

**Subject:** FW: Comments for inclusion into NV SEC Sept 25, 2013 Hearing regarding NEV 00700005 WPC Permit  
**Attachments:** Lithium Hydroxide or Lithium Anhydrous spill NOV2008 PIC2.jpg; ATT00001..htm; Lithium Hydroxide or Lithium Anhydrous Nov 2008 Pic3.jpg; ATT00002..htm; MAP of Rockwood Carbonate, Hydroxide Plant Spill Routes, Elevations-092313-U1-Crop.pdf; ATT00003..htm

**From:** Paul Rupp <[silverpeakitis@msn.com](mailto:silverpeakitis@msn.com)>  
**Date:** September 25, 2013, 9:57:32 AM PDT  
**To:** Valerie King <[vking@ndep.nv.gov](mailto:vking@ndep.nv.gov)>  
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NOTICE Objection-Comments for inclusion into NV SEC-NEV 0070005 HEARING'S RECORD of Sept 25, 2013

sent via e-mail and USPS certified mail # 7007 0710 0001 5249 0317 ...on Sept 25, 2013

Dear Valerie  
King

NV SEC Executive Secretary

901 South Stewart Street, Suite 4001

Carson City, Nevada 89701

Please make this e-mail and the ATTACHMENTS available for and inclusion into the record for todays NV SEC Hearing regarding NEV 00700005 WPC Permit along with Dehnert Queen, comments and data and Information and other relevant issues sent today Sept 25, 2013 .....

Ladies and Gentleman

Today NV SEC may decide NEV 0070005 WPC Permit.... a process that I strongly disagree with.

What is still unknown is why NV DEP, NV AG, NV SEC continue to pursue a course to accept toxic poisons in a children's playground and so close to People's Homes, Gardens and Animals with a flawed and skewed political process that fails to protect even small children?

What NV SEC Membership will most likely back and endorse...is a a corrupted process, wherein the rules and forms are constantly changed to deny anyone that is not wealthy, any chance to hold polluting Corporations responsible for and including dumping toxic processing errs into a playground where people and children frequently visit and play using i.e., NAC, (NOT ACCEPTABLE CODES) to produce a less than desirable outcome for everyone except corporate polluters with NV state employees' and officials blessings.

NV AG, NV DEP and Late Interveners for Chemetall-Rockwood Lithium continue to believe only leaks as April 29 2013 from the Lithium Carbonate plants occur...WRONG! Other information previously provided to NV DEP /NV SEC and Esmeralda County officials who have a duty to provide the complete record for NEV 00700005 WPC Permit and protect the public including children.

Spill path clearly shown in JPG's provided attached w/ this e-mail using Google Earth show a spill release captured Nov 2009 coming from Hydroxide-Anhydrous Processing area breaching containment near a propane tank in front of a Chemetall-Rockwood pick-up truck parked above spill breach.... in jpg. This is NOT a fresh water spill from the tank on hill above Lithium Hydroxide-Anhydrous Processing Building .... this is not from Lithium Carbonate Process... Spill release is from Lithium Hydroxide-Anhydrous Processing... as shown flowing down NV SR 265 and into the Park area... note that there is a white color to the spill. How many gallons does it take to reach the park? Google Earth shows spill release of Nov 2009 breaching containment near a propane tank west of Chemetal-Rockwood's dry change house. The spill flow left containment and traveled along North NV SR 265 and crossed over NV SR 265 near Silver Peaks Fire Barn and continued to flow east into the Park area and near the children's swings and toy fixtures and continued East flowing out of the Park and continued to pond near Paul Rupp's home approx. 100 ft. from our 002-061-19 parcel and home where the chemical soup dried upon the ground and becomes airborne dust blowing in the wind towards our homes animals plants vehicles and wild birds. This area is not the Playa and is not an Industrial site...Does NEV 00700005 permit allow this type of pollution near where children play and people live?

Relevant information regarding spill releases is on file/record timely provided to NV DEP and NV SEC and Esmeralda County Commissioners in 2012/2013 by Paul Rupp and others. Why will any injured party willingly go to a so called hearing where evidence provided is not on the record? Who will NV DEP/NV SEC and Esmeralda County Officials protect with negligent actions? Is it the duty of NV DEP/ NV/SEC and Esmeralda County Official's to use NRS and NAC to protect corporate polluters and neglect health issues for ALL people including Nevadan's AND children playing in and near harms toxic way?

Clearly NV AG is misinformed about nature of spills and frequency of spills and the route spills flow into the Silver Peak playground/Park very near children's swings and other toy fixtures areas with people animals birds and children walking through spill flow paths and breathing the toxic chemicals as dust upon drying on the ground and to fugitive dust releases into the atmosphere near people

In almost 50 years of Silver Peak Lithium Project Operations.... NV DEP and NV Health Dept have taken what steps..... to insure the public is safe? How many samples have been taken tested and who gathered and perform analyses' on such test samples and where are records stored to view. And why are these results not transparent and available on line to view....?

NV DEP has Failed to perform and or act in good faith to investigate and or protect people and children living AND OR playing near Chemetall-Rockwood Lithium Processing Operations. NV DEP investigators have never contacted Mr. Rupp to perform and on site investigate of spill flow areas, with MR. Rupp.... WHY NOT? NV AG, NV DEP, NV SEC are shown by their actions... willfully acting careless and negligent .....acting in continued bad faith, contrary to protecting people and children's health, safety in Silver Peak Nevada

Please provide the NRS that states it is OK to let Poisons breach containment and enter and pond inside a children's playground that has Children's play fixtures paid for and installed by Esmeralda County Taxpayers. The park playground area and the area across Cinnabar Way near our parcels are not the Playa or an Industrial site. A recent spill site map provided to Paul Rupp by NV DEP for a spill occurring april 2013 is completely inadequate as to property boundary's and other elementary data that is purposely omitted, Why? Where are testing results by a reliable 3rd party as to condition of soil and what is contained within soil in Playground area and across the street a hundred feet from our parcels? The continuing practice of insisting that the offender gather and analyze samples and provide data for such is dishonest at best!

Where are Rockwood's Lithium's swimming pool water's with chemicals and chloramines disposed of? And does NEV 00700005 WPC Permit pertain to these actions?

Is Valerie King NV SEC ex secretary any relation to NV State Water Engineer Jason King? No notification to interested parties as to JB Walker's transfer and or replacement?

Today I have a clear conscience. Trying to ensure children are not playing in contaminated toxic soil and those poisons do not end laying upon the ground 100 feet from our parcels homes animals gardens and ourselves while praying a big sinkhole as a result of over pumping the aquifers in Clayton Valley NV does not open up and appear anywhere near our homes and parcels.....

Also....There still is no public warning system in place to warn Silver Peak Residents of danger for and including Recycling Lithium Metal clouds containing pollution from toll producers... as per Chemetall-Rockwood Lithium DOE GRANT terms stated and agreed upon for accepting DOE Grant money's for DOE EA 1715...why not? \$28.4 million dollars public money spent and still no warning system for the residents including small children of Silver Peak Nevada?

NV DEP, NV AG, NV SEC failure to investigate, inspect, and preform the most basic preliminary checks..... and claim's no evidence is known.... is contrary to established law and health standards ensuring public safety. Per NV Constitution Article 1 Sections 1 and 2. Nevada official's at state and local agency's have a duty to protect Nevadan's including children.

Will NV DEP AND NV SEC NV AG failed in their sworn oath and duties to protect people including children that visit the playground in Silver Peak Nevada?

Interestingly, Rosiland M. Hooper of Nevada's Attorney General's Office....e-mail of "Thu 9/19/13 11:49 AM" regarding "Silver Peak (SEC hearing) NDEP's Exhibit and Witness List" is not addressed to any official in or at NV SEC, why is that?

NV SEC actions that fail to protect the health and safety of Nevada People and Nevada children are not Lawful... and lack legal lawful and moral standing.

I, Paul Rupp, Object to NEV 00700005 WPC Permit flawed and unlawful process.

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Paul Rupp, 130 Cinnabar Way  
using P.O. Box 125 Silver Peak NV 89047

Nevada 265



Exit Street View



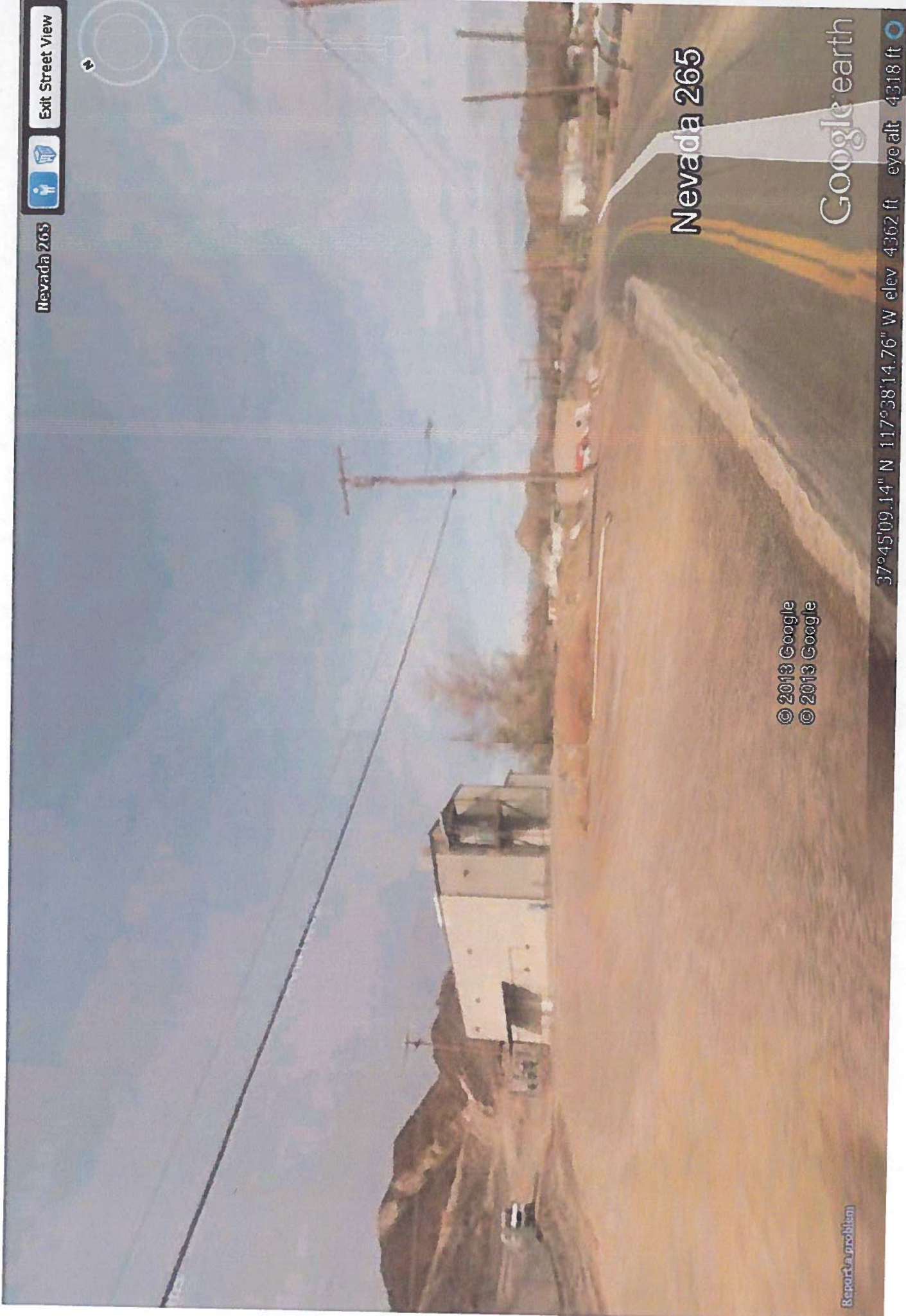
Nevada 265

Google earth

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37°45'09.14" N 117°38'14.76" W elev 4362 ft eye alt 4318 ft



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Exit Street View

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Google earth

37°45'06.92" N 117°38'15.83" W elev 4306 ft eye alt 4313 ft

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