



NOTICE OF DECISION - Bureau of Mining Regulation and Reclamation

Date of Posting: 02/22/2024

Deadline for Appeal: 03/03/2024

Nevada Gold Mines LLC
Pine Valley Infiltration Project
WPC Permit NEV2018109

The Administrator of the Nevada Division of Environmental Protection (the Division) has decided to issue renewed Water Pollution Control Permit **NEV2018109** to Nevada Gold Mines LLC. This Permit authorizes the construction, operation, and closure of approved mining facilities in Eureka and Lander Counties, 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 8 March 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, 3 March 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, Chairman of Eureka County Board of Commissioners. 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.

Rick McKay, Written Comment:

Eureka County has reviewed the draft Water Pollution Control Permits NEV2018107 and NEV2018109 for the Nevada Gold Mine's (NGM) Grass Valley and Pine Valley RIBs. Our review included the draft permits, the Fact Sheets prepared by NDEP, technical reports prepared in support of the permit, and a brief discussion between our contract hydrogeologist and Natasha Zittel, the permit writer at NDEP. We note we also reviewed the permits being renewed in 2018.

The mounding at both sites was assessed through use of the 4-Basin Model (Itasca, 2016 and SRK 2016), a regional groundwater model that describes groundwater flow

in Crescent, Carico Lake, Grass, and Pine Valleys that is used to support the Cortez mining operations. NGM has kept Eureka County, through staff and our contract hydrogeologist, abreast of the model as it evolved over several years. We are of the opinion it represents the best available tool to assess changes in the basins rising from NGM's mine water-supply, dewatering, and infiltration operations. We note only minor changes to the existing model were made for the express purpose of analyzing the growth of the mound and its decay following cessation of infiltration. The most significant was to reduce the size of the model grid in the vicinity of the RIBs in order to more precisely represent the mound height and eliminate numerical dispersion in transport solute simulations. Hydraulic conductivity in the vicinity of the RIBs was also refined on the basis of constant-head borehole permeability tests conducted at both sites (GeoMega, 2021). Given our familiarity with the model, we did not believe it was necessary to run the model as part of the review of the permit renewals.

Comprehensive field investigations, laboratory analysis and column testing, numerical groundwater flow and contaminant-transport modeling performed on behalf of NGM indicate the proposed RIBs do not constitute a threat to the waters of the State. The monitoring requirements outlined by the draft permits appear to be adequate to ensure the predictions contained in the supporting documents bear out. A brief discussion with Natasha Zittel (NDEP) uncovered no operational issues with the facilities.

Consequently, it is our opinion that there is a reasonable expectation water resources of Eureka County will not be degraded by either of NGM's infiltration facilities covered under Permits NEV2018107 and NEV2018109. For these reasons, we support the re-issuance of these permits with the expectation that the County be kept abreast of any deviations from the predictions contained in the supporting documents.

Division Response 1:

Comment noted.