

# STATE OF NEVADA

Department of Conservation & Natural Resources

DIVISION OF ENVIRONMENTAL PROTECTION

Brian Sandoval, Governor

Leo M. Drozdoff, P.E., Director

Colleen Cripps, Ph.D., Administrator

April 28, 2014

Nigel Bain  
Mine General Manager  
Barrick Turquoise Ridge, Inc.  
HC 66, P.O. BOX 220  
Golconda, NV 89414

**RE: Notice of Alleged Air Quality Violation and Order Nos. 2489 through 2491  
Class II Air Quality Operating Permit AP1041-0292.02 (FIN A0389)**

Dear Mr. Bain:

The Nevada Division Environmental Protection, Bureau of Air Pollution Control (NDEP-BAPC) alleges that Barrick Turquoise Ridge, Inc. (BTRI) has violated conditions of their Class II Air Quality Operating Permit AP1041-0292.02 (FIN A0389).

On April 15, 2014, the NDEP-BAPC held an enforcement conference with BTRI to discuss the supporting information regarding the draft Notices of Alleged Violation and Order (NOAVs) dated March 27, 2014. Based on the information presented during the conference, the NDEP-BAPC has determined that issuance of NOAV Nos. 2489, 2490, and 2491 is warranted. Failing to conduct required monitoring and recordkeeping, exceeding permitted throughput limits and failing to report the throughput exceedances as specified in the air quality operating permit constitutes violations of **Nevada Administrative Code (NAC) 445B.275 Violations: Acts constituting; notice** (see below).

**NAC 445B.275 Violations: Acts constituting; notice** states, in part, that: "1. Failure to comply with any requirement of NAC 445B.001 to 445B.3791, inclusive, any applicable requirement or any condition of an operating permit constitutes a violation. As required by NRS 445B.450, the Director shall issue a written notice of an alleged violation to any owner or operator for any violation, including, but not limited to:

- (c) Failure to construct or operate a stationary source in accordance with any condition of an operating permit.
- (e) Failure to comply with any requirement for recordkeeping, monitoring, reporting or compliance certification contained in an operating permit.

The attached NOAV Nos. 2489, 2490, and 2491 constitutes major violations as defined by Section 2 of **NAC445B.281 Violations: Classification; administrative fines**. NOAV Nos. 2489, 2490, and 2491 are the first NOAVs issued to BTRI in the past 60 months.



Barrick Turquoise Ridge, Inc.

April 28, 2014

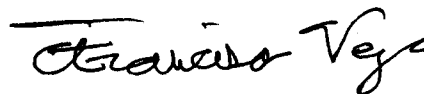
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As was discussed during the conference held on April 15, 2014, the NDEP-BAPC makes recommendations to the Nevada State Environmental Commission (SEC) as to what an appropriate penalty may be for major air quality violations. The NDEP will be recommending a penalty of \$1,200 for NOAV No. 2489, \$4,200 for NOAV No. 2490 and \$3,600 for NOAV No. 2491 to the SEC.

An appeal of NOAV Nos. 2489, 2490, and 2491 may be requested pursuant to **Nevada Revised Statutes (NRS) 445B.360** and SEC administrative rules. A copy of SEC Appeal Form #3 is enclosed. Appeals must be received within 10 days of receipt of this notice, pursuant to **NRS 445B.340**. Appeals are processed through Valerie King, the Executive Secretary for the SEC, at 901 South Stewart Street, Suite 4001, Carson City, Nevada, 89701-5249. Ms. King can be reached at 775-687-9374, or by fax at 775-687-5856. Please provide me with a copy of any correspondence your company may have with the SEC.

If you have any questions regarding the alleged violations or the enforcement conference, please call Ryan Clark at (775) 687-9536 or myself at (775) 687-9343.

Sincerely,



Francisco Vega, P.E.  
Supervisor, Compliance and Enforcement Branch  
Bureau of Air Pollution Control

FV/rc

enc.: 1. Notice of Alleged Air Quality Violation and Order Nos. 2489, 2490, and 2491  
2. SEC Appeal Form #3

cc (w/enc. 1): Valerie King, SEC  
Humboldt County Board of Commissioners  
Francisco Vega, NDEP  
FIN A0389 (Certified Copy)

E-Copy: Julio Sandoval, BTRI

Certified Mail No.: 9171 9690 0935 0037 8464 63

STATE OF NEVADA  
DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES  
DIVISION OF ENVIRONMENTAL PROTECTION  
BUREAU OF AIR POLLUTION CONTROL  
901 SOUTH STEWART ST., SUITE 4001  
CARSON CITY, NEVADA 89701-5249

NO. 2489

**NOTICE OF ALLEGED AIR QUALITY VIOLATION AND ORDER**

**NOTICE OF ALLEGED AIR QUALITY VIOLATION**

**Person(s) to Whom Served:** Nigel Bain, Mine General Manager

**Company Name:** Barrick Turquoise Ridge, Inc.

**Address:** HC 66, P.O. BOX 220  
Golconda, NV 89414

**Permit Number:** AP1041-0292.02 **FIN:** A0389

**Site of Alleged Violation:** Barrick Turquoise Ridge

**Date of Observation:** **Arrival:** N/A **Departure:** N/A

**Ambient Temperature:** N/A °F **Clear:** **Cloudy:** **Rain:** **Snow:**

**Wind Speed:** N/A mph **Wind Direction:** N/A

**It is alleged that the following regulation was violated by the person named in this notice:**

**NAC 445B.275 Violations: Acts constituting; notice.** 1. Failure to comply with any requirement of NAC 445B.001 to 445B.3791, inclusive, any applicable requirement or any condition of an operating permit constitutes a violation. As required by NRS 445B.450, the Director shall issue a written notice of an alleged violation to any owner or operator for any violation, including, but not limited to:

- (e) Failure to comply with any requirement for recordkeeping, monitoring, reporting or compliance certification contained in an operating permit

**It is alleged that the following act or practice constitutes the violation:**

Failure to report a throughput exceedance.

**Evidence:**

Barrick Turquoise Ridge, Inc. (BTRI) operates a gold mine in Humboldt County, Nevada under Class II Air Quality Operating Permit AP1041-0292.02, issued by the Nevada Division of Environmental Protection, Bureau of Air Pollution Control (NDEP-BAPC) on June 24, 2008.

On March 19-20, 2013, the NDEP-BAPC conducted a compliance inspection at the BTRI facility. During the inspection records were requested for all systems for the period of February 1, 2010 through February 28, 2013. This request was followed by letter dated April 3, 2013. Records were received on June 1, 2013. Upon review of the records several issues were found, including multiple systems with throughput exceedances. As a result, an email was sent on December 6, 2013, requesting clarification and additional information. The follow up to this request was received on January 13, 2014. Review of this submittal reinforced the previous findings.

Review of the submitted records found multiple throughput exceedances on the following systems and units:

- System 2, Sample Prep Lab (S2.006) Sample Prep Jaw Crusher #2 (3 exceedances)
- System 2, Sample Prep Lab (S2.007) Sample Prep Roll Crusher and discharge to Auger Conveyor (3 exceedances)
- System 3, Sample Prep Lab Auger (PF1.001) Auger discharge to Sample Waste Bin (3 exceedances)

# NOTICE OF ALLEGED AIR QUALITY VIOLATION AND ORDER NO. 2489

## Evidence (cont.):

- System 54, Fly Ash Storage Guppy, 165 Ton Capacity (S2.022) Fly Ash Storage Guppy Loading (6 exceedances)
- System 63, Gasoline Storage Tank (S2.026) 6,000 Gallon Unleaded Gasoline Storage Tank (exceeded 12 month rolling throughput limit).

On April 15, 2014, the NDEP-BAPC held an enforcement conference with BTRI to discuss the information regarding Notice of Alleged Violation (NOAV) No. 2489. The enforcement conference represented BTRI's opportunity to provide any evidence that would lead the NDEP-BAPC into determining that NOAV No. 2489 should not be issued. During the enforcement conference BTRI provided evidence that throughput exceedances did not occur on System 2 (S 2.006 and S 2.007) and System 3 (PF 1.001). Evidence provided showed that the wrong weights were recorded (total sample bag weights were recorded as throughput, even though only a portion of those sample bags were analyzed). However, BTRI was unable to provide any evidence that throughput exceedances for Systems 54 and 63 did not occur. BTRI failed to submit deviation reports for these throughput exceedances. BTRI did not have any questions and understood that NOAV No. 2489 would be formally issued for failing to report the throughput exceedances occurring on Systems 54 and 63.

In accordance with NAC 445B.281 Violations: Classification; administrative fines, failing to report exceedances as required in Class II Air Quality Operating Permit AP1041-0292.02 constitutes a major violation. This Notice of Alleged Air Quality Violation and Order (NOAV) represents BTRI's first air quality violation in the past 60 months.

## ORDER

Under the authority of NRS 445B.100 to 445B.640, inclusive, the person named in this notice is ordered:

\_\_\_\_\_ To pay the following administrative fine in accordance with 445B.281.1: \$ \_\_\_\_\_

To take corrective action: Comply with all permit reporting requirements.

\_\_\_\_\_ To appear for a hearing before the Environmental Commission at:  
Date: \_\_\_\_\_ Time: \_\_\_\_\_

\_\_\_\_\_ To appear for an enforcement conference at:  
Date: \_\_\_\_\_ Time: \_\_\_\_\_

\_\_\_\_\_ To conduct a Supplemental Environmental Project specified by the NDEP-BAPC

\_\_\_\_\_ This notice is a warning.

Signature Francisco Vega  
Issued by: Francisco Vega, P.E.  
Supervisor, Compliance and Enforcement Branch  
Bureau of Air Pollution Control

Phone: 775-687-9343 Date: April 28, 2014

Certified Mail No.: 9171 9690 0935 0037 8464 63

*This order becomes final unless appealed within ten (10) days after receipt of this notice or ten (10) days after a required enforcement conference. The person named in this order may appeal this notice by submitting a written request for a hearing to the Chairman of the Environmental Commission, 901 South Stewart Street, Suite 4001, Carson City, Nevada 89701-5249. An administrative fine may be levied by the Environmental Commission of not more than \$10,000 per day of violation.*

STATE OF NEVADA  
DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES  
DIVISION OF ENVIRONMENTAL PROTECTION  
BUREAU OF AIR POLLUTION CONTROL  
901 SOUTH STEWART ST., SUITE 4001  
CARSON CITY, NEVADA 89701-5249

NO. 2490

**NOTICE OF ALLEGED AIR QUALITY VIOLATION AND ORDER**

**NOTICE OF ALLEGED AIR QUALITY VIOLATION**

**Person(s) to Whom Served:** Nigel Bain, Mine General Manager

**Company Name:** Barrick Turquoise Ridge, Inc.

**Address:** HC 66, P.O. BOX 220  
Golconda, NV 89414

**Permit Number:** AP1041-0292.02 **FIN:** A0389

**Site of Alleged Violation:** Barrick Turquoise Ridge

**Date of Observation:** **Arrival:** N/A **Departure:** N/A

**Ambient Temperature:** N/A °F **Clear:** **Cloudy:** **Rain:** **Snow:**

**Wind Speed:** N/A mph **Wind Direction:** N/A

**It is alleged that the following regulation was violated by the person named in this notice:**

**NAC 445B.275 Violations: Acts constituting; notice.** 1. Failure to comply with any requirement of NAC 445B.001 to 445B.3791, inclusive, any applicable requirement or any condition of an operating permit constitutes a violation. As required by NRS 445B.450, the Director shall issue a written notice of an alleged violation to any owner or operator for any violation, including, but not limited to:

(c) Failure to construct or operate a stationary source in accordance with any condition of an operating permit.

**It is alleged that the following act or practice constitutes the violation:**

Exceeding permitted throughput limits.

**Evidence:**

Barrick Turquoise Ridge, Inc. (BTRI) operates a gold mine in Humboldt County, Nevada under Class II Air Quality Operating Permit AP1041-0292.02, issued by the Nevada Division of Environmental Protection, Bureau of Air Pollution Control (NDEP-BAPC) on June 24, 2008.

On March 19-20, 2013, the NDEP-BAPC conducted a compliance inspection at the BTRI facility. During the inspection records were requested for all systems for the period of February 1, 2010 through February 28, 2013. This request was followed by letter dated April 3, 2013. Records were received on June 1, 2013. Upon review of the records several issues were found, including multiple systems with throughput exceedances. As a result, an email was sent on December 6, 2013, requesting clarification and additional information. The follow up to this request was received on January 13, 2014. Review of this submittal reinforced the previous findings.

Review of the submitted records found multiple throughput exceedances on the following systems and units:

- System 2, Sample Prep Lab (S 2.006) Sample Prep Jaw Crusher #2 (3 exceedances)
- System 2, Sample Prep Lab (S 2.007) Sample Prep Roll Crusher and discharge to Auger Conveyor (3 exceedances)
- System 3, Sample Prep Lab Auger (PF1.001) Auger discharge to Sample Waste Bin (3 exceedances)

# NOTICE OF ALLEGED AIR QUALITY VIOLATION AND ORDER NO. 2490

## Evidence (cont.):

- System 54, Fly Ash Storage Guppy, 165 Ton Capacity (S2.022) Fly Ash Storage Guppy Loading (6 exceedances)
- System 63, Gasoline Storage Tank (S2.026) 6,000 Gallon Unleaded Gasoline Storage Tank (exceeded 12 month rolling throughput limit).

On April 15, 2014, the NDEP-BAPC held an enforcement conference with BTRI to discuss the information regarding Notice of Alleged Violation (NOAV) No. 2490. The enforcement conference represented BTRI's opportunity to provide any evidence that would lead the NDEP-BAPC into determining that NOAV No. 2490 should not be issued. During the enforcement conference BTRI provided evidence that throughput exceedances did not occur on System 2 (S2.006 and S2.007) and System 3 (PF1.001). Evidence provided showed that the wrong weights were recorded (total sample bag weights were recorded as throughput, even though only a portion of those sample bags were analyzed). However, BTRI was unable to provide any evidence that throughput exceedances for Systems 54 and 63 did not occur. BTRI did not have any questions and understood that NOAV No. 2490 would be formally issued for throughput exceedances occurring on Systems 54 and 63.

In accordance with NAC 445B.281 Violations: Classification; administrative fines, failing to comply with permitted throughput limits as required in Class II Air Quality Operating Permit AP1041-0292.02 constitutes a major violation. This Notice of Alleged Air Quality Violation and Order (NOAV) represents BTRI's first air quality violation in the past 60 months.

## ORDER

Under the authority of NRS 445B.100 to 445B.640, inclusive, the person named in this notice is ordered:

\_\_\_\_\_ To pay the following administrative fine in accordance with 445B.281.1: \$ \_\_\_\_\_

To take corrective action: Comply with all permitted throughput limits

\_\_\_\_\_ To appear for a hearing before the Environmental Commission at:  
Date: \_\_\_\_\_ Time: \_\_\_\_\_

\_\_\_\_\_ To appear for an enforcement conference at:  
Date: \_\_\_\_\_ Time: \_\_\_\_\_

\_\_\_\_\_ To conduct a Supplemental Environmental Project specified by the NDEP-BAPC

\_\_\_\_\_ This notice is a warning.

Signature Francisco Vega  
Issued by: Francisco Vega, P.E.  
Supervisor, Compliance and Enforcement Branch  
Bureau of Air Pollution Control

Phone: 775-687-9343 Date: April 28, 2014

Certified Mail No.: 9171 9690 0935 0037 8464 63

*This order becomes final unless appealed within ten (10) days after receipt of this notice or ten (10) days after a required enforcement conference. The person named in this order may appeal this notice by submitting a written request for a hearing to the Chairman of the Environmental Commission, 901 South Stewart Street, Suite 4001, Carson City, Nevada 89701-5249. An administrative fine may be levied by the Environmental Commission of not more than \$10,000 per day of violation.*

STATE OF NEVADA  
DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES  
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BUREAU OF AIR POLLUTION CONTROL  
901 SOUTH STEWART ST., SUITE 4001  
CARSON CITY, NEVADA 89701-5249

NO. 2491

**NOTICE OF ALLEGED AIR QUALITY VIOLATION AND ORDER**

**NOTICE OF ALLEGED AIR QUALITY VIOLATION**

**Person(s) to Whom Served:** Nigel Bain, Mine General Manager

**Company Name:** Barrick Turquoise Ridge, Inc.

**Address:** HC 66, P.O. BOX 220  
Golconda, NV 89414

**Permit Number:** AP1041-0292.02 **FIN:** A0389

**Site of Alleged Violation:** Barrick Turquoise Ridge

**Date of Observation:** **Arrival:** N/A **Departure:** N/A

**Ambient Temperature:** N/A °F **Clear:** **Cloudy:** **Rain:** **Snow:**

**Wind Speed:** N/A mph **Wind Direction:** N/A

**It is alleged that the following regulation was violated by the person named in this notice:**

**NAC 445B.275 Violations: Acts constituting; notice.** 1. Failure to comply with any requirement of NAC 445B.001 to 445B.3791, inclusive, any applicable requirement or any condition of an operating permit constitutes a violation. As required by NRS 445B.450, the Director shall issue a written notice of an alleged violation to any owner or operator for any violation, including, but not limited to:

(c) Failure to construct or operate a stationary source in accordance with any condition of an operating permit.

**It is alleged that the following act or practice constitutes the violation:**

Exceeding permitted throughput limits.

**Evidence:**

Barrick Turquoise Ridge, Inc. (BTRI) operates a gold mine in Humboldt County, Nevada under Class II Air Quality Operating Permit AP1041-0292.02, issued by the Nevada Division of Environmental Protection, Bureau of Air Pollution Control (NDEP-BAPC) on June 24, 2008.

On March 19-20, 2013, the NDEP-BAPC conducted a compliance inspection at the BTRI facility. During the inspection records were requested for all systems for the period of February 1, 2010 through February 28, 2013. This request was followed by letter dated April 3, 2013. Records were received on June 1, 2013. Upon review of the records several issues were found, including multiple systems with throughput exceedances. As a result, an email was sent on December 6, 2013, requesting clarification and additional information. The follow up to this request was received on January 13, 2014. Review of this submittal reinforced the previous findings.

The following systems had missing records or no records at all: 7, 8, 15 - 17, 19 - 25, 27, 29 - 38, 47 - 52, 54, 55, 62 and 63. It should be noted that all daily records for Systems 26 - 28 and 58 - 60 were lost when these systems were destroyed by fire.

# NOTICE OF ALLEGED AIR QUALITY VIOLATION AND ORDER NO. 2491

## Evidence (cont.):

On April 15, 2014, the NDEP-BAPC held an enforcement conference with BTRI to discuss the information regarding Notice of Alleged Violation (NOAV) No. 2491. The enforcement conference represented BTRI's opportunity to provide any evidence that would lead the NDEP-BAPC into determining that NOAV No. 2491 should not be issued. BTRI was only able to provide evidence that monitoring and recordkeeping was conducted for System 55. BTRI did not have any questions and understood that NOAV No. 2491 would be formally issued.

In accordance with NAC 445B.281 Violations: Classification; administrative fines, failing to conduct monitoring and recordkeeping as required in Class II Air Quality Operating Permit AP1041-0292.02 constitutes a major violation. This Notice of Alleged Air Quality Violation and Order (NOAV) represents BTRI's first air quality violation in the past 60 months.

## ORDER

Under the authority of NRS 445B.100 to 445B.640, inclusive, the person named in this notice is ordered:

\_\_\_\_\_ To pay the following administrative fine in accordance with 445B.281.1: \_\_\_\_\_ \$ \_\_\_\_\_

To take corrective action: Comply with all monitoring and recordkeeping requirements.

\_\_\_\_\_ To appear for a hearing before the Environmental Commission at:  
Date: \_\_\_\_\_ Time: \_\_\_\_\_

\_\_\_\_\_ To appear for an enforcement conference at:  
Date: \_\_\_\_\_ Time: \_\_\_\_\_

\_\_\_\_\_ To conduct a Supplemental Environmental Project specified by the NDEP-BAPC

\_\_\_\_\_ This notice is a warning.

Signature Francisco Vega  
Issued by: Francisco Vega, P.E.  
Supervisor, Compliance and Enforcement Branch  
Bureau of Air Pollution Control

Phone: 775-687-9343 Date: April 28, 2014

Certified Mail No.: 9171 9690 0935 0037 8464 63

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