



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 AND PUBLIC HEARING - Bureau of Mining Regulation and Reclamation

Web Posting: 08/11/2014

Deadline for Comments: 09/22/2014

In accordance with Nevada Administrative Code (NAC), the Administrator of the Division of Environmental Protection in Carson City hereby issues the following Notice of Proposed Action and Public Hearing. An application for renewal of Water Pollution Control Permit **NEV2000109** has been properly filed with the Administrator for the **Lucerne Project**, a mining and beneficiation facility. The Applicant is:

**Comstock Mining LLC
P.O. Box 1118
Virginia City, NV 89440**

The facility is located on public and private land in Storey and Lyon County, within Sections 5, 6, 7, and 8, Township 16 North, Range 21 East, Mount Diablo Baseline and Meridian, approximately 2 miles west of the town of Gold Hill.

The Project consists of open pit mining with heap leach beneficiation, designed to extract gold and silver, with a maximum permitted production rate of 4,000,000 tons of ore per year. The facility is comprised of mine, crusher, heap leach pad, Merrill-Crowe facility, process and event ponds, production and monitoring wells, and ancillary structures. This Renewal includes a Major Modification proposing to modify the design of the heap leach pad Cell 8 and add an additional heap leach cell (Cell 9) approximately 500 feet to the north of Cell 8 increasing the total heap leach area by approximately 416,000 square feet. 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 renew the Permit with or without the Major Modification or to deny the application. The Administrator has made the tentative decision to issue the renewal Permit.

Persons wishing to comment upon the proposed Permit, to recommend terms and conditions for consideration of incorporation into the Permit related to the proposed Renewal and modification, or who request a public hearing pursuant to NAC 445A, must submit their written comments, objections, or requests by hand delivery, US Postal Service, 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 12 September 2014) to:

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

Due to a significant degree of interest in the proposed facility, the Administrator has scheduled a public hearing in accordance with NAC 445A.404 to gather additional public input on water pollution control issues related to the proposed Permit.

The public hearing will be held at:

**Legislative Council Bureau
401 South Carson Street, Rm. 2134
Carson City, Nevada 89701
September 17th, 2014
2:00 PM to 4:00 PM**

The Division may set a five-minute limit for oral statements based upon the number of people in attendance who would like to comment. Hand-delivered written comments will also be accepted at the hearing as they relate to water pollution control issues.

All comments, objections, or requests received during the public notice period and at the public hearing will be considered in the final determination regarding the Permit. In addition, the deadline for submittal of written comments pursuant to the Notice of Proposed Action of 12 August 2014 will be extended to 5:00 PM on 22 September 2014.

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 Shawn Gooch at (775) 687-9557 or visit the Bureau of Mining Regulation and Reclamation website at <http://ndep.nv.gov/bmrr/bmrr01.htm> .