Web posting 11/19/2010

Deadline for comment 12/22/2010

## Notice of Proposed Action

Permit #NEV2010104

Progressive Contracting, Inc.

Yellow Horse Mine

The Administrator of the Division of Environmental Protection gives notice that an application for a new Water Pollution Control Permit for the Yellow Horse Mine, a mining facility, has been properly filed with the Division of Environmental Protection in Carson City. The applicant for Water Pollution Control Permit NEV2010104 is:

Progressive Contracting, Inc.
230 E. Tabernacle
St. George, UT 84770

The facility is located on private land in Clark County, within Section 30, Township 24 South, Range 58 East, Mount Diablo Baseline and Meridian, approximately 7 miles east of the town of Sandy Valley, Nevada.

The project consists of open pit mining, with a maximum permitted production rate of 18,500 tons of ore per year. The facility is comprised of an open pit mine and non-process ancillary facilities. All ore will be transported to a permitted off-site facility for beneficiation. Facilities are required to be designed, constructed, operated and closed without any discharge or release in excess of those standards established in regulation except for meteorological events which exceed the design storm event.

The Administrator is constrained to either issue the Water Pollution Control Permit or to deny the application. The Administrator has made the tentative decision to issue the permit.

Persons wishing to comment upon the proposed Water Pollution Control Permit, to recommend terms and conditions for consideration of incorporation into the permit, or who request a public hearing pursuant to Nevada Administrative Code (NAC) Chapter 445A, must submit their written comments, objections, or requests by hand delivery, United States Postal Service, facsimile, or e-

mail no later than 5:00 PM on the 30th day following the date of publication of this notice (submittal end date December 22, 2010) to:

Division of Environmental Protection
Bureau of Mining Regulation and Reclamation
901 South Stewart Street, Suite 4001
Carson City, Nevada 89701-5249

All comments, objections, or requests received during the public notice period will be considered in the final determination regarding this Water Pollution Control Permit. If the Division determines written comments or requests indicate a significant degree of public interest in this matter, the Administrator shall schedule a public hearing in accordance with the requirements of NAC 445A.405.

The draft Water Pollution Control Permit and all application documents are on file at the Division and are available for public inspection and copying pursuant to NRS 445A.665. For more information, contact Paul Eckert on (775) 687-9401 or visit the Bureau of Mining's website at http://ndep.nv.gov/bmrr/bmrr01.htm .