

Sample Letter to the Environmental commission on the GBRW Thacker Pass permit Appeal

Chairman Jon Porta
Vice Chairman Jason King
Commissioner Jocelyn Torres
Commissioner Mark Turner
Commissioner Mike Visher
State Environmental Commission
901 South Stewart Street, Suite 4001
Carson City, Nevada 89701-5249

Dear Commissioners,

Thank you for your continued service for the State of Nevada on the Environmental Commission.

I am very concerned that the Water Pollution Control Permit was issued to the Thacker Pass project without sufficient evaluation and understanding of the consequences of the mine to protect Nevada's precious water.

It is my understanding that there are two technical reports provided to the agency on the tailings facility with conflicting results. One apparently concludes that there will not be seepage from the tailings for 1,000 years and when there is seepage is its very very small, about 0.02 gallons per minute, but the other indicates significant seepage during mine operations and afterwards to about 74 gallons per minute. Which is correct? The agency should have resolved this before issuing the permit.

The appeal filed by Great Basin Resource Watch indicates that there is considerable uncertainty on aspects of the tailings facility. It is even suggested that the mine plan may not be equipped to handle excessive seepage from the tailings, which may be why the final permit does call for additional studies, but then why issue a permit when more analysis is needed? And, will there be any public process around these additional studies?

It seems that this particular tailings facility will be the first of its kind constructed, so there does not seem to be much operating facility knowledge out there, which underscores the need to resolve technical conflicts. Does the mining company or the agency really know how this first of its kind tailing facility will perform? Perhaps the agency should have sought out an independent analysis if it does not have the ability to assess the analysis in house.

I understand the Great Basin Resource Watch has these very concerns and did hire someone with specific expert understanding of tailings facilities, but the agency declined to discuss the facility with the organization and its consultant. Why not? That would seem to have been a good offer. I have also learned that the Commission is not allowing witnesses at the hearing, so the independent assessment and expert knowledge is being withheld. This seems wrong for a public process, since the only technical information is coming from one source. Whereas, good science depends on multiple sources.

Apparently, the tailings will be acidic and any drainage from the tailings is expected to be very toxic. It would seem important to neutralize the tailings before disposal. I am aware that there will be a heavy plastic liner, but I doubt those will last as long as the tailings will be toxic. The agency should have required an analysis of how to neutralize and construct the tailings facility with neutralized tailings. This seems an obvious precautionary measure.

In view of the additional studies needed I wonder why the agency issued the permit when it did? It would seem that Lithium Nevada certainly benefits by having the permit issued and can tell investors that it has the permits needed. But, what about the public? What benefit was gained by the public, especially protection of Nevada's water, by issuing the permit before all the analyses are in.

I urge Nevada State Environmental Commission to have the permit be withdrawn and remanded to the agency, Nevada Division of Environmental Protection, to obtain the necessary data and analyses to ensure protection of the waters of the State.

Sincerely,