying mostly on monthly EPA Method 9 observations (and even then, only for the first year). Enforceability of these emissions limits is inadequate in light of the unique environmental conditions at the mine site and the lack of information regarding the full extent of the potential presence of hazardous substances. Knox is blindly trusted to monitor its own production and emissions, and to stay under limits; but there is no direct measurement ensuring that, for example, "0.20 tons/year of PM_{10}" is not exceeded. This is a faith-based permit, and we request that NDEP mandate continuous monitoring to make sure pollution is within safe levels. *(continued on next page)*	See above.	

DATE	FROM	TOPIC	QUESTION	DIVISION RESPONSE	PERMIT SECTION/ REGULATORY CITATION
11/07/2025	Stacie Clark <painturpony@gmail.com>	public comment	**Conclusion** We as a community are tired from the constant disturbance and pollution on Johnson Lane, and the lack of care shown towards us. Knox has repeatedly failed to heed even its temporary air permits by allowing fugitive dust to continually impact our community. The current draft permit does not address our concerns or offer us hope for change to our daily circumstances. Under this draft permit, Knox is effectively left to determine its own limits, monitor itself, and pollute as much as it wants. In other words, the fox is left to guard the henhouse. For the all of the above reasons, Protect Johnson Lane requests that NDEP deny the Knox Class II Air Quality Operating Permit Application for Painted Rock Mine and rescind draft permit AP1442-4782. Respectfully submitted, **Stacie Clark, M.S. Board Member** **Protect Johnson Lane, Inc.** *Protecting the health, safety, and welfare of the Johnson Lane Community* *Contact:* 775.400.1059 | protectjohnsonlane@gmail.com | PO Box 103; Minden, NV 89423-0103	See above.	
11/07/2025	MICHAEL LEE <mindenmikemarcy123@yahoo.com>	Painted Rock Mine Class II air permit	Dear Sirs: I'm totally against the Painted Rock Mine getting a 5 year Class II permit under the same conditions that it has now. Knox Excavation is a terrible neighbor for the Johnson Lane Community, They continue to have haul trucks uncovered spreading duct particulates through out our neighborhoods as they travel from the PIT to 395 and Fremont Av and Johnson Lane. Just a few ideas Lower the speed limit from the pit to Johnson Lane and Fremont Av to 15 MPH to lessen the dust for the residents along that section of BLM road. Make it mandatory to have all trucks trapped and save our precious water from dampening down the loads. (which is an other issue) Make sure they are using BMP to midigate the fugitive dust from the PIT. Have the area tested for hazardous materials that have not been tested for in the EA report. Thank You Mike Lee Resident of Johnson Lane	See "Controlling Fugitive Dust and SAD Conditions" Discussion on Page 1, "Haul Road" Discussion on Page 2, "Environmental Assessment" Discussion on Page 4, and "Ambient Air Quality Standards and HAPs" Discussion on Page 9. Please note that water usage and quantity is outside the scope of the BAPC's authorities in NRS/NAC 445B.	

DATE	FROM	TOPIC	QUESTION	DIVISION RESPONSE	PERMIT SECTION/ REGULATORY CITATION
11/05/2025	John Jefner – Resident of Jonson Lane	Written comment submitted during public hearing	Knox must be required to cover their loads as the agreed to in the initial agreement and FONSI. The additional use of water is wasteful and not what the county agreed to. Knox is the worst neighbor!	See "Controlling Fugitive Dust and SAD Conditions" Discussion on Page 1, "Haul Road" Discussion on Page 2, and "Environmental Assessment" Discussion on Page 4. Please note that water usage and quantity is outside the scope of the BAPC's authorities in NRS/NAC 445B.	
11/05/2025	Charlotte Usric – Resident of Johnson Lane	Written comment submitted during public hearing	Record Courier is a <u>waste</u> of money for notification purposes – The paper is not read by most in the area!	**<u>Public Notice</u>** The draft permit, notice of proposed action, directors review, and public hearing notice were posted on the Division's website for the required 30-day period for public participation, according to the Public Notice requirements. The posting ran from October 6, 2025, to November 5, 2025. Additionally, there was a link to the public notice posted on the Division's Painted Rock Mine webpage. Finally, physical copies of the public hearing notices were posted on October 27th, 2025, in the following locations: Douglas County, Minden Public Library, The Nevada Division of Environmental Protection offices in Las Vegas, Nevada, The Nevada Division of Environmental Protection offices in Carson City, Nevada, Carson City Library, Douglas County Community and Senior Center, and Nevada State Library, Archives and Public Record	NAC 445B.3457
11/05/2025	Carole Strehle	Public Hearing, spoken comment #1	A lot of you already know. I'm going to talk about [inaudible]), into truck emission, tire dust, exhaust and this happened in California. My concern is that [inaudible] … and you have already heard the story but I can't say it enough because it is so important. While I was in California, I became seriously ill with a disease called sarcoidosis. It took six months with my pulmonologist to, thankfully that was his specialist. When I went to him and gave him my X-rays, he said my lungs looked, it had attacked my lungs. He said my lungs looked like an eighty-five-year-old Cole mine but the look on the outside, I didn't look sick at all. So, it took a lot of research before finally ending up having to have an open lung biopsy surgery just to determine what it was, I had. And because sarcoid is basically, they don't know exactly where it comes from, but because of my pulmonologist expertise he put it in an environmental category. He asked me where I lived right close to a [inaudible] and a lot of trucks, and vehicles passed on this road, oil trucks, haul trucks, moving vans you name it. Now, in California the emission standards are a lot higher than here in Nevada. I am concerned, I luckily at the time I went in for my surgery, I was given two choices: survival or death. So, I was very, very leery. Thankfully I got the right [inaudible] disease? because I'm standing here speaking today. I am very concerned because the disease scarred my lungs and lost 25% of my breathing capacity. I'm concerned about this and have been this time because we never did get an environmental impact statement on all the dirt that is out there to see what existed and exists today. The trucks are not hauling with covers. There is dust flying everywhere. Our property backs up to the truck's [inaudible] behind us and I am concerned with sarcoid; you could get this again. And I sure as heck don't want to get it again. Because I cannot tell you how horrible a disease it is. So, my what I want to say is, my lungs didn't know what it was in for. I couldn't breathe; I could not blow a candle, a birthday candle at six inches. That is how bad it was. So, I'm concerned that if they are not properly covering their loads and all this dust is flying around. You know there's toxins out there. I'm afraid. I'm leery and you guys to protect us, please. I don't want to get sick again and I sure don't want anybody out here get it either. Anyway, that is what I want to say.	See "Controlling Fugitive Dust and SAD Conditions" Discussion on Page 1, "Haul Road" Discussion on Page 2, "Environmental Assessment" Discussion on Page 4, and "Ambient Air Quality Standards and HAPs" Discussion on Page 9.	

DATE	FROM	TOPIC	QUESTION	DIVISION RESPONSE	PERMIT SECTION/ REGULATORY CITATION
11/05/2025	Rom Weesler	Public Hearing, spoken comment #2	We've only had two problems to work; dust and water. I've heard a lot of the dust here but they claim they do not have anything to do with water. But they talk about wetting loads and that doesn't cut it for most of us who aren't [inaudible] …That doesn't happen, nobody [inaudible] if you can't cover the loads, stop wasting water by wetting.	See "Controlling Fugitive Dust and SAD Conditions" Discussion on Page 1, "Haul Road" Discussion on Page 2, and "Environmental Assessment" Discussion on Page 4. Please note that water usage and quantity is outside the scope of the BAPC's authorities in NRS/NAC 445B.	
11/05/2025	Charles Heffernan	Public Hearing, spoken comment #3	Hello, Charles Heffernan, affected resident and stakeholder. Thank you for this opportunity to comment. Unfortunately, I don't believe that there is any chance you're going to deny this permit. So, I am going to focus on best practices and some things that need to be changed on the permit that are necessary to conform to best practices of the EPA and consistency with the federal project prudence. Your QOP section 5 specific operating conditions state that the project can operate 10 hours a day for a total of 3,650 hrs a year. That allows them to operate every day of the year. So that is inconsistent, I think it is just a mistake, but it does need to be changed in the permit. I know you did not mean for them to operate every day of the year. AQOP section 4 Surface Area Disturbance conditions states that all haul trucks must be covered or loads need to be sufficiently wet before leaving the facility to prevent fusion of dust emissions during transport and haul. The part of this sentence the part of this condition "or loads need to be sufficiently wetted before leaving the facility" needs to be deleted and I will tell you why. The project of environmental assessment states that the operation's water needs are approximately 12-24 thousand gallons a day, during peak production. For dust suppression on access haul routes and for water screen or stacker, water may be periodically etc. Proposed and is anticipated operation of dry process does not consume water from a wash plant can be used depending on materials section. There is no mention of water used for trucks, and therefore, not included in the need for approval. PR projects cannot use water for that purpose. So, for you to have that condition really makes no sense, that should be removed. Additionally, EPA bulletin titled "Fugitive Dust Control Measures and Best Practices" gives all the directions. I got it right here. Copy of EPA of best practices. Covered open body trucks when a truck carrying materials that can be released into the air. What it doesn't mention, anywhere in these best practices, is for you to use water on loads. It makes no sense to water down the loads down enough to make it all the way to 395. Because you are going to have track up and then that is going to cause a lot of dust for her because she lives next to the mine. Soaking dirt on an open body trucks is not listed on the best practice, in that list. The NDEP AQOP permit should modify to include EA Appendix C, Environmental Protection Measures designed featured of best management practices. I have a copy if you'd like one. In particular, proposed period of permit should include any practices in a section on air quality, not currently highlighted in the AQOP conditions. As an example, the project EA shows concern for exposure to spores that cause valley fever. I saw nothing in your proposed AQOP regarding measures to reduce protectional public exposure to fungus that can cause valley fever. Another reason to cover every load that leaves the mine. Thank you	See "Controlling Fugitive Dust and SAD Conditions" Discussion on Page 1, "Haul Road" Discussion on Page 2, "Environmental Assessment" Discussion on Page 4, and "Hours of Operation" Discussion on Page 38. Please note that water usage and quantity is outside the scope of the BAPC's authorities in NRS/NAC 445B.	

DATE	FROM	TOPIC	QUESTION	DIVISION RESPONSE	PERMIT SECTION/ REGULATORY CITATION
11/05/2025	Stacy Clark	Public Hearing, spoken comment #4	Comments: NRS 445B.100; NAC445B.221 & NAC 445B. 22027; NDEP Must evaluate toxic metals & mineral dust in site-specific permits. NDEP SHOULD: 1. Toxic-Air contaminant Review of PM 10/2.5 arsenic & full panel of uranium, silica. 2. Enhanced Dust Control & monitoring NAC 445B.22027 & EPA AP-42 13.2.2 3. Restriction on off-side soil reuse until characterization proves compliance w/NAC 444.8632 4, radon & uranium screening EPA 402-R-92-078 P01 591 AM 3-H 4. Test PRM well water; inspect well per EA 5. NAC 445B.221 My name is Stacey Clark. I have been a concerned resident and very active on Discovery Toxicologist and Scientist. I worked for MJ for many, many years and part my recent work was just included in a Nobel Price 2025. I am pretty proud of that, so I wanted to [inaudible]….that is all I want. So, Im going to extend these comments regarding the proposed class II stationary source air quality permit for Painted Rock Mine in Douglas County. It's been difficult because of the government shut down it's been the last 30 days, to try to get accurate information [inaudible] ……one of the reason we asked for an extension. I would ask again, that if we can extend for more than 2 days for written comments so we can ensure our data we get to you is accurate and up to date. Secondly, I'd like to point out that although, The Bureau of Indian Affairs issued a finding of no significant impact (FONSI) for this project in 2023, official backing went through what I had to do that's an environmental assessment and I'm concerned because in [inaudible] disclosed down in results in the document it exceeded federal health based screening levels for arsenic as well as silica. The EA identified crystal silica in disturbed mines was 600 ppm. [inaudible]…exposure to high winds and heavy track data to silica content presents incredible respirable particulate [inaudible] PM10 and PM2.5, those are really small, tiny particles that hid in your lungs that can cause silicosis of the lung. That should've been addressed in OPTA the IA decision of record and I must strongly [inaudible] solidify covering the loads. In fact, I found a 2018 study that Nevada Division of Environmental Protection, The Johnson Lane Dust Study. In a document that windborne PM10/PM2.5 concentrations in our valley frequently exceeds health-based limits and these were dominated by fine crystalline silica from disturbed alluvial soil and unpaved roads. So, a combination of regional wind conditions and unpaved mine haul routes and Didek's measured silica fracture and arsenic warrants direct NDEP oversight under NAC445B.221 under toxic air contaminants and NAC445B.220.227 fugitive dust. The findings of this policy does not preclude NDEP from taking control. In fact, NDEP has Under EPA reparations 402-R-92-078 it instructed BAPC to evaluate potential radiological and heavy metal hazards in soil rock or ground water whenever earth materials are disturbed excavated or redistributed. Because Painted Rock Mine lies within the region of uranium bearing volcanic tuffs and excavation activities can release both alpha emitting dust and radon gas through rock fracturing and haulage, I request that NDEP do a complete toxicological study on this soil. That is not behind that is not just top soil that is not just underneath blackout for public [inaudible] have it be complete. I am very concerned about these toxicities. You just heard they all talked about her sarcoidosis and I am very concerned about the inefficiencies of the soils as well as the water. In section 5.4 in EA talks about groundwater quality and tested the water but there is no mention of arsenic. So here we are expected to wet these loads down and we don't know what the heck is in the water. They have six [inaudible]. The quality of the water that is going to be put on the load, that is not only ok in the desert where it is precious. 20% probably evaporates the rest will go down on these tracks into the ground. When the Nevada Division of Water Resources tried to do a site visit, they were told, they were not welcome on the site to evaluate the well. How much it pumped, what exactly the well was or the quality. In the EA itself it clearly states that the well it's supposed to be installed per state regulations in section III, you'll see it. I'll write all of this down so you all can look at it. So you can have us say "hey you have to install this well per state regulations, but they didn't even get a well building permit. So you don't even know if the workers are safe out there. Request a safety seal so the water does not come down to the aquifer. We also don't know if that is there. It requires daily monitoring of the water. The quality as well as the depth. So not only are we concerned about the water levels in our area. *(continued on next page)*	See "Controlling Fugitive Dust and SAD Conditions" Discussion on Page 1, "Haul Road" Discussion on Page 2, "Environmental Assessment" Discussion on Page 4, and "Ambient Air Quality Standards and HAPs" Discussion on Page 9. Please note that water usage and quantity is outside the scope of the BAPC's authorities in NRS/NAC 445B. Please see discussion regarding extension of public comment period on Pages 26 and 27 above. To our knowledge there was not an NDEP study regarding Johnson Lane fine silica levels.	

DATE	FROM	TOPIC	QUESTION	DIVISION RESPONSE	PERMIT SECTION/ REGULATORY CITATION
11/05/2025	Stacy Clark	Public Hearing, spoken comment #4	The EA doesn't say, yes, it's acceptable for you to use water to wet your loads, you don't even know the quality of water that is being dumped on these roads. I strongly ask you, to, do not accept water in exchange for covering loads. That is really big for me. I think this community has a right to know how the state deals with their safety and what is tested in the water that seeps back in the ground. There is also [inaudible] water right. Yes, but do those water rights extend water at the Douglas County well? Do they extend to water at BLM or do they only use county water. This is really important when you have haul trucks that use a lot more water than most of the county. These questions clearly NDEP has authority, because if Federal [inaudible]…does not, then state enforcement authority under NRS 445B.100 NAC 445B.221 & NAC445B.22027 NDEP must evaluate toxicological from mineral dust in site specific air permits. Therefore; NDEP should require the toxic air contaminant review of the PM10, PM2.5 for arsenic and crystalline silica as well as [inaudible] full panel for all the soil constituents, enhanced dust control and monitoring per NAC445B.22027 as well as EPA AP-4213.2.2. I'm asking to help and restrict off site sale of soil [inaudible] to help improves compliance with NAC444.8632. Radon and uranium screenings in core with EPA 402-R-92-078 and DOI 59 IAN-H. I think this is clearly [inaudible]. The Bureau of Land Management surface management handbook H3809-14.4.2 as a guidance for evaluating and mitigating fugitive dust impacts. This handbook requires and recommends a ¼ of a mile buffer between major haul rides and pits or occupied residences. Audience was asked: how many people here live behind that field and how many people live within ¼ of a mile from that road? Some were, some weren't. I just ask that is checked and that it should be part of that buffer equivalent controls with The Painted Rock haul route so the residents are safe. I respectfully request that NDEP re-evaluates for toxic metals and silica emissions under the NAC's I've already mentioned. Restricting the use of mining's well tentative further testing. Adopt a ¼ mile set back to make sure everybody is ok. We work with the water, NDWR and show them the EA under the sections I mention that they do have authority. And that the workers out there are safe. They have no well driller's permit on file. They don't know who built that well. They don't know what safety was there. They don't know how deep it is and that is not acceptable. Certainly not acceptable for [inaudible] …to allow them to water loads when we don't even know what is in that water. So I respectfully ask that you reduce the speeds on the roads so it is less dusty. I respectfully ask that you not allow them to water loads because that water [inaudible] reaches down into …..rock, you will contaminate possibly the aquifer. Further study has to be done before we do that, so cover the loads and please make sure that we are all following the regulations we have. I specifically thank you for your time.	See above.	

DATE	FROM	TOPIC	QUESTION	DIVISION RESPONSE	PERMIT SECTION/ REGULATORY CITATION
11/05/2025	Dr. Ben Weigler	Public Hearing, spoken comment #5	Comments: I will discuss the prematurity of any decision by NDEP on this permit until additional essential information is collected on actual soil-borne hazards at the mine site. E-mailed comments: My Name is Dr Ben Weigler. I am also a Regional Scientist, I have a Master's in Public Health and a Ph.D. in Epidemiology from California, Davis and Berkeley respectively, extensive publication record, including [inaudible] …I have in a few committees from the National Academy of Science. And, likewise, I am disappointed in your office's presentation. Because, your existence your requirement was created in the interest of perfecting public health. But the presentation we heard was I would say not [inaudible]… we went to a standard routine siting articles from 1972. We know so much more now about environmental exposure hazards and cancer. The referenced population here, as you can see, is elderly and many are disabled. The EA that filed for this project does not represent the proper demographics. It references maybe a city. If you look at this [inaudible] you can't cross the army….it works thru your office, and you approve something and it's elementary to measure cancer specific risks. You can do that now and you can monitor for five years, ten years, 30-35 years of the project. How would your office feel if those [inaudible] are far above normal to this standardized [inaudible]. Not appropriate for your office's mindset or best interest of the public. The exposure data that we have has been presented with models. [inaudible] to accept these models……appropriate scientific and believable but I haven't done a lot of modeling myself [inaudible] it robust… the correction factor……you need to implement. You need to consider the open factor you need to consider the road ahead not back on systems far back when you don't consider the variety exposure and pre-exposing factor that the population [inaudible]. The exposure data also based upon on toxicants that you've measured. You haven't measured in a little [inaudible] …in reference to some and those data are based on more source samples taken at [inaudible] …they don't represent the current mine condition and they certainly don't represent what the mine will look like in 4 years, 10 or 30 year as they dig deeper in ……so, the basis of modeling requires good data for it to be robust. I've done lots of modeling myself and they've failed and I can show you lots of scientific articles where they have failed badly and that again…..So, I would ask that you delay approval of the permit util you collect more data and properly construct models and a dispersion estimates that are more accurately reflect ……and appropriate containing measures mitigation for the protection of the public's health.	See "Controlling Fugitive Dust and SAD Conditions" Discussion on Page 1, "Haul Road" Discussion on Page 2, "Environmental Assessment" Discussion on Page 4, "Ambient Air Quality Standards and HAPs" Discussion on Page 9, and "Emission Calculations" Discussion on Page 30.	
11/05/2025	Chuck Bullwinkle	Public Hearing, spoken comment #6	All I'm asking these people as to safety of the truck, but I guess my….. it's practical. I'm riding my motorcycle and on each side of the road, a while back. And the dust of the trailer on the back of the truck was so bad it covers up my goggles. That is not hosed and we're not going to fix that because we…….with government water plant. ……..What are we going to do?.....Are these folk going to help? I don't know. Maybe…..I went to 2 county commissioner meetings said my little spiel I got nothing. I asked a lawyer there if he would comment, nothing, not one word. So, I'm not trying to make you people county commissioners, but still, what are we going to do? Response from the public was: "fight" He said: "I'm with you".	See "Controlling Fugitive Dust and SAD Conditions" Discussion on Page 1 and "Haul Road" Discussion on Page 2.	

11/05/2025	**Ron Conway**	**Public Hearing, spoken comment #7**	I did put a card in but, my name is Ron Conway. I'm here to protect Johnson Lane. I'm uh, you're good……. We're all part of protect Johnson Lane, Chief Scientist, I'm the guy whose built what they're doing. I'm 66 years old and I started driving trucks when I was 15 and I know. Water is not going to cut it. Let's start with the top of the list, to monitor it. You folks talk about monitoring. How are you going to monitor it, we've asked you that before, and who is going to monitor it? Because right now, this is the dust police. Off the complaints that we sent to you folks. Probably pretty close to on a daily basis. I'm curious. The last time I checked it was at 29 complaints. I'm curious as to how many complaints that is today. Because the they started they started no water on the road. We complained to you, we phone, message, or e-mail, meanwhile, we're eating dust. How do we stop that? Because contrary to what the county believes and everybody says Knox is good. Knox doesn't care about the residents. Because, they would do what they said they would do in their operating plan. Which is use dust control water on that road 3-6 times a day. They didn't do it once until we complained. They said they were going to cover their loads. They still don't. But they want to spray the loads with water. I'll get to that. So, another question I have; the amount of complaints that have come in, does that number reset at any point in time? Does it re-set because it goes from a mobile permit to a stationary permit, or do those stay with the facility for life? Because the dust police, the noise police and the water police are not going to stop them. We're going to be your worst nightmare. County knows it. I won a bet. My wife said none of you would show up. I said at least one. I won. The tracking. You folks talked about tracking and how the spray bar is going to make it a thousand percent worse. If they bother to use it. They've said, if I have YouTube privilege of Mr. Maxwell standing and partying in the commissioner's meeting saying the spray bar is operational. A bold face lie, It is still not there. So, how do we trust people who don't do what they say they are going to do? Their own paperwork, their own operating permit says they would stop the dust by covering loads, now they want to water. But they didn't say they were going to do that because Mr. Hofferman said..god another good one, that man went through their paper work with a fine-tooth comb. I loved him. They never said once they were going to cover their dust/load with water. That came out of nowhere. How are you going to guarantee the trucks are going to use the water. How are you going to guarantee that the mud puddle underneath that spray bar is not going to get on those tires and track all the way down to Johnson Lane. As it dries is going to drop pieces on Johnson Lane which you folks absolutely say: we have no jurisdiction on Johnson Lane. The county doesn't want to take jurisdiction on Johnson Lane. Because they don't want to make them cover their dam loads. Because during their agreement they made a verbal agreement to, not do that. They were not going to make, Kno….I got their paperwork. It is a verbal agreement that they are not going to enforce Knox covering their loads. So, you can count the county out, completely. They are not going to help. I got the e-mail. But you folks take Knox word for it and put the spray bar back in. Why? Why do you want to take their word for versus the people in this room and the other six thousand residents in Johnson Lane, why? Simple question. When it gets down to the knots and bolts of it, they are going to spray water on the material so it doesn't come out of the truck. One, they never cored the material, they did 4 surface samples. They were supposed to cored, so, nobody knows what is in it. What's in it? We know arsenic, because, we know this valley is full of arsenic. What else? Now, they're going to spray water on it, from a well right below the material that has got arsenic on it. What is the water going to have on it. When the water evaporates, what is going to happen to that material that now they've added more arsenic to it. Or other heavy metals, when that material dries. Because that material is going to dry before it gets to 395. Fifty years in the business. We've tried everything. I was driving a truck in California when we tried to fight the tarpan rules and regulations they put in. The is not an argument you can put up that can stand up to not covering the loads. Now, the county has tried numerous "it is not hazardous enough". How do you know? You don't even know what the hell is in it? We have to see it. No, you don't. Because the regulation, the state vehicle code states "as to prevent". It is all preventative. Then it was, well the tarpan system don't cover the entire load. Well, my next stop is FMCA. Because Federal Load of Carrier says the driver is supposed to get out check his load and secure it. If anything comes out of it, it goes back to the driveway. So why are you using an illegal tidbit to try and stop covering all the loads. My whole point is, you folks have added to your permit. Because your original permit didn't say anything about a spray bar, because Knox wants to use a spray bar. *(continued on next page)*	See "Controlling Fugitive Dust and SAD Conditions" Discussion on Page 1, "Haul Road" Discussion on Page 2, "Environmental Assessment" Discussion on Page 4, "Ambient Air Quality Standards and HAPs" Discussion on Page 9, "Compliance" Discussion on Page 14, "Controls" Discussion on Page 30, and "Monitoring, Recordkeeping, and Reporting" Discussion on Page 30. Please see discussion regarding extension of public comment period on Pages 26 and 27 above.	

DATE	FROM	TOPIC	QUESTION	DIVISION RESPONSE	PERMIT SECTION/ REGULATORY CITATION
11/05/2025	Ron Conway	Public Hearing, spoken comment #7	Who is going to regulate that they do it every single load. The guys who are 5%ers who own their trucks who are not going to want to get their trucks dirty? The water is going to get on the side of their truck, the dust is going to stick to it and now their pretty truck is dirty. Where, if they just cover their loads with a tarp. Because the tarp does not hold the material in. It is not a containment device. What a tarp does is break the wind from hitting the material, if you allow the wind to hit the material, one it's going to dry then it's going to blow off the load. There is 2 things that make water evaporate, heat and wind. Yeah, I get frustrated because I know what they should be doing and they are not doing any of it. Like I told Charlotte Hales, a year ago, over the phone. I was the guy they should have hired to have this make this go through smoothly. They don't care about the public. They just want to cut the material off the ground, load it on the trucks, send it down the road and make money. They don't want to do what they are supposed to do. That is cover the loads, look out for residents and they do not. They couldn't care less. They were supposed to core. They didn't. They did surface samples. Surface samples over hundreds of years, are not going to have what is in the ground. So how do we know what is in the ground? We don't. Nobody does. Cord. Reach down and grab a handful of what is there and test it. They won't do it. You can make them do it. That is where your covers come in. The tracking is going to be a huge issue. I can't tell you and you're talking about them going out three every day and clean out the tracking from, they haven't cleaned out the tracking once. I have a picture on my phone of tracking that has been there for six months. They haven't cleaned out the asphalt ridings one time. I'm going to talk a little about, how they don't do what they are supposed to do. They talked about putting the grindings road out there. They had grindings stock piled in their yard. They put the grindings out and then they were supposed to spray oil on it, in 2 months. Not the grindings that you sent them a letter to do, that they magically found the rest of the grindings. This was the original November grindings. They did not spray that until you folks told them they had to. They said in the agreement with the county, two months. I kept asking county, "oh we'll send somebody out to check and see if they've sprayed it" I can tell when they have sprayed because I can smell it. I know what it is. They didn't do it. When you folks sent them a letter and said they had to put the grindings down, they did it on the very last day that they were supposed to. They actually sprayed it with oil on the very last day. The county, they didn't pay any attention to them. They don't listen to the county. The county doesn't tell them anything. Like I told you guys in the meeting. We had one agency help us, the residents any way shape or form and it has been you folks. And now I see you stepping back by adding a spray bar to spay the loads and it makes me pause for concern. There was one other thing. Ugh I'm getting old. I guess that is it. I don't….You've talked about if you issue the permit. I'm sorry but I hate when people mix words. You wouldn't have gone to the trouble of making the draft if you weren't going issue the permit. Oh, now I remember. See how talking a little helps you remember? We sent you a letter yesterday asking you for a 30 day extension. You gave us 2 days. I'm going to talk a little bit of the time line. Knox applied for this permit in May and had all the time in the world to prep for it and you folks had all the time, they could make adjustments. They could do whatever they wanted with it. You folks put it together and you made a draft. You gave it to all of us to look at for 30 days. They've had 6 months to almost a year. Why are we not getting the extension because we cannot get the information we need to make legitimate complaints, legitimate comments. Because we don't have the information, we can't get it. The websites are shut down. But you won't give us the 30 day extension. I'm disappointed in that. I am seriously disappointed in that. We gave you very legitimate reasons for a 30 extension. And it is not going to hurt anyone. You even said it is going to take you another 3-6 weeks to finish. What is another month. They got a permit, they can continue to operate. We are going into winter, but you won't' allow us 30 days so we can get what we need to make legitimate comments. That is disappointing.	See above.	

DATE	FROM	TOPIC	QUESTION	DIVISION RESPONSE	PERMIT SECTION/ REGULATORY CITATION
11/05/2025	Jim Jackson	Public Hearing, spoken comment #8	My name is Jim Jackson, I live up on Johson Lane. Within ¼ mile of the road Your existence is to protect the public, not to protect Knox, not to protect the business but to protect the public, us. In everyone of these meetings that we've had, whether it'd be with the Federal Government with The BIA, BLM, all of this rush, rush, rush; like Ron was saying to prepare and what do we get? 30 days. That is not right. We count on you people to pay attention to what we are saying, if we live there…and we need your protection. The county has failed terribly. In fact we've talked about the integrity of some of these people. I was at the commissioner's meeting. I got up and made a comment; that the Knox truck had been on my street. It is not even a street, it is a cul-de-sac, no place to go. The owner of Knox, one of them I believe, called me a liar. On public comment. On the very next meeting I submitted a video of 3-trucks up on our area, our street. Now, who was lying? It wasn't me. And I had other neighbors that said; we have more videos of trucks. So this is the type of individual and company that you are dealing with. Like Ron was saying, the only time they do something is when they are forced to do it. When you sent them that letter to put the grinding down, they did it, not before. We are counting on you. You are in this position to protect us. The arsenic levels on our water, in our water and our well has almost doubled since Knox has been out there. Now, they are pulling water, from where? That didn't just happen, there is a reason for it. All those materials, nobody really knows what's out there they've been hauling from there and putting in our community just aside. What is in that dirt. Is it that all of the sudden they've discovered that is something toxic in it and they just decided to close down and all that dirt. Who know? Nobody is taking a look at it. That is all we are asking you to do. Before you issue them a permit to allow them to continue to do what they are doing, make sure it is safe for us the public. That is all we want. That is all we are asking you to do. An extension right now, so we can give you, like Stacie was giving you actual numbers. If we had more time. We might be able to give you more of that stuff. The agreement that was signed between the county and Knox is a farse. That should have never been agreed to. The FANCI that they found, was so inadequate, everybody, even the county said that was faulty. That is still the truth. The BIA and the BLM paid no attention to us whatsoever. When they had their meeting here, we came up and asked the head of the BIA out of Pheonix. If everybody in the county said don't do it. What would you do? He said, we would do it anyway. Is that what we get from public officials? Is that kind of treatment, we hope now at your level, we get better treatment. All we want is honest reports, honest results and thorough testing. Not this scoop up a little bit of dirt off the top, that is what's there. The dust that comes out of that, we have to close our windows now. Because there is so much dust that comes in, even with the grindings on the road. The trucks are still hauling dust. I already had to replace one windshield on the car and there is going to be more of that. So, we need your help. That is all we are asking for. Thank you.	See "Controlling Fugitive Dust and SAD Conditions" Discussion on Page 1, "Haul Road" Discussion on Page 2, "Environmental Assessment" Discussion on Page 4, and "Ambient Air Quality Standards and HAPs" Discussion on Page 9. Please see discussion regarding extension of public comment period on Pages 26 and 27 above.	