



NOTICE OF PROPOSED ACTION

Web posting 4/12/11

The Administrator, Division of Environmental Protection, Carson City, Nevada is issuing the following notice of proposed action under the Nevada Revised Statutes and the Clean Water Act. The Administrator has received a complete application for renewal a National Pollutant Discharge Elimination System Permit, NV0021725, from the following applicant:

**Newmont Mining Corporation – Twin Creeks Mine
P. O. Box 69
Golconda, NV 89414**

The Applicant proposes to continue the permitted discharge at Twin Creeks Mine, with a daily maximum of 19.872 million gallons per day (MGD) of treated water produced from mine dewatering wells and sumps located within the open pit. The pumped groundwater is treated to remove arsenic to a concentration below the Nevada Administrative Code (NAC) 445A.144 municipal or domestic supply water standard, 0.050 milligrams per liter. The facility discharges to the Humboldt River via Rabbit and Kelly Creeks. The discharge to Rabbit Creek, an ephemeral drainage, is approximately four miles upstream of the confluence with Kelly Creek. The Humboldt River is approximately eighteen miles downstream of the confluence of Rabbit and Kelly Creeks. The Nevada Division of Water Resources has restricted the annual average discharge to the Humboldt River to 2 cubic feet per second (1.3 MGD). The majority of the discharge seeps into the alluvial aquifer before reaching the Humboldt. Monitoring of the discharge is conducted to ensure that waters of the State are not degraded as a result of the discharge. Based on a review of the NPDES permit application, the Division has made the tentative determination to issue the NPDES permit for a period of five (5) years.

Persons wishing to comment upon or object to the proposed determinations by the Administrator regarding the issuance of either permit, or to request a hearing pursuant to the Nevada Administrative Code, Water Pollution Control, should submit their comments or request, in writing, within thirty (30) days of the date of newspaper publication, hand-delivered or postmarked no later than **5:00 P.M. on May 16, 2011**, either in person or by mail to:

**Department of Conservation and Natural Resources
Division of Environmental Protection
Bureau of Water Pollution Control
901 S. Stewart Street, Suite 4001
Carson City, Nevada 89701**

Comments and/or hearing requests received via facsimile or e-mail before **5:00 P.M. May 16, 2011** will also be accepted. All requests for hearings must indicate the interest of the person filing the request and the reason(s) why a hearing is warranted. All comments or objections received within the thirty (30) day comment period will be considered in the formulation of final determinations regarding the application. If written comments indicate a significant degree of public interest in the proposed permit, the Administrator shall hold a public hearing. The public notice of such hearings will be issued not less than thirty (30) days prior to the public hearing date.

If no hearing is held and the determinations of the Administrator are substantially changed from the tentative determinations, the Administrator will give public notice of the revised determinations. Additional comments and objections will be considered at that time.

The applications, proposed permits, comments received, and other information are on file and may be copied or copies may be obtained by writing to the above address or by contacting Janine Hartley, P.E., Bureau of Water Pollution Control at (775) 687-9458, or at jhartley@ndep.nv.gov. The office facsimile number is (775) 687-4684. This notice and the Fact Sheets for these facilities are also available on the NDEP website at www.ndep.nv.gov/admin/public.htm.

Please bring the foregoing notice to the attention of all persons whom you know would be interested in this matter.