

BUREAU OF AIR POLLUTION CONTROL

901 SOUTH STEWART STREET SUITE 4001

CARSON CITY, NEVADA 89701-5249

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Facility ID No. A0002

Permit No. AP1041-0793

CLASS I AIR QUALITY OPERATING PERMIT

Issued to: Newmont Mining Corporation – Gold Quarry Operations, hereinafter called the Permittee

Mailing Address: P.O. BOX 669; CARLIN, NEVADA 89822-0669

Physical Address: 6 MILES NORTHWEST OF CARLIN, NEVADA; OFF OF S.R. 766 (INTERSTATE 80, EXIT 280)

General Facility Location: T33N & 34N, R51E & 52E, Section 13

T35N, R50E & 51E, Sections 19, 29, 30, 32 MDB&M (HA51)

Section I. General Conditions

A. Nevada Administrative Code (NAC) 445B.315.3.c, Part 70 Program

Severability

Each of the conditions and requirements of this Operating Permit is severable and, if any are held invalid, the remaining conditions and requirements continue in effect.

B. Nevada Revised Statute (NRS) 445B.470.1 (State Only Requirement)

Prohibited Acts

The Permittee shall not knowingly:

1. Violate any applicable provision, the terms or conditions of any permit or any provision for the filing of information;
2. Fail to pay any fee;
3. Falsify any material statement, representation or certification in any notice or report; or
4. Render inaccurate any monitoring device or method, required pursuant to the provisions of NRS 445B.100 to 445B.450, inclusive, or NRS 445B.470 to 445B.640, inclusive, or any regulation adopted pursuant to those provisions.

C. NAC 445B.22013 (State Only Requirement)

Prohibited Discharge

The Permittee shall not cause or permit the discharge into the atmosphere from any stationary source of any hazardous air pollutant or toxic regulated air pollutant that threatens the health and safety of the general public, as determined by the Director.

D. NAC 445B.225 (Federally Enforceable SIP Requirement)

Prohibited Conduct: Concealment of Emissions

The Permittee shall not install, construct, or use any device which conceals any emission without reducing the total release of regulated air pollutants to the atmosphere.

E. NAC 445B.315.3.d Part 70 Program

Compliance/Noncompliance

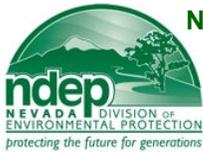
The Permittee shall comply with all conditions of this Operating Permit. Any noncompliance constitutes a violation and is grounds for:

1. An action for noncompliance;
2. Modifying, revoking, reopening and revising, or terminating the Operating Permit; or
3. Denial of an application for a renewal of the Operating Permit.

F. NAC 445B.273.1 (State Only Requirement)

Schedules for Compliance

The Permittee shall comply with NAC 445B.001 through 445B.3497, inclusive. Existing stationary sources are in compliance with those sections and may continue to operate under the provisions of their approved compliance schedules, which may be amended from time to time.



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Section I. General Conditions (continued)

G. NAC 445B.326.1 Part 70 Program

Assertion of Emergency as Affirmative Defense to Action for Noncompliance

The Permittee may assert an affirmative defense to an action brought for noncompliance with a technology-based emission limitation contained in the Operating Permit if the holder of the Operating Permit demonstrates through signed, contemporaneous operating logs or other relevant evidence that:

1. An emergency occurred as defined in NAC 445B.056, and the holder of the Operating Permit can identify the cause of the emergency;
2. The facility was being properly operated at the time of the emergency;
3. During the emergency, the holder of the Operating Permit took all reasonable steps to minimize excess emissions; and
4. The holder of the Operating Permit submitted notice of the emergency to the Director within 2 working days after the emergency. The notice must contain a description of the emergency, any steps taken to mitigate emissions, and any corrective actions taken to restore the normal operation of the facility.

H. NAC 445B.315.3.e Part 70 Program

The need to halt or reduce activity to maintain compliance with the conditions of this Operating Permit is not a defense to noncompliance with any conditions of this Operating Permit.

I. NAC 445B.315.3.f Part 70 Program

The Director may revise, revoke and reissue, reopen and revise, or terminate the operating permit for cause.

J. NAC 445B.325 Part 70 Program

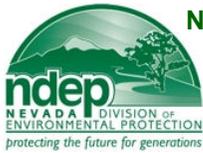
Termination, reopening and revision, modification, and revocation and reissuance

1. A Class I operating permit must be reopened and revised to incorporate any additional applicable requirement adopted pursuant to the Act if, on the effective date of the applicable requirement, the operating permit has a remaining term of 3 or more years. The reopening must be completed no later than 18 months after the effective date of the applicable requirement.
2. An operating permit may be terminated, reopened and revised, modified, or revoked and reissued if:
 - a. The Director or the Administrator determines that the operating permit contains a material mistake or is based on inaccurate statements;
 - b. The Director or the Administrator determines that the operating permit, as written, does not ensure compliance with all applicable requirements; or
 - c. The Director determines that there has been a violation of any of the provisions of NAC 445B.001 to 445B.3497, inclusive, any applicable requirement, or any condition contained in the operating permit.

K. NAC 445B.3265 (State Only Requirement)

Revocation and reissuance

1. NAC 445B.3265.1. The Permittee's operating permit may be revoked if the control equipment is not operating.
2. NAC 445B.3265.2. The Permittee's operating permit may be revoked by the Director upon determination that there has been a violation of NAC 445B.001 to 445B.3497, inclusive, or the provisions of 40 CFR Part 52.21, or 40 CFR Part 60 or 61, Prevention of Significant Deterioration, New Source Performance Standards, and National Emission Standards for Hazardous Air Pollutants adopted by reference in NAC 445B.221.
3. NAC 445B.3265.3. -The revocation is effective 10 days after the service of a written notice, unless a hearing is requested.



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Section I. General Conditions (continued)

L. SIP 445.715 (*Federally Enforceable SIP Requirement*)

Operating Permits: Revocation

1. The Permittee's operating permit may be revoked if the control equipment is not operating.
2. The Permittee's operating permit can be revoked by the Director upon determination that there has been a violation of SIP 445.430 to 445.846, inclusive, or 40 CFR Parts 60 or 61, New Source Performance Standards and National Emissions Standards for Hazardous Air Pollutants.
3. The revocation is effective 10 days after the service of a written notice, and the revoked operating permit shall be surrendered immediately unless a hearing is requested.

M. NAC 445B.315.3.g *Part 70 Program*

This Operating Permit does not convey any property rights or any exclusive privilege.

N. NAC 445B.315.3.h *Part 70 Program*

The Permittee shall provide the Director, within a reasonable time, with any information that the Director requests in writing to determine whether cause exists for modifying, revoking and reissuing, reopening and revising or terminating this Operating Permit or to determine compliance with the conditions of this Operating Permit.

O. NAC 445B.315.3.i *Part 70 Program*

The Permittee shall pay fees to the Bureau of Air Pollution Control in accordance with the provisions set forth in NAC 445B.327 and 445B.331.

P. NAC 445B.315.3.j *Part 70 Program*

Right to Entry

The Permittee shall allow the Bureau of Air Pollution Control staff, upon the presentation of credentials, to:

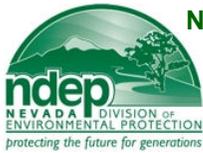
1. Enter upon the premises of the Permittee where:
 - a. The stationary source is located;
 - b. Activity related to emissions is conducted; or
 - c. Records are kept pursuant to the conditions of this Operating Permit.
2. Have access to and copy, during normal business hours, any records that are kept pursuant to the conditions of this Operating Permit;
3. Inspect, at reasonable times, any facilities, practices, operations, or equipment, including any equipment for monitoring or controlling air pollution, that are regulated or required pursuant to this Operating Permit; and
4. Sample or monitor, at reasonable times, substances or parameters to determine compliance with the conditions of this Operating Permit or applicable requirements.

Q. NAC 445B.315.3.k *Part 70 Program*

A responsible official of the Permittee shall certify that, based on information and belief formed after reasonable inquiry, the statements made in any document required to be submitted by any condition of this Operating Permit are true, accurate and complete.

R. 40 CFR 52.21(r)(4) (*Federally Enforceable PSD Program*)

At such time that the Permittee becomes a major stationary source or major modification solely by virtue of a relaxation in any enforceable limitation which was established after August 7, 1980, on the capacity of the source or modification otherwise to emit a pollutant, such as a restriction on hours of operation, then the requirements of 40 CFR Part 52.21 paragraphs (j) through (s) of this section shall apply to the source or modification as though construction had not yet commenced on the source or modification.



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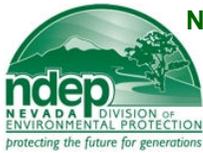
Issued to: Newmont Mining Corporation – Gold Quarry Operations

Section I. General Conditions (continued)

S. NAC 445B.252 (*State Only Requirement*)

Testing and Sampling

1. To determine compliance with NAC 445B.001 to 445B.3497, inclusive, before the approval or the continuance of an Operating Permit or similar class of permits, the Director may either conduct or order the owner of any stationary source to conduct or have conducted such testing and sampling as the Director determines necessary. Testing and/or sampling must be conducted and the results submitted to the Director within 60 days after achieving the maximum rate of production at which the affected facility will be operated, but not later than 180 days after initial startup of the facility and at such times as may be required by the Director.
2. Tests of performance must be conducted and data reduced in accordance with the methods and procedures of the test contained in each applicable subsection of this section unless the Director:
 - a. Specifies or approves, in specific cases, the use of a method of reference with minor changes in methodology;
 - b. Approves the use of an equivalent method;
 - c. Approves the use of an alternative method, the results of which he has determined to be adequate for indicating whether a specific stationary source is in compliance; or
 - d. Waives the requirement for tests of performance because the owner or operator of a stationary source has demonstrated by other means to the Director's satisfaction that the affected facility is in compliance with the standard.
3. Tests of performance must be conducted under such conditions as the Director specifies to the operator of the plant based on representative performance of the affected facility. The owner or operator shall make available to the Director such records as may be necessary to determine the conditions of the test of performance. Operations during periods of startup, shutdown, and malfunction must not constitute representative conditions of a test of performance unless otherwise specified in the applicable standard.
4. The owner or operator of an affected facility shall give notice to the Director 30 days before the test of performance to allow the Director to have an observer present. A written testing procedure for the test of performance must be submitted to the Director at least 30 days before the test of performance to allow the Director to review the proposed testing procedures.
5. Each test of performance must consist of at least three separate runs using the applicable method for that test. Each run must be conducted for the time and under the conditions specified in the applicable standard. For the purpose of determining compliance with an applicable standard, the arithmetic means of results of the runs apply. In the event of forced shutdown, failure of an irreplaceable portion of the sampling train, extreme meteorological conditions, or other circumstances with less than three valid samples being obtained, compliance may be determined using the arithmetic mean of the results of the other two runs upon the Director's approval.
6. All testing and sampling will be performed in accordance with recognized methods as specified by the Director.
7. The cost of all testing and sampling and the cost of all sampling holes, scaffolding, electric power, and other pertinent allied facilities as may be required and specified in writing by the Director must be provided and paid for by the owner of the stationary source.
8. All information and analytical results of testing and sampling must be certified as to their truth and accuracy and as to their compliance with all provisions of these regulations, and copies of these results must be provided to the Director no later than 60 days after the testing or sampling, or both.



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Section I. General Conditions (continued)

T. SIP 445.682 (*Federally Enforceable SIP Requirement*)

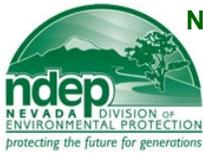
Testing and Sampling

1. To determine compliance with SIP 445.430 to 445.846, inclusive, prior to approval of or prior to the continuance of an operating permit or similar class of permits, the Director may either conduct or order the owner of any source to conduct or have conducted such testing and sampling as the Director determines necessary. Testing and/or sampling must be conducted within 60 days after achieving the maximum production rate at which the affected facility will be operated, but not later than 180 days after initial startup of such facility and at such other times as may be required by the Director.
2. Performance tests must be conducted and data reduced in accordance with the test methods and procedures contained in each applicable subpart unless the Director:
 - a. Specifies or approves, in specific cases, the use of a reference method with minor changes in methodology;
 - b. Approves the use of an equivalent method;
 - c. Approves the use of an alternative method, the results of which he has determined to be adequate for indicating whether a specific source is in compliance; or
 - d. Waives the requirement for performance tests because the owner or operator of a source has demonstrated by other means to the Director's satisfaction that the affected facility is in compliance with the standard.
3. Performance tests shall be conducted under such conditions as the Director shall specify to the plant operator based on representative performance of the affected facility. The owner or operator shall make available to the Director such records as may be necessary to determine the conditions of the performance tests. Operations during periods of startup, shutdown and malfunction must not constitute representative conditions of performance tests unless otherwise specified in the applicable standard.
4. The owner or operator of an affected facility shall provide the Director 30 days' prior notice of the performance test to afford the Director the opportunity to have an observer present.
5. Each performance test shall consist of at least three separate runs using the applicable test method. Each run shall be conducted for the time and under the conditions specified in the applicable standard. For the purpose of determining compliance with an applicable standard, the arithmetic means of results of the runs shall apply. In the event of forced shutdown, failure of an irreplaceable portion of the sampling train, extreme meteorological conditions, or other circumstances with less than two valid samples being obtained, an additional performance test must be conducted.
6. All testing and sampling will be performed in accordance with recognized methods as specified by the Director.
7. The cost of all testing and sampling and the cost of all sampling holes, scaffolding, electric power, and other pertinent allied facilities as may be required and specified in writing by the Director shall be provided and paid for by the owner of the source.
8. All information and analytical results of testing and sampling shall be certified as to their truth and accuracy and as to their compliance with all provisions of these (SIP) regulations and copies of these results must be provided to both the owner and Director.

U. NAC 445B.22067 (*Federally Enforceable SIP Requirement*)

Open Burning

1. The open burning of any combustible refuse, waste, garbage, oil, or for any salvage operations, except as specifically exempted, is prohibited.
2. Specific exemptions from open burning are described in NAC 445B.22067.2.
3. All open burning shall be attended and controlled at all times to eliminate fire hazards.



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Section I. General Conditions (continued)

V. NAC 445B.22017 (*Federally Enforceable SIP Requirement*)

Visible Emissions: Maximum Opacity; Determination and Monitoring of Opacity.

1. Except as otherwise provided in this section and NAC 445B.2202, no owner or operator may cause or permit the discharge into the atmosphere from any emission unit which is of an opacity equal to or greater than 20 percent. Opacity must be determined by one of the following methods:
 - a. If opacity is determined by a visual measurement, it must be determined as set forth in Reference Method 9 in Appendix A of 40 C.F.R. Part 60.
 - b. If a source uses a continuous monitoring system for the measurement of opacity, the data must be reduced to 6-minute averages as set forth in 40 C.F.R. §§ 60.13(h).
2. The provisions of this section and NAC 445B.2202 do not apply to that part of the opacity that consists of uncombined water. The burden of proof to establish the application of this exemption is upon the person seeking to come within the exemption.
3. If the provisions of 40 CFR Part 60, Subpart D or Da apply to an emission unit, the emission unit shall be allowed one 6-minute period per hour of not more than 27 percent opacity as set forth in 40 CFR § 60.42(a)(2) AND 40 CFR § 60.42a(b).
4. The continuous monitoring system for monitoring opacity at a facility shall be operated and maintained by the owner or operator specified in the permit for the facility in accordance with NAC 445B.256 to 445B.267, inclusive.

W. NAC 445B.22087 (*State Only Requirement*)

Odors

The Permittee may not discharge or cause to be discharged, from any stationary source, any material or regulated air pollutant which is or tends to be offensive to the senses, injurious or detrimental to health and safety, or which in any way interferes with or prevents comfortable enjoyment of life or property.

X. NAC 445B.319, 445B.342, 445B.3425 and 445B.344 *Part 70 Program*

Any changes to this Operating Permit will comply with all provisions established under NAC 445B.319, 445B.342, 445B.3425 and 445B.344.

Y. NAC 445B.3443 *Part 70 Program*

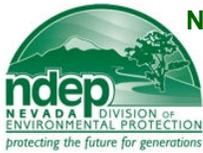
Renewal of this Operating Permit will be in accordance with NAC 445B.3443.

Z. NAC 445B.22037 (*Federally Enforceable SIP Requirement*)

Emissions of Particulate Matter: Fugitive Dust

1. The Permittee may not cause or permit the handling, transporting, or storing of any material in a manner which allows or may allow controllable particulate matter to become airborne.
2. Except as otherwise provided in subsection 4, the Permittee may not cause or permit the construction, repair, demolition, or use of unpaved or untreated areas without first putting into effect an ongoing program using the best practical methods to prevent particulate matter from becoming airborne. As used in this subsection, “best practical methods” includes, but is not limited to, paving, chemical stabilization, watering, phased construction, and revegetation.
3. Except as provided in subsection 4, the Permittee may not disturb or cover 5 acres or more of land or its topsoil until The Permittee has obtained an Operating Permit for surface area disturbance to clear, excavate, or level the land or to deposit any foreign material to fill or cover the land.
4. The provisions of subsections 2 and 3 do not apply to:
 - a. Agricultural activities occurring on agricultural land; or
 - b. Surface disturbances authorized by a permit issued pursuant to NRS 519A.180 which occur on land which is not less than 5 acres or more than 20 acres.

*******End of General Conditions*******



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Section II. General Construction Conditions

The following provisions apply to System 4A, System 11A, System 12A, System 19A, and System 41A:

A. NAC 445B.250 *(State Only Requirement)*

Notification

The Director will be notified in writing of the following:

1. The date construction (or reconstruction as defined under NAC 445B.247) of the affected facility is commenced, postmarked no later than 30 days after such date.
2. The anticipated date of initial startup of an affected facility, postmarked no more than 60 days and no less than 30 days prior to such date.
3. The actual date of initial startup of the affected facility, postmarked within 15 days after such date.

B. SIP Article 2.16 *(Federally Enforceable SIP Requirement)*

Notification and Record keeping

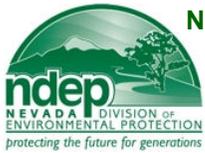
1. Any owner or operator subject to the provisions of this part shall furnish the Director written notification as follows: (SIP Article 2.16.1)
2. SIP Article 2.16.1.1 - A notification of the date construction (or reconstruction as defined under 2.15) of an affected facility is commenced postmarked no later than 30 days after such date. This requirement shall not apply in the case of mass-produced facilities which are purchased in completed form.
3. SIP Article 2.16.1.2 - A notification of the anticipated date of initial startup of an affected facility postmarked no more than 60 days and no less than 30 days prior to such date.
4. SIP Article 2.16.1.3 - A notification of the actual date of initial startup of an affected facility postmarked within 15 days after such date.

C. NAC 445B.3366 *Part 70 Program*

Expiration

This Operating Permit expires if construction is not commenced within 18 months after the date of issuance thereof or construction of the facility is delayed for 18 months after initiated.

*******End of General Construction Conditions*******



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Section III. General Operating Conditions

A. NAC 445B.227 *Part 70 Program*

Facilities Operation

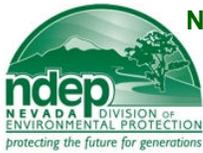
The Permittee may not:

1. Operate a stationary source of air pollution unless the control equipment for air pollution which is required by applicable requirements or conditions of this Operating Permit is installed and operating.
2. Disconnect, alter, modify or remove any of the control equipment for air pollution or modify any procedure required by an applicable requirement or condition of this Operating Permit.

B. NAC 445B.232 *(State Only Requirement)*

Excess Emissions

1. Scheduled maintenance or testing or scheduled repairs which may result in excess emissions of regulated air pollutants prohibited by NAC 445B.001 to 445B.3497, inclusive, must be approved by the Director and performed during a time designated by the Director as being favorable for atmospheric ventilation.
2. The Director must be notified in writing of the time and expected duration at least 24 hours in advance of any scheduled maintenance which may result in excess emissions of regulated air pollutants prohibited by NAC 445B.001 to 445B.3497, inclusive.
3. The Director must be notified in writing or by telephone of the time and expected duration at least 24 hours in advance of any scheduled repairs which may result in excess emissions of regulated air pollutants prohibited by NAC 445B.001 to 445B.3497, inclusive.
4. The Director must be notified of any excess emissions within 24 hours after any malfunction or upset of the process equipment or equipment for controlling pollution or during startup or shutdown of such equipment. The telephone number for the notification is (775) 687-9350.
5. The Permittee, as the owner or operator of an affected facility, shall provide the Director, within 15 days after any malfunction, upset, startup, shutdown, or human error which results in excess emissions, sufficient information to enable the Director to determine the seriousness of the excess emissions. The information must include at least the following:
 - a. The identity of the stack or other point of emission, or both, where the excess emissions occurred.
 - b. The estimated magnitude of the excess emissions expressed in opacity or in units of the applicable limitation on emission and the operating data and methods used in estimating the magnitude of the excess emissions.
 - c. The time and duration of the excess emissions.
 - d. The identity of the equipment causing the excess emissions.
 - e. If the excess emissions were the result of a malfunction, the steps taken to remedy the malfunction and the steps taken or planned to prevent the recurrence of the malfunction.
 - f. The steps taken to limit the excess emissions.
 - g. Documentation that the equipment for controlling air pollution, process equipment, or processes were at all times maintained and operated, to a maximum extent practicable, in a manner consistent with good practice for minimizing emissions.



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Section III. General Operating Conditions (continued)

C. SIP 445.667 (*Federally Enforceable SIP Requirement*)

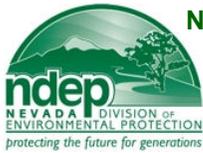
Excess Emissions: Scheduled Maintenance: Testing: Malfunctions

1. Scheduled maintenance or testing approved by the Director or repairs which may result in excess emissions of air contaminants prohibited by SIP 445.430 to 445.846, inclusive, must be performed during a time designated by the Director as being favorable for atmospheric ventilation.
2. The Director shall be notified in writing on the time and expected duration at least 24 hours in advance of any scheduled maintenance or repairs which may result in excess emissions of air contaminants prohibited by SIP 445.430 to 445.846, inclusive.
3. The Director must be notified within 24 hours after any malfunction, breakdown or upset of process or pollution control equipment or during startup of such equipment. Phone (775) 687-9350.
4. The owner or operator of an affected facility shall provide the Director, within 15 days after any malfunction, breakdown, upset, startup or human error sufficient information to enable the Director to determine the seriousness of the excess emissions. The submission must include as a minimum:
 - a. The identity of the stack and/or other emission point where the excess emission occurred.
 - b. The estimated magnitude of the excess emissions expressed in opacity or in the units of the applicable emission limitation and the operating data and methods used in estimating the magnitude of the excess emissions.
 - c. The time and duration of the excess emissions.
 - d. The identity of the equipment causing the excess emissions.
 - e. If the excess emissions were the result of a malfunction, steps taken to remedy the malfunction and the steps taken or planned to prevent the recurrence of the malfunctions.
 - f. The steps taken to limit the excess emissions.
 - g. Documentation that the air pollution control equipment, process equipment or processes were at all times maintained and operated, to a maximum extent practicable, in a manner consistent with good practice for minimizing emissions.

D. SIP Article 2.5.4 (*Federally Enforceable SIP Requirement*)

1. Breakdown or upset, determined by the Director to be unavoidable and not the result of careless or marginal operations, shall not be considered a violation of these regulations.

*******End of General Operating Conditions*******



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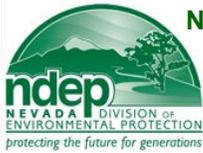
**CLASS I AIR QUALITY OPERATING PERMIT
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Section IV. Federal Regulations and Applicable Requirements

- A. The following provisions are applicable requirements of this Operating Permit:
1. The Permittee will comply with all applicable provisions of:
 - a. 40 CFR Part 60.1 - 60.19 - Standards of Performance for New Stationary Sources - General Provisions;
 - b. 40 CFR Part 61.01 - 61.19 - National Emission Standards for Hazardous Air Pollutants - General Provisions;
 - c. 40 CFR Part 61.140 - 61.157 - National Emission Standard for Asbestos;
 - d. 40 CFR Part 63.1 - 63.15 - National Emission Standards for Hazardous Air Pollutants for Source Categories - General Provisions;
 - e. 40 CFR Part 70 - State Operating Permit Programs.
 2. This provision is applicable if the Permittee is subject to 40 CFR Part 68 - Chemical Accident Prevention Provisions. The Permittee shall submit a risk management plan (RMP) by dates specified in 40 CFR 68.10. The Permittee shall certify compliance with these requirements as part of the annual compliance certification as required by 40 CFR Part 70.
 3. This provision is applicable if the Permittee is subject to 40 CFR Part 82. The Permittee will comply with all provisions of 40 CFR Part 82. Persons opening appliances for maintenance, service, repair, or disposal must comply with the required practices pursuant to 40 CFR 82.156. Equipment used during maintenance, service, repair, or disposal of appliances must meet the standards for recycling and recovery equipment in accordance with 40 CFR 82.158. Persons performing maintenance, service, repair or disposal of appliances must be certified by a certified technician pursuant to 40 CFR 82.161.

*******End of Federal Regulations and Applicable Requirements*******



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Section V. General Monitoring, Recordkeeping, and Reporting Requirements

A. NAC 445B.315.3.(b) Part 70 Program

The Permittee shall retain records of all required monitoring data and supporting information for 5 years from the date of the sample collection, measurement, report or analysis. Supporting information includes, but is not limited to, all records regarding calibration and maintenance of the monitoring equipment and all original strip-chart recordings for continuous monitoring instrumentation.

B. NAC 445B.3405.1.(d) Part 70 Program

The Permittee will record:

1. Monitoring information required by the conditions of this permit including the date, the location and the time of the sampling or the measurements and the operating conditions at the time of the sampling or measurements; and
2. The date on which the analyses were performed, the company that performed them, the analytical techniques that the company used, and the results of such analyses.

C. NAC 445B.3405.1.(e) Part 70 Program

The Permittee will:

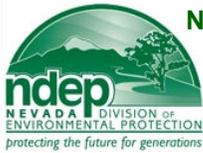
1. Promptly report to the Director all deviations from the requirements of this Operating Permit; and
2. Report to the Director the probable cause of all deviations and any action taken to correct the deviations. For this Operating Permit, prompt is defined as submittal of a report within 15 days of the deviation. This definition does not alter any reporting requirements as established for reporting of excess emissions as required under NAC 445B.232 and under **Section III.B** of this permit, or for reporting of an emergency (as defined by NAC 445B.326) under **Section I.I.** of this permit; and
3. Submit reports of any required monitoring every 6 months, within 8 weeks after June 30 and December 31 of each calendar year. The reports must contain a summary of the data collected as required by all monitoring, recordkeeping and compliance requirements and as specified in sections **VI** and **VII** of this operating permit.

D. NAC 445B.315.3.(h) Part 70 Program

The Permittee will submit yearly reports including, but not limited to, throughput, production, fuel consumption, hours of operation, and emissions. These reports will be submitted on the form provided by the Bureau of Air Pollution Control for all emission units/systems specified on the form. The completed form must be submitted to the Bureau of Air Pollution Control no later than March 1 annually for the preceding calendar year, unless otherwise approved by the Bureau of Air Pollution Control.

E. NAC 445B.3405.1.(j) Part 70 Program

1. The Permittee will submit a compliance certification for all applicable requirements, reflecting the terms and conditions of the permit, to the Administrator of the Division of Environmental Protection and the Administrator of USEPA annually, on or before March 1 for the preceding calendar year. The compliance certification must include:
 - a. An identification of each term or condition of the Operating Permit that is the basis of the certification;
 - b. The status of the stationary source's compliance with any applicable requirement;
 - c. A statement of whether compliance was continuous or intermittent;
 - d. The method used for determining compliance; and
 - e. Any other facts the Director determines to be necessary to determine compliance.



BUREAU OF AIR POLLUTION CONTROL

Facility ID No. A0002

Permit No. AP1041-0793

**CLASS I AIR QUALITY OPERATING PERMIT
GENERAL REQUIREMENTS**

Issued to: Newmont Mining Corporation – Gold Quarry Operations

Section V. General Monitoring, Recordkeeping, and Reporting Requirements
(continued)

F. NAC 445B.265 (*Federally Enforceable SIP Requirement*)

Monitoring systems: Records; Reports

1. The Permittee subject to the provisions of NAC 445B.256 to 445B.267, inclusive, shall maintain records of the occurrence and duration of any start-up, shutdown or malfunction in the operation of an affected facility and any malfunction of the air pollution control equipment or any periods during which a continuous monitoring system or monitoring device is inoperative.
2. The Permittee required to install a continuous monitoring system shall submit a written report of excess emissions to the director for every calendar quarter. All quarterly reports must be postmarked by the 30th day following the end of each calendar quarter and must include the following information:
 - a. The magnitude of excess emissions computed in accordance with NAC 445B.256 to 445B.267, inclusive, any conversion factors used, and the date and time of commencement and completion of each time period of excess emissions.
 - b. Specific identification of each period of excess emissions that occurs during start-ups, shutdowns and malfunctions of the affected facility.
 - c. The nature and cause of any malfunction, if known, the corrective action taken or preventative measures adopted.
 - d. Specific identification of each period during which the continuous monitoring system was inoperative, except for zero and span checks, and the nature of any repairs or adjustments that were made.
 - When no excess emissions have occurred and the continuous monitoring system has not been inoperative, repaired or adjusted, such information shall be included in the report.
3. The Permittee subject to the provisions of NAC 445B.256 to 445B.267, inclusive, shall maintain a file of all measurements, including:
 - a. Continuous monitoring systems, monitoring devices and performance testing measurements;
 - b. All continuous monitoring system performance evaluations;
 - c. All continuous monitoring systems or monitoring device calibration checks;
 - d. Adjustments and maintenance performed on these systems or devices; and
 - e. All other information required by NAC 445B.256 to 445B.267, inclusive, recorded in a permanent form suitable for inspection.
 - The file shall be retained for at least 2 years following the date of the measurements, maintenance, reports and records.

G. NAC 445B.063 (*State-Only Requirement*)

The Department may use any credible evidence or information, relevant to whether a source would have been in compliance with applicable requirements if the appropriate performance or compliance test or procedure had been performed, to determine excess emissions.

*******End of General Monitoring and Recordkeeping Conditions*******