

In this packet are:

Cease and Desist letter from NDEP to CMI for introducing pollutants into the waterway

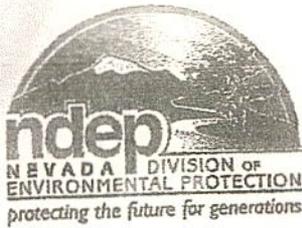
History of NDEP environmental violations

Violations with Storey County Code 17.92.090 issued in 2011

Summary of Violations with Storey County code and/or Special Use Permit

Letter from Enviroscientists citing a 100,000 gallon spill at the mill site

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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

May 11, 2011

Dennis Anderson  
Comstock Mining  
P.O. Box 1118  
Virginia City, NV 89440

Re: Cease and Desist From Introducing Pollutants into Waterway

Dear Mr. Anderson,

This letter is to inform Comstock Mining (Comstock) that it is in violation of Nevada Revised Statute 445A.465, specifically parts c and d. Therefore, the Nevada Division of Environmental Protection (NDEP) requires that Comstock immediately cease and desist from introducing pollutants into, and remove the dirt and rock which it has placed in, the waterway running parallel to Nevada 342 north of Silver City, Nevada. In order to remove the material legally, Comstock must obtain a working in waterways permit from NDEP prior to commencing activities in the waterway. The permit application is located at [ndep.nv.gov/bwpc/forms.htm](http://ndep.nv.gov/bwpc/forms.htm). Please contact Jeryl Gardner at (775) 687-9423 with questions regarding the working in waterways permit.

NDEP requires that all work to remove the dirt and rock from the waterway be completed by June 24, 2011. Comstock shall demonstrate compliance has been achieved by submitting a narrative of the work which was done and pictures of the area which clearly demonstrate the waterway has been restored.

If Comstock wishes to construct a permanent crossing of the waterway, other permits are required, some from federal agencies. Given the elongated timeframe which such additional activity may incur, NDEP requires the dirt and rock to be removed and the waterway restored to functionality before any such effort is undertaken.

Failure to immediately cease and desist or to restore the site by the date given may result in Comstock Mining being subject to an Enforcement Action, which is associated with penalties of up to \$25,000 per day, per violation.

Please contact the undersigned at (775) 687-9502 with questions regarding this matter.

Sincerely,

Jeffrey Erwin  
Compliance Officer  
Water Pollution Control

cc: Valerie King, Enforcement Supervisor, BWPC  
Jeryl Gardner, P.E., Permits, BWPC  
Todd Process, Reclamation, BMRR  
901 S. Stewart Street, Suite 4001 • Carson City, Nevada 89701 • p: 775.687.4670 • f: 775.687.5856 • [ndep.nv.gov](http://ndep.nv.gov)



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## CMI/Plum/Goldspring History of Environmental Violations

July 14, 2011 Water Pollution Control Compliance Inspection items of concern: 5 issues including pond liner damage, leach pad embankment damage, solution spray off containment, cracks in process floor containment, damaged used oil in containment.

May 11, 2011 Cease and Desist From Introducing Pollutants into the Waterway, a violation of NRS 445A.465 This occurred on the east side of SR342.

April 18, 2011 Water Pollution Control Inspection, Billie the Kid Project, Two items of concern: leaking process valve spraying outside of containment; Hydrocarbon contaminated soil on west side of leach pad.

July 7, 2010 Water Pollution Control Compliance Inspection Item of concern: Cracks in the concrete floor in the refinery containment and process building need to be repaired.

April 1, 2010 Water Pollution Control Compliance Inspection Items of concern: crack in concrete in refinery containment and process building, leaking pump on a fuel truck in the ready line needs to be repaired immediately or move truck to containment area, haul truck leaking hydraulic oil, need to pump containment for proper disposal.

February 4, 2011 Water Pollution Control Compliance Inspection Item of concern process solution spraying outside of containment area; NDEP has not received 2010 fourth quarter monitoring report for Billie the Kid Project which was due January 28, 2011 compliance violation.

November 8, 2011 Water Pollution Control Compliance Inspection Item of concern: Open bucket of fuel and water under the fuel truck in the ready line.

April 24, 2009 Water Pollution Control Compliance Inspection: Annual Report Incomplete: Items required in report by permit were not included.

March 25, 2009: Water Pollution Control Compliance Inspection: Out of Compliance: Annual Report Not Received per section II.B.2.

July 8, 2008 Water Pollution Control Compliance Inspection: Items of concern: hole in liner of Super Pond, leach pad trash, debris and vegetation. (Second notice)

June 27, 2008: Suspension of Unauthorized Drilling Activities: Plum Mining was drilling on the east side of SR342 which included a drill pad and road construction that was not authorized. Drilling fluids and mud had flowed into the Gold Canyon waterway.

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May 28, 2008: Water Pollution Control Compliance Inspection: Items of concern: hole in liner of Super Pond, leach pad trash, debris and vegetation.

April 1, 2008 Water Pollution Control Permit: Annual Report not received

February 11, 2008 Notice of Noncompliance – Billie the Kid Mine (NDEP Reclamation Permit #0196) Failure to modify its reclamation plan in accordance with NAC 519A.295

October 9, 2007 Water Pollution Control Compliance Inspection: Items of concern: Leach pad caution, unlocked well, hydrocarbon and leaking diesel on soil (Fourth Notice), fence damage allowing wildlife into mine site, threat to life and safety. Horses have been in mine containment area.

October 2, 2007 Permanent Closure Requirements, Billie the Kid Project, Nevada Water Pollution Control Permit No NEV2000109 Failure to provide Temporary Closure Plan per NAC 445A.445.1.(b). Company is required to provide proper security due to the chemical and physical hazards present on site.

July 3, 2007 Notice of Noncompliance: Billie the Kid Project, failure to pay fees, found in violation of NAC 519A.235 and NRS 519A.160. Order to attend hearing.

July 3, 2007 Water Pollution Control Compliance Inspection: Items of concern: buckets and drums not in containment, hydrocarbon and leaking diesel on soil (Third Notice)

May 7, 2007 Refers to Finding of Alleged Violations (FOAV) at the Oliver Hills Hayward Mine, the removal of spent ore, from the upper leach pad without authorization from the Division of Environmental Protection, fined \$18,000.

May 2, 2007 Water Pollution Control Compliance Inspection: Items of concern: holes in leach pad liner; hydrocarbon and leaking diesel on soil (Second Notice)

January 17, 2007 hydrocarbon and leaking diesel on soil (First Notice)  
Bucket of used oil not in containment

July 7, 2006 Compliance Inspection Billie the Kid Project Nevada Water Pollution Control Permit No NEV 2000109 Cited 6 major items of concern and 11 minors items of concern.

August 3, 2006 Failure to Submit Corrective Action Plan, Billie the Kid Project, Nevada Water Pollution Controls Permit No NEV 2000109 Relating to a cyanide over spray on Leach Pad Cell 3.

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April 13, 2006 SuperPond Overflow Corrective Action Plan Review, relating to 93,600 gallons of water released containing heavy metals and possibly cyanide. NDEP requesting additional requirements to the corrective action plan submitted.

June 13, 2001, Finding of Alleged Violations letter

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2011

**Violations with Storey County Code 17.92.090 Continue Today**

Using a map submitted by Comstock Mining, Inc. to NDEP in April, 2011, it is clear that they are in violation with this section of the Storey County Code. The area in question is outside of their permitted area (SUP 2000-222 and 222-A-1) and therefore falls under this part of the code. These violations have occurred throughout the spring and summer, 2011.

The code states:

"In addition to the requirements set forth, herein, applications for exploration, expansion of existing, or new mining shall apply for a special use permit pursuant to county ordinance procedures if the operation falls within the following categories:

A. Within three hundred feet of any residence, unless that residence is the property of the owner or operator of the proposed operation, any operation exceeding the scope of assessment work;

B. Within one thousand feet of any residence, unless that residence is the property of the owner operator of the proposed operation, any drilling operation exceeding five working days duration, any construction of new roads, excavation exceeding one hundred cubic yards, any alteration of stream flows, or any type of blasting; or

C. Over one thousand feet from any residence, construction of new roads or excavation in excess of one thousand cubic yards, or any alteration of stream flows. (Ord. 159 § 2(part), 1999)"

Comstock Mining has violated all three parts of this section of the code:

Violation of A above: Map shows drilling activity within 300 feet of a residence (Sheriff Antinaro's home)

Violation of B above: Construction of roads within 1000 feet of Sheriff Antinaro's residence

Violation of C above: The large orange area on the lower right of the map shows an area in excess of 1,000 cubic yards estimated to be about 13,000 cubic yards.

The estimate has been made by Paul Liebendorfer, P.E., a professional in the field and former NDEP employee, based on the map submitted by Comstock

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Mining, Inc and a site visit, Using conservative figures, Mr. Liebendorfer estimates a disturbed/excavated area of approximately 350,000 cubic feet, or slightly less than 13,000 cubic yards exceeding the permitted limit by 13 times.

This activity has been going on during the spring and summer of 2011. In April we reported to the county that CMI was exceeding the amount of disturbance allowed. We never received a response, but were told verbally by Austin Osborne that Comstock Mining was "100% in compliance". They were not and they are not.

It is important to point out all but 1000 cubic yards of the areas in blue and orange on this map indicate a violation of Storey County Ordinance 17.92.090. This is according to Comstock Mining's own records submitted to the state.

Attached: Plum Mining Company map of permitted area under SUP2000-222 and 2000-222-A-1) Liebendorfer letter (received via email), Comstock Mining map and estimates of land disturbance submitted to NDEP on July 5, 2011, letters from CRA informing Storey County of the violations in March and April, 2011.

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# Comstock Mining Inc.

## Disturbance

4/2008 thru 4/2009

4/2010 thru 4/2011

1 inch = 500 feet



0 500 1,000 2,000 Feet

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**CMI/Plum Violations with County Code and/or SUP 2000-222 and SUP2000-222-A-1**

**1. Comstock's SUP2000-222 from Storey County is null and void by operation of law.**

Comstock Mining's SUP has two stipulations of relevance here:

Stipulation 1 says:

All mining, milling, processing and exploratory drilling must be in compliance with state, federal and local codes, regulations and permits.

Stipulation 21 says:

If any of these requirements are not in full compliance then special use permit is void and null. Storey County will at the time of non-compliance of regulations notify the applicant and give him a time period to come into compliance with said special use permit. However, if there is a life-safety or **environmental violation**, the Special Use Permit 2000-222 **immediately** becomes null and void.

**Comstock Mining received a Cease and Desist Letter from NDEP dated May 11, 2011** which said:

"This letter is to inform Comstock Mining that it is in **violation** of Nevada Revised Statute 445A.465, specifically parts c and d. Therefore, the Nevada Division of Environmental Protection (NDEP) requires that Comstock Mining immediately cease and desist from introducing pollutants into, and remove the dirt and rock which it has placed in, the waterway running parallel to Nevada 342 north of Silver City. (That is to say Gold Creek.)

Clearly and explicitly, Comstock Mining had committed an **environmental violation** and therefore, according to Stipulation 21 and thus by **operation of law**, its SUP became **immediately** null and void.

Therefore, the company has been operating without an SUP and in violation of county ordinances and regulations since it received the Cease and Desist order from the Department of the Environment.

**2. Stipulation 25 in SUP2000-222 states that if "no significant development proceeds within a one year period, the permit will be void."**

In a letter dated October 4, 2011 (attached) CMI CEO Corrado De Gasperis states, "Plum Mining has not been in active operations since 2007.."

In a letter dated March 2, 2010 a Senior Engineer of Gold Spring states "No mining or processing was done in 2009."

**3. Stipulation 1 of SUP2000-222 and SUP2000-222-A-1 states that "All mining, milling, processing and exploratory drilling must be in compliance with the state, federal and local codes, regulations and permits."**

Currently they have no right of way access to their heap leach from the mine from the BLM.

When the SUP was issued in 2004, Plum Mining had a right of way permit from BLM enabling them to cross three separate BLM properties with their "off road" access road from the Billy The

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Kid/Lucerne Pit areas to the processing facility in American Flat. This road alignment was an integral part of the mine plan presented. The BLM right of way permit was issued under a "noticing" procedure. That permit has expired. Last Fall CMI met with BLM to reinstate the right of way but after a meeting with BLM, CMI redrew their application. Therefor they have no right of way to get to their processing facility that is in compliance with their existing permit.

#### 4. Violations with Storey County Code 17.92.090

Comstock/Plum has violated all three parts of this section of the code throughout Spring and Summer of 2011.

Violation of A: Map shows drilling activity within 300 feet of a residence (Sheriff Antinaro's home)

Violation of B: Construction of roads within 1000 feet of Sheriff Antinaro's residence

Violation of C: The large orange area on the lower right of the map shows an area in excess of 1,000 cubic yards estimated to be about 13,000 cubic yards.

The estimate has been made by Paul Liebendorfer, P.E., a professional in the field and former NDEP employee, based on the map submitted by Comstock Mining, Inc. and a site visit.

At a public meeting of the Planning Comission, CEO De Gasperis admitted that they disturbed that amount of soil, but did not realize it was a violation.

#### 5. County officials were misled by CMI about the Violation of SCC 17.92.090 C.

In a letter to Dean Haymore, dated April 6, 2011, Dennis Anderson, Senior Engineer, stated that "The Apex Law provides the right to follow a mineralized structure down-dip, which is the case in the mineral material in the Lucerne pit as it dips approximately 50 degrees to the east and well beyond State Route 342."

This statement was to justify their disturbance on the east side of 342 opposite the Lucerne Pit. This is false information as the Law of Apex applies to federal land, not private. As a result of this misleading information, CMI/Plum continued to disturb this area.

**6. Potential Violation with SUP2000-222 Stipulation 5** which states "ore will be delivered from the Billie the Kid Pit in 10 wheel dump trucks and delivered to the site in American Flats approximately two miles via off road access. There will be no trucking from the pit to the process facility on the State Highway."

Comstock has recently brought up much larger ore trucks which will have a much larger impact. To our knowledge these are being stored in American Flat.

#### 7. County Responsibility and Potential Liability

County Employees are required enforce the county's ordinances and regulations, otherwise it could be viewed as nonfeasance. All of these violations were reported to the county officials.

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According to Storey County Code 17.88.010:

“All departments, officials and public employees of Storey County, vested with the duty or authority to issue permits or licenses, shall conform to the provisions, of this title and shall issue no permit or license for uses, buildings, or purposes in conflict with the provisions of this title; and any such permit or license issued in conflict with the provisions of this title shall be null and void. The provisions of this chapter shall be administered by the county building official, the Planning Commission, or their designated representative.”

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2720 Ruby Vista Drive, Suite 102  
Elko, Nevada 89801  
(775) 753-9496 • fax: (775) 753-9499

March 26, 2010

via Electronic Mail and Certified Mail (7007 0220 0001 1119 0533)

Mr. Chris Krejci  
Eastern Research Group  
5608 Parkcrest Drive, Suite 100  
Austin, Texas 78731

Re: Goldspring Inc.; Plum Mine; Toxics Release Inventory Desktop Inspection; Final Response to Request.

Dear Mr. Krejci:

Goldspring Inc. (GSI) provided Eastern Research Group (ERG) as consultants to Environmental Protection Agency, Region IX (EPA) a packet of information on November 13, 2009, and a follow up letter on January 5, 2010. The packet and letter were submitted as a response to ERG's request for data to comply with an Emergency Planning and Community Right-To-Know Act (EPCRA) Section 313 desktop inspection and data quality review which is being performed for reporting year 2006 (RY06), RY07, and RY08. The submission contained hard copies of several items in the request letter as well as a matrix containing some of the requested data and a brief description of the status of other data. The follow up letter provided clarifications and descriptions of the information provided in the submission. The data matrix was left blank if the data was not included in the submission.

GSI and Enviroscientists, Inc. (Enviroscientists) have completed the review of the available data at the Project. None of the data collected are provided as hard copies. A revised matrix has been attached that includes all available information. In addition, the list of requests from ERG and EPA have been revisited below and updated as necessary. All requests are now deemed closed by GSI.

The Plum Mine (Project) did not operate during RY08. As a result, no threshold or release activities occurred during that period. At this time no closure activities have occurred or are planned, as GSI anticipates that the project will commence operation in the near future.

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### List of Documents Requested

- *Records/worksheets/purchase receipts/etc. used to calculate toxic chemical threshold levels and release quantities for Toxics Release Inventory ("TRI") Reporting Years 2006 through 2008.*

As previously stated, the Project did not operate during RY08 and the majority of RY07. GSI, has determined that no threshold activities occurred during the whole of RY08; therefore, no Form R reports were required. Enviroscientists, as contractors to GSI, is in the process of performing threshold calculations for RY06 and RY07.

- *Current air, water, and solid waste permits.*

The following permits were provided in the November submission:

Water Pollution Control Permit (WPCP)- NEV200109;  
General Storm Water Permit - NVR300000;  
Industrial Artificial Pond Permits - S28226 and S24167; and  
Class II Air Quality Operating Permit to Construct - AP1041-0936.  
Hazardous Materials Inventory Permit - 1458-2906.

GSI does not hold any other permits that are pertinent to TRI reporting. GSI deems this request closed.

- *Analytical results of samples collected during Reporting Years 2006 through 2008 relevant to TRI reporting (e.g., NPDES monitoring, stack tests) - see list of specific data needs below for additional detail.*

Analytical results were provided for the pregnant pond, barren pond, overflow ponds, monitoring wells, production wells, ore, and waste in the November submission. Analytical results for doré and slag are not available. GSI is treating this request as closed.

- *Monitoring data for all waste streams collected from 2006 through 2008. In the event that these data are not available for the years specified, please provide the most recent data available.*

There are no waste streams at the facility that require monitoring; therefore, this request is not applicable (N/A).

- *Brief description of control equipment used on all point sources.*

No control equipment is utilized in the process; therefore, this request is N/A.

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- *Material Safety Data Sheets ("MSDS") for all products manufactured/produced/sold.*

Material Safety Data Sheets (MSDS) for all of the products utilized at the Project were provided in the November submission. GSI is treating this request as closed.

- *MSDS for all materials used in manufacturing/producing these products.*

See above. GSI is treating this request as closed.

- *Current hazardous material/waste chemical inventory list submitted to NV SERC.*

Hazardous material inventories are submitted to the Nevada State Emergency Response Commission through the Hazardous Materials Inventory Permit. The permit (1458-2906), as well as the inventory, were included in the November submission. GSI is treating this request as closed.

- *Current Biennial Hazardous Waste Report.*

The Project has not shipped any items off site which are defined as hazardous waste in 40 Code of Federal Regulations (CFR) 261.3. As a result, GSI is not required to obtain an EPA ID number or file a Biennial Hazardous Waste Report. This request is N/A.

- *Accident/incident reports for releases of hazardous/extremely hazardous substances under EPCRA from 2006 through 2008. These reports should include notifications made to the NRC or Nevada State Emergency Response Commission.*

Information on a single spill occurring in RY06 was supplied in the November submission. The spill consisted of approximately 100,000 gallons of fluid from the overflow pond, for which a characterization was provided. No further accident or incident reports exist for the period in question. As a result, GSI is treating this request as closed.

### **List of Specific Data Needs for Applicable Operations**

#### Extraction Operations and Ore Received from Off-site Operations

- *Total ore mined annually and total ore received from off-site operations*

The total quantity of ore mined in RY06 is provided in the attached matrix. Mining activity ceased at the Project in March 2007. No ore was mined that year, and as previously stated, no mining occurred in or RY08; therefore, the information is not available. GSI considers this request closed.

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- *Total waste rock mined annually*

The total waste mined in RY06 and RY07 is provided in the attached matrix. Mining activity ceased at the Project in March 2007; therefore, the quantity of waste mined in that year decreased. As previously stated, no mining occurred in RY08. GSI considers this request complete.

- *Total waste rock used annually for construction or backfill*

GSI has determined that no waste material was utilized for backfill or construction during the period of review; therefore, this request is N/A.

- *Ore assay(s)*

An ore assay was included in the November submission. GSI deems this request closed.

- *Waste rock assay(s)*

A waste assay was included in the November submission. GSI deems this request closed.

- *Types and quantities of explosives used annually for blasting.*

Blasting data is not available. GSI is treating this request as closed.

- *Composition profile, annual quantity, and destination of pumped mine water*

The composition of water pumped for use in production at the Project was included in the November submission. These data were obtained from quarterly reports required by the Nevada Division of Environmental Protection in accordance with the WPCP.

Fresh water at the Project is utilized exclusively as make up water for the mill circuit. The quantity of water pumped (make up water) is not tracked. The only loss from the circuit is from evaporation. Project personnel estimate that approximately ten percent of the solution is lost to evaporation.

Based on Project personnel knowledge, and mill/plant reports, the average solution rate in RY06 was approximately 200 gallons per minute (gpm). The estimated rate of make up water was 20 gpm. Solution was placed on the heap for 365 days for a total of 10,483,200 gallons.

The average solution application rate in RY07 was 100 gpm. The estimated rate of make up water was ten gpm. Solution was applied for approximately 189 days for a total a total of approximately 2,721,600 gallons of mine water pumped. All values are presented in the attached matrix. At this time GSI is treating this request as closed.

Pyrometallurgical Operations (if applicable)

- *Average annual throughputs for each processing unit*

Furnace throughput values for the period in question are not available. GSI is treating this request as closed.

- *Emission profiles for all point sources*

Emission profiles for point sources at the Project could not be located. GSI is treating this request as closed.

Milling Operations (if applicable)

Data requested in the Milling Operations category is all considered N/A or is addressed in a separate category (i.e., Heap Systems or Pyrometallurgical). As a result, no data is presented.

Froth Flotation (if applicable)

The Project does not utilize a froth flotation process; therefore, all requests in this category are considered N/A.

Heap Leach Operations (if applicable)

- *Total pregnant leach solution pumped*

Pregnant solution pumpage data was sporadically tracked at the Project. GSI was able to obtain some reports containing mill throughput volumes/rates. Based on these reports and discussions with Project personnel, it was determined that pregnant leach solution was pumped at an average rate of 200 gpm in RY06 and an average of 100 gpm RY07. Solution was circulated for 365 days in RY06 for a total volume of 104,832,000 gallons of pregnant solution. Solution was circulated for 189 days in RY07 for a total volume of 27,216,000 gallons. These values are contained in the attached matrix. GSI is treating this request as closed.

- *Total barren leach solution pumped*

Barren solution pumpage data was sporadically tracked at the Project. GSI was able to obtain some reports containing mill throughput volumes/rates. Based on these reports and discussions with Project personnel, it was determined that barren leach solution was pumped at an average rate of 200 gpm in RY06 and an average rate of 100 gpm RY07. Solution was circulated for 365 days in RY06 for a total volume of 104,832,000 gallons of barren solution. Solution was circulated for 189 days in RY07 for a total volume of 27,216,000 gallons of barren solution. These values are contained in the attached matrix. GSI is treating this request as closed.

- *Pregnant and barren leach solution assay(s)*

Pregnant solution assays for RY06 and RY07 were provided in the November submission. No values are available for RY08 as no processing occurred. Barren solution data for RY06 was also provided with the November submission. The source of the analysis is unknown; however, GSI believes that this is the best available data for the entire period in question. GSI deems this request to be closed.

- *Approximate dimensions of all active leach pads (width, length, height, and slopes)*

Width and length values are not required by Enviroscientists for calculating threshold and release values. However, all requested dimensions are contained in the attached matrix. GSI is treating this request as closed.

- *Quantity of heap leach material added to the heap leach*

The quantity of material placed on the heap in RY06 (74,589 tons) is included on the attached matrix. No ore was mined or placed on the heap in RY07 or RY08. GSI considers this request closed.

- *Quantity of heap leach material decommissioned annually*

As previously stated, the Project is currently not operating; however, GSI plans to commence mining and processing activities in the near future. At this time, the heap leach is considered in process and has not been decommissioned; therefore, the request is considered N/A.

- *Carbon fines generated annually*

The Project uses a Merrill-Crowe recovery process, which does not require carbon in the process; therefore, this request is N/A.

- *Loaded carbon generated annually*

The Project uses a Merrill-Crowe recovery process, which does not require carbon in the process; therefore, this request is N/A.

- *Pregnant and barren carbon assay(s)*

The Project uses a Merrill-Crowe recovery process, which does not require carbon in the process; therefore, this request is N/A.

- *Total annual cyanide additions to leach circuit and form of cyanide (e.g., NaCN)*

The total quantity of sodium cyanide (NaCN) utilized at the Project was not tracked. Based on conversations with Project personnel it is assumed that one pound of NaCN is used per ton of ore

processed. For RY06 it is assumed that one pound of NaCN was utilized for each ton of ore mined. No ore was mined in RY07; however solution circulation continued for approximately 189 days. NaCN was added to the mill circuit stopped for the first 90 days of the year, and solution was used for rinse for the remainder of the period. Based on this, a conservative default value of approximately 1/4 of the RY06 value is assumed RY07. Total NaCN usage is included in the attached matrix. GSI is treating this request as closed.

- *Pond dimensions (width, length, approximate slope, and average holding volume)*

Width, length, and slope values are not required by Enviroscientists for calculating threshold and release values. However, all requested dimensions are contained in the attached matrix. GSI is treating this request as closed.

The approximate volume and acreage values for the pregnant pond, barren ponds, and two overflow ponds are included in the attached matrix. GSI considers this request closed.

- *Spent ore assay(s)*

Due to the fact that the heap leach is still in process, no spent ore is available for assay. This request is considered N/A.

- *Application system type (e.g., sprinkler, drip, injection)*

The Project utilizes a drip application system. GSI considers this request fulfilled.

- *Approximate average porosity of heap(s) (if available)*

The average porosity of the heaps is not collected by GSI; therefore, this request is considered N/A.

#### Fuel usage

- *Volume of all major fuel storage units*

The volume of the diesel storage unit is provided in the attached matrix. The remainder of the information could not be located. GSI is treating this request as closed.

- *Stationary sources (propane, gasoline, and diesel)*

Records of the quantity of fuel used in stationary sources at the Project during the applicable time period are not available. GSI deems this request closed.

- *Mobile sources (propane, gasoline, and diesel)*

Records of the quantity of fuel used in mobile sources at the Project during the applicable time period are not available. GSI deems this request closed.

#### Refining Operations

- *Quantity of slag generated and destination (e.g., recycled on-site, recycled off-site [specify off-site location])*

Records of the quantity of slag generated during the applicable time period is not available. GSI deems this request complete.

- *Slag assay(s)*

Analytical results for the slag have not been located and are not available. GSI deems this request complete.

#### General

- *Approximate quantity and composition of wear parts*

No crushing activities occurred at the Project in RY07 and RY08. The quantity of wear parts replaced at the Project during RY06 is unknown. Data concerning the composition of the wear parts utilized at the Project is unavailable. GSI deems this request complete.

- *Approximate quantity and composition of scrapped parts, and destination of disposal*

No crushing activities occurred at the Project in RY07 and RY08. Data detailing the quantity of wear parts scrapped at the Project during RY06 is not available. Data concerning the composition of the scrapped parts utilized at the Project is not available. GSI deems this request complete.

- *Total disturbed area*

The total disturbed area at the Project was provided in the matrix contained in the November submission. GSI considers this request closed.

- *Types and quantities of all significant chemical spills*

As previously discussed, information on a spill of fluid from the overflow pond was provided to ERG and EPA in the November submission. No other significant chemical spills occurred at the Project during the period of interest. GSI considers this request to be closed.

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- *Quantity of baghouse dust generated and destination (e.g., recycled, disposed as hazardous waste)*

The Project does not utilize baghouses; therefore, GSI considers this request N/A.

- *Baghouse dust assay(s)*

The Project does not utilize baghouses; therefore, GSI considers this request N/A.

Should you have any questions, please do not hesitate to call our office at (775) 753-9496.

Sincerely,

**Enviroscientists, Inc.**



Joseph D. Martini

Senior Environmental Specialist

JDM:ns

cc: Mr. Russ Frazier, EPA, San Francisco, California  
Mr. Dennis Anderson, GSI, Carson City, Nevada  
Mr. James Golden, GSI, Virginia City, Nevada

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