

**NEVADA DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES**

**NEVADA ENVIRONMENTAL COMMISSION**

**HEARING ARCHIVE**

**FOR THE HEARING OF April 14, 2003**

**HELD AT: Teleconference – , Nevada – Lone Tree Reconsideration**

**TYPE OF HEARING:**

**REGULATORY**

**YES APPEAL (Great Basin Mine Watch)**

**FIELD TRIP**

**ENFORCEMENT**

**VARIANCE**

**RECORDS CONTAINED IN THIS FILE INCLUDE:**

**YES AGENDA**

**PUBLIC NOTICE**

**MINUTES OF THE HEARING**

**LISTING OF EXHIBITS**

## **A G E N D A**

### **NEVADA STATE ENVIRONMENTAL COMMISSION PUBLIC 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 a teleconference hearing of the Petition for Reconsideration of Great Basin Mine Watch to the Commission's decision of March 24, 2003 regarding the Lone Tree Mine water pollution control permit. **The teleconference will be on Monday April 14, 2003 at 10 am PST.** The public location to participate in teleconference will be provided at 333 West Nye Lane, Room 138, Carson City, Nevada.

The public may access the telephone conference of the Commission by dialing **1-866-624-9391**. **Your participant pass code number is 204140 # when prompted.** Your entry into the phone conference will be signaled with an entrance tone. You do not need to identify yourself. Call between 10:00 a.m. and 10:05 a.m. The meeting will commence no later than 10:06 a.m. PST. There are a limited number of phone lines available for this meeting, so members of the public should contact the Executive Secretary, David Cowperthwaite at 775-687-9308 prior to the teleconference for access to this teleconference. See below for further instructions.

This agenda has been posted at the Grant Sawyer State Office Building in Las Vegas, the Washoe County Library in Reno, the Department of Cultural Affairs (Division of Library and Archives), and the Division of Environmental Protection Offices in Carson City, 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. Telephone Speaking and Comment Protocols -- Discussion by Commission Legal Counsel**

**II. Call of Commission Appeal Panel Member Roster and Query as to Participants**

The Appeal Panel Roster will be called by the Executive Secretary

**III. Reconsideration Request by Great Basin Mine Watch – Action Item**

Great Basin Mine Watch, Tom Myers, Executive Director, 505 S. Arlington Street, Suite 110, Reno, Nevada 89510 requests reconsideration of the Commission's decision of February 25 & 26, 2003 to affirm the decision dated November 12, 2002 by the Nevada Division of Environmental Protection regarding the Water Pollution Control Permit NEV90058 for the Newmont Mining Corporation, Lone Tree Mine.

The Nevada Division of Environmental Protection, Bureau of Mining Regulation and Reclamation on November 12, 2002, issued a renewal of Water Pollution Control Permit NEV90058 to the Newmont Mining Corporation for continued construction, operation and closure of the Lone Tree Mine located 34 miles east of Winnemucca, Nevada. The Commission heard the appeal by Great Basin Mine Watch on February 25 and 26, 2003 in Carson City, Nevada.

The Commission on April 4, 2003 received a petition for reconsideration of the Commission's March 24, 2003 Finding of Fact, Conclusion of Law and Order regarding the appeal of February 25 & 26, 2003. The Commission will act upon the briefs filed in the matter of reconsideration. The Commission will not be receiving any new testimony in the matter of the reconsideration. The Commission will be responding to the provision of NAC 445B.899, subsection 5: "The commission will grant or deny a petition for reconsideration or rehearing with 10 days after the date of the filing of the petition. The denial of a petition may be on the record without a separate decision."

Participants in the call will not be bridged until the Chairperson/Initiator (the Commission's Executive Secretary) dials in and enters his pass code. When the Chairperson hangs up, the conference ends and any participants still on the line are disconnected. **If a caller experiences any line problems during their conference call they need to push \*0\*0 (star, zero, star, zero), sending a tone to a Sprint Representative.** Upon notification the Sprint Representative will come on the line to identify the Conference Bridge and problem. The Chairperson will ask the Sprint Representative to mute the participants so they do not hear the conversation between the Sprint Representative and the Chairperson.

#### **IV. General Commission or 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, in care of the Executive Secretary, 333 West Nye Lane, Room 138, Carson City, Nevada, 89706-0851; by facsimile to (775) 687-5856; or by calling (775) 687-9310 no later than 5:00 p.m. April 11, 2003.

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