

<b>SOLID WASTE DISPOSAL SITE PERMIT CLASS III:</b> 	<b>PERMITTEE</b> <b>NEWMONT NEVADA ENERGY INVESTMENTS LLC</b>	<b>PERMIT #</b> <b>SW270REV01</b>
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**1 FACILITY SUMMARY**

The Facility is permitted to dispose of waste generated by the TS Power Plant, specifically Coal Combustion By-Products [CCBPs] consisting of fly ash and bottom ash, and water treatment filter cake (from cooling tower water treatment). No other waste is permitted for acceptance at this facility.

**1.1 GENERAL DESCRIPTION**

The Permit authorizes the construction and operation of a Class III disposal site, consisting of one industrial solid waste landfill unit, contiguous land, structures, and other appurtenances and improvements for the disposal of industrial waste as approved by the Nevada Division of Environmental Protection. As portions of the landfill (6 identical cells) reach final design elevations, interim cover will be installed on completed areas concurrently with ongoing operations. The landfill will perform groundwater-monitoring, closure, and post closure care in accordance with this Permit.

**1.2 OWNER/OPERATOR**

Newmont Nevada Energy Investments LLC  
555 Fifth Street  
Elko, Nevada 89801

**1.3 FACILITY LOCATION**

Township/Range/Section - 33N/48E/11 & 14 MDB&M, approximately three miles north of Dunphy, in Eureka County, Nevada.

**1.4 FACILITY DESIGN**

Permitted Design Summary  
**Table 1**

Class III	Rev 00	Rev 01		Rev 02		Rev 03	
		New	Total	New	Total	New	Total
Class III							
Disposal Area (acres)	36	0	36				
Maximum Elevation (amsl)	4705 ft		4705 ft				
Minimum Elevation (amsl)	4645 ft		4645 ft				
Disposal Capacity (yds <sup>3</sup> )	1.64(10 <sup>6</sup> )	0	1.64(10 <sup>6</sup> )				
Total Volume (yds <sup>3</sup> )	1.73(10 <sup>6</sup> )	0	1.73(10 <sup>6</sup> )				
Disposal Capacity III (yds <sup>3</sup> )							

**2 GENERAL PERMIT CONDITIONS**

**2.1 DEFINITIONS**

Unless the context otherwise requires, the definitions used in this Permit have the meanings ascribed to them in NAC 444.5701 to 444.631.

“Landfill volume” means the quantity of space contained above the bottom liner and including the final cover of a landfill design.

“Landfill disposal capacity” means the quantity of solid waste, by volume, that can be placed in a landfill, given its landfill volume and plan of operations.

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**2.2 PERMIT ACTIONS (NAC 444.643)**

This Permit is based upon the information submitted in the Permit application, and as approved by the Nevada Division of Environmental Protection. This Permit may be modified by the Division, for cause, in accordance with NAC 444.643 or if there is a change in the statutes or regulations upon which the issuance of the Permit is based, or if a modification is otherwise necessary to protect public health, safety and the environment. This Permit may be revoked or suspended if written notice is given by the solid waste management authority and the disposal site does not remain in compliance with the applicable statutes and regulations. The filing of a request by the Permittee for a Permit modification or termination, or a notification of planned changes or anticipated noncompliance, or termination of activities authorized in the Permit does not stay any Permit condition. The Permittee shall inform the Division of any deviation from or change in the operations as presented in the application, which may affect the Permittee's ability to comply with applicable regulations or conditions of this Permit. This Permit may be transferred to a subsequent owner or operator only if the solid waste management authority approves the transfer based on documentation of financial responsibility provided by the new owner or operator.

**2.3 AVAILABILITY OF PERMIT DOCUMENTS**

The Permittee shall keep at the disposal site a complete copy of this Permit and incorporated documents, as identified in Section 3.0.

**2.4 COMPLIANCE WITH STATUTES AND REGULATIONS**

The Permittee shall comply with NRS 444.440 through 444.620, and NAC 444.570 through 444.7499, as applicable.

**2.5 DUTY TO PROVIDE INFORMATION**

The Permittee shall furnish to the Division, within a reasonable time, any relevant information which the Division may request to determine compliance with this Permit or to determine whether cause exists for modifying, revoking and reissuing, or terminating this Permit. The Permittee shall also furnish to the Division, upon request, copies of records required to be kept by this Permit.

**2.6 INCIDENT REPORTING**

The Permittee shall report incidents to the Division as provided in the *Operating Plan*. In addition, the Permittee shall report any noncompliance, imminent or existing hazard from a release of waste or hazardous constituents, or from a fire or explosion at the facility, which may endanger human health or the environment. Such information shall be reported by telephone to 800-331-6337 within twenty-four (24) hours from the time the Permittee becomes aware of the circumstances. A written report shall be submitted within 15 days of the incident and shall include the following:

- 1 Name and title of person making report;
- 2 Date, time, and type of incident;
- 3 Name and quantity of material(s) involved;
- 4 A complete description of the occurrence and its cause;
- 5 The extent of injuries, if any;
- 6 An assessment of actual or potential hazards to the environment and human health outside the facility, where this is applicable;
- 7 Estimated quantity and disposition of recovered material that resulted from the incident; and
- 8 Actions taken by the Permittee in response to the incident.

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**2.7 REPORTING ANTICIPATED NON-COMPLIANCE**

The Permittee shall give advance notice to the Director of any planned changes in the permitted facility or activity that may result in noncompliance with Permit requirements.

**2.8 INSPECTION AND ENTRY**

The Permittee shall allow the Nevada Division of Environmental Protection, or an authorized representative, upon the presentation of credentials or other documents as may be required by law to:

- i. Enter at reasonable times upon the Permittee’s premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this Permit;
- ii. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this Permit;
- iii. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Permit; and
- iv. Sample or monitor at reasonable times, for the purposes of assuring Permit compliance or as otherwise authorized, any substances or parameters at any location subject to the Permit.

**2.9 CONSTRUCTION QUALITY ASSURANCE AND QUALITY CONTROL (NAC 444.645)**

The Permittee shall:

- i. Follow and document the program for quality assurance and quality control for the construction of the facility as detailed in “Technical Specifications” of the Application.

**3 PERMIT DOCUMENTS**

The following documents, as submitted by the Permittee and approved by the Nevada Division of Environmental Protection also describe and/or restrict the operation of this disposal site:

- i. Revised Permit Application: March 2005 by NNEI
- ii. Response to Comments: March 14 2005 by NNEI

**4 WASTE ACCEPTANCE CRITERIA**

**4.1 SOLID WASTES PERMITTED FOR DISPOSAL**

- 1. Industrial Waste: Fly Ash & Bottom Ash
- 2. Special Wastes: Water Treatment Filter Cake
- 3. Reserved

**4.2 PROHIBITED SOLID WASTES**

The Permittee is prohibited from placing in the Class III landfill the following wastes:

- 1. Liquid waste as defined by NAC 444.692(4)
- 2. Hazardous waste, as defined by NAC 444.580 & State and Federal Regulations
- 3. PCB waste, as defined by State and Federal Regulations
- 4. Household waste as defined by NAC 444.581
- 5. Conditionally Exempt Small Quantity Generator (CESQG) Waste as defined by 40 CFR 261.5
- 6. Garbage as defined by NAC 444.578
- 7. Asbestos as defined by NAC 444.966

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8. All other wastes not specifically identified for disposal in the Operating Plan
9. Reserved

**5 RECORDKEEPING**

**5.1** The Permittee shall maintain records at the site as required below.

The owner or operator shall notify the solid waste management authority when the documentation has been placed in or added to the operating records. All information contained in the operating records must be furnished upon request to the solid waste management authority or be made available at all reasonable times for inspection by the solid waste management authority.

- i. Any documentation of cost estimates and financial assurance required pursuant to NAC 444.685;
- ii. Plans for closure and postclosure care and any monitoring, testing or analytical data required pursuant to NAC 444.6891 to 444.6896, inclusive; and
- iii. How the site conforms to the restrictions on location set forth in NAC 444.735; and
- iv. Any plan to characterize solid waste required pursuant to NAC 444.737; and
- v. Any demonstration, certification, finding, monitoring, testing or analytical data from the program for monitoring ground water required pursuant to NAC 444.7481 to 444.7499, inclusive; and
- vi. The owner or operator shall promptly notify the solid waste management authority after the owner or operator has placed the information in the operating record of its facility pursuant to this subsection. The information must be furnished upon request to the solid waste management authority or be made available for inspection by the solid waste management authority at any reasonable time.

**6 REPORTING**

Class III Facility:

1. Submit annually to the Division a report of the solid waste received at the site. The report must be submitted on a form provided by the Division within 30 days following the end of each calendar year.
2. The Permittee shall by January 31<sup>st</sup> 2015 and at least once every 5 years thereafter until the site is closed; submit the Report required by NAC 444.702(7)

**6.1 FINANCIAL ASSURANCE REPORTING. THE PERMITTEE SHALL:**

1. Notify the Division of any adjustments made to the estimates for the amounts of closure and post-closure care in accordance with NAC 444.6851 and 444.68515;
2. Each year within 30 days following the end of each calendar year of the issuance of this Permit, the Permittee shall submit the closure and post-closure cost estimates adjusted for inflation.

**6.2 NOTIFICATION OF NEW CELL CONSTRUCTION**

In accordance with NRS 444.556, the Permittee shall notify the Division in writing within 10 days following the commencement of construction of a new cell.

**6.3** All reports, notifications, or other submissions which are required by this Permit must be submitted by the specified due date to:

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Solid Waste Branch Supervisor  
Bureau of Waste Management

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Nevada Division of Environmental Protection  
901 S Stewart Street, Suite 4001  
Carson City, NV 89701-5249

**7. GROUNDWATER MONITORING**

Groundwater Monitoring shall be conducted in accordance with NAC 444.7481 through NAC 444.7498. Include the necessary regulations as it relates to the site to be permitted.

**7.1** Any deviation from the ground water monitoring plan must be approved in advance by the Division as a Permit modification in accordance with NAC 444.6435.

**7.2** The monitoring wells are to remain continuously locked except during sampling, inspection, and repairs. Keys must be available at the landfill office at all times.

**7.3** Groundwater Monitoring Reports shall be submitted as required by Section 6.4 by February 1<sup>st</sup> and August 1<sup>st</sup> of each calendar year. The reports shall be submitted in both hardcopy and electronic format.

**8. MISCELLANEOUS CONDITIONS**

1. Segregate and stockpile topsoil from landfill construction for use as growth medium for the final cover.

**9. COMPLIANCE SCHEDULE**

- i. The Permittee shall notify the NDEP prior to any proposed changes in the final landfill configuration at least 180 days prior to the closure of the last cell used for disposal.
- ii. The Permittee shall provide documentation of the Financial Assurance in accord with NAC444.68525 to NAC444.6859 60 days prior to the acceptance of waste at the facility.

**10. AUTHORIZATION**

<i>Signature of Approving Officer</i>	<i>Name and Title of Approving Officer</i>	<i>Date of Issuance</i>
<p style="text-align: center;">-Original Signed-</p>	<p style="text-align: center;"><b>R. Eric Noack, Chief</b>  <b>Bureau of Waste Management</b></p>	<p style="text-align: center;">7/25/2011</p> <p style="text-align: center;"><i>Date</i></p>

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