

BRIAN SANDOVAL
Governor



STATE OF NEVADA
STATE ENVIRONMENTAL COMMISSION

901 South Stewart Street, Suite 4001
Carson City, Nevada 89701-5249
Telephone (775) 687-9374
Fax (775) 687-5856
www.sec.nv.gov

Leo Drozdoff, P.E.
Director



March 24, 2014

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Executive Secretary

Misti Gower
Recording Secretary

Dennis Laybourn
Environmental Manager
Newmont Nevada Energy Investment, LLC
TS Power Plant
910 Dunphy Ranch road
Battle Mountain, NV 89820

RE: Notice of Alleged Air Quality Violation No. 2453
Class I Air Quality Operating Permit AP4911-2502 (FIN A0359)

Dear Mr. Laybourn:

On June 18, 2013, the Nevada Division of Environmental Protection (NDEP) held an enforcement conference with Newmont Nevada Energy Investment, LLC, (Newmont) to discuss supporting information regarding the draft Notice of Alleged Violation and Order (NOAV) No. 2453. As a result of that meeting, NDEP formally issued NOAV No. 2453; see attached.

NDEP sent NOAV No. 2453 via certified mail on October 31, 2013 notifying Newmont of its appeal rights pursuant to NRS 445B.340 and NRS 445B.360. Newmont did not appeal the NOAV. Therefore, the State Environmental Commission (SEC) will determine the appropriate penalty for the violation contained in the above referenced NOAV during the May 2, 2014 meeting. This meeting will be held on Friday, May 2, 2014 at 10:00 a.m. in the Bryan Building in Carson City, Nevada (901 S. Stewart Street, 2nd Floor Tahoe Room).

Pursuant to NRS 445B.640(1), the SEC may approve an administrative penalty of not more than \$10,000 per day per violation. During the May 2 meeting, NDEP will provide the SEC with a brief overview of the NOAV and its recommendation for an administrative penalty of \$12,420.00, which has been calculated from a penalty matrix previously approved by the Commission.

The SEC will determine the penalty by either accepting NDEP's recommendation or increasing or decreasing the penalty recommendation based on the information presented at the meeting.

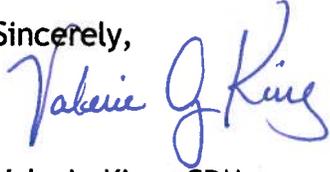
Your presence is not required at the May 2, 2014 meeting, although you or a representative may wish to attend and speak on behalf of Newmont.

The SEC may, without further notice, take administrative action against Newmont if the SEC determines that such administrative action is

warranted after it considers NOAV 2453.

If you have any questions regarding this notice, please contact me at (775) 687-9374.

Sincerely,



Valerie King, CPM
Executive Secretary

vk

Certified Mail # 9171 9690 0935 0011 9074 63

ec: Colleen Cripps, Ph.D., Administrator
Rob Bamford, Chief, BAPC
Francisco Vega, NDEP/BAPC
Rose Marie Reynolds, SEC/DAG