



# STATE OF NEVADA

Department of Conservation & Natural Resources

Brian Sandoval, Governor

Leo M. Drozdoff, P.E., Director

DIVISION OF ENVIRONMENTAL PROTECTION

Colleen Cripps, Ph.D., Administrator

## Notice of Proposed Action - Bureau of Mining Regulation and Reclamation

Web Posting: 01/10/12

Deadline for Comment: 02/13/12

The Administrator of the Division of Environmental Protection gives notice that an application for a new **Water Pollution Control Permit (Permit) NEV2011107** for the **Mary Ann Canyon Project**, a mining and beneficiation facility, has been properly filed with the Division of Environmental Protection in Carson City. The applicant for the new Permit is:

**Kapacke Mining LLC**  
**9123 Placer Bullion Avenue**  
**Las Vegas, Nevada 89178-6208**

The facility is located on public land in southeast White Pine County, Nevada, within the W ½, SE ¼, SE ¼, Section 23, Township 14 North, Range 67 East, Mount Diablo Baseline and Meridian, approximately thirty (30) miles east-southeast of the town of Ely.

The project consists of a placer mining and physical separation beneficiation facility (NAC 445A.414), designed to extract gold, with a maximum permitted production rate of 20,000 tons of ore per year. The facility is comprised of a small open pit mine; a gravity separation process plant incorporating a shaker screen, jig, and Neff bowls; fresh water storage and process solution recirculation ponds; and associated pipelines and pumps. 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 Water Pollution Control Permit or to deny the application. The Administrator has made the tentative decision to issue the 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 (submittal deadline **13 February 2012**) to:

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>