

ALLEN BIAGGI, Administrator

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Administration
Facsimile 687-5856

Water Pollution Control
Facsimile 687-4684

Mining Regulations & Reclamation
Facsimile 684-5259

State of Nevada
KENNY C. GUINN
Governor



R. Michael Turnnspeed, Director

Waste Management
Corrective Actions
Federal Facilities

Air Quality
Water Quality Planning

Facsimile 687-6396

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES
DIVISION OF ENVIRONMENTAL PROTECTION

333 W. Nye Lane, Room 138
Carson City, Nevada 89706
ndep.nv.gov

February 10, 2004

**NOTICE OF DECISION
AND RESPONSE TO COMMENTS**

PERMIT NUMBER NEV2000113 (New)

BIRTHDAY GIRL MINE

The Nevada Division of Environmental Protection is hereby issuing Water Pollution Control Permit NEV2000113 to Mr. Steve Constant for the Birthday Girl Mine. This permit authorizes Mr. Constant to construct, operate, and close the proposed physical separation facilities included in the application received on November 22, 2000 and the additional information submitted on August 19, 2003. 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 ground water quality will not be degraded from this operation and that public safety and health will be protected.

This permit will become effective February 19, 2004. The final determination of the administrator may be appealed to the State Environmental Commission pursuant to Nevada Revised Statutes (NRS) 445A.605 and NAC 445A.407. All requests for appeals must be filed by **5:00 PM, February 14, 2004**, on Form 3, with the State Environmental Commission, 333 West Nye Lane, Capitol Complex, Carson City, Nevada 89706-0851. For more information, contact Rob Kuczynski directly at (775) 687-9441, toll free in Nevada at (800) 992-0900, extension 4670.

No comments were received during public comment period.

Note: This letter is for electronic distribution.