

A G E N D A
NEVADA STATE ENVIRONMENTAL COMMISSION
Appeal Hearing

As provided by Nevada Revised Statutes (NRS) Chapter 233B and Nevada Administrative Code (NAC), inclusive, a panel of the Nevada State Environmental Commission will conduct an appeal hearing on Wednesday and Thursday, March 29 and 30, 2006 beginning at 9:00 a.m. The hearing will be held at the Office of the Attorney General, 100 North Carson Street, Carson City, Nevada 89701-4717 - second floor conference room.

This agenda has been posted at the Office of Attorney General in Carson City, Nevada, the Grant Sawyer State Office Building in Las Vegas, the Department of Cultural Affairs (Division of Library and Archives), and the Division of Environmental Protection Offices in Carson City and Las Vegas, Nevada. The following items will be discussed and acted upon but may be taken in different order to accommodate the interest and time of the persons attending.

I. Appeal Hearing - * ACTION

The appeal by GBMW challenges the renewal of a Water Pollution Control Permit (NEV0087001) issued by the Nevada Division of Environmental Protection (NDEP) on July 26, 2005, to become effective on August 15, 2005. The permit authorized the permanent closure of the Big Springs Mine located in Elko County, Nevada. The Big Springs Mine is owned and operated by AngloGold Ashanti, a Nevada Corporation.

The appeal by GBWM alleges that NDEP's permit improperly permitted discharges into the North Fork of the Humboldt River (NFHR) and its tributaries. According to the appeal, NDEP has failed to properly regulate all discharges at the site and has not issued a proper discharge permit for the mine and/or related point sources, as required by the federal Clean Water Act and Nevada's Water Pollution Control Law.

GBWM further alleges that NDEP has failed to comply with state water quality standards and prescribed beneficial uses and alleges that discharges are causing elevated levels of various constituents in the NFHR and its tributaries (e.g. selenium, manganese), and that these discharges are harming Lahontan Cutthroat Trout, a listed threatened species. According to the appeal, these discharges are stated to be in violation of the federal Clean Water Act and the Nevada Water Pollution Control Laws NRS 445A.300 et seq.

II. Commission Deliberation and Decision - * ACTION

III. Public Comment

Members of the public who are disabled and require special accommodations or assistance at the meeting are requested to notify, in writing, the Nevada State Environmental Commission, Executive Secretary, 901 South Stewart Street, Suite 4001, Carson City, Nevada, 89701 by facsimile to (775) 687-5856; or by calling (775) 687-9308 no later than 5:00 p.m., March 25, 2003.