



# STATE OF NEVADA

Department of Conservation & Natural Resources

DIVISION OF ENVIRONMENTAL PROTECTION

Jim Gibbons, Governor

Leo M. Drozdoff, P.E., Acting Director

Colleen Cripps, Ph.D., Acting Administrator

Web posting 12/20/2010

## Notice of Decision

Permit #NEV2005101 (New Permit)

Borealis Mining Company

Borealis Mine

The Nevada Division of Environmental Protection has decided to renew Water Pollution Control Permit NEV2005101, issued to the Borealis Mining Company for the Borealis Mine. This permit authorizes the construction, operation, and closure of the approved facilities in Mineral County. The Division has been provided with sufficient information, in accordance with Nevada Administrative Code (NAC) 445A.350 through NAC 445A.447, to assure the Division that the groundwater quality will not be degraded by this operation, and that public safety and health will be protected.

This new permit will become effective January 4, 2011. The final determination of the Administrator may be appealed to the State Environmental Commission pursuant to Nevada Revised Statute (NRS) 445A.605 and NAC 445A.407. All requests for appeals must be filed by 5:00 PM, December 30, 2010, on Form 3, with the State Environmental Commission, 901 S. Stewart Street, Room 4001, Carson City, Nevada 897016-5249. For more information, contact Rob Kuczynski directly at (775) 687-9441, or visit the Division website at: <http://ndep.nv.gov/bmrr/bmrr01.htm>.

One comment letter was received via E-mail during the public comment period from Ms. Shelley Hartmann, Executive Director, Mineral County Economic Development Authority (MCEDA), Hawthorne, Nevada. The letter was inadvertently E-mailed to John Palm, Chief, Bureau of Water Pollution Control.

Division responses to the received comments are attached to this Notice of Decision.

MCEDA Comment #1: “This note is to strongly support Gryphon Gold Corporation's water permit #NEV2005101.”...“We strongly believe this company is responsible, has been *responsive* to all of your [NDEP] requirements and provides a good way for Nevada to begin its slow trip to recovery.”...“...Gryphon Gold Corporation has more than met your requirements and deserves a positive approval...”

NDEP Response: *Comment noted.*