

STATE OF NEVADA
DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES
DIVISION OF ENVIRONMENTAL PROTECTION
BUREAU OF AIR POLLUTION CONTROL

**Director's Review and Preliminary Determination of Permit Issuance
For Nevada Mercury Control Program
Mercury Operating Permit to Construct**

April 6, 2011

Newmont Mining Corporation – Phoenix Mine has submitted an existing unit application for a Phase-2 Mercury Operating Permit to Construct (MOPTC) pursuant to NAC 445B.3663.1 to the Nevada Division of Environmental Protection-Bureau of Air Pollution Control (NDEP-BAPC) for one system consisting of one existing carbon regeneration kiln on February 1, 2008.

The applicable facility, located in air shed basin #59, in Lander County is:

Newmont Mining Corporation – Phoenix Mine
P.O. Box 1657; Battle Mountain, Nevada 89820

Approximately 12 miles South of Battle Mountain, Nevada off Route 305

The NDEP-BAPC has reviewed the application and has made a preliminary determination to issue the MOPTC. The draft MOPTC is for one system consisting of one existing carbon regeneration kiln (System 1) with emission performance standards and control technologies determined to be NvMACT pursuant to NAC 445B.3677.3.

The draft MOPTC includes requirements for monitoring, recordkeeping, annual stack testing for mercury emissions, annual emissions reporting, annual mercury co-product reporting, limits of operation, and work practice standards which minimize emissions of mercury to the atmosphere. The permit also includes mercury emission limits for each system.

The proposed NvMACT mercury emissions performance standard for System 1 is: 1×10^{-4} gr/dscf mercury. Determination of proposed NvMACT mercury emission control technologies for System 1 is as follows:

- System 1 – a wet scrubber and a sulfur impregnated, four column carbon adsorption system.

The proposed project will not cause or contribute to a violation of any applicable Federal or State air quality standard. After review of the application and independent NDEP-BAPC analyses, the Agency has determined that the Newmont Mining Corporation - Phoenix Mine MOPTC may be issued and operated. The proposed sources must comply with all State and Federal air quality requirements and all conditions established within the draft MOPTC.

Copies of this permit action's public notice and the draft Mercury Operating Permit to Construct are available for review on the Nevada Division of Environmental Protection - Bureau of Air Pollution Control website at: <http://ndep.nv.gov/bapc/hg/pub.html>