



STATE OF NEVADA

Department of Conservation & Natural Resources

DIVISION OF ENVIRONMENTAL PROTECTION

Brian Sandoval, Governor

Leo M. Drozdoff, P.E., Director

Colleen Cripps, Ph.D., Administrator

NOTICE OF PROPOSED ACTION - Bureau of Mining Regulation and Reclamation

Web Posting: 9/24/2013

Deadline for Comment: 10/24/2013

The Administrator of the Division of Environmental Protection (the Division) gives notice that an application for a new Water Pollution Control Permit for the **Fish Creek Mine**, a mining facility, has been properly filed with the Division of Environmental Protection in Carson City. The Applicant for Water Pollution Control Permit **NEV2013105** (Permit) is:

Progressive Contracting Inc.
PO Box 1930
St. George, UT 84771

The facility is located on private land in Elko County, within Sections 3 and 10, Township 35 North, Range 52 East, Mount Diablo Baseline and Meridian, approximately 13 air miles north of the town of Carlin, Nevada.

The project consists of a mining facility, designed to extract barite ore for off-site processing, with a maximum permitted production rate of 125,000 tons of ore per year. The facility is comprised of the open pit mine and ancillary structures. 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 Permit or to deny the application. The Administrator has made the tentative decision to issue the Permit.

Persons wishing to comment upon the proposed 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 or US Postal Service, or by facsimile or e-mail transmittal, no later than 5:00 PM on the 30th day following the date of publication of this notice (submittal end date 24 October 2013) to:

Division of Environmental Protection
Bureau of Mining Regulation and Reclamation
901 South Stewart Street, Suite 4001
Carson City, NV 89701-5249

All comments, objections, or requests received during the public notice period will be considered in the final determination regarding the 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 Permit and all application documents are on file at the Division and are available for public inspection and copying pursuant to Nevada Revised Statute 445A.665. For more information, contact Paul Eckert at (775) 687-9401 or visit the Bureau of Mining Regulation and Reclamation website at <http://ndep.nv.gov/bmrr/bmrr01.htm> .