



Bureau of Mining Regulation and Reclamation

GUIDANCE DOCUMENT

ALTERNATE USE OF SPENT ORE OUTSIDE OF CONTAINMENT

Spent ore that will not pose a threat to surface water or groundwater may be considered for use or disposal outside of permitted containment. Use or disposal of spent ore outside of containment is not allowed without prior written approval from the Bureau of Mining Regulation and Reclamation (BMRR) and is considered a Water Pollution Control Permit modification requiring the submittal of an application for Permit modification and appropriate fee.

The application must include a detailed description of the proposed location and manner of use of the spent ore. The proposal shall include a detailed demonstration that the spent ore will not degrade waters of the State. At a minimum, consider such factors as character of the spent ore, depth to groundwater, proximity to surface water, background water quality, soil attenuation characteristics, local precipitation, and exposure to runoff. Additional requirements may be placed by BMRR based on site-specific conditions.

The spent ore material must be characterized for its potential to release contaminants. Test methods and analyses must be performed by Nevada-approved and Nevada-certified laboratories, as applicable. At a minimum, representative samples of the material must be subjected to the Meteoric Water Mobility Procedure (MWMP), NDEP Profile 1 analysis, and Acid-Base Accounting (ABA) per the 2021 Update Nevada Modified Sobek Procedure. The MWMP procedure must follow the American Society for Testing and Materials Method E2242

For spent ore that leaves a minesite for reuse outside of containment, BMRR may also require Toxicity Characteristic Leaching Procedure (TCLP), EPA Method 1311 analysis.

The analytical results will be considered along with site-specific conditions to determine the potential of the proposed activity to degrade waters of the State. Requirements of Nevada Administrative Code 445A.430 Stabilization of Spent Ore apply.