

**REVISED PROPOSED REGULATION OF THE
STATE ENVIRONMENTAL COMMISSION**

LCB File No. R141-06

January 2, 2007

EXPLANATION – Matter in *italics* is new; matter in brackets ~~[omitted material]~~ is material to be omitted.

AUTHORITY: §1, NRS 445A.425 and 445A.465.

A REGULATION relating to water controls; revising provisions governing the stabilization of spent ore before discharge into the environment; and providing other matters properly relating thereto.

Section 1. NAC 445A.430 is hereby amended to read as follows:

445A.430 1. Spent ore which has been left on pads or which will be removed from a pad must first ~~[be rinsed until:]~~ *demonstrate stability of the discharge effluent from the pads or from the spent ore such 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:

- (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.

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.