



# 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

Web posting date 5/20/09

The Administrator of the Division of Environmental Protection gives notice that an application for a new Water Pollution Control Permit for the Crescent Mine-Silver Peak Project, a mining facility, has been properly filed with the Division of Environmental Protection in Carson City. The applicant for the new Water Pollution Control Permit NEV2008108 is:

BP Equipment Partners, LLC  
Crescent Mine-Silver Peak Project  
P.O. Box 355  
A Lazy L Ranch Road  
Dyer, NV 89010

The facility is located on patented land in Esmeralda County, Section 10, Township 2 South, Range 37 East, Mount Diablo Baseline and Meridian, approximately 9 miles northwest of the town of Silver Peak.

The project consists of an underground mine, designed to extract gold and silver bearing ore, with a maximum permitted mine production rate of 5,000 tons of ore per year. The facility is comprised of mine, waste rock and ore stockpile areas and support facilities. No processing on site is authorized.

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 new Water Pollution Control Permit or to deny the application. The Administrator has made the tentative decision to issue the new 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 30<sup>th</sup> day following the date of publication of this notice (Publication Date: May 29, 2009, End of Comment Period: June 28, 2009) to:

Division of Environmental Protection  
Bureau of Mining Regulation and Reclamation

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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 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 Regulation and Reclamation's website at <http://ndep.nv.gov/bmrr/bmrr01.htm>

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