

December 8, 2011

Mr. Jon Taylor
Nevada Division of Environmental Protection
Bureau of Waste Management – Solid Waste Branch
901 S. Stewart Street, Suite 4001
Carson City, Nevada 89701- 5249
jtaylor@ndep.nv.gov
775-687-9477

Subject: Proposed Jungo Road Landfill - public comment period

Mr. Taylor:

I respectfully submit the following information for your consideration while discerning whether to issue a permit to operate a Class I waste disposal site, to Jungo Land & Investments, Inc. (JLII), approximately 25 miles west of Winnemucca in Humboldt County, NV.

First of all I *question the RPC's issuance of the first CUP*. At the time a second landfill was not even legal. Recology's initial CUP was approved by the Regional Planning Commission on 4/12/07. At that time, only one landfill was allowed in Humboldt County, NV. An ordinance allowing a second landfill (ordinance number 10-15-2007), was implemented with an effective date of 10/26/07, by the County Commissioners. Ordinance 10-15-2007 gave the board and council authority to contract for and manage programs for HAZARDOUS waste, not just SOLID waste. The summary of the amendment for ordinance 10-15-2007 and the public notice on 10/5/07 did *not* mention that change documented in section 13.12.270 of the ordinance.



Jungo Flats April 2010 – sin the area of the proposed Jungo Road landfill

Nevada is the driest state in the union. It gets less rainfall than any other state on the continent. For this reason alone, the project should have been rejected at the onset as too potentially damaging to a limited natural reserve that is irreplaceable. There is no proven technology that will prevent aquifer contamination, regardless of the assurances from JLII & Golder Associates. The National Environmental Protection Agency (NEPA) still maintains that all landfill liners will eventually fail.

I submit a controdiction (left) for your consideration.

The soils, in the proposed site, have been identified in the NRCS soils report and will not support the landfill design criteria. The surface soils are also very fine and will not support reclamation efforts or cover stabilization.

"Once the unit is closed, the bottom layer of the landfill will deteriorate over time and, consequently, will not prevent leachate transport out of the unit."

In 1995 the United States Geological Survey (USGS) conducted an investigation in Desert Valley of which you are aware. Now Recology and JLII have used this same study to further their financial goals by misquoting it and they have not been challenged by local officials or the NDEP. The report is *WRIR 95-4119*, it was conducted by David L. Berger. In the report, Mr. Berger states unequivocally that the predominant wind direction in the valley is from the west.

"An active dune field, in the southeastern part of the study area (pl. 1A), covers about 12,000 acres of the valley floor. (An active dune field is one in which the dune ridges slowly migrate in the direction of the prevailing wind.) This section of the dune field in Desert Valley is the trailing edge of a much larger dune field that totals about 31,000 acres, extends about 28 mi to the east, and terminates in Paradise Valley (fig. 1)." - Page 3 WRIR 95-4119

JLII and Golder have also stated in handouts and presentations that the aquifer under Desert Valley is isolated or "perched", unconnected to other hydrologic basins. This is false as well. To again quote Mr. Berger:

"The components of the ground-water budget for the aquifer system beneath the study area were estimated using empirical techniques and refined using a ground-water flow model. Under predevelopment conditions (pre- 1962), the total flow through the aquifer system beneath the study area was about 11,000 acre-feet per year (acre-ft/yr). The flow components are (1) total inflow that

includes about 7,300 acre-ft/yr of recharge from precipitation, about 2,700 acre—ft/yr of infiltration beneath ephemeral rivers that traverse the northern part of the study area, and about 1,100 acre-ft/yr of subsurface inflow from the Quinn River and Kings River Valleys, and (2) total outflow that includes about 9,100 acre—ft/yr discharge by evapotranspiration and about 2,100 acre-ft/yr subsurface outflow." - Page 1 Abstract WRIR 95-4119

2100 acre feet per year subsurface outflow doesn't sound like an isolated aquifer. If pressed, JLII and Golder will first claim that no pollution of the aquifer will take place and even if it does then the aquifer is isolated, neither of which is the truth. By misquoting a published study or deliberately misinterpreting it, they have falsified data needed by NDEP to make an informed decision about the proposal. For these reasons, NDEP should reject this project.

It is my contention that since NDEP cannot provide any assurances to the citizens of Humboldt and Pershing Counties, including the assurance that the liner for the proposed Jungo Road landfill will not eventually leak, NDEP has no choice but to deny JLII /Nevada Land and Resources an operating permit.

Sincerely,
Alfredo Baryol
Winnemucca, NV