

NOTICE OF PROPOSED ACTION - Bureau of Mining Regulation and Reclamation

Web Posting: 12/18/2015

Deadline for Comment: 01/19/2016

The Administrator of the Division of Environmental Protection (the Division) gives notice that an application for a major modification of a Water Pollution Control Permit for the **Lucerne Project**, a mining and beneficiation facility, has been properly filed with the Division of Environmental Protection in Carson City. The Applicant for modification to Water Pollution Control Permit **NEV2000109** (Permit) is:

**Comstock Mining LLC
P.O. Box 1118
Virginia City, NV 89440**

The process facility is located on private land in Storey County in Section 6, of Township 16 North (T16N), Range 21 East (R21E), Mount Diablo Baseline and Meridian (MDB&M), approximately 1 mile south west of the town of Gold Hill. The mine is located on private land in Storey and Lyon Counties in Sections 5, 7, and 8 of T16N, R21E, MDB&M, approximately 0.5 mile north of the town of Silver City. The mine and process facilities are separated by approximately 2 miles. The Permittee holds a right-of-way with the Bureau of Land Management on the haul road between the mine and the process facility.

The Project consists of open pit and underground mining with heap leach beneficiation facility, pursuant to Nevada Administrative Code (NAC) 445A.394, designed to extract gold and silver, with a maximum permitted processing rate of 4,000,000 tons of ore per year. The facility is comprised of mines, mill, crusher, heap leach pad, Merrill-Crowe facility, process and event ponds, production and monitoring wells, and ancillary structures. This modification includes the addition of a heap leach pad expansion on privately held land adjacent to and north of the existing pads. Additionally, the modification identifies future heap leach pad expansions on privately held land south and southwest of the existing heap leach pad and existing facilities. 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 modified Permit with or to deny the application. The Administrator has made the tentative decision to issue the modified Permit.

Persons wishing to comment upon the proposed Permit, to recommend terms and conditions for consideration of incorporation into the Permit related to the proposed modification, or

who request a public hearing pursuant to NAC 445A.403, must submit their written comments, objections, or requests by hand delivery, US Postal Service, facsimile, or e-mail transmittal, no later than 5:00 PM on the 30th day following the date of publication of this notice (submittal end date 19 January 2016) to:

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

All comments, objections, or requests received during the public notice period will be considered in the final determination regarding the 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 Permit and all application documents are on file at the Division and are available for public inspection and copying pursuant to Nevada Revised Statute 445A.665. For more information, contact Shawn Gooch at (775) 687-9557.