

1 BEFORE THE STATE OF NEVADA, STATE ENVIRONMENTAL COMMISSION

2 In Re:

3)
4 Appeal of Water Pollution Control Permit No.)
NEV0070005)
5 Permittee: Rockwood Lithium Inc.)
6)

ORDER REGARDING BRIEFING
SCHEDULE

7 On June 19, 2012, Paul and Ana C. Rupp and Dehnert Queen ("Appellants") filed an
8 appeal of Water Pollution Control Permit No. NEV2008106 issued on June 7, 2012, with an
9 effective date of June 22, 2012, by the Nevada Division of Environmental Protection to
10 Chemetall Foote Corporation for the Silver Peak lithium project. Chemetall Foote Corporation
11 is now known as Rockwood Lithium, Inc. ("Rockwood Lithium"). At the State Environmental
12 Commission's ("SEC") request, Appellants then submitted their appeal on a revised form 3 on
13 August 18, 2012.

14 On September 20, 2012, the Nevada Division of Environmental Protection ("NDEP")
15 filed a motion to dismiss the appeal, or in the alternative, a request that the SEC order pre-
16 hearing briefs. Neither Appellants nor Intervener Rockwood Lithium have objected.

17 Based on the foregoing and pursuant to NAC 445B.8925, it is hereby ORDERED that
18 Appellants shall file a brief with the SEC on or before April 10, 2013. The brief should contain
19 a detailed statement of the issue(s) to be raised during the hearing. It is also ORDERED that
20 Rockwood Lithium and NDEP shall each file a responsive brief on or before April 29, 2013.
21 Appellant's reply brief in response to Rockwood Lithium's and NDEP's briefs is due on or
22 before May 8, 2013. It is further ORDERED that on or before May 10, 2013, each party shall
23 exchange with each other party notice of the identity of each person who will offer direct oral
24 testimony at the hearing and each party shall exchange copies of each exhibit the party
25 intends to offer as evidence at the hearing. The parties are encouraged to submit exhibits

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1 jointly where possible to avoid duplicate exhibits. In addition, the appeal hearing in this matter
2 is scheduled for May 14, 2013.

3 Dated this 27 day of March, 2013

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8 State Environmental Commission
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1 CERTIFICATE OF SERVICE

2 The undersigned, an employee of the State of Nevada, State Environmental
3 Commission, does hereby certify that on the date shown below, a true and correct copy of the
4 foregoing ORDER REGARDING BRIEFING SCHEDULE was duly mailed, postage prepaid, to
5 the following:

6 Paul and Ana C. Rupp
7 Box 125
8 Silver Peak, NV 89047

9 Appellant

10 Dehnert Queen
11 10500 Christenson Road
12 Lucerne Valley, CA 92356

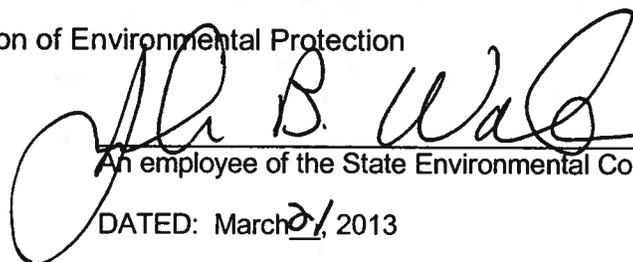
13 Appellant

14 Jim B. Butler, Esq.
15 John R. Zimmerman, Esq.
16 Parsons Behle & Latimer
17 50 West Liberty Street, Suite 750
18 Reno, NV 89501

19 Attorneys for Intervener Rockwood Lithium, Inc.

20 Cassandra Joseph, Esq.
21 Office of the Attorney General
22 100 North Carson Street
23 Carson City, NV 89701

24 Attorney for Nevada Division of Environmental Protection

25 
26 An employee of the State Environmental Commission
27 DATED: March 21, 2013
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