



## **NOTICE OF DECISION - Bureau of Mining Regulation and Reclamation**

**Date of Posting: 08/05/2025**

**Deadline for Appeal: 08/15/2025**

**Ruby Hill Mining Company, LLC  
Ruby Hill Mine**

The Administrator of the Nevada Division of Environmental Protection (NDEP) has decided to issue modified Water Pollution Control Permit NEV0096103 to Ruby Hill Mining Company, LLC. This Permit authorizes the construction, operation, and closure of approved mining facilities in Eureka 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 20 August 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, 15 August 2025, on Form 3, with the State Environmental Commission, 901 South Stewart Street, Suite 4001, Carson City, Nevada 89701-5249. For more information, contact Keith Johnson, P.E. at (775) 687-9441 or visit the Division public notice website at <https://ndep.nv.gov/posts/category/land>.

Written Comments were received during the public comment period from the Eureka County Board of Commissioners of Eureka, 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.

### **Written Comment:**

Eureka County has reviewed the draft major modification of Water Pollution Control Permit, NEV00096103, for Ruby Hill Mine Project. Our review included the draft permit and Fact Sheet prepared by NDEP.

The current renewal addresses a major modification consisting “of the development of an underground exploration and mining operation with three portals on the west side of the Pit, use of the existing crusher facility to support underground operations for development of both backfill aggregate and road rock, placement and leaching of ore encountered during underground operations on the existing Heap Leach Pad, and offsite transportation of ore for metals extraction at i-80 Gold's Lone Tree Mine milling operation or via toll-milling at another permitted facility upon Division approval.”

As with the previous renewals, the current fact sheet provides a detailed discussion of the history of the project and its permits which are repeated verbatim and there are only a few paragraphs we identified of note. Like the previous renewal, there was an analysis of the formation of a pit lake. Both scenarios that were analyzed yielded similar results. The elevation of the pit lake surface and the times for the lake to fill did not change. We anticipated the underground workings might result in some differences, but they did not.

Perhaps the most significant change relates to predicted pit-water chemistry. The updated analysis concluded “The ERA [Ecological Risk Assessment] results indicate that the harmful effects from pit lake constituents cannot be ruled out, but the harmful effects are not likely.” Where the 2021 model concluded with “The ERA results indicate that the harmful effects from pit lake constituents are not likely.” We are not overly enthusiastic with the qualifying language “...harmful effects from pit lake constituents cannot be ruled out....” Any potential for pit water chemistry to exceed Profile I and III is concerning. We request robust monitoring and clear commitments with provisions in place if a problem arises in the future so that adverse results are quickly rectified.

We recognize the increase in concentration of the constituents of concern in the pit water are not expected to cause an issue with the chemical quality of groundwater derived from the Town of Eureka and Devil’s Gate GID water-supply well and dozens of domestic and irrigation wells, all which are located down-gradient of the pit and the future pit lake as analysis shows that the pit lake will act as a groundwater sink.

We support the issuance of the Permit and believe there is a reasonable expectation that water resources of Eureka County will not be degraded by the facilities covered under the permit so long as there are clear and robust monitoring and follow-up provisions in place should there be “harmful effects from pit lake constituents” in the future.

**Division Response 1:**

*Comment noted.*