

October 9, 2015
NewFields Project No. 475.0221.000

TS Power Plant
914 Dunphy Ranch Road
Battle Mountain, Nevada 89820

Attention: Mr. Dennis Laybourn
Senior Environmental Manager

RE: Certification of CCR Fugitive Dust Control Plan
TS Power Plant
Eureka County, Nevada

Dear Mr. Laybourn,

This letter provides our certification that the TS Power Plant - CCR Fugitive Dust Control Plan prepared by Newmont Nevada Energy Investment, LLC meets the requirements of §257.80 of the 2015 Coal Combustion Residue Rule (40CFR Part 257.80) administered by the Environmental Protection Agency (EPA).

1. QUALIFICATIONS

The review and certification of the CCR Fugitive Dust Control Plan was performed by Nancy Anne Card, P.E. and reviewed by Paul Kaplan, C.E.M., P.E. Both engineers were involved with the original design of the Ash Landfill associated with the project conducted in 2005.

Mr. Kaplan is a professional engineer and certified environmental manager (Nevada) with more than 33 years of experience in civil and geotechnical engineering for a wide variety of projects.

Ms. Card is an Associate level professional engineer with over 25 years of engineering design experience. She has served as either design engineer, EOR or both for numerous mining and large scale civil engineering projects.

2. CCR FUGITIVE DUST CONTROL PLAN CHECKLIST

The TS Power Plant is an existing facility that is operating under a Class 1 Air Quality Operating Permit (No. AP4911-2502) issued by the Nevada Bureau of Air Pollution Control and a Class III Landfill Permit (No. SW270REV01) issued by the Nevada Bureau of Waste Management. NewFields reviewed the CCR Fugitive Dust Plan for the TS Power Plant and the requirements for the Plan in §257.80. Those requirements and our findings are presented in the review summary in Table 2-1.

Table 2-1: Review Summary

§257.80 Section	Requirements	Notes
(1)	CCR fugitive dust control plan must identify and describe the CCR fugitive dust control measures the owner or operator will use to minimize CCR from becoming airborne at the facility. The owner or operator must select, and include in the CCR fugitive dust control plan, the CCR fugitive dust control measures that are most appropriate for site conditions, along with an explanation of how the measures selected are applicable and appropriate for site conditions.	Sources of potential fugitive dust are identified in Section 3 - Site Description. CCR fugitive dust control measures are described in Section 4 - CCR Management Procedure, Section 4.1 - Procedure for Unloading Fly Ash Silo, Section 4.2 - Procedures for Transporting Fly Ash to Ash Landfill and Section 4.3 - Procedures for Managing Ash During and After Disposal at the Ash Landfill. Procedures were selected in order to align with the Existing Class 1 Air Quality Operating Permit No. AP4911-2502 issued by the Nevada Bureau of Air Pollution Control.
(2)	If the owner or operator operates a CCR landfill or any lateral expansion of a CCR landfill, the CCR fugitive dust control plan must include procedures to replace CCR as conditioned CCR. Conditioned CCR means wetting CCR with water to a moisture content that will prevent wind dispersal, but will not result in free liquids. In lieu of water, CCR conditioning may be accomplished with an appropriate chemical dust suppression agent.	Conditioning is described in Section 4.1 - Procedures for Unloading Fly Ash Silo.
(3)	The CCR fugitive dust control plan must include procedures to log citizen complaints received by the owner or operator involving CCR fugitive dust events at the facility.	Described in Section 4.4 - Procedures for Documenting and Addressing Citizen Complaints section.
(4)	The CCR fugitive dust control plan must include a description of the procedures the owner or operator will follow to periodically assess the effectiveness of the control plan.	Described in Section 5 - Evaluation of Plan Effectiveness.
(5)	The owner or operator of a CCR unit must prepare an initial CCR fugitive dust control plan for the facility no later than October 19, 2015, or by initial receipt of CCR in any CCR unit at the facility if the owner or operator becomes subject to this subpart after October 19, 2015. The owner or operator has completed the initial CCR fugitive dust control plan when the plan has been placed in the facility's operating record as required by § 257.105(g)(1).	NewFields understands that Newmont Nevada Energy Investment, LLC will place the initial CCR fugitive dust control plan into the facility's operating record no later than October 19, 2015.
(6)	Amendment of the plan. The owner or operator of a CCR unit subject to the requirements of this section may amend the written CCR fugitive dust control plan at any time provided the revised plan is placed in the facility's operating record as required by § 257.105(g)(1). The owner or operator must amend the written plan whenever there is a change in conditions that would substantially affect the written plan in effect, such as the construction and operation of a new CCR unit.	This is not applicable because this is the Initial CCR Fugitive Dust Control Plan.
(7)	The owner or operator must obtain a certification from a qualified professional engineer that the initial CCR fugitive dust control plan, or any subsequent amendment of it, meets the requirements of this section.	This certification is submitted herein.



3. CLOSURE

We trust that this letter provides the certification that is required. Please do not hesitate to contact us if you have any questions or if you require additional information.

Sincerely,

NewFields Mining Design & Technical Services

Nancy Anne Card, P.E.
Associate

PK/NC/ng

Attachments: CCR Fugitive Dust Control Plan, TS Power Plant, Eureka County, Nevada
(October 2015)

Addressee: (2) + electronic

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