



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

Date of Posting: 01/09/2024

Deadline for Appeal: 01/19/2024

Progressive Contracting, Inc.  
Maggie Creek Plant  
WPC Permit NEV2012111

The Administrator of the Nevada Division of Environmental Protection (the Division) has decided to issue renewed Water Pollution Control Permit NEV2012111 to Progressive Contracting, Inc. This Permit authorizes the construction, operation, and closure of approved mining facilities in Eureka County, Nevada. The Division 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 23 January 2024. 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, 19 January 2024, on Form 3, with the State Environmental Commission, 901 South Stewart Street, Suite 4001, Carson City, Nevada 89701-5249. For more information, contact Natasha Zittel at (775) 687-9413 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 Rich McKay, Chairmen, Eureka County Board of Commissioners, 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.

### **Rich McKay, Chairmen, Eureka County Board of Commissioners , Written Comment:**

Eureka County has reviewed the draft Water Pollution Control Permit (NEV2012111) and the supporting Fact Sheet for Progressive Contracting, Inc. Maggie Creek Plant Water Pollution Control Permit.

Through our review Eureka County concludes that permit conditions imposed on the project by NDEP advance the protection of the water and water-related resources of Eureka County. The permittee reportedly has had no compliance issues in the past and we look forward to its successful future operation. We believe granting the Water Pollution Control Permit is warranted and request that you do so.

**Division Response 1:**

*Comment noted.*