



STATE OF NEVADA

Department of Conservation & Natural Resources

DIVISION OF ENVIRONMENTAL PROTECTION

Jim Gibbons, Governor

Allen Biaggi, Director

Leo M. Drozdoff, P.E., Administrator

Notice of Proposed Action

By the
State of Nevada

The Administrator of the Division of Environmental Protection gives notice that an application for renewal of a Water Pollution Control Permit for the **Tonopah Mine** for post-closure monitoring of a mining facility has been properly filed with the Nevada Division of Environmental Protection in Carson City. The applicant for renewal of Water Pollution Control Permit NEV0088029 is:

Equatorial Tonopah, Inc.
P.O. Box 1569
Tonopah, NV 89049

The mine is located on both public and private land in Nye County, within Sections 1, 2, 11, 12, 13 and 14 of Township 5 North, Range 41 East, Sections 4, 5, 6, 7, 8, 9, 15 and 16 of Township 5 North, Range 42 East, Section 25, 26, 35 and 36 of Township 6 North, Range 41 East and Sections 28, 29, 30, 31, 32 and 33 of Township 6 North, Range 42 East, Mount Diablo Baseline and Meridian, approximately 26 miles northwest of the town of Tonopah, Nevada.

The project was an open-pit copper mine with ore processed by conventional copper heap leach with precious metal recovery by electro winning. Currently the facility is in post-closure with long-term heap draindown reporting to two evapotranspiration basins with overflow discharging to an infiltration field located within the tailings impoundment.

The Administrator is constrained to issue the renewal of a Water Pollution Control Permit for post-closure or to deny the application. The Administrator has made the tentative decision to issue the renewal permit.

Persons wishing to comment upon the proposed Water Pollution Control Permit, to recommend terms and conditions for consideration of incorporation into the permit, or who request a public hearing pursuant to the Nevada Administrative Code, NAC Chapter 445, must submit their comments, objections, or requests no later than 5:00PM on the 30th day following the date of publication of this notice (Publication Date: January 25, 2007) to:

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

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All comments or objections received during the public notice period will be considered in the final determination regarding this Water Pollution Control 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 NAC 445A.405.

The draft Water Pollution Control Permit and all application documents are on file at the Division and are available for public inspection and copying pursuant to NRS 445A.665. For more information, contact Kevin E. Sullivan directly at (775) 687-9413, or (775) 687-9400, or visit Nevada Division of Environmental Protection's Bureau of Mining Regulation and Reclamation website at <http://ndep.nv.gov/bmrr/bmrr01.htm>.

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