



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 8/13/2009
13 August 2009

Notice of Decision

Water Pollution Control Permit
Number Nev0087065 (Renewal 2009)

Newmont Mining Corporation

North Area Leach Project

The Nevada Division of Environmental Protection has decided to renew Water Pollution Control Permit NEV0087065 to Newmont Mining Corporation. This permit authorizes the construction, operation, and closure of approved mining facilities in Eureka County. The Division has been provided with sufficient information, in accordance with Nevada Administrative Code (NAC) 445A.350 through NAC 445A.447, to assure the Division that the groundwater quality will not be degraded by this operation, and that public safety and health will be protected.

The permit will become effective 28 August 2009. The final determination of the Administrator may be appealed to the State Environmental Commission pursuant to Nevada Revised Statute (NRS) 445A.605 and NAC 445A.407. All requests for appeals must be filed by 5:00 PM, 24 August 2009, on Form 3, with the State Environmental Commission, 901 South Stewart Street, Suite 4001, Carson City, Nevada 89701-5249. For more information, contact Miles Shaw at (775) 687-9409 or visit the Division's Bureau of Mining Regulation website at www.ndep.nv.gov/bmrr/bmrr01.htm

One (1) comment was received at the BMRR during the 30-day public comment period from the Nevada Division of Water Resources (NDWR).

NDWR Comment: *"All waters of the State belong to the public and may be appropriated for beneficial use pursuant to the provisions under Chapters 533 and 534 of the Nevada Revised Statutes and not otherwise. Currently the operator has permits on file with the Division of Water Resources to dewater nearby mine workings up to 25,000 gallons per minute. The total combined consumptive duty of water is not to exceed 6,138 acre feet annually. 40,325 acre feet per year of excess water can be diverted to storage or to injection / infiltration basins. Accurate measurements of water discharged to the facility and infiltrated to the basin must be kept. The operator shall install, maintain and plug the required monitoring wells in compliance with Chapter 534 of the Nevada Administrative Code."*

BMRR Response: Comment noted.

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