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ENVIRONMENTAL PROTECTION

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October 19, 2012

**By E-mail [jwalker@ndep.nv.gov] and U.S. Mail**

Mr. John B. Walker  
Executive Secretary  
Nevada State Environmental Commission  
901 South Stewart Street, Suite 4001  
Carson City, Nevada 89701

**Re: Petition to Intervene in Appeal of Permit No. NEV0070005,  
Rockwood Lithium Inc. (formerly known as Chemetall Foote  
Corporation) Water Pollution Control Permit**

Dear Mr. Walker:

I understand that the Nevada State Environmental Commission ("SEC") has received an appeal of the Nevada Division of Environmental Protection's ("NDEP") decision to approve the renewal of Chemetall Foote Corporation's Water Pollution Control Permit, Permit No. NEV0070005, from three individuals, Paul and Ana Rupp and Dehnert Queen. Chemetall Foote Corporation changed its name to Rockwood Lithium Inc., and therefore, this petition is filed on behalf of Rockwood Lithium Inc.

Rockwood is the owner and operator of the Silver Peak Lithium Project in Esmeralda County and hereby files this petition for leave to intervene in the appeal proceedings before the SEC. In support of this petition, Rockwood provides the following information as required by NAC 445B.8915(2).

- a. Identification of the proceedings in which the petitioner requests to intervene.

Petitioner requests leave to intervene in the appeal of NDEP's June 7, 2012 decision to renew Water Pollution Control Permit (NEV0070005). The current appeal before the SEC was filed by Paul and Ana Rupp and Dehnert Queen.

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b. Identification of the petitioner and the petitioner's attorney.

The petitioner is:

Rockwood Lithium Inc. (formerly Chemetall Foote Corporation)  
P.O. Box 98  
Silver Peak, NV 89047

In this proceeding, Rockwood will be represented by:

Jim B. Butler  
John R. Zimmerman  
Parsons Behle & Latimer  
50 West Liberty St., Suite 750  
Reno, NV 89501  
(775) 323-1601

c. Petitioner's interest in the proceedings.

Rockwood, as successor by name change to Chemetall, is the permittee under NEV0070005, which is the subject of this appeal. Rockwood is the owner and operator of the Silver Peak Lithium Project in Esmeralda County. As such, Rockwood's interest will be directly and substantially affected by the outcome of the appeal proceedings before the SEC.

d. The manner in which the petitioner may be affected by the proceedings.

As noted above, Rockwood, as successor by name change to Chemetall, is the permittee under NEV0070005, which is the permit subject to this appeal. The renewal of Permit No. NV0070005 is necessary for the continued operation of the Silver Peak Lithium Project. Accordingly, the proceedings will directly affect Rockwood's interests.

e. Statement regarding whether the petitioner intends to present evidence at the hearing.

At this time, Rockwood intends to submit evidence at the hearing.

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f. Reason for delay in filing petition to intervene.

Rockwood did not receive formal written notice of the appeal from NDEP and the appeal was not posted to NDEP's or SEC's official websites. Rockwood learned of the appeal through informal communications with NDEP and was not aware of the timing requirements for petitioning the SEC for leave to intervene. Rockwood respectfully requests that the SEC exercise its discretion under NAC 445B.8915 and allow Rockwood to intervene in this appeal to protect its rights and interests regarding NEV0070005.

Thank you for your consideration of this petition. If you have any questions, please contact me by telephone at (775) 323-1601 or by e-mail at [jjzimmerman@parsonsbehle.com](mailto:jjzimmerman@parsonsbehle.com).

Sincerely,

Parsons Behle & Latimer



John R. Zimmerman

JRZ\rls

Copy [by e-mail and U.S. Mail] to:

Cassandra Joseph, Deputy Attorney General  
Paul and Ana C. Rupp  
Dehnert Queen