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RECEIVED ENVIRONMENTAL FORM # 3

SEP 12 2007

FORM FOR REQUESTING AN APPEAL HEARING BEFORE THE NEVADA STATE ENVIRONMENTAL COMMISSION ENVIRONMENTAL PROTECTION

1. Name, address, telephone number, and signature of applicant:

Name: Carl & Deborah Larsen
Address: 2928 La Cresta Circle
Telephone: 775-267-6775 (Home)
Signature: Deborah Larsen & Carl Larsen

Representative Capacity (if applicable): Not Applicable

2. Specify type of applicant: Individual, Partnership, Corporation, or Other: Individual

3. Other person or persons authorized to receive service of notice: Not applicable

4. Complete description of the business or activity and the location of the activity involved in the request: Renewal, with Modifications, of Nevada Discharge Permit NEV 60025, North Valley Waste Water Treatment facility, Minden NV. The renewal will allow expansion of the plant to include construction of an Effluent Storage Reservoir adjacent to a residential community. The applicant is the Douglas County Community Development Department and the location of the facility and proposed work are on Heybourne Road, north of Stephanie Way, in northern Douglas County

5. Nature of the appeal and grounds thereof: [1] The provisions of the Permit are insufficiently detailed to assure nearby residents that the effects of odors and pests will be properly handled. Although assurances are provided by the County and NDEP, the permit leaves these matters to others or for further submission. Appellants are denied the opportunity therefore to be fully informed and respond to these future conditions. [2] The planned operation of the plant depends upon the application for-and amendment of-an Effluent Management Plan by an adjacent private party. The location and elevation of the ESR and the associated piping to the private party are predicated upon approval of this arrangement. These permits are improperly disconnected as approval of the current permit is limited in scope and would have to be revised upon the approval of the private party's EMP. NDEP states that it intends to approve 'phase 2' [not defined in the permit] after review of the private party's permit by the TSB; yet this permit has not yet been made available for review by the Appellants. [3] The particulars of the Amended Permit are vaguely described and therefore could lead to misinterpretation or conflict during compliance reviews, thereby working against the Appellant's legitimate concerns.

6. Section or sections of the State Air Quality Regulations, Water Pollution Control Regulations, Hazardous Waste Regulations, Solid Waste Management Regulations, or NRS section involved in the appeal: NRS 445A.605(1). [We note the conflicting language of NRS 233B.174[4], which is

**currently undergoing Judicial Review in the Beverly Hills Dairy case and is also reported to be under legislative review. We assert our rights under 445A.605(1) and support the position that 233B.174 [4] is illogical and unconstitutional.]**

7. Approximate time in hours and minutes necessary for delivery of oral testimony and reading of prepared statements as admissible evidence to be entered in the record: **30 Minutes**

Date of Request **September 10, 2007**

Send Form To: John B. Walker, State Environmental Commission, 901 South Stewart Street, Suite 4001  
Carson City, NV 89701-5249

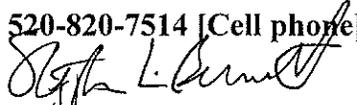
**FORM # 3**  
**FORM FOR REQUESTING AN APPEAL HEARING**  
**BEFORE THE NEVADA STATE ENVIRONMENTAL COMMISSION**

1. Name, address, telephone number, and signature of applicant:

Name: **Stephen L. Bennett**

Address: **2906 La Cresta Circle**

Telephone: **520-820-7514 [Cell phone]**

Signature: 

Representative Capacity (if applicable): **Not Applicable**

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ENVIRONMENTAL PROTECTION

2. Specify type of applicant: Individual, Partnership, Corporation, or Other: **Individual**

3. Other person or persons authorized to receive service of notice: **Not applicable**

4. Complete description of the business or activity and the location of the activity involved in the request: **Renewal, with Modifications, of Nevada Discharge Permit NEV 60025, North Valley Waste Water Treatment facility, Minden NV. The renewal will allow expansion of the plant to include construction of an Effluent Storage Reservoir adjacent to a residential community. The applicant is the Douglas County Community Development Department and the location of the facility and proposed work are on Heybourne Road, north of Stephanie Way, in northern Douglas County**

5. Nature of the appeal and grounds thereof: [1] **The provisions of the Permit are insufficiently detailed to assure nearby residents that the effects of odors and pests will be properly handled. Although assurances are provided by the County and NDEP, the permit leaves these matters to others or for further submission. Appellants are denied the opportunity therefore to be fully informed and respond to these future conditions.** [2] **The planned operation of the plant depends upon the application for-and amendment of-an Effluent Management Plan by an adjacent private party. The location and elevation of the ESR and the associated piping to the private party are predicated upon approval of this arrangement. These permits are improperly disconnected as approval of the current permit is limited in scope and would have to be revised upon the approval of the private party's EMP. NDEP states that it intends to approve 'phase 2' [not defined in the permit] after review of the private party's permit by the TSB; yet this permit has not yet been made available for review by the Appellants.** [3] **The particulars of the Amended Permit are vaguely described and therefore could lead to misinterpretation or conflict during compliance reviews, thereby working against the Appellant's legitimate concerns.**

6. Section or sections of the State Air Quality Regulations, Water **Pollution Control Regulations**, Hazardous Waste Regulations, Solid Waste Management Regulations, or NRS section involved in the appeal: **NRS 445A.605(1). [We note the conflicting language of NRS 233B.174[4], which is currently undergoing Judicial Review in the Beverly Hills Dairy case and is also reported to be under legislative review. We assert our rights under 445A.605(1) and support the position that 233B.174 [4] is illogical and unconstitutional.]**

7. Approximate time in hours and minutes necessary for delivery of oral testimony and reading of prepared statements as admissible evidence to be entered in the record: **30 Minutes**

Date of Request **September 11, 2007**

Send Form To: John B. Walker, State Environmental Commission, 901 South Stewart Street, Suite 4001  
Carson City, NV 89701-5249

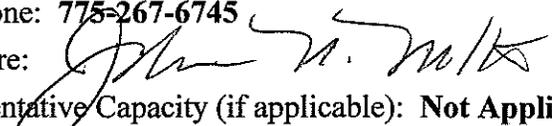
**FORM # 3**  
**FORM FOR REQUESTING AN APPEAL HEARING**  
**BEFORE THE NEVADA STATE ENVIRONMENTAL COMMISSION**

1. Name, address, telephone number, and signature of applicant:

Name: **John N. Nolte**

Address: **2938 La Cresta Circle**

Telephone: **775-267-6745**

Signature: 

Representative Capacity (if applicable): **Not Applicable**

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ENVIRONMENTAL PROTECTION

2. Specify type of applicant: Individual, Partnership, Corporation, or Other: **Individual**

3. Other person or persons authorized to receive service of notice: **Not applicable**

4. Complete description of the business or activity and the location of the activity involved in the request: **Renewal, with Modifications, of Nevada Discharge Permit NEV 60025, North Valley Waste Water Treatment facility, Minden NV. The renewal will allow expansion of the plant to include construction of an Effluent Storage Reservoir adjacent to a residential community. The applicant is the Douglas County Community Development Department and the location of the facility and proposed work are on Heybourne Road, north of Stephanie Way, in northern Douglas County**

5. Nature of the appeal and grounds thereof: [1] The provisions of the Permit are insufficiently detailed to assure nearby residents that the effects of odors and pests will be properly handled. The revised permit would allow a 39.7 acre area of the desert habitat to be excavated for purposes of installing an effluent storage pond; however, no provisions are shown for mitigating the impact to surrounding properties from displaced wildlife. Although assurances are provided by the County and NDEP, the permit leaves these matters to others or for further submission. Appellants are denied the opportunity therefore to be fully informed and respond to these future conditions. [2] The planned operation of the plant depends upon the application for-and amendment of-an Effluent Management Plan by an adjacent private party. The location and elevation of the ESR and the associated piping to the private party are predicated upon approval of this arrangement. Regulations require that there be no objectionable odors as part of the discharge process; however, the discharge process is occurring indirectly through the use of an adjacent property, which is subject to a separate permit. As such, these permits are not stand alone as is the contention of the NDEP. In fact, the subject permit is significantly dependent on the capacity of the adjacent property to achieve the cumulative balance which is part of the basis of the subject permit. NDEP states that it intends to approve 'phase 2' [not defined in the permit] after review of the private party's permit by the TSB; yet this permit has not yet been made available for review by the Appellants. [3] The particulars of the Amended Permit are vaguely described and therefore could lead to misinterpretation or conflict during compliance reviews, thereby working against the Appellant's legitimate concerns.

6. Section or sections of the State Air Quality Regulations, Water **Pollution Control Regulations**, Hazardous Waste Regulations, Solid Waste Management Regulations, or NRS section involved in the appeal: **NRS 445A.605(1)**. [We note the conflicting language of **NRS 233B.174[4]**, which is currently undergoing **Judicial Review in the Beverly Hills Dairy case** and is also reported to be under legislative review. We assert our rights under **445A.605(1)** and support the position that **233B.174 [4]** is illogical and unconstitutional.] In any event, the appellant contends that it does have an economic stake in the case of this permit due to the potential long term damage to property done by displaced wildlife as a result of construction activities allowed by the subject permit.
  
7. Approximate time in hours and minutes necessary for delivery of oral testimony and reading of prepared statements as admissible evidence to be entered in the record: **30 Minutes**

Date of Request **September 10, 2007**

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