

# Exhibit 12

Excerpt from Flambeau Mine Permit  
(Mine Permit Conditions, Part 1 – General Conditions, Section 10)

implications. Should this evaluation indicate that a violation at the compliance boundary will occur without intervention, Flambeau must implement the appropriate portions of the approved contingency plan.

d) The contingency plan is hereby approved and made part of this permit subject to the following conditions:

1. Steps 1, 2 and 3 of the groundwater quality and surface water contingency plans (sections 8.1 and 8.3 of the Mining Permit Application) shall be implemented, as necessary, within ten working days of receiving the anomalous results. If resampling verifies the elevated concentration or condition Flambeau shall notify the Department within two working days of receiving the additional results. If the anomalous condition is found to be due to some external factor, the explanation for the high reading shall be submitted to the Department concurrently with submittal of the monitoring results.
2. Flambeau shall notify the Department at least 48 hours prior to resampling or remonitoring as part of contingency plan implementation.
3. Steps 1 and 2 of the wetland surface flow contingency plan (section 8.4) shall be implemented and the findings of this evaluation submitted to the Department within 20 working days of the date when the anomalous results were obtained.
4. Alteration of the monitoring plan, investigation of suspected groundwater contamination and surface water and wetland impacts, and evaluation and implementation of remedial measures shall be conducted as directed by the Department and in accordance with applicable laws.

10. Flambeau is hereby granted exemptions from certain provisions of Chapters NR 132 and 182, Wis. Adm. Code, as follows:

- a) Section NR 132.18(1)(c), Wis. Adm. Code, regarding location of project facilities within 300 feet of a navigable river or stream. Such facilities include, but

are not limited to, the open pit, flood control berm, vegetative screening, slurry wall and the wastewater discharge structures.

- b) Section NR 132.18(d), Wis. Adm. Code, regarding location of project facilities within a floodplain. Such facilities include, but are not limited to, the slurry wall, flood control dike, vegetative screening and the wastewater discharge structures.
- c) Section NR 132.18(e), Wis. Adm. Code, regarding location of project facilities within 1,000 feet of a state trunk highway. Such facilities include, but are not limited to, the topsoil and waste stockpiles, access road, rail spur, test wetland plot, open pit, surge pond various buildings and appurtenances, and potable water supply well.
- d) Section NR 182.075(1)(d)5, Wis. Adm. Code, relative to baseline monitoring for certain water quality parameters. These parameters include those with promulgated primary MCLs pertaining to radioactivity, turbidity and organic pollutants.

The exemptions granted in paragraphs a, b and c above apply only to facilities as described in the approved Mining Plan. Should Flambeau redesign the facilities such that additional exemptions are needed, such exemptions shall be requested pursuant to sec. NR 132.19, Wis. Adm. Code.

- 11. Flambeau shall contact the Rusk County Sheriff's Department and Rusk County Memorial Hospital and develop a notification procedure to advise them of rail shipments from the site across State Highway 27.

## **Part 2 - Mining Plan Approval.**

Approval is hereby granted to Flambeau for its Mining Plan as submitted to the Department subject to the following conditions:

- 1. Approval granted herein is limited to the authority vested in the Department by ss. 144.80 to 144.94 and 144.43 to 144.47, Stats. Facilities and activities regulated under other permits, licenses and approvals shall comply with all provisions of those