

**STATE OF NEVADA**  
**Division of Environmental Protection**

**General Permit NVR300000**

**Stormwater Discharges Associated with Industrial Activity from  
Metals Mining Activities**

**FACT SHEET**  
**(Pursuant to NAC 445A.236)**

**Permit Name:** General Permit for Stormwater Discharges Associated with Industrial Activity from Metals Mining Activities.

**Permit Number:** NVR300000

**Permit Coverage:** Coverage under this permit is available for stormwater discharges associated with industrial activity from active and inactive mine sites in the mineral industry, category iii of 40 CFR 122.26(b)(14) – metals mining.

**Location:** This permit applies to qualifying facilities located throughout the State of Nevada.

**Receiving Water Characteristics:** The receiving waterbodies are various waters of the U.S. within the State of Nevada.

**Flow:** Discharges covered by this permit do not have a regulated flow limit. Rather, the flow is composed of runoff from precipitation and snowmelt.

**Description of Discharge:** The discharge is stormwater runoff from mine areas where stormwater has not mixed with process solutions or other contaminant sources. Typical pollutants include suspended and dissolved solids and minerals eroded from exposed surfaces. Stormwater discharges that contain mine-impacted waters that have the potential to liberate acid and metals and degrade waters of the U.S. are not eligible for coverage without treatment prior to discharge.

**General Information:** This fact sheet describes the 2025 General Permit NVR300000 for stormwater discharges associated with industrial activity from active and inactive mine sites in the mineral industry, issued by the Nevada Division of Environmental Protection (Division). Stormwater is a known contributor of pollutants to surface waters. Activities and materials at industrial facilities are often exposed to stormwater, and the runoff from these activities can discharge pollutants into nearby storm sewer systems and water bodies. This may adversely impact water quality. Phase I of the U.S. Environmental Protection Agency's (EPA) stormwater

program was promulgated in 1990 under the Clean Water Act. The Phase I Stormwater Rule relies on National Pollutant Discharge Elimination System (NPDES) permit coverage to address stormwater runoff from eleven categories of industrial activity as defined by 40 CFR 122.26, including stormwater discharges from metals mining facilities. Like the previous version of this permit, this permit authorizes stormwater discharges associated with Standard Industrial Classification Code 10xx metal mining (metallic mineral/ores) as defined under 40 CFR §122.26(b) (14) Category III Mineral Industry and all construction-related activities as defined by 40 CFR § 122.26(b)(14) (x) and (b)(15) at mine sites to waters of the U.S. within the State of Nevada.

Mining is one of Nevada's top export categories due to the states' deposits of gold, silver, copper, and molybdenum. In 2019, Nevada led all states in the production of nonfuel mineral commodities (Nevada USMCA State Fact Sheet). Currently permitted under NVR300000 are 55 separate metal mines located statewide and defined under Standardized Industrial Classification (SIC) Code 10 Metal Mining.

Metals mining facilities that do not have the potential to discharge to waters of the U.S. within the State of Nevada are not required to obtain coverage under this permit. Non-metallic mineral mining facilities, classified under Category iii SIC codes 11 through 14, are required to obtain coverage under a separate Stormwater General Permit, NVR050000.

**The requirements of this permit include, but are not limited to, the following:**

Permittees are required to implement control measures to ensure receiving waters are not degraded and water quality standards are not exceeded.

Permittees are required to develop, and submit for approval, a stormwater pollution prevention plan (SWPPP) that details how stormwater pollution will be managed in accordance with the conditions of the permit. A SWPPP template is available at the Division's website at <https://ndep.nv.gov/water/water-pollution-control/permitting/stormwater-discharge-permits/mining-permit>

Permittees are required to conduct routine facility inspections to ensure that the SWPPP is being implemented properly.

Permittees are required to implement corrective actions when needed, as required by the permit and in accordance with the SWPPP.

Permittees are required to prepare and submit to the Division an annual report in accordance with the permit. The permittees must use the template found on the Division's website at [/https://ndep.nv.gov/water/water-pollution-control/permitting/stormwater-discharge-permits/mining-permit](https://ndep.nv.gov/water/water-pollution-control/permitting/stormwater-discharge-permits/mining-permit)

### **Summary of changes to this permit include the following:**

- The ordering of the permit was modified, changing sections numbers of the permit to match the other permits issued by the Stormwater branch.
- The previous permit required sampling for Profile I Constituents and had all the monitoring requirements listed as Monitor and Report. The monitoring requirements have been changed from Profile 1 Constituents to match the Benchmark Monitoring limits listed in the EPA's Multi-Sector General Permit. Benchmark monitoring has been added to the permit to allow the Division to monitor stormwater discharges from waste rock and overburden piles to confirm that stormwater discharges off these sources do not contain Mine-Impacted Waters defined in the permit. Tables 1 and 2 have been added to section 5.0 of this permit replacing Table 1 from the previous permit's sampling requirements.
- Section 1.6 was modified to include language regarding discharges of Mine-Impacted Water off of waste rock or overburden piles.
- Section 5.0 of this permit was modified, adding benchmark monitoring, permit language surrounding sampling requirements, and removing or adding various sections accordingly. Section 6.2 of the previous permit, being Monitoring Exemptions, has been changed due to the implementation of benchmark monitoring being added to the MSW Permit.
- For new permittees, the language "Provisional authorization begins 24 hours following receipt of the electronic NOI form by the Division" has been removed from the permit. Authorization to discharge under this permit does not begin until the permittee has received an approval letter from the Division stating that authorization is granted.
- For new permittees, the requirement to submit a NOI no later than 2 days prior to the anticipated start of the permitted activity has been removed. There is no required timeline regarding when to submit a NOI; however, authorization to discharge under this permit does not begin until the permittee has received an approval letter from the Division stating that authorization is granted. This may take up to 60 days after the date the Division receives a completed NOI (NAC 445A.266).
- For new permittees, SWPPPs are now required to be submitted with the NOI and fee payment, however; permit coverage will not be contingent upon approval of the SWPPP.

- Notices of Termination (NOT) must now be submitted electronically (<https://ndep.nv.gov/water/water-pollution-control/permitting/stormwater-discharge-permits/mining-permit>).
- Additional permit language was added requiring the permittees to submit electronic NOIs and NOTs if e-reporting becomes available during the permit cycle of the Mining Stormwater Permit. Electronic reporting is required by the NPDES Electronic Reporting Rule.
- Permit authorization no longer expires at midnight of the day a complete NOT form is received by the Division; instead, the Division will review the NOT for completeness and notify permittees of deficiencies or approval of termination.
- Inactive and/or unstaffed mines shall be inspected once every three years rather than “a minimum of once each year, or once every three years (triennial) if annual inspections are impractical” as the previous permit stated.
- The timeframe that the annual report must address has been defined as July 1 through June 30 of the following year. The due date for annual reports has been changed from December 1 to July 28. For example, the annual report for July 1, 2023, through June 30, 2024, will be due by July 28, 2024.
- Previous years’ photos may no longer be used in the annual report. Photos must be taken during the period which the annual report addresses.
- Annual reports for inactive and/or unstaffed mining sites now shall include a copy of the most recent inspection and a letter confirming the inactive status of the facility.
- The Section “Additional Contact Requirements”, which required permittees to contact the Nevada Division of Water Resources regarding downstream water rights holders and regarding water impoundment structures, has been removed. Permittees may still need to contact the Nevada Division of Water Resources regarding these and other issues, but that communication will not be regulated by this permit.
- Electronic reporting will be required when the Division’s electronic reporting system becomes available and active. Permittees will be notified when this change occurs. Electronic reporting is required by the NPDES Electronic Reporting Rule.

- For quarterly inspections, if no inspections occur during a stormwater discharge event during the year, the permittees are now required to document within the SWPPP the conditions that precluded an inspection from happening during a discharge event.
- In review of the City and County of San Francisco, California v. Environmental Protection Agency, several sections of the permit have been modified and/or removed. Modified sections include: 1.6, 2.5.1, 3.3.3 and 5.11. Removed sections include: 1.9.3.3, and 9.5.1.3.

### **Schedule of Compliance:**

**Existing Dischargers** - The owner/operator shall update and submit a NOI and a revised SWPPP within 60-days of the effective date of this permit (Month Day, 2023).

**New Discharger** - The owner/operator shall develop and submit a NOI, a SWPPP, and filing fee prior to the anticipated start of permitted activity.

**Rationale for Permit Requirements:** The conditions set in permit language are the minimum requirements to maintain and implement an effective stormwater program consistent with U.S. EPA rules (Title 40 of the Code of Federal Regulations Part 122). BMPs are approved by the U.S. EPA for use in stormwater permits.

**Rational for Anti-backsliding Requirements:** Although permit sections 1.9.3.3 and 9.5.1.3 from the previous permit were removed in the renewed permit as a result of the decision in City and County of San Francisco, California v. Environmental Protection Agency, the updated permit conditions are not less stringent and continue to provide equivalent or greater environmental protection. Therefore, the renewed permit complies with applicable anti-backsliding requirements.

**Procedures for Public Comment:** The Notice of the Division's intent to renew the modified discharge permit subject to the conditions contained within the permit is being mailed to interested persons on our mailing list and will be posted on our website at <https://ndep.nv.gov/posts>. Anyone wishing to comment on the proposed permit can do so in writing until 5:00 P.M. Month Day, 2026, a period of 30 days following the date of the public notice. The comment period can be extended at the discretion of the Administrator.

A public hearing on the proposed determination can be requested by the applicant, any affected State, any affected interstate agency, the Regional Administrator or any interested agency, person, or group of persons. The request must be filed within the comment period and must indicate the interest of the person filing the request and the reasons why a hearing is warranted. Any public hearing determined by the Administrator to be held must be conducted in the geographical area of the proposed discharge or any other area the Administrator

determines to be appropriate. All public hearings must be conducted in accordance with NAC 445A.238.

The final determination of the Administrator may be appealed to the State Environmental Commission pursuant to NRS 445A.605.

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