



STATE OF NEVADA

Department of Conservation & Natural Resources

DIVISION OF ENVIRONMENTAL PROTECTION

Jim Gibbons, Governor

Allen Biaggi, Director

Leo M. Drozdoff, P.E., Administrator

Web posting 11/5/2009

Deadline for comment 12/11/2009

Notice of Proposed Action

Permit #NEV0090019

Newmont Mining Company

Surprise Heap Leach Facility

The Administrator of the Division of Environmental Protection gives notice that an application for renewal of a Water Pollution Control Permit for the Surprise Heap Leach Facility, for post-closure monitoring of a mining and beneficiation facility, has been properly filed with the Nevada Division of Environmental Protection in Carson City. The applicant for renewal of Water Pollution Control Permit NEV0090019 is:

Newmont Mining Company, Inc.
P.O. Box 1657
Battle Mountain, Nevada 89820

The facility is located on public land in Lander County, within Section 4 of Township 31 North, Range 44 East, Mount Diablo Baseline and Meridian, approximately 7 miles southwest of the town of Battle Mountain, Nevada.

The Surprise Heap Leach mining facility was comprised of a crusher, a cyanide heap leach pad, three process solution ponds, a carbon column adsorption facility and associated buildings. The crusher, carbon column and associated buildings have been removed. The process solution ponds have been modified into evaporation basins.

The Administrator is constrained to either issue the renewal of a Water Pollution Control Permit 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 Nevada Administrative Code (NAC) Chapter 445A, must submit their written comments, objections, or requests by hand delivery, United States Postal Service, facsimile, or e-

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mail no later than 5:00 PM on the 30th day following the date of publication of this notice (submittal deadline Day Month Year) to:

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

All comments, objections, or requests 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 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 Kevin E. Sullivan on (775) 687-9413 or visit the Bureau of Mining's website at <http://ndep.nv.gov/bmrr/bmrr01.htm>

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