



STATE OF NEVADA

Department of Conservation & Natural Resources

DIVISION OF ENVIRONMENTAL PROTECTION

Kenny C. Guinn, Governor

Allen Biaggi, Director

Leo M. Drozdoff, P.E., Administrator

Public Notice - Proposed Action

Web Posting Date - 09/15/06

The Administrator, Division of Environmental Protection, Carson City, Nevada is issuing the following notice of proposed action under the Nevada Revised Statutes. The Administrator has received a complete application for modification of water pollution control discharge permit #NEV2004528 from the following applicant:

Newmont Nevada Energy Investment, LLC
P. O. Box 388
Valmy, Nevada 89438

Newmont Nevada Energy Investment, LLC (Newmont) proposes to operate the TS Power Plant which will be a coal fired 200 megawatt generating facility located in Eureka County three miles north of the Dunphy exit on I-80, approximately 15 miles northeast of Battle Mountain, Nevada. Newmont has applied for a permit Modification to increase discharge flows of non contact cooling water and other facility generated wastestreams to redesigned and enlarged double lined evaporation ponds. The Permittee is required to monitor the wastewater in the ponds and the groundwater to ensure that the waters of the State are not adversely impacted. The proposed permit will be for the remaining four years of the existing permit which was issued July 13, 2005.

On the basis of preliminary review of the requirements of the Nevada Revised Statutes (NRS) and implementing regulations, the Administrator proposes to issue a permit to discharge, subject to certain effluent limitations and special conditions.

Persons wishing to comment upon or object to the proposed determinations by the Administrator regarding permit issuance or 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 newspaper publication, by October 18, 2006, either in person or by mail to:

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

Page 2
Public Notice of
Proposed Action

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NEV2004528

The request must be filed within the comment period and must indicate the interest of the person filing the request and the reasons why a hearing is warranted.

All comments or objections received within thirty (30) days 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. A public notice of such hearing will be issued not less than thirty (30) days prior to the 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 application, proposed permit, 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 calling Icyll Mulligan of the Bureau of Water Pollution Control at 775.687.9432. Copies of this document and the Fact Sheet may be printed from the NDEP website at <http://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.

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