

LCB File No. R141-06

PROPOSED REGULATION OF THE  
STATE ENVIRONMENTAL COMMISSION

Petition 2006-12

AUTHORITY: NRS 4445A.

*New language is italicized* [~~language to be deleted is in brackets~~].

**NAC 445A.430 Stabilization of spent ore.** (NRS 445A.425, 445A.465)

1. Spent ore which has been left on pads or which will be removed from a pad [~~must first be rinsed until:~~] *and for which a long term discharge of that spent ore effluent to the environment is anticipated, will first require an adjustment to the spent ore effluent so that:*

- (a) WAD cyanide levels in the effluent [~~rinse water~~] are less than 0.2 mg/l;
- (b) The pH level of the effluent [~~rinse water~~] is between 6.0 and 9.0; and
- (c) Contaminants in any effluent from the processed ore which would result from meteoric waters would not degrade waters of the State.

2. [~~If the requirements established in subsection 1 cannot be achieved, the Department will grant a variance to those conditions if the holder of the permit can demonstrate that:~~] *The responsible party must clearly demonstrate spent ore stabilization. Acceptable methods of demonstration may include, but are not limited to, the following:*

(a) The remaining solid material, when representatively sampled, does not contain levels of contaminants that are likely to become mobile and degrade the waters of the State under the conditions that will exist at the site; or

(b) [~~The spent ore is stabilized in such a fashion as to inhibit meteoric waters from migrating through the material and transporting contaminants that have the potential to degrade the waters of the State.~~] *Spent ore effluent, when representatively sampled, does not contain levels of contaminants that are likely to become mobile and degrade the waters of the State under the conditions that will exist at the site; or*

(c) *The spent ore is stabilized in such a fashion as to inhibit meteoric waters from migrating through the material and transporting contaminants that have the potential to degrade the waters of the State.*

3. The Department may approve [~~an alternate method for stabilizing ore that has been leached if the holder of the permit can clearly demonstrate that the condition in which the materials will be left will not create a potential for the waters of the State to be degraded.~~] *a variance to subsections 1 and 2 above if the responsible party can clearly demonstrate that the condition in which the materials will be left will not create a potential for the waters of the State to be degraded.*