

Comstock mine foes: Fight not over

After losing a round in their efforts opposing a major mining operation on the Comstock, residents will continue to press their arguments the operation could release harmful contaminants and put the public's health at risk.

Nevada's Environmental Commission last week dismissed an appeal by a residents' group seeking to overturn a state-issued reclamation permit issued last December to Comstock Mining, Inc., which seeks to mine gold and silver from areas near Virginia City. The panel concluded the Nevada Division of Environmental Protection followed proper protocol in issuing the permit for exploratory activity in the area of Lyon County's old Dayton Consolidated Mine.

The Comstock Residents Association will continue to battle the proposal through a separate-but-related appeal, the status of which was unresolved during Friday's hearing in Reno. A hearing on that appeal could occur in April.

The group is fighting the plan amid concerns that road construction, exploratory drilling and related activity could release mercury, lead and arsenic — contaminants associated with historic Comstock mining activity 150 years ago — putting residents of nearby Silver City and Gold Hill at risk. The area was declared

Nevada's first federal Superfund Site in 1995.

"There is substantial concern about public health and safety," said John Marshall, an attorney for the Comstock Residents Association. "There is no debate whether or not this is toxic material. There is substantial risk these toxic materials will be released."

Concern is particularly acute, Marshall argued, because affected residents are "living in the middle of a Superfund Site."

Carolyn McIntosh, an attorney for Comstock Mining, insists that exact boundaries of the Superfund Site are unclear and said the primary risk to the public associated with historic mining identified by the U.S. Environmental Protection Agency is associated with the consumption of mercury-laden fish taken from the Carson River and Lahontan Reservoir.

Exploratory activity allowed through the reclamation permit will actually help

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identify where pollutants like mercury are located and ensuring those areas are safe will be required before any drilling can occur, said Cassandra Phillips, a deputy attorney general representing the Nevada Division of Environmental Protection.

“What this permit is allowing is them to go out there and find out what is out there,” Phillips said. “Before they can even dig to find the gold ... they first have to sample.”

Mark Turner, a member of the Environmental Commission, said he’s convinced the state is taking proper steps to protect residents in the area from environmental harm.

“I feel very strongly NDEP has gone to great lengths to protect people in Nevada and they would not take this matter lightly,” Turner said.

Friday’s hearing came three days after the state issued Comstock Mining, Inc., an air quality permit necessary for mining to commence at a 180-acre start-up site located in Storey County near the town of Gold Hill. Failure to obtain the permit helped delay the company’s goals to have mining occurring at the site by late 2011.

Gold and silver will be pulled at that location from an open pit about 30 acres in size and between 300 and 450-feet deep, company officials said.

New estimates from Comstock Mining place value of gold and silver deposits in the area at about \$3 billion. The company

announced Feb. 14 that it has raised \$15 million from U.S.-based investors, money representatives said would be spent primarily on mineral exploration activities across its 6,100-acre project area.

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