

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

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MAR 09 2012
ENVIRONMENTAL PROTECTION

1. Name, address, telephone number, and signature of applicant:
Name: Richard Cook
Address: 4320 Paradise Ranchos Drive, Winnemucca, NV 89445
Telephone: 775.304.2043
Signature: *Richard Cook*
Representative Capacity (if applicable): Self
2. Specify type of applicant: Individual, Partnership, Corporation, or Other: Individual
3. Other person or persons authorized to receive service of notice: N/A
4. Complete description of the business or activity and the location of the activity involved in the request: Proposed Jungo Landfill - T.35N. R.33E, Section 7
Humboldt County Assessor's Parcel # 005-411-07
5. Nature of the appeal and grounds thereof: NDEP acted arbitrarily and against the rule of law when they determined that the site is not susceptible to inundation and is frequently within 1000 feet of a body of water. They capriciously reduced the 100' to groundwater requirement by 70%. NDEP ignored the NRCS soils report regarding the stated inadequacies of the soils for landfill construction and borrow material. NDEP relied exclusively on Recology's biased construction design, calculations, testing materials and results.
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: NAC 444.678, NAC 444.679, NAC 444.6795, NAC 444.6887, NAC 444.696, NAC 444.6769, NAC 444.6785, NAC 444.6894, NAC 444.6435 and generally NAC 444.570 - NAC 444.7499 inclusively.
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: 2 hours

Date of Request 03/05/2011

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