



NOTICE OF DECISION - Bureau of Mining Regulation and Reclamation

Date of Posting: [04/02/2025](#)

Deadline for Appeal: [04/12/2025](#)

Nevada Gold Mines LLC
Emigrant Mine Project
1655 Mountain City Highway
Elko, NV 89801

The Administrator of the Nevada Division of Environmental Protection (NDEP) has decided to issue renewed Water Pollution Control Permit NEV2005107 to Nevada Gold Mines LLC. This Permit authorizes the construction, operation, and closure of approved mining facilities in Elko County, Nevada. The NDEP has been provided with sufficient information, in accordance with Nevada Administrative Code (NAC) 445A.350 through 445A.447, to assure that the waters of the State will not be degraded by this operation, and that public safety and health will be protected.

The Permit will become effective [April 17 2025](#). 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 [April 12 2025](#), on Form 3, with the State Environmental Commission, 901 South Stewart Street, Suite 4001, Carson City, Nevada 89701-5249. For more information, contact TJ Mohammed at (775) 687-9405 or visit the Division website at <http://ndep.nv.gov/admin/public.htm#mining>.

Written comments were received during the public comment period from John Hadder, Great Basin Resource Watch, Reno, Nevada. The text of all comments, in some cases excerpted, and the Division responses (in *italics*) are included below as part of this Notice of Decision.

John Hadder, Written Comment:

Comment #1:

Current backfilling of the Emigrant Pit involves the encapsulation of potentially acid generating (PAG) waste rock (~8,000,000 tons) with specific non-acid-generating waste rock serving as encapsulation material. While previous modeling indicates that acidic seepage water exiting the PAG will be rapidly neutralized by encapsulating limestone, it also indicates that there will be several constituents in the seepage that will exceed Profile I reference values, even in limestone equilibrated concentration 1. Given these concentrations, is there an expectation that these constituents will be further attenuated by other non-PAG backfill within the pit area? Does NDEP expect that

seepage will be attenuated before encountering surface waters at Dixie Creek downgradient, or groundwater.

Division Response #1:

The modeling completed provided the worst-case scenario if water was not conveyed away from the in-pit waste rock facility. The construction method of the in-pit waste rock facility per the NDEP-approved Adaptive Waste Rock Management Plan prevents infiltration of meteoric water into the facility. The NDEP does not anticipate seepage from the facility since meteoric water will be prevented from running onto the facility with stormwater diversion channels and the facility is above the groundwater table by 450 feet.

Comment #2:

While there are current monitoring wells up-gradient of the Emigrant Pit and backfill (EMID1A/EMID1B) and a suite of wells nearby (EM-1, EM-2, EM-5, EM-7), these down gradient wells seem insufficient for down-gradient monitoring of the PAG waste rock disposal encapsulation area. What are there not monitoring wells near for the open pit backfill? Is there any concern that their proximity to the heap leach pad will have any effect on monitoring data? It seems there is a need for more specific monitoring wells down-gradient and away from other process facilities that may interfere with monitoring data. The permit application and the monitoring reports do not contain any data on meteoric water mobility testing. GBRW assumes that these tests were done for all waste rock types and the heap leach material. Please provide data on these tests and confirm the expected chemical profile of seepage from the waste rock disposal areas. GBRW generally recommends that there be monitoring wells up and downgradient of the waste rock facilities. What is the evidence and rationale for there to be no monitoring wells for the waste rock facilities?

Division Response #2:

Quarterly sampling of the material is required per the Permit of which all documents received by the Division are public records and available to the public for review. Comment noted.

EMW-5 is located directly downgradient from both waste rock facilities. EMW -5 is located in Part I.D.10 of the Permit and is to be monitored quarterly.

Comment #3:

The WPCP application does provide some discussion of the analysis of potential seepage (“Summary of Modeling Results for the Pit Backfilled Waste Rock at the Emigrant Mine”) through the PAG encapsulated waste rock. There was no mention of the possibility of preferential flow paths that could develop. If preferential flow paths develop the seepage chemical concentration profile is likely to be much greater than reported in Table 1 of the analysis summary contained in the WPCP application. Has there been any discussion or analysis of preferential flow? If so, what was that discussion? If not, why not?

Division Response #3:

Please see Division Response #1.