

## NOTICE OF PROPOSED ACTION

by the  
State of Nevada  
Division of Environmental Protection  
Bureau of Air Pollution Control

### PUBLIC NOTICE

Pursuant to Nevada Revised Statutes (NRS) Chapter 445B and the Nevada Administrative Code (NAC) Chapter 445B, the Division of Environmental Protection is issuing the following notice.

The Administrator has received an application for Nevada Mercury Operating Permits to Construct for new refinery thermal units from the following applicant:

*Borealis Mining Company*                      *PO Box 1687*                      *420 3<sup>rd</sup> St. Suite C*                      *Hawthorne, NV 89415*

The Administrator has prepared tentative determinations regarding the Mercury Operating Permits to Construct (MOPTC) that, in brief, affect the following: new carbon regeneration kiln, new mercury retort, new smelting furnace and a new solution system. The draft MOPTCs propose a mercury emissions performance standards and mercury emissions control technologies determined to be NvMACT pursuant to NAC 445B.3677.3.

The determination of the final proposed NvMACT mercury emission limit for the new refinery thermal units at Borealis is  $2.6 \times 10^{-4}$  gr/dscf mercury for the combined mercury emissions for the combined systems. Determination of proposed NvMACT mercury emissions control technology for the refinery system is: a condensation system, a wet scrubber system, followed by a sulfur-impregnated carbon system.

The tentative MOPTC activities include monitoring, recordkeeping, annual stack testing for mercury emissions, annual emissions reporting, annual mercury co-product reporting, limits of operation, work practice standards which minimize emissions of mercury to the atmosphere and a mercury emission limit.

On the basis of the preliminary review and the requirements of the NRS and the NAC, the Administrator is hereby announcing his intent to issue the Mercury Operating Permits to Construct based on review of the information, as proposed. A copy of a draft operating permit is available for public inspection at:

MINERAL COUNTY LIBRARY, FIRST & "A" St., PO BOX 1390 HAWTHORNE, NV 89415

Persons wishing to comment upon the proposed determinations by the Administrator regarding this proposed action or to request a hearing pursuant to NRS 445B Air Pollution and NAC 445B Air Controls should submit their comments or request in writing either in person or by mail or fax within thirty (30) days to:

Ken McIntyre (kmcintyre@ndep.nv.gov)  
Nevada Division of Environmental Protection - Bureau of Air Quality Planning  
901 S. Stewart St., Suite 4001, Carson City, Nevada 89701-5249  
PHONE (775) 687-9493; FAX (775) 687-6396

The applications, draft permits, any comments received, and other relevant information may be copied at the above address or copies may be obtained by requesting in writing at the above address. Copies of the Director's Reviews and the draft Mercury Operating Permits to Construct are available for review on the Nevada Division of Environmental Protection-Bureau of Air Quality Planning website at: <http://ndep.nv.gov/baqp/hg/pub.html>. Written comments or objections, will be received at the Division of Environmental Protection, above address, until **July 7, 2011** and will be retained and considered prior to final action on the Mercury Operating Permits to Construct.

Please bring the foregoing notice to the attention of all persons whom you know may be interested in this matter.