



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

Notice of Proposed Action - Bureau of Mining Regulation and Reclamation

Web Posting: 04/11/2012

Deadline for Comments: 05/19/2012

The Administrator of the Division of Environmental Protection gives notice that an application for a renewal of a Water Pollution Control Permit for the **Silver Peak Lithium Project**, a solution mining and beneficiation facility, has been properly filed with the Division of Environmental Protection in Carson City. The applicant for the renewal of Water Pollution Control Permit **NEV0070005** (Permit) is:

Chemetall Foote Corporation
P.O. Box 98
Silver Peak, Nevada 89047

The facility is located on public and private land in Esmeralda County, within portions of Sections 26 through 28, Township 1 South, Range 40 East; Sections 1, 12, 13, and 21 through 25, Township 2 S, Range 39 E; and Sections 1 through 11, 15 through 20, and 29 through 32, Township 2 S, Range 40 E, Mount Diablo Baseline and Meridian, approximately 40 miles southwest of Tonopah, near the town of Silver Peak.

The project consists of a solution mining and chemical process facility, designed to extract lithium from brines beneath the Clayton Valley playa, with a maximum permitted production rate of 6,000 tons of equivalent lithium carbonate per year. The facility is comprised of numerous deep wells, solar evaporation ponds, lime sludge pond, process plants, stockpiled salt dumps, and appurtenances such as the lime slaker. Facilities are required to be designed, constructed, operated and closed without any discharge or release in excess of those standards established in regulation except for meteorological events which exceed the design storm event.

The Administrator is constrained to either issue the renewal Permit or to deny the application. The Administrator has made the tentative decision to issue the renewal Permit.

Persons wishing to comment upon the proposed Permit, to recommend terms and conditions for consideration of incorporation into the Permit, or who request a public hearing pursuant to Nevada Administrative Code (NAC) Chapter 445A, must submit their written comments, objections, or requests by hand delivery or US Postal Service, or by facsimile or e-mail transmittal (with the original to be received within five (5) days of transmittal date), no later

than 5:00 PM on the 30th day following the date of publication of this notice (submittal end date May 19, 2012) to:

Division of Environmental Protection
Bureau of Mining Regulation and Reclamation
901 South Stewart Street, Suite 4001
Carson City, Nevada 89701-5249

All comments, objections, or requests received during the public notice period will be considered in the final determination regarding the Permit. If the Division determines written comments or requests indicate a significant degree of public interest in this matter, the Administrator shall schedule a public hearing in accordance with the requirements of NAC 445A.405.

The draft Permit and all application documents are on file at the Division and are available for public inspection and copying pursuant to NRS 445A.665. For more information, contact Rob Kuczynski, P.E. at (775) 687-9441 or visit the Bureau of Mining's website at <http://ndep.nv.gov/bmrr/bmrr01.htm>