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December 3, 2011

Mr. Taylor:

ONCE AN OPERATING PERMIT IS GRANTED, WHAT CHANGES CAN BE MADE? What guarantees can and will NDEP make to the citizens of Humboldt County that: The waste stream source will never change, the waste stream contents will never change, the plan of design will never change, the inspection process will never change?

Answer: You can't and won't make any of those guarantees as per NAC 444.6435 which says that all of the aforementioned items and more are subject to change if the operator so requests.

NAC 444.6435 Permit to operate disposal site: Request for modification; conditions requiring public notice and review. ([NRS 444.560](#)) A permit to operate a disposal site may be modified upon the request of the owner or operator of the disposal site and approval of the solid waste management authority. A proposal to modify a permit **may be subject to public notice and 30 days of public review if the proposed modification includes:**

1. An increase in the amount or type of solid wastes managed at the site which is inconsistent with the permitted design, operational plans or municipal plans concerning the management of solid waste;
2. A change in the manner of waste management at the site which is inconsistent with the permitted design or operational plans of the site;
3. A substantive change in the:
 - (a) Permitted design of the site;
 - (b) Plans for closure and postclosure;
 - (c) Procedures for monitoring the site and for taking any necessary corrective actions; or
 - (d) The mechanisms for financial assurance; and
4. Any other change which is deemed by the solid waste management authority to require public notice and a public hearing.

(Added to NAC by Environmental Comm'n, eff. 11-8-93)

ALL SUBJECT TO JUST: **Public notice and 30 days of public review...maybe!**

Since NDEP cannot provide any assurances to the citizens of Humboldt County, including the assurance that the liner for this landfill will not eventually leak, NDEP has no choice but to deny JLII/Nevada Land and Resources an operating permit.

Sincerely,

Stephen Dick

Winnemucca, NV