



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

The Administrator of the Division of Environmental Protection gives notice that an application for a new Water Pollution Control Permit for the Big Ledge Mine and Dry Creek Mill Project, a barite mining and beneficiation facility, has been properly filed with the Division of Environmental Protection in Carson City. The applicant for the new Water Pollution Control Permit NEV2007103 is:

Spirit Minerals, LP
P.O. Box 900
Wells, Nevada 89835

The facility is located on both public and private land in Elko County, within Sections 26, 27, 34 and 35, Township 42 North, Range 61 East, and Sections 9, 10, 15 and 16, Township 42 North, Range 62 East, Mount Diablo Baseline and Meridian (MDB&M), approximately 35 miles north of the town of Wells, Nevada.

The project consists of a surface mine and physical separation facility, designed to extract barite, with a maximum permitted production rate of up to 300,000 tons of ore per year. The facility is comprised of an open pit mine, crushing and screening plant, jigging plant, waste rock and jig byproduct disposal facilities, settling ponds, diversion channels, wells and other ancillary equipment and structures necessary for the operation of the project. Facilities are required to be designed, constructed, operated and closed without any discharge or release to the environment 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 Water Pollution Control Permit or to deny the application. The Administrator has made the tentative decision to issue the 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 Nevada Administrative Code, NAC Chapter 445A, must submit their written comments, objections, or requests no later than 5:00 PM on the 30th day following the date of publication of this notice (Publish Date: September 24, 2007) to:

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

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

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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 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 Rob Kuczynski, P.E. at (775) 687-9441 or visit the Bureau of Mining's website at <http://ndep.nv.gov/bmrr/bmrr01.htm>

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