



Great Basin Resource Watch

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Working with Communities to Protect Their Land, Air, and Water

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Great Basin Resource Watch Appeal Hearing to NV Commission on Faulty Lithium Mine Permit

Nevadans are calling on the state to ensure a serious and thorough analysis is performed to protect Tribal members and Humboldt County residents from water contamination stemming from lithium mining

RENO, NV - As local officials and the Biden Administration rush mineral production for electric vehicles, Tribal leaders and concerned Nevadans are raising concerns about expedient and faulty analysis used to permit the Thacker Pass lithium mine in dealing with contaminated water.

Monday June 28, 2022 a five person panel of the [Nevada State Environmental Commission will hear oral arguments](#) regarding [the March 7 2022 GBRW appeal](#) of the Thacker Pass Water Pollution Control permit. Under the [state permit](#), Lithium Nevada Corp will be allowed to dump at least 60 million tons of wet acidic mine tailings on Nevada's landscape, and this will likely increase to 300 million tons with later permit modifications. Any water draining from the tailings is expected to be very toxic, so the Nevada Division of Environmental Protection (NDEP) will require an HDPE (high density polyethylene) under the tailings dump – called a clay filtered tailings stack (CTFS).

GBRW became concerned that the analysis and tailings facility design might not be adequate, and saw it necessary to obtain an independent expert, Dr. Steve Emerman who authored the "[Safety First: Guidelines for Responsible Mine Tailings Management](#)" report, to review the Thacker Pass tailings facility.

The GBRW appeal is raising the following issues with the permit pertaining to the tailings facility:

- **There is no requirement for all of the tailings to be neutralized.**
- **The permit is based on incorrect and incomplete analysis.**
- **The permit requires a tailings water content that has not been demonstrated as achievable.**
- **Credible data and analysis exist that the design specifications of the tailings facility including the seepage management is inadequate.**

For more details: <https://gbrw.org/proposed-thacker-pass-lithium-mine/>

Dr. Emerman's review revealed fatal shortcomings in the tailings analysis provided by Lithium Nevada to NDEP and the public. Dr. Emerman states in his [report](#):

“Unlike nearly every other mining project, Lithium Nevada does not appear to have any preplanned actions ready for execution in the event of adverse observations, such as unanticipated seepage from the CTFS, nor does NDEP require them to have such preplanned actions. Instead, there are only intentions to carry out more analyses.”

“The plan for the filtered tailings storage facility at the Thacker Pass mine fulfills all of the characteristics of **Reckless Creativity**. This does not mean no version of the proposed tailings facility could ever be permitted, but this plan should not be permitted at this place at this time.”

Ultimately it is the directly affected communities that will pay the greatest price for allowing an inadequate and rushed mine plan to go forward. Below are voices from those communities:

“Nevada Division of Environmental Protection should protect people, animals, and plants around/on Peehee Mu’huh. Instead they issued permits to Lithium Nevada to contaminate Indigenous sacred land, air, and water for Generation after Generation for hundreds of years at Peehee Mu’huh. NDEP is not doing what their name stands for, it’s Heartbreaking. NDEP is blatantly misleading the public, and needs to be held accountable for their actions,” said Day Hinkey with Atsa Koodakuh Wyh Nuwu (People of Red Mountain) and McDermitt Tribal Member.

"We are a farming/ranching community on either side of this mine, there is a lot of commerce happening here and if they contaminate the water, they will destroy the ranching community and if they do, who will be accountable, the state or the operator. If these sulfates leak it can be detrimental. I don't see where the plan for the dry stack will hold. I don't see how it won't fail with the slope and the rain events we see here, I mean we are dry now but what about tomorrow when the floods come like we had in 1984. Our aquifer could be destroyed, we have been here a while but they could destroy us! A leak would destroy our land and make our animals sick. We would lose our farm because the water is too toxic," farmer/rancher Jean Williams.

"According to public documents the mining company will use roughly 2,900 tons of sulfuric acid per day, the resulting sulfate waste, from processing, will be dumped on public lands. I am deeply concerned about the long term consequences of dumping and storing this much waste, near our ranch," said area rancher, Edward Bartell.

“Lithium Nevada Corp has not provided clear, well developed, and complete information to the public on all aspects that are needed to permit the mine. We will not look the other way to allow the Thacker Pass mine to skate through permitting without a clear picture of the consequences.” says John Hadder at GBRW.

According to Hadder, “Zero-discharge does not mean that there will not be seepage from the tailings, but that seepage will be captured and not discharged directly to the environment. The company has been talking about neutralization for at least a year, but it's just talk. Analysis on neutralization should have been part of the analysis submitted to NDEP, but it has yet to happen. Furthermore, liners fail eventually, so neutralization is an important environmental and public protection.”

“The Progressive Leadership Alliance of Nevada (PLAN) is in support of the efforts to enact strict oversight of the water pollution control permit. PLAN believes that everyone has the right to live in a clean and healthy environment, regardless of their race, income, gender or immigration status. Addressing our dependence on an extractive economy, is central to our environmental justice campaign. Currently, poor and marginalized communities are disproportionately affected by pollution and climate change, while dirty fossil fuel and mining corporations rake in millions in profits,” PLAN.

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