

STATE OF NEVADA  
Department of Conservation and Natural Resources  
Division of Environmental Protection  
Bureau of Mining Regulation and Reclamation

**Water Pollution Control Permit**

Permittee: **Nevada Gold Mines LLC  
Cortez Hills Project  
1655 Mountain City Highway  
Elko, Nevada 89801**

Permit Number: **NEV2007106**  
Review Type/Year/Revision: **Renewal 2026, Revision 00**

Pursuant to Nevada Revised Statutes (NRS) 445A.300 through 445A.730, inclusive, and regulations promulgated thereunder by the State Environmental Commission and implemented by the Division of Environmental Protection (the Division), this Permit authorizes the Permittee to construct, operate, and close the **Cortez Hills Project**, in accordance with the limitations, requirements and other conditions set forth in this Permit. The Permittee is authorized to process up to **20,000,000 tons** of ore per year.

The facility is located in eastern Lander County and westernmost Eureka County, Nevada, within Sections 1, 2, 12, 13, and 24, Township 26 North, Range 47 East (T26N, R47E); Sections 5, 6, 7, 8, 17, 18, and 19, T26N, R48E; Sections 12, 13, 14, 23, 24, 25, 26, 35, and 36, T27N, R47E; and Sections 18, 19, 30, 31, and 32, T27N, R48E, Mount Diablo Baseline and Meridian, approximately 37 miles southeast of the town of Battle Mountain, Nevada.

The Permittee must comply with all terms and conditions of this Permit and all applicable statutes and regulations.

This Permit is based on the assumption that the information submitted in the application of 30 July 2007, as modified by subsequent approved amendments, is accurate and that the facility has been constructed and is being operated as specified in the application. The Permittee must inform the Division of any deviation from, or changes in, the information in the application, which may affect the ability of the Permittee to comply with applicable regulations or Permit conditions.

This Permit is effective as of **Day Month Year**, and shall remain in effect until **Day-1 Month 2031**, unless modified, suspended, or revoked.

Signed this \_\_\_\_\_ day of **Month Year**.

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Ashley Taylor, P.E.  
Chief, Bureau of Mining Regulation and Reclamation

## I. Specific Facility Conditions and Limitations

A. In accordance with operating plans and facility design plans reviewed and approved by the Division the Permittee shall:

1. Construct, operate, and close the facility in accordance with those plans;
2. Contain within the fluid management system all process fluids including all meteoric waters which enter the system as a result of the 25-year, 24-hour storm event; and
3. Not release or discharge any process or non-process contaminants from the fluid management system.

B. Schedule of Compliance:

1. A minimum of 60 days prior to either the construction of the Tailings Impoundment 7 (TA-7) Stages 3 through 5, or the recommencement of operation of any associated historic Cortez Mine beneficiation process component that has been in temporary or permanent closure, the Permittee shall submit an updated engineering design for review and approval. Engineering review and Permit modification fees shall apply.

The schedule of compliance items above are not considered completed until approved in writing by the Division.

C. The fluid management system covered by this Permit consists of the following process components:

1. Phases I, II, and III of the Grass Valley (Area 34) Heap Leach Facility including, but not limited to, the high-density polyethylene (HDPE) liner system, underdrain solution collection system, associated HDPE-lined channels and pipelines for solution collection and conveyance; the HDPE-lined Transfer Pipeline and By-Pass channels; the Pregnant Solution Sump; the double-lined HDPE Pregnant Sump Shelf; the double-lined HDPE Process Solution Pond; the double-lined HDPE Emergency/Storm Event Pond; the Grass Valley Carbon-in-Column Process Plant, and associated secondary containment systems; and all other associated pipelines, pipeline containment systems, tanks, basins, sumps, pumps, valves, and other piping necessary for the conveyance and control of solution and to interconnect the components;
2. The Cortez Hills F-Canyon Underground Event Pipeline and all associated secondary containment, tanks, sumps, pumps, valves, and other pipelines;
3. The Cortez Hills F-Canyon Underground Water Handling System including, but not limited to, all associated secondary containment, pipelines, including the Contact Water Pipeline, tanks, basins, sumps, pumps, valves, piping, and ponds for the conveyance and control of fluids between and within components;
4. The single-lined HDPE (Cortez Mine) Tailings Impoundment 7 (TA-7) and associated underdrain solution collection system, double-lined HDPE Cortez Mine Underdrain Pond (UDP) and associated groundwater dewatering system, single-lined HDPE Cortez Mine Stormwater Pond (SWP) and associated groundwater

- dewatering system, Cortez Mine Thickener Overflow Pipeline, Cortez Mine HDPE-lined solution collection and conveyance channels, and associated sumps, pumps, tanks, and piping for the conveyance and control of fluids;
5. The double-lined HDPE (Cortez Mine) Water Storage Reservoir (WSR), leakage collection and recovery systems, and associated sumps, pumps, valves, and piping for the conveyance and control of fluids;
  6. The Solid-Liquid Separation (SLS) Plant and all associated containment structures, vessels, tanks, filter systems, pumps, sumps, valves, piping, alarm systems, and material storage areas used for the treatment, conveyance, and control of Contact Water and solids;
  7. The F-Canyon Ore Storage Pad comprised of the Upper and Lower Non-Segregated Ore Stockpile Pad and associated Geosynthetic Clay Layer (GCL), the HDPE-lined Segregated Ore Stockpile Pad, protective overliner layer, collection and conveyance corrugated polyethylene pipe (CPEP) and HDPE pipelines and secondary containment, Stormwater Collection Sump, Metals Removal Plant and radial stacker, and associated pipelines, sumps, berms and containment;
  8. Range-Front Declines area Contact Water components, including, but not limited to, Manholes, HDPE-lined Phase 2A, 2B, and 2C Ore Stockpile Pads, HDPE double-lined Event Pond, concrete Portal Underground Washbay, dual-walled Temporary Contact Water Tank, concrete Temporary Shotcrete Sump, buried dual-walled HDPE pipeline from Portal Underground Washbay to the existing Cross-Valley Contact Water Pipeline, and other interconnecting pipelines;
  9. Cement Rockfill Transfer Area, including, but not limited to, the dump building, aggregate borehole, admix building, binder silo pad, and binder transfer pit, and associated sumps, pumps, tanks, and piping for the conveyance and control of fluids;
  10. Cortez Hills Underground Above 3800 Expansion Project, including, but not limited to, the Fuel and Lube Transfer Area, Phase 2C Pre-Stockpile Pad, Transformer Secondary Containment, and associated sumps, pumps, tanks, and piping for the conveyance and control of fluids.
  11. All transfer pipelines, valves, and pumps used in the conveyance, control, or detection of fluids between components.

D. Monitoring Requirements:

<b><u>Identification</u></b>	<b><u>Parameter</u></b>	<b><u>Frequency</u></b>
1. <u>Make-up Water Supply</u> Well MMW-CH	Profile I <sup>(2)</sup> and Uranium <sup>(5)</sup>	Annually

<u>Identification</u>	<u>Parameter</u>	<u>Frequency</u>
<p>2. <u>Pond, Sump, Channel, and Tank Leak Detection Sumps [sump capacity]</u></p> <p>Grass Valley Pregnant Sump Shelf (GV-PS) [300 gal]  Grass Valley Process Solution Pond (GV-PP) [1,900 gal]  Grass Valley Emergency/Storm Event Pond (GV-SP) [1,800 gal]  Grass Valley Phase III Solution Collection Channel (GV-PIIC) [244 gal]  Range-Front Declines Event Pond (RF-EP) [2,585 gal]  Cortez Mine Water Storage Reservoir - North Cell (WSR-N) [7,836 gal]  Cortez Mine Water Storage Reservoir - South Cell (WSR-S) [7,674 gal]</p>	<p>Average daily accumulation (gpd)</p>	<p>Quarterly average of weekly measurements<sup>(1)</sup></p>
<p>3. <u>Cortez Mine Tailings Impoundment 7 (TA-7) Leak Detection Sumps<sup>(8)</sup> [12 gal sump capacity]</u></p> <p>Cell 1 North-South (C1NS)  Cell 1 East (C1E)  Cell 1 West (C1W)  Cell 1 West Channel (C1WC)  Cell 1 East Channel (C1EC)  Underdrain Outlet Channel (UOC)  Cell 2 North-South (C2NS)  Cell 2 East-West (C2EW)  Cell 2 Channel (C2C)</p>	<p>Average daily accumulation (gpd)</p>	<p>Quarterly average of weekly measurements<sup>(1)</sup></p>
<p>4. <u>Cortez Mine Tailings Impoundment 7 (TA-7) Leak Detection Risers<sup>(8)</sup> [12 gal sump capacity]</u></p> <p>Cell 1 North-South (C1NSLC)  Cell 1 East (C1ELC)  Cell 1 West (C1WLC)  Cell 2 North-South (C2NSLC)  Cell 2 East-West (C2EWLC)</p>	<p>Average daily accumulation (gpd)</p>	<p>Quarterly average of weekly measurements<sup>(1)</sup></p>

<b><u>Identification</u></b>	<b><u>Parameter</u></b>	<b><u>Frequency</u></b>
<p>5. <u>Pipeline Leak Detection Ports</u>  <i>F-Canyon Ore Stockpiles:</i>  Segregated Ore Stockpile Pad  stormwater conveyance (LD-SEG)  Stormwater Collection Sump  conveyance (LD-SEG3)  <i>Range-Front Declines Area:</i>  Phase 2B Stockpile Pipeline to  Event Pond (LD-2BP)  Event Pond Pipeline to Portal  Underground Washbay (LD-EPP1, LD-EPP2, LD-EPP3)  Portal Underground Washbay  Pipeline to Cross-Valley  Contact Water Pipeline (LD-UWBP1, LD-UWBP2)</p>	<p>As applicable, average  daily accumulation or  flow (gpd)</p>	<p>Weekly<sup>(1)</sup></p>
<p>6. <u>Process Solution</u>  Pregnant Solution Sump (GV-PSS)  Barren Solution Pump Box  (GV-BSPB)  Water Storage Reservoir (WSRES)  Process Solution Pond (GV-PSSP)  Emergency/Storm Event Pond  (GV-EP)  TA-7 Reclaim Solution (RCLAIM)  TA-7 Tailings liquid fraction  (TAIL7SOLN)  Range-Front Declines Event Pond  Solution (RF-EPS)</p>	<p>Profile I<sup>(2)</sup> and  Uranium<sup>(5)</sup></p>	<p>Quarterly</p>
<p>7. <u>Leach Pad Ore</u>  Grass Valley Heap Leach Pad  (GV-HL)</p>	<p>NMSP<sup>(12)(13)</sup></p>	<p>Quarterly</p>

<b><u>Identification</u></b>	<b><u>Parameter</u></b>	<b><u>Frequency</u></b>
<p>8. <u>Mined Materials</u></p> <p>Alluvial Overburden (CP-AO)  Cortez Pit Complex Waste Rock (CP-WR)  Underground Waste Rock (CHUG-WR)  Open pit ore only Carbon Ore Stockpile (CP-CO)  Open pit ore only Low-grade Ore Stockpile (CP-LO)  Open pit ore only Oxide Ore Stockpile on North WRF (CP-OO)  Other Mined Material (WR)<sup>(9)</sup>  SLS dry cake solids (SLS-DC)  TA-7 Tailings solids (T7SLD);</p> <p>Ore shipped to off-site destination (CH-OS);</p> <p>GRUG Waste Rock</p>	<p>MWMP<sup>(11)</sup> -Profile I<sup>(2)</sup>, NMSP<sup>(12)(13)</sup>, quantity placed (tons) by type and location;</p> <p>Quantity shipped (tons), processing destination;</p> <p>Quantity Placed (tons)</p>	<p>Quarterly;</p> <p>Annually;</p> <p>Quarterly</p>

<u>Identification</u>	<u>Parameter</u>	<u>Frequency</u>
<p>9. <u>Facility Monitoring Wells and Piezometers</u></p> <p><i>Downgradient Alluvial Wells:</i>            Grass Valley Heap Leach (PD-03, PD-06)            North Waste Rock Facility (MW-96, MW-100)            Range-Front Declines Area (MW79)</p> <p><i>Downgradient Bedrock Wells:</i>            Canyon Waste Rock Facility (CHMW-01)            South Waste Rock Facility (PD-02)            Grass Valley Heap Leach Pad (PD-11)            Grass Valley Process Plant and Ponds (PD-10)</p> <p><i>Upgradient Bedrock Wells:</i>            Grass Valley Heap Leach Pad and Canyon Waste Rock Facility (PD-07)</p> <p><i>Circum-Pit Wells and Piezometers:</i>            CHPZ-133, DW-09, DW-16, DW-33, DW-36, DW-37</p> <p><i>Cortez Mine Facility Wells:</i>            Upgradient TA-7 (MW-73)            Downgradient TA-7 (MW-74, MW-75)            Downgradient SWP (MW-76)</p>	<p>Profile I<sup>(2)</sup>, Uranium<sup>(5)</sup> water and collar elevation (feet AMSL)</p>	<p>Quarterly</p>
<p>10. <u>Fresh Water Reservoir</u></p> <p>CH-FWR</p>	<p>Average water volume (gal), average freeboard (feet)</p>	<p>Weekly</p>

<b><u>Identification</u></b>	<b><u>Parameter</u></b>	<b><u>Frequency</u></b>
<p>11. <u>F-Canyon Underground Water Handling System and Contact Water Monitoring</u></p> <p>Water Supply Pipeline flow at F-Canyon declines portal (WSP-F);</p> <p>Contact Water flow at portal (CW-F) Fresh Water Tanks at distribution pipeline outlet (FWT);</p> <p>Contact Water Quality at discharge to WSR (CW-Q)</p>	<p>Average flow (gpm);</p> <p>Average flow (gpm); Profile I<sup>(2)</sup> and Uranium<sup>(5)</sup>;</p> <p>Profile I<sup>(2)</sup> and Uranium<sup>(5)</sup>, TPH<sup>(16)</sup></p>	<p>Weekly;</p> <p>Weekly; Quarterly;</p> <p>Quarterly</p>
<p>12. <u>Surface Water Monitoring</u></p> <p>Cortez Canyon Spring (CCS) Northeast Toiyabe Range Seep (NETRS)</p>	<p>Profile I<sup>(2)</sup> and Uranium<sup>(5)</sup>, flow (gpm)</p>	<p>Quarterly</p>

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<b><u>Identification</u></b>	<b><u>Parameter</u></b>	<b><u>Frequency</u></b>
<p>13. <u>Pit Lake Monitoring</u>  Cortez Pit;</p> <p>General Monitoring – each pit lake;</p> <p>Water Column Monitoring<sup>(18)</sup> – each pit lake;</p> <p>Surface Samples<sup>(20)</sup> – each pit lake;</p> <p>Depth Samples<sup>(21)</sup> – each pit lake that is &gt;25 feet deep or has an outflow to groundwater</p>	<p>Presence of Water<sup>(17)</sup>;</p> <p>Photograph, lake surface elevation (feet AMSL), maximum lake depth (feet), lake area (acres);</p> <p>Continuous field temperature (°F)<sup>(19)</sup> and specific conductance (µS/cm)<sup>(19)</sup> with depth (feet);</p> <p>Field pH (SU)<sup>(19)</sup>, field Eh (mV)<sup>(19)</sup>;</p> <p>Profile III<sup>(22)</sup>;</p> <p>Field pH (SU)<sup>(19)</sup>, field Eh (mV)<sup>(19)</sup>, depth below surface (feet);</p> <p>Profile I<sup>(2)</sup> and Uranium<sup>(5)</sup>, depth below surface (feet)</p>	<p>Quarterly;</p> <p>Monthly;</p> <p>Monthly;</p> <p>Monthly;</p> <p>Quarterly;</p> <p>Monthly;</p> <p>Quarterly</p>
<p>14. <u>Cortez Mine Stormwater Pond (SWP)</u>  Pond Solution (SWP-CS)  Groundwater Monitoring and Dewatering Port Solution (SWP-GWP) [202,000 gal]</p>	<p>Pond and Port solution elevation (feet AMSL)<sup>(10)</sup>;</p> <p>Date(s), volume (gal), and Profile I<sup>(2)</sup> and Uranium<sup>(5)</sup></p>	<p>Weekly<sup>(1)</sup>;</p> <p>When evacuated</p>

<b><u>Identification</u></b>	<b><u>Parameter</u></b>	<b><u>Frequency</u></b>
<p>15. <u>Cortez Mine Underdrain Pond (UDP)</u> [sump capacity as available]</p> <p>Leak Detection Sump 1 (UDP-LD1) [318 gal] Leak Detection Sump 2 (UDP-LD2) [373 gal];</p> <p>Pond Solution (UDP-CS) Groundwater Monitoring and Dewatering Port Solution (UDP-GWP)</p>	<p>Average daily accumulation (gpd);</p> <p>Pond and Port solution elevation (feet AMSL)<sup>(10)</sup>; Date(s), volume (gal), and Profile I<sup>(2)</sup> and Uranium<sup>(5)</sup> when Pond or Port are evacuated<sup>(10)</sup></p>	<p>Weekly<sup>(1)</sup>;</p> <p>Weekly<sup>(1)</sup>;</p> <p>When evacuated</p>
<p>16. <u>Petroleum-Contaminated Soil (PCS)</u> <u>PCS Shipped Offsite</u></p> <p>Each PCS source</p>	<p>Hazardous waste determination<sup>(15)</sup></p>	<p>When required<sup>(15)</sup></p>
<p>17. <u>Waste Rock Storage Facilities</u> All waste rock storage facilities;</p> <p>Each seep that is flowing</p>	<p>Presence of water<sup>(23)</sup>;</p> <p>Profile I<sup>(2)</sup> and Uranium<sup>(5)</sup>, photograph, field pH (SU), field specific conductance (µS/cm)</p>	<p>Semi-Annually (Q2 and Q4);</p> <p>Semi-Annually, when flowing (Q2 and Q4)</p>
<p>18. <u>Weather Station Facility</u> Ambient Conditions</p>	<p>Ambient temperature, (min/max), relative humidity (%), wind speed (mph), wind direction (azimuth degree), total precipitation (inches), solar irradiance (W/m<sup>2</sup>), and SWE (inches)</p>	<p>Daily</p>

The Permittee may request a reduction of the monitoring frequency after four quarters of complete monitoring based on justification other than cost. Such reductions may be considered modifications to the Permit and require payment of modification fees.

**Abbreviations and Definitions:**

AMSL = above mean sea level; ANP/AGP = Acid Neutralizing Potential:Acid Generation Potential ratio; ASTM = American Society for Testing and Materials; CaCO<sub>3</sub> = calcium carbonate; CFR = Code of Federal Regulations; Eh = chemical reduction potential; EPA = U.S. Environmental Protection Agency; epilimnion = the uppermost layer in a stratified lake; gal = gallons; gpd = gallons per day; gpm = gallons per minute; hypolimnion = a lower layer in a thermally stratified lake below the metalimnion; metalimnion = a middle layer in a thermally stratified lake characterized by a temperature decrease with depth; mg/L = milligrams per liter; min/max = minimum and maximum; monimolimnion = the lower layer in a chemically stratified lake that does not mix with other layers; mph = miles per hour; mV = millivolts; MWMP = Meteoric Water Mobility Procedure; N = nitrogen; NAC = Nevada Administrative Code; NDEP = Nevada Division of Environmental Protection; PCS = Petroleum-Contaminated Soil; pH = the negative of the base 10 logarithm of the activity of the hydrogen ion; stratified = a pit lake that has distinct chemical and/or temperature layers; SU = standard units for pH measurement; SVOCs = semi-volatile organic compounds; TPH = total petroleum hydrocarbons; VOCs = volatile organic compounds; WAD = weak acid dissociable; W/m<sup>2</sup> = watts per square meter; > = greater than; ≥ = greater than or equal to; < = less than; °F = degrees Fahrenheit; µg/L = micrograms per liter; µS/cm = microSiemens per centimeter; % = percent

**Footnotes:**

- (1) The sump or riser port must be inspected and evacuated on a more frequent basis than weekly if the fluid level is above the top of the sump or the invert of any pipe which discharges into the sump, whichever level is lower, or if the potential exists to exceed the sump capacity. Records are required documenting volume, date and time of extraction to show that sumps and riser ports are maintained in this condition. For passively draining pipeline ports, inspect and measure flow in gpd. For all sumps and ports, report 0 gpd if dry.

(2) Profile I:

General Chemistry Parameters		
Acidity <sup>(3)</sup>	Chloride	pH (± 0.1 SU)
Alkalinity (as CaCO <sub>3</sub> ) Bicarbonate <sup>(4)</sup> Total <sup>(4)</sup>	Fluoride	Sulfate
	Nitrate + Nitrite (as N)	Total Dissolved Solids
	Nitrogen Total (as N)	WAD Cyanide
Metals Dissolved		
Aluminum	Chromium	Potassium
Antimony	Copper	Selenium
Arsenic	Iron	Silver
Barium	Lead	Sodium
Beryllium	Magnesium	Thallium
Cadmium	Manganese	Zinc
Calcium	Mercury	--

- (3) All sample analyses resulting in a pH value less than or equal to 5.0 SU shall also be analyzed for acidity (mg/L, as CaCO<sub>3</sub> equivalent).
- (4) All sample analyses resulting in a pH value greater than or equal to 4.5 SU shall be analyzed for Alkalinity (Bicarbonate and Total).
- (5) Uranium (total) shall be reported in mg/L and have the reference value of 0.03 mg/L. If uranium (total) concentration is ≥ 0.030 mg/L, analysis for the Profile I<sup>(2)</sup>, Uranium, and Profile R<sup>(6)</sup> is required in the subsequent quarter.
- (6) Profile R:

Parameter	Reference Value/Unit
Gross Alpha <sup>(7)</sup>	pCi/L
Adjusted Gross Alpha*	15 pCi/L
226Radium	pCi/L
228Radium	pCi/L
226Radium + 228Radium	5 pCi/L

\*Adjusted gross alpha is gross alpha minus uranium activity in pCi/L.

- (7) If the sample location is known to have a TDS greater than 1,000 mg/L, gross alpha must be analyzed using an appropriate method, e.g. EPA 00-02, EPA 900.0. Additionally, if the reported gross alpha activity is less than or equal to 15 pCi/L and the uncertainty of the adjusted gross alpha analysis is greater than or equal to 15 pCi/L is acceptable (e.g. 36 ± 21 pCi/L would be acceptable since the low range is at 15 pCi/L). Please utilize the appropriate method to minimize the uncertainty. See Profile R analyte list on the Division's website for additional information.

- (8) The identified Leak Detection Sumps monitor the zone above the prepared subgrade and beneath the compacted low hydraulic conductivity soil layer (LHCSL). The identified Leak Collection Risers monitor the zone above the LHCSL and beneath the HDPE liner. All sumps and risers are compliance monitoring locations.
- (9) Characterization requirements shall also apply to material generated during exploration or feasibility bulk sample testing activities.
- (10) The Groundwater Port must be inspected, and evacuated as needed, to maintain the Port solution elevation below 4,773 feet AMSL. Solution evacuated from the Pond and Port shall be discharged only to approved containment. A maximum of one Profile I<sup>(2)</sup> analysis each of evacuated Pond and Port solution is required per quarter.
- (11) The Meteoric Water Mobility Procedure (MWMP) shall be performed by a Nevada-approved laboratory, in accordance with ASTM Method E 2242-13 (or the most current method).
- (12) Nevada Modified Sobek Procedure (NMSP) shall be performed by a Nevada-approved laboratory, using a LECO-type analysis, with full sulfur speciation if ANP/AGP < 1.2, in accordance with the most current update. The NMSP is a specific static test or acid-base accounting test.
- (13) When static testing<sup>(12)</sup> characterization of Mined Materials shows the potential for acid generation as set forth in the current version of the Division guidance document “Waste Rock, Overburden, and Ore Characterization and Evaluation,” the Permittee shall notify the Division in writing within 10 days of receipt of the sample result, and either:
  - a. Initiate kinetic testing<sup>(14)</sup> or
  - b. request to waive kinetic testing for the individual samples. The request must be made in writing and must be approved in writing by the Division to be considered valid.

If the kinetic test results indicate acid generation conditions exist, the Permittee shall manage these materials in accordance with the Division-approved Waste Rock Management Plan, or if management of potentially acid generating material is not covered in the Waste Rock Management Plan submit in writing, within 30 days, the methods proposed for providing containment of these materials and the anticipated impact this acid generation potential may have on final stabilization of all components affected as defined in Nevada Administrative Code (NAC) 445A.359.

- (14) Kinetic testing (humidity cell testing) shall be performed by a Nevada-approved laboratory, in accordance with ASTM Method D 5744-18 Option ‘A’ (or the most current approved method); tests shall be run for a minimum of 20 weeks and for a longer duration if warranted or recommended by the analytical laboratory or required by the Division; samples shall be collected weekly (all weeks) and measurements shall be recorded for redox potential, pH, specific conductance ( $\mu\text{S}/\text{cm}$ ), acidity and/or alkalinity (as deemed appropriate by the laboratory), sulfate, iron (total, plus ferric and ferrous speciation if total iron > 0.6 mg/L and pH < 5 SU), and dissolved calcium and magnesium; weekly filtered extracts per the method will be digested and analyzed for

- total recoverable concentrations during week 0, 1, 2, 4, 8, 12, 16, and 20; four-week extracts thereafter (i.e., week 24, 28, 32, etc.) shall be analyzed by a Nevada-certified analytical laboratory for Profile I<sup>(2)</sup> and Profile III<sup>(23)</sup> parameters, as applicable, and specific conductance ( $\mu\text{S}/\text{cm}$ ) and acidity and/or alkalinity shall be recorded as recommended by the analytical laboratory; final results reported shall include initial and final static test results<sup>(13)</sup>, a Profile I<sup>(2)</sup> analysis of the final leachate, all kinetic test results above, and any additional analyses required by the Division.
- (15) A hazardous waste determination is required: a) Initially, for each PCS source prior to management under the PCS Management Plan; b) When a PCS waste stream is suspected to have changed character since the last determination; and c) When a hazardous constituent is detected during screening analyses at a concentration suggestive of hazardous waste. Determinations must be performed pursuant to 40 CFR 262.11 using operator knowledge and/or applicable analytical testing methods described in EPA publication SW-846. Operator knowledge must be adequately described and sufficient to justify the determination.
  - (16) Total Petroleum Hydrocarbons (TPH) analyzed by a Nevada-certified laboratory using EPA Method 8015 Modified. If any gasoline-range petroleum is suspected, or if the source-type is unknown, both TPH-P (purgeable) and TPH-E (extractable) are required. Otherwise, only TPH-E is required.
  - (17) For presence of water, state whether the pit surface is dry, damp, or wet (ponded or flowing water). If ponded water has been present for at least one year, the Permittee shall perform the required monitoring for pit lakes.
  - (18) A continuous temperature-conductivity profile shall be completed for the entire water column at the deepest location in each pit lake.
  - (19) Field measurements (e.g., temperature, specific conductance, pH, Eh, etc.) shall be made at the Project site concurrent with the monitoring activity using a calibrated instrument, and do not require analysis by a laboratory certified or approved by the State of Nevada as otherwise specified in Part II.E.5. Field measurements must be accompanied by appropriate calibration information.
  - (20) The surface samples must be collected less than 10 feet below the surface of the pit lake.
  - (21) Depth sampling shall be performed at the deepest location in each pit lake. The number and depth of samples shall be determined based on the temperature-conductivity profile of the water column at the time of sampling. If the lake is stratified, collect a separate depth sample from each distinct layer in the water column (e.g., from the epilimnion, metalimnion, hypolimnion, and monimolimnion, as applicable; however, note that the quarterly sample from the surface layer [epilimnion] must be analyzed for Profile III constituents per the surface sample requirements whereas the quarterly depth samples from all other layers are analyzed for Profile I constituents). If the lake is unstratified and between 25 and 50 feet deep, collect one depth sample from the lower half of the water column. If the lake is unstratified and greater than 50 feet deep, collect two depth samples consisting of an intermediate sample from the middle third of the water column

and a deep sample from the lower third of the water column. If the lake is less than 25 feet deep but includes an outflow to groundwater (i.e., it is a hydrologic flow-through pit lake), collect a quarterly Profile I surface sample in addition to the quarterly Profile III surface sample.

(22) Profile III:

General Chemistry Parameters		
Acidity <sup>(2)</sup>	Fluoride	Sulfate
Alkalinity (as CaCO <sub>3</sub> ) Bicarbonate <sup>(3)</sup> Total <sup>(3)</sup>	Nitrate + Nitrite (as N)	Total Dissolved Solids
	Nitrogen, Total (as N)	Total Suspended Solids
	pH (± 0.1 SU)	--
Chloride	Phosphorus	--
Metals Totals		
Aluminum	Copper	Potassium
Antimony	Iron	Selenium
Arsenic	Lead	Sodium
Barium	Lithium	Strontium
Beryllium	Magnesium	Thallium
Boron	Manganese	Tin
Cadmium	Mercury	Uranium
Calcium	Molybdenum	Vanadium
Chromium	Nickel	Zinc

(23) Provide a visual evaluation of each waste rock storage facility for presence of water and seepage. For presence of water, identify whether the surface and toes of the waste rock storage facility are dry, damp, or wet (ponded or flowing water). If seepage is emanating from any portion of a waste rock storage facility, the Permittee shall perform the required monitoring for seeps.

E. Quarterly and annual monitoring reports and release reporting shall be in accordance with Part II.B.

F. All sampling and analytical accuracy shall be in accordance with Part II.E.

G. Permit Limitations

1. The daily accumulation of flow exceeding 20 gallons per day averaged over the quarter in the leak detection sumps or ports identified in Part I.D.3.
2. The daily accumulation of flow exceeding 10 gallons per day averaged over the year in the leak detection sumps or ports identified in Part I.D.3.

3. The daily accumulation of flow exceeding 75 gallons per day averaged over the quarter in the leak detection risers identified in Part I.D.4.
4. The daily accumulation of flow exceeding 25 gallons per day averaged over the year in the leak detection risers identified in Part I.D.4.
5. The daily accumulation of flow exceeding 150 gallons per day averaged over the quarter in the leak detection sumps identified in Parts I.D.2, I.D.5, and I.D.15.
6. The daily accumulation of flow exceeding 50 gallons per day averaged over the year in the leak detection sumps identified in Parts I.D.2, I.D.5, and I.D.15.
7. Failure to meet a Schedule of Compliance date, Continuing Investigation, or requirement.
8. All analytical samples shall be analyzed as mentioned in the Footnotes or Section II.E, as applicable.
9. The normal supernatant pool operating depth in the Cortez Mine Tailings Impoundment 7 (TA-7) shall not exceed the approved design limit of 3 feet.
10. Except as may otherwise be required by design or allowed as a condition of this Permit, a minimum operating freeboard of 2 feet in all ponds.
11. The storage of process solution in any single-lined pond is not authorized for more than 20 consecutive days for any single event.
12. The Phase I, Phase II, and Phase III heap leach pads, as measured vertically from the top of the synthetic liner for any point on the pad, loaded in excess of a maximum approved design elevation of 300 feet over the 80-mil HDPE liner
13. The Phase I, Phase II, and Phase III heap leach pads shall be constructed with perimeter rockfill buttresses having a minimum 80-foot horizontal width. The rockfill buttresses shall be constructed on the western, southwestern, and southern sides of Phase I, on the eastern and southern sides of Phase II, and on the west, north, and east sides of Phase III.
14. The cumulative solution application rate to the heap leach pad in excess of the maximum approved design 15,000 gpm. Additionally, the solution application rate *per unit area* should not exceed the approved design limit of 0.005 gpm per square foot.
15. The storage of process solution in the Cortez Mine Stormwater Pond (SWP), a single-lined pond, is not authorized for more than 20 consecutive days for any single event or for any event that raises the Cortez Mine Underdrain Pond (UDP) solution elevation above the spillway invert elevation of 4,776 feet AMSL.
16. The Permittee shall provide written notification to the Division within 30 days of a Groundwater Port water elevation in either the 'SWP' or 'UDP' exceeding 4,770 feet AMSL and initiate construction of the Groundwater Dewatering System, in accordance with the design approved as an engineering design change modification approved 12 August 2009, to achieve completion within 12 months of the date of notification.

17. No PCS shall be disposed of on-site. All PCS must be moved to the Pipeline Project (NEV0093109) per the Division-approved PCS Management Plan. .
18. Any flocculant used in the SLS Plant must have prior Division approval.
19. The SLS Plant solids storage area shall be routinely inspected and appropriate measures shall be taken to prevent tracking of dry cake solids off containment and the associated drain trough shall be kept clear of debris and solids build-up to ensure proper function and conveyance of collected fluids to approved containment.
20. Storage of ore from the Cortez Hills underground operation is authorized only on the appropriate portion of the F-Canyon Ore Storage Pad, the Range-Front Declines ore stockpile pads, or other containment approved by the Division for that purpose. At the end of each 12-hour shift during which the Metals Removal Plant or radial stacker at the F-Canyon Upper Non-Segregated Ore Stockpile Pad is operated, all areas without GCL installation near the Metals Removal Plant and radial stacker shall be inspected and any ore spillage shall be removed and placed back on the Upper Non-Segregated Ore Stockpile Pad or on other containment approved by the Division. Berms, barricades, internal drainage ditches, and external diversion ditches, as appropriate, associated with the F-Canyon Ore Storage Pad must be maintained, and signage placed as appropriate, to delineate the limits of pad containment and to prevent stormwater run-on to the pads and run-off from the pads.
21. Placement of ore on the F-Canyon Ore Storage Pad is limited to: a maximum 12-foot height and a minimum 6-foot setback on the Segregated Ore Stockpile, east and west pads, and the Upper Non-Segregated Ore Stockpile Pad; and to a maximum 30-foot height and a minimum 15-foot setback on the Lower Non-Segregated Ore Stockpile Pad. A minimum 3-foot-thick layer of overliner material must be maintained on all pads to protect the liner or GCL, as applicable, and the solution collection system.
22. Mining shall not extend below 2,500 feet AMSL, unless approved by the Division based on representative characterization of the ore and waste rock to be extracted and plans to mitigate any potential for degradation of waters of the State, as warranted.
23. Use or storage of Contact Water, other than in process or within approved containment, respectively, must have prior written authorization from the Division.

Exceedances of these limitations may be Permit violations and shall be reported as specified in Part II.B.4.

- H. The facility shall maintain an automated or manual calibrated rain and snow gauge(s), which shall be monitored at least daily to record precipitation (inches of water, including snow water equivalent). A written and/or electronic record of daily accumulations of precipitation shall be maintained on site and shall be submitted to the Division upon request, with each Permit renewal application, and pursuant to Parts II.B.1 and II.B.2, as applicable, in a Division-approved electronic format.
- I. The Permittee shall inspect all control devices, systems and facilities weekly, and during (when possible) and after major storm events. These inspections are performed to detect evidence of:

1. Deterioration, malfunction, or improper operation of control or monitoring systems;
  2. Sudden changes in the data from any monitoring device;
  3. The presence of liquids in leak detection systems; and
  4. Severe erosion or other signs of deterioration in dikes, diversions, closure covers, or other containment devices.
- J. Prior to initiating permanent closure activities at the facility, or any process component or other source within the facility, the Permittee shall submit and obtain approval from the Division, in writing, of a final plan for permanent closure.
- K. The Permittee shall submit an annual review and services fee in accordance with NAC 445A starting July 1 after the effective date of this Permit and every year thereafter until the Permit is terminated or the facility has received final closure certification from the Division.
- L. The Permittee shall not dispose of or treat Petroleum-Contaminated Soil (PCS) on the mine site without first obtaining from the Division approval of a PCS Management Plan.
- M. When performing dust suppression activities, the Permittee shall use best management practices and appropriate selection of water source and additives to prevent degradation of waters of the State. If a dust suppressant exceeds a water quality standard and the corresponding natural background water concentration in the area where dust suppression will occur, the Permittee shall demonstrate no potential to degrade waters of the State. Any water used for dust suppression from a wash-bay before or after an oil/water separator must be tested for compliance with Profile I and TPH standards initially and then quarterly thereafter. Any water not meeting the Profile I and TPH standards may not be used outside of containment without Division approval.
- N. Continuing Investigations:
1. Updated Groundwater Flow Model: The Permittee shall submit to the Division for review and approval an updated groundwater flow model with any application to renew and/or modify the Permit. Groundwater flow model shall conform to the most recent Division guidance documents for groundwater flow models, including but not limited to the Bureau of Mining Regulation and Reclamation's "Guidance for Hydrogeologic Groundwater Flow Modeling at Mine Sites". The study shall address, at a minimum, the requirements of NAC 445A.429, and shall include all available data and mitigations to reduce the potential to degrade groundwater, as applicable. If the Permittee determines that renewal of the Permit will not affect the groundwater flow model; or any underground model, pit lake study, ecological risk assessment, fate and transport model, or any corrective action plan; then in lieu of the aforementioned models, studies, and assessments, the Permittee may submit to the Division for review and approval an evaluation and determination of the continued suitability and adequacy of the existing Division-approved models, studies, and assessments. The evaluation shall consider modeling methodology, current site conceptual model, changes to site operations and physical conditions, and monitoring results. The determination shall compare modeled predictive vs. observed conditions whenever possible. The Division may require an

- update to any of the aforementioned studies as part of an application to renew or modify the Permit if the Permittee's determination is not approved by the Division.
2. Updated Pit Lake Study: The Permittee shall submit to the Division for review and approval an updated pit lake study with any application to renew and/or modify the Permit that could affect the pit lake predictive model. Pit lake models shall conform to the most recent Division guidance documents for pit lake modeling. The submittal shall also include an ecological risk assessment if the predictive pit lake model indicates the potential for exceedance of a Division Profile III reference value, unless the constituent concentration for each predicted Profile III exceedance is no greater than the concentration evaluated in a previous Division-approved ecological risk assessment for the Project. Additionally, the submittal shall also include a fate and transport model if the groundwater model, underground model, or predictive pit lake water balance indicates the potential for flow-through conditions, and the underground or pit lake predictive models indicates an exceedance of a Division Profile I reference value; unless the constituent concentration for each predicted Profile I exceedance is no greater than the concentration evaluated in a previous Division-approved ecological risk assessment for the Project. The study shall address, at a minimum, the requirements of NAC 445A.429, and shall include These studies and assessments shall address, at a minimum, the requirements of NAC 445A.429, and shall include all available data; alternative pit lake, underground, or backfill scenarios; and mitigations to reduce ecological risk and the potential to degrade groundwater, as applicable. If applicable, hydrogeochemical evaluations must include proposed controls to eliminate any potential for noncompliance and a timeline for working with the Division on financial assurances. Approval may require modification of the Permit and payment of modification fees. If the Permittee determines that renewal of the Permit will not affect the groundwater flow model; or any underground model, pit lake study, ecological risk assessment, fate and transport model, or any corrective action plan; then in lieu of the aforementioned models, studies, and assessments, the Permittee may submit to the Division for review and approval an evaluation and determination of the continued suitability and adequacy of the existing Division-approved models, studies, and assessments. The evaluation shall consider modeling methodology, current site conceptual model, changes to site operations and physical conditions, and monitoring results. The determination shall compare modeled predictive vs. observed conditions whenever possible. The Division may require an update to any of the aforementioned studies as part of an application to renew or modify the Permit if the Permittee's determination is not approved by the Division. As part of the next evaluation include the following:
    - i. Additional HCTs within 200 feet of the ultimate pit surface shall be collected for incorporation of the next Cortez pit lake study.
    - ii. In the ecological risk assessment include invertebrate receptors.
  3. Updated Underground Model: The Permittee shall submit to the Division for review and approval an updated underground-workings hydro- and geo- chemical model with any application to renew and/or modify the Permit. This study shall include updated

- mapping of underground workings, mapping and characterization of evaporative mineral precipitates, then general abundance of groundwater, and the characterization of host rock. These studies and assessments shall address, at a minimum, the requirements of NAC 445A.429, and shall include all available data; alternative underground or backfill scenarios; and mitigations to reduce ecological risk and the potential to degrade groundwater, as applicable. Hydrogeochemical evaluations must include proposed controls to eliminate any potential for noncompliance and a timeline for working with the Division on financial assurances. Approval may require modification of the Permit and payment of modification fees. If the Permittee determines that renewal of the Permit will not affect the groundwater flow model, underground model, pit lake study, ecological risk assessment, fate and transport model, and any corrective action plan, then in lieu of the aforementioned models, studies, and assessments, the Permittee may submit to the Division for review and approval an evaluation and determination of the continued suitability and adequacy of the existing Division-approved models, studies, and assessments. The evaluation shall consider modeling methodology, current site conceptual model, changes to site operations and physical conditions, and monitoring results. The determination shall compare modeled predictive vs. observed conditions whenever possible. The Division may require an update to any of the aforementioned studies as part of an application to renew or modify the Permit if the Permittee's determination is not approved by the Division. With the next model update:
- i. Submit a stand-alone groundwater model report that includes all of the proper discussions and data.
- O. Updated Waste Rock Management Plan: The Permittee shall submit to the Division for review and approval an updated waste rock management plan (WRMP) with any application to renew or modify the Permit that could affect the WRMP. A revised WRMP must also be approved prior to initiating mining or in-pit backfill activities not previously approved. The WRMP must include representative characterization data for all anticipated waste rock and overburden in accordance with the current version of the Division guidance document "Waste Rock, Overburden, and Ore Evaluation," in addition to a detailed description of how, when, and where the materials will be managed and monitored, and appropriate controls to eliminate any potential to degrade waters of the State, if applicable. Approval may require modification of the Permit and payment of modification fees. If the Permittee determines that renewal of the Permit will not affect the WRMP, in lieu of an updated WRMP, the Permittee may submit to the Division for review and approval an evaluation and determination of the continued suitability and adequacy of the existing Division-approved WRMP. The evaluation shall consider current conditions, changes to site operations and physical conditions, and monitoring results since WRMP approval.
5. Updated Tentative Plan for Permanent Closure: With each application for renewal or any application for modification that could affect the existing approved TPPC, the Permittee shall submit to the Division for review and approval an updated Tentative Plan for Permanent Closure (TPPC) in accordance with the most recent Division guidance document.

## II. General Facility Conditions and Limitations

### A. General Requirements

1. The Permittee shall achieve compliance with the conditions, limitations, and requirements of the Permit upon commencement of each relevant activity. The Administrator may, upon the request of the Permittee and after public notice (if required), revise or modify a Schedule of Compliance in an issued Permit if he or she determines good and valid cause (such as an act of God, a labor strike, materials shortage or other event over which Permittee has little or no control) exists for such revision.
2. The Permittee shall at all times maintain in good working order and operate as efficiently as possible, all devices, facilities, or systems installed or used by the Permittee to achieve compliance with the terms and conditions of this Permit.
3. Whenever the Permittee becomes aware that he or she failed to submit any relevant facts in the Permit application or submitted incorrect information in a Permit application or in any report to the Administrator, the Permittee shall promptly submit such facts or correct information. Any inaccuracies found in this information may be grounds for revocation or modification of this Permit and appropriate enforcement action.

### B. Reporting Requirements

1. The Permittee shall submit quarterly reports, in both hard copy and a Division-approved electronic format, which are due to the Division on or before the 28<sup>th</sup> day of the month following the quarter and must contain the following:
  - a. Monitoring results from the leak detection systems identified in Parts I.D.2, I.D.3, I.D.4, I.D.5, and I.D.15, reported on Nevada Division of Environmental Protection (NDEP) Form 0590 or equivalent;
  - b. As applicable, analytical results for the solution collected from monitoring locations identified in Parts I.D.6, I.D.9, I.D.11, I.D.12, I.D.14, I.D.15, and I.D.17, reported on NDEP Form 0190 (as appropriate) or equivalent;
  - c. Water and collar elevations for the facility monitoring wells identified in Part I.D.9;
  - d. A table or graph of average weekly water volume and freeboard measurements for the location identified in Part I.D.10;
  - e. Flow rates for the monitoring locations identified in Parts I.D.11 and I.D.12;
  - f. Analytical results of applicable MWMP-Profile I and/or NMSP testing, as applicable, for the materials identified in Parts I.D.7 and I.D.8, reported on NDEP Form 0190 (as appropriate) or equivalent;
  - g. Analytical results, reported on NDEP Form 0290 and NDEP Form 0190 or equivalent, as applicable, for water quality samples collected, and graphs or tables of other monitoring and quantification data collected for any pit lake identified in accordance with Part I.D.13;

- h. Tables and/or graphs of solution elevation data and solution evacuation dates and volumes, as applicable, for the monitoring locations identified in Parts I.D.14 and I.D.15;
- i. A record of releases, and the remedial actions taken in accordance with the approved Emergency Response Plan on NDEP Form 0490 or equivalent;
- j. Copies of hazardous waste determinations, identified in Part I.D.16, pertaining to the approved PCS Management Plan;
- k. An updated list of all PCS sources managed under the approved PCS Management Plan, with any new or changed sources highlighted, reported on NDEP Form PCS-01 or equivalent; and
- l. For any kinetic test initiated, continued, or terminated with Division approval, during the quarter, provide a brief report of the test status and an evaluation of the results to date, which shall include all analytical data generated from the date testing was initiated through the reporting quarter.
- m. As applicable, the presence and locations of water as identified in I.D.17.

Facilities which have not initiated mining or construction, must submit a quarterly report identifying the status of mining or construction. Subsequent to any noncompliance or any facility expansion which provides increased capacity, the Division may require an accelerated monitoring frequency.

2. The Permittee shall submit an annual report, in both hard copy and a Division-approved electronic format, by February 28<sup>th</sup> of each year, for the preceding calendar year, which contains the following:
  - a. Submit the following items to the Regulation Branch:
    - i. Analytical results of water quality samples collected from the make-up water supply identified in Part I.D.1, reported on NDEP Form 0190 or equivalent;
    - ii. A synopsis of releases on NDEP Form 0390 or equivalent;
    - iii. A brief summary of site operations, including the number of tons of ore milled or placed on heaps (as applicable) during the year, construction and expansion activities, and major problems with the fluid management system;
    - iv. A table of the number of tons and identification of any Nevada-permitted facility for ore material shipped off site for processing, and the number of tons of ore material shipped and the name and location of each out-of-State processing facility;
    - v. A table of total monthly precipitation amounts and other weather data, as applicable, recorded in accordance with Parts I.D.18 and I.H, reported for a five-year history previous to the date of submittal;

- vi. An updated version of the facility monitoring and sampling procedures and protocols, as applicable; and
  - vii. Graphs of leak detection flow rates and piezometer readings, and graphs of pH, total dissolved solids (TDS), sulfate, chloride, nitrate + nitrite (as N), WAD cyanide, fluoride, zinc, and arsenic concentration (as applicable), versus time for all fluid sampling points. The graphs display a five-year history previous to the date of submittal. Additional parameters may be required by the Division if deemed necessary.
- b. Submit the following items to the Closure Branch:
- i. An updated Tentative Plan for Permanent Closure (TTPC) and Final Plan for Permanent Closure (FPPC), as applicable, incorporating any new site information that may impact these plans. The Plans shall be prepared in accordance with the current version of the Division guidance documents “Tentative Plans for Permanent Closure Guidance” and “Preparation Requirements & Guidelines Permanent Closure Plans & Final Closure Reports,” as applicable.
3. Release Reporting Requirements: The following applies to facilities with an approved Emergency Response Plan. If a site does not have an approved Emergency Response Plan, then all releases must be reported as per NAC 445A.347 or NAC 445A.3473, as appropriate.
- a. A release of any quantity of hazardous substance, as defined at NAC 445A.3454, to surface water, or that threatens a vulnerable resource, as defined at NAC 445A.3459, must be reported to the Division as soon as practicable after knowledge of the release, and after the Permittee notifies any emergency response agencies, if required, and initiates any action required to prevent or abate any imminent danger to the environment or the health or safety of persons. An oral report shall be made by telephone to (888) 331-6337, and a written report shall be provided within 10 days in accordance with Part II.B.4.b.
  - b. A release of a hazardous substance in a quantity equal to or greater than that which is required to be reported to the National Response Center pursuant to 40 CFR Part 302 must be reported as required by NAC 445A.3473 and Part II.B.3.a.
  - c. A release of a non-petroleum hazardous substance not subject to Parts II.B.3.a. or II.B.3.b., released to soil or other surfaces of land, and the total quantity is equal to or exceeds 500 gallons or 4,000 pounds, or that is discovered in or on groundwater in any quantity, shall be reported to the Division no later than 5:00 P.M. of the first working day after knowledge of the release. The release shall be reported through the online reporting system available at <http://www.ndep.nv.gov> or an oral report shall be made by telephone to (888) 331-6337. A written report shall be provided within 10 days in accordance with Part II.B.4.b. Smaller releases, with total quantity greater than 25 gallons or 200 pounds and less than 500 gallons or 4,000 pounds, released to soil or other surfaces of land, or discovered in at least 3 cubic yards of soil, shall be reported quarterly on NDEP Form 0390 or equivalent.

- d. Petroleum Products and Coolants: If a release is subject to Parts II.B.3.a. or II.B.3.b., report as specified in Part II.B.3.a. Otherwise, if a release of any quantity is discovered on or in groundwater, or if the total quantity is equal to or greater than 100 gallons released to soil or other surfaces of land, report as specified in Part II.B.3.c. Smaller releases, with total quantity greater than 25 gallons but less than 100 gallons, released to soil or other surfaces of land, or if discovered in at least 3 cubic yards of soil, shall be reported quarterly on NDEP Form 0390 or equivalent.
4. The Permittee shall report to the Administrator any noncompliance with the Permit, including any exceedances or deviations from Part I.G.
    - a. Each such event shall be reported orally by telephone to (775) 687-9400, not later than 5:00 P.M. of the next regular work day from the time the Permittee has knowledge of the circumstances. This report shall include the following:
      - i. Name, address, and telephone number of the owner or operator;
      - ii. Name, address, and telephone number of the facility;
      - iii. Date, time, and type of incident, condition, or circumstance;
      - iv. If reportable hazardous substances were released, identify material and report total gallons and quantity of contaminant;
      - v. Human and animal mortality or injury;
      - vi. An assessment of actual or potential hazard to human health and the environment outside the facility; and
      - vii. If applicable, the estimated quantity of material that will be disposed and the disposal location.
    - b. A written summary shall be provided within 10 days of the time the Permittee makes the oral report. The written summary shall contain:
      - i. A description of the incident and its cause;
      - ii. The periods of the incident (including exact dates and times);
      - iii. If reportable hazardous substances were released, the steps taken and planned to complete, as soon as reasonably practicable, an assessment of the extent and magnitude of the contamination pursuant to NAC 445A.2269;
      - iv. Whether the cause and its consequences have been corrected, and if not, the anticipated time each is expected to continue; and
      - v. The steps taken or planned to reduce, eliminate, and prevent recurrence of the event.
    - c. The Permittee shall take all available and reasonable actions, including more frequent and enhanced monitoring to:
      - i. Determine the effect and extent of each incident;

- ii. Minimize any potential impact to the waters of the State arising from each incident;
  - iii. Minimize the effect of each incident upon domestic animals and all wildlife; and
  - iv. Minimize the endangerment of the public health and safety which arises from each incident.
- d. If required by the Division, the Permittee shall submit, as soon as reasonably practicable, a final written report summarizing any related actions, assessments, or evaluations not included in the report required in Part II.B.4.b., and including any other information necessary to determine and minimize the potential for degradation of waters of the State and the impact to human health and the environment. Submittal of the final report does not relieve the Permittee from any additional actions, assessments, or evaluations that may be required by the Division.

#### C. Administrative Requirements

1. A valid Permit must be maintained until permanent closure is complete. Therefore, unless permanent closure has been completed and termination of the Permit has been approved in writing by the Division, the Permittee shall apply for Permit renewal not later than 120 days before the Permit expires.
2. Except as required by NAC 445A.419 for a Permit transfer, the Permittee shall submit current Permit contact information described in paragraphs (a) through (c) of subsection 2 of NAC 445A.394 within 30 days after any change in previously submitted information.
3. All reports and other information requested by the Administrator shall be signed and certified as required by NAC 445A.231.
4. All reports required by this Permit, including, but not limited to, monitoring reports, corrective action reports, and as-built reports, as applicable, and all applications for Permit modifications, shall be submitted in a Division-approved electronic format.
5. The Permittee shall submit any new or updated Universal Transverse Mercator (UTM) location data for all monitoring points specified in Part I.D, expressed in meters and decimals of a meter, using the Nevada Coordinate System of 1983 (also known as the North American Datum of 1983 or NAD83), with each Permit renewal, as-built report, and monitoring plan update, as applicable. Data shall be submitted electronically to the Division in Excel format.
6. When ordered consistent with Nevada Statutes, the Permittee shall furnish any relevant information in order to determine whether cause exists for modifying, revoking and reissuing, or permanently revoking this Permit, or to determine compliance with this Permit.
7. The Permittee shall maintain a copy of, and all modifications to, the current Permit at the permitted facilities at all times.

8. The Permittee is required to retain during operation, closure and post-closure monitoring, all records of monitoring activities and analytical results, including all original strip chart or data logger recordings for continuous monitoring instrumentation, and all calibration and maintenance records. This period of retention must be extended during the course of any unresolved litigation.
9. The provisions of this Permit are severable. If any provision of this Permit, or the application of any provision of this Permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this Permit, shall not thereby be affected.
10. The Permittee is authorized to manage fluids and solid wastes in accordance with the conditions of this Permit. Issuance of this Permit does not convey property rights of any sort or any exclusive privilege; nor does it authorize any injury to persons or property, any invasion of other private rights, or any infringement of Federal, State or local law or regulations. Compliance with the terms of this Permit does not constitute a defense to any order issued or any action brought under the Water Pollution Control Statutes for releases or discharges from facilities or units not regulated by this Permit. NRS 445A.675 provides that any person who violates a Permit condition is subject to administrative or judicial action provided in NRS 445A.690 through 445A.705.

#### D. Division Authority

The Permittee shall allow authorized representatives of the Division, at reasonable times, and upon the presentation of credentials to:

1. Enter the premises of the Permittee where a regulated activity is conducted or where records are kept per the conditions of this Permit;
2. Have access to and copy any record that must be kept per the conditions of this Permit;
3. Inspect and photograph any facilities, equipment (including monitoring and control equipment), practices, or operations regulated by this Permit; and
4. Sample or monitor for any substance or parameter at any location for the purposes of assuring Permit and regulatory compliance.

#### E. Sampling and Analysis Requirements

1. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.
2. For each measurement or sample taken pursuant to the conditions of this Permit, the Permittee shall record the following information:
  - a. The exact place, date, and time of the inspection, observation, measurement, or sampling; and
  - b. The person(s) who inspected, observed, measured, or sampled.
3. Samples must be taken, preserved, and labeled according to Division approved methods.
4. Standard environmental monitoring chain of custody procedures must be followed.

5. Samples shall be analyzed by a laboratory certified or approved by the State of Nevada, as applicable for the method(s) being performed. The Permittee must identify in all required reports the certified and approved laboratories used to perform the analyses, laboratory reference numbers, and sample dates, and for the electronic version of each report only, include all associated laboratory analytical reports, including test results, test methods, chain-of-custody forms, and quality assurance/quality control documentation.
6. The accuracy of analytical results, unless otherwise specified, shall be expressed in mg/L and be reliable to at least two significant digits. The analytical methods used must have a practical quantitation limit (PQL) equal to or less than one-half the reference value for Profile I, Profile III, Uranium (total), and Profile R parameters. Laboratories shall report the lowest reasonable PQL based on in-house method detection limit studies. Samples shall be analyzed by methods listed in 40 CFR Part 136 Table 1B, as applicable, by a laboratory certified for that method by the State of Nevada – Bureau of Safe Drinking Water Laboratory Certification Program. Samples for Profile I metals shall be filtered, digested, and analyzed for the dissolved fraction.; samples for Profile III metals shall be unfiltered, digested, and analyzed for the total recoverable fraction; samples requiring Uranium and Profile R analysis shall be unfiltered, digested (as applicable) and analyzed. For additional guidance, please see the Profile Analytical Lists on the website of the Division: <https://ndep.nv.gov/land/mining>. Unless otherwise approved by the Division, analytical results that are less than the PQL shall be reported quantitatively by listing the PQL value preceded by the “<” symbol.

#### F. Permit Modification Requirements

1. Any material modification, as defined at NAC 445A.365, plan to construct a new process component, or proposed change to Permit requirements must be reported to the Division by submittal of an application for a Permit modification, or if such changes are in conformance with the existing Permit, by submittal of a written notice of the changes. The Permit modification application must comply with NAC 445A.391 through 445A.399, 445A.414, 445A.4155, 445A.416, 445A.417, 445A.440, and 445A.442, as applicable. The construction or modification shall not commence, nor shall a change to the Permit be effective, until written Division approval is obtained.
2. Prior to the commencement of mining activities at any site within the State which is owned or operated by the Permittee but not identified and characterized in a previously submitted application or report, the Permittee shall submit to the Division a report which identifies the locations of the proposed mine areas and waste disposal sites, and characterizes the potential of mined materials and areas to release pollutants. Prior to development of these areas the Division shall determine if any of these new sources will be classified as process components and require engineered containment as well as Permit modification.
3. The Permittee shall notify the Division in writing at least 30 days before the introduction of process solution into a new process component or into an existing process component that has been materially modified, or of the intent to commence

- active operation of that process component. Before introducing process solution or commencing active operation, the Permittee shall obtain written authorization from the Division.
4. The Permittee must obtain a written determination from the Administrator of any planned process component construction or material modification, or any proposed change to Permit requirements, as to whether it is considered a Permit modification, and if so, what type.
  5. The Permittee must give advance notice to the Administrator of any planned changes or activities which are not material modifications in the permitted facility that may result in noncompliance with Permit requirements.

Prepared by: Charles Schmitz  
Date: July 1, 2026  
Revision 00: Renewal/Major Modification of Permit

DRAFT