



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 09/22/2009

October 3, 2009

Notice of Decision

The Nevada Division of Environmental Protection has decided to issue Water Pollution Control Permit NEV2009104 to Stockpile Reserves, Inc. This permit authorizes the construction, operation, and closure of approved mining facilities in Pershing 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 October 3, 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, September 28, 2009, on Form 3, with the State Environmental Commission, 901 South Stewart Street, Suite 4001, Carson City, Nevada 89701-5249. For more information, contact Paul Eckert at (775) 687-9401 or visit the Division's Bureau of Mining Regulation website at www.ndep.nv.gov/bmrr/bmrr01.htm.

One comment was received during the public comment period from the Nevada Division of Water Resources. The response to this comment is attached.

Nevada Division of Water Resources, Diana Lefler, comment received by electronic mail on August 12, 2009.

Comment 1: "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. The operator shall install, maintain and plug any required monitoring wells in compliance with Chapter 534 of the Nevada Administrative Code."

NDEP Response: *Comment Noted*

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