



**Nevada Division of Environmental Protection
Bureau of Waste Management**

**Response to Comments on the RCRA Permit for the
Precious Metals Recovery, LLC – Dry Hills Facility
Crescent Valley, Nevada**



March 31, 2014

RCRA Permit# NEVHW0028, (*New Permit*)

The following response to comments has been prepared by the Nevada Division of Environmental Protection (NDEP) – Bureau of Waste Management (BWM) in regards to a written comment received during the public comment period for the RCRA Permit drafted for the proposed Precious Metals Recovery, LLC¹ (PMR) Dry Hills Facility to be located in northern Eureka County, approximately 12 miles east of the town of Crescent Valley, Nevada. The permit authorizes the treatment of mercury-containing materials and the storage of elemental mercury at the proposed facility in conformance with the permit conditions and the approved permit application.

One comment was received during the public comment period, which requested that a public hearing be provided. A public meeting was held in Crescent Valley on March 25, 2014, at which one commenter spoke during the formal public hearing. A copy of this response to comment shall be sent to the permittee and to those who submitted written comments in accordance with the requirements of 40 CFR 124.15 and 124.17, as adopted by reference in NAC 444.8632.

A written comment was received during the 45-day public comment period from the Eureka County Board of Commissioners via letter dated January 15, 2014; and verbal comments were provided during the Public Hearing by Mr. Jake Tibbits, Eureka County Natural Resource Manager. The specific comments are provided below in italics, along with the respective NDEP response.

Written Comment (Eureka County Board of Commissioners): *In consideration of the proposed permit and in response to NDEP's Public Notice and Request for Comment, we are requesting a public hearing to be held in Crescent Valley so that Eureka County residents can more easily attend, ask questions and better understand how the Division intends to regulate and oversee the Dry Hills Facility. ... The Eureka County Board of Commissioners supports the Dry Hills Facility if it is operated in a way that meets all requirements, laws, regulations, and standards even as those are implemented, changed or modified over time in order to protect the environment and good health of Eureka County residents. ... We request this hearing be a format that presents a synopsis of the project, allows for controlled question and response, and facilitates comment receipt on the draft permit.*

NDEP Response: In response to the received written comment, the NDEP provided Public Notice for the Public Hearing and conducted the meeting in Crescent Valley on March 25, 2014. During the public meeting, NDEP staff provided an overview of the proposed PMR facility, RCRA permitting process, the submitted application materials, the draft RCRA Permit, and the anticipated future regulatory oversight activities. A question and answer session was also conducted with the public attendees prior to initiating the formal hearing session to receive verbal public comment. The NDEP staff appreciated the opportunity to meet with local community members to discuss the project.

¹Precious Metals Recovery, LLC is a new company which is a subsidiary of Barrick Goldstrike Mines, Inc. (BGMI) and that is intended to manage mercury and mercury-containing materials generated solely from BGMI properties.

Verbal Comment (Jake Tibbits, Eureka County Natural Resource Manager): *First want to thank NDEP for coming out at the Commissioner's request. The Commissioners have not prepared any formal or substantiative comment on the permit. ... We have met with Barrick many times about the proposal when first developing the proposal and idea. They sat down with county representatives and were very open about the process and took our input from the very beginning. We want to thank Barrick for that and for being very transparent in the process. We understand that the mercury generation primarily takes place in Eureka County. We also understand that the mercury is stored and already transported in Eureka County and we think that the facility is designed in a way that is going to be safe to the community. But we also are very open to the sensitivities of the community and the safety, health and welfare of the individuals that live up here. So, the Commission would like to hear any input that the community still has, or any concerns that they still have, want to hear what the community concerns are before potentially weigh-in on the process. ... Looking forward to hearing any other comments or potential concerns the community may still have.*

NDEP Response: Comments well stated and duly noted. The NDEP acknowledges that the Permittee evaluated multiple potential locations for the PMR facility and it was recognized that selected site provides for the management and storage of the mercury material within the same county in which it originates from. Additionally, in comparison to the other locations considered, the chosen PMR site is centrally-located to the Barrick facilities that generate the mercury material. In regard to community participation, the NDEP appreciated that multiple public members in attendance at this meeting had also previously attended the initial pre-application public meeting held in December 2012 for the PMR project. No additional public comments or concerns were presented during the public hearing.