

**NOTICE OF PROPOSED ACTION AND PUBLIC HEARING
Bureau of Mining Regulation and Reclamation**

Web Posting: 07/07/2015

Deadline for Comments: 08/14/2015

In accordance with Nevada Administrative Code (NAC), the Administrator of the Division of Environmental Protection in Carson City hereby issues the following Notice of Proposed Action and Public Hearing. An application for modification of Water Pollution Control Permit **NEV2000109** has been properly filed with the Administrator for the **Lucerne Project**, a mining and beneficiation facility. The Applicant is:

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

The facility is located on public and private land in Storey and Lyon Counties, within Sections 5, 6, 7, and 8, Township 16 North, Range 21 East, Mount Diablo Baseline and Meridian, approximately 2 miles west of the town of Gold Hill.

The Project consists of open pit and underground mining with heap leach beneficiation, 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, crusher, heap leach pad, Merrill-Crowe facility, process and event ponds, production and monitoring wells, and ancillary structures. This modification includes the addition of underground exploration and mining in the Lucerne pit consisting of a portal and approximately 4,040 linear feet of drift. 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 Permit with or to deny the application. The Administrator has made the tentative decision to issue the Permit.

Due to a significant degree of interest in the proposed facility, the Administrator has scheduled a public hearing in accordance with NAC 445A.404 to gather additional public input on water pollution control issues related to the proposed Permit. The public hearing is scheduled for 11 August 2015 from 2:00 PM to 4:00 PM in the Tahoe Hearing Room, 901 South Stewart Street, Room 2001, Carson City, Nevada. The Division may set a five-minute limit for oral statements based upon the number of people in attendance who would like to comment. Hand-delivered written comments will also be accepted at the hearing as they relate to water pollution control issues. Members of the public who are disabled and require special accommodations or assistance at the meeting are requested to notify Jane Boomhower at 775-687-9398 no later than 3 working days before the public hearing.

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, 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 35th day following the date of publication of this notice (submittal end date 14 August 2015) 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 and at the public hearing will be considered in the final determination regarding the Permit.

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 or visit the Bureau of Mining Regulation and Reclamation website at <http://ndep.nv.gov/bmrr/bmrr01.htm> .