



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 7/01/2009

Notice of Proposed Action

The Administrator of the Division of Environmental Protection gives notice that an application for renewal of a Water Pollution Control Permit for the Rose Gulch Project, a mining and beneficiation facility, has been properly filed with the Division of Environmental Protection in Carson City. The applicant for renewal of Water Pollution Control Permit NEV2004101 is:

John M. Heizer, Jr.
P.O. Box 1
Lovelock, Nevada 89419

The facility is located on private land in Pershing County, within a portion of Section 9, Township 28 North, Range 33 East, Mount Diablo Baseline and Meridian, approximately 14 miles northeast of the town of Lovelock, Nevada.

The project consists of a placer mining and physical separation beneficiation Facility (NAC 445A.414), designed to extract gold and associated precious metals, with a maximum permitted production rate of 5,000 tons of ore per year. Ore-bearing gravel will be extracted from the Rose Gulch drainage using a loader/backhoe and processed in the gravity separation Facility comprised of a one-ton-per-hour portable placer plant, a synthetic-lined make-up water storage pond, and associated pumps, pipelines, and conveyance devices. Chemicals are not approved for use in the process. Make-up water will be obtained from the Lovelock Meadows Water District and recycled. Facilities are required to be designed, constructed, operated and closed without any discharge or release 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 renewal 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-mail no later than 5:00 PM on the 30th day following the date of publication of this notice (submittal deadline 5:00 PM, 10 August 2009) to:

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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 Miles Shaw on (775) 687-9409 or visit the Bureau of Mining's website at <http://ndep.nv.gov/bmrr/bmrr01.htm>

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