



# STATE OF NEVADA

Department of Conservation & Natural Resources

DIVISION OF ENVIRONMENTAL PROTECTION

Brian Sandoval, Governor

Leo M. Drozdoff, P.E., Director

Colleen Cripps, Ph.D., Administrator

## NOTICE OF DECISION-Bureau of Mining Regulation and Reclamation

Web Posting: 01 March 2012

Deadline for Appeal: 12 March 2012

Robinson Gleason Creek Discharge Project  
Permit: NUMBER NEV2010111

Robinson Nevada Mining Company

### AUTHORIZATION TO DISCHARGE

The Nevada Division of Environmental Protection has decided to issue Authorization to Discharge NEV2010111 (Permit) to Robinson Nevada Mining Company. This Permit authorizes the construction, operation, and closure of approved mine dewatering surface discharge facilities in White Pine County. The Division has been provided with sufficient information, in accordance with Nevada Administrative Code (NAC) 445A, to assure the Division that the waters of the State will not be degraded by this operation, and that public safety and health will be protected.

The Permit will become effective 16 March 2012. The final determination of the Administrator may be appealed to the State Environmental Commission pursuant to Nevada Revised Statute (NRS) 445A.605 and NAC 445A.407. All requests for appeals must be filed by 5:00 PM, 12 March 2012, on Form 3, with the State Environmental Commission, 901 South Stewart Street, Suite 4001, Carson City, Nevada 89701-5249. For more information, contact Miles Shaw at (775) 687-9409 or visit the Division's Bureau of Mining Regulation website at [www.ndep.nv.gov/bmrr/bmrr01.htm](http://www.ndep.nv.gov/bmrr/bmrr01.htm).

Two (2) identical comment letters were received during the public comment period from Charles Carson and Susan Martin of Ely, Nevada. The main text of the letters and the Division response (in italics) are attached to this Notice of Decision.

Comment Letter: "My house is approximately forty (40) feet from the existing Murry Creek which continues to flow year round due to the Robinson Nevada Mining Company's current pumping of water through the City of Ely's storm drain system. This is about 5,000 gallons per minute from two wells located at the old Murry Springs. The permit would allow up to 11,000 gallons per minute additional. The creek bed is currently full and I am concerned that with pumping more water it may reach my house.

The permit states that the discharge of water is necessary due to seasonal conditions, but I would like to question that statement. Robinson Nevada Mining Company pumps water into the City of Ely

storm drain system daily, and this additional pumping will strain the City's system. A storm drain system is not water tight and is not designed for continuous water flow. Leaks can cause damage to other property owners along the storm drain system too. Some folks in Murry Canyon have water under their houses now.

I suggest that White Pine County government be included in this permit process. The water will flow through the City of Ely's storm drain system and into Steptoe Valley, which includes county property. The county should also be prepared with an Emergency Action Plan in the event of a hazardous spill or contamination of the water.

I think an amended solution should be presented for the discharge of this water.”

Division Response: The Murry Creek Authorization to Discharge was issued separately as NV0023981 by the Bureau of Water Pollution Control for a maximum daily discharge rate of 7,000 gallons per minute (gpm). The proposed Gleason Creek Authorization to Discharge NEV2010111 (Permit NEV2010111) has been prepared by the Bureau of Mining Regulation and Reclamation to authorize a maximum daily discharge rate of 11,000 gpm. Both permits require routine monitoring and reporting of flow rates and water quality.

The discharge to Gleason Creek will merge with the Murry Creek and other downgradient tributary flows reporting to the City of Ely stormdrain system. Engineering reports submitted with the Permit NEV2010111 application indicate the stormdrain system is designed to collect and convey the peak 10-year, 24-hour storm event flow of 180 cubic feet per second, which is equivalent to approximately 81,000 gpm.

Permit NEV2010111 contains a Permit Limitation requiring cessation of discharge if operational or weather conditions present potential for excessive channel erosion or damage to downstream drainage control structures. A separate Permit Limitation requires that the Permittee cease the discharge should the flow in Gleason Creek, measured at the US Highway 50 box culvert located approximately 2,800 feet downstream from the discharge outfall, exceeds 40,500 gpm, one-half the City of Ely stormdrain system design peak flow rate.

Although separate from Permit NEV201011, the Permittee has entered into separate Memoranda of Understanding with the City of Ely, the Nevada Northern Railway, and the Nevada Department of Transportation. The memoranda are specific, as applicable, to each entity with regard to impact fees, communication protocols, insurance coverage, et cetera, but all contain a similar Emergency Action Plan for implementation in the event of a hazardous or toxic material spill or a localized severe storm event.