

NDEP holds public meeting on landfill operating permit



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WINNEMUCCA — The Nevada Division of Environmental Protection held a public meeting here on Thursday (Nov. 1) to gather public comments on the announcement the agency intended to issue an operating permit to Jungo Land & Investments for construction of a class 1 landfill.

John Taylor, who is NDEP's permit writer for the project, presented the technical overview. However, most of the primary technical details are already known to local residents.

The landfill would be constructed 25 miles away on Jungo Road.

The landfill site is a 634-acre parcel, but the footprint encompasses only 562 acres.

No other parcels owned by the company are being permitted

The landfill would accept 4,000 tons of waste per day/five days a week

No hazardous waste or asbestos will transported to the landfill

The company will construct a double liner under the landfill

The distance between the landfill and groundwater is approximately 25 feet

Only about one acre of the landfill (the working portion) will be exposed and that must be covered with six inches of soil at the close of business each day

The company is required to pick up any litter that blows off the landfill. The company intends to hire personnel to keep the litter off the playa.

In order to put the size of the proposed landfill in perspective, Taylor listed the other landfills in Nevada and their permitted capacity volume in cubic feet. While some people initially said the proposed Jungo Road Landfill would be the biggest in the world, it's closer to the truth to say it's one of the smallest in Nevada.

The largest Nevada landfill, Apex, in Clark County, will reach capacity at 865,000,000 cubic yards; Jungo's permitted capacity is 111,000,000 cubic yards.

Since the project began four years ago, Taylor said the design of the proposed landfill has moved from what he described as prescriptive to performance.

Essentially, the design has moved from bottom-line what was required – to a highly engineered design that would address community concern about environmental protection.

One example of that is the double liner that will sit under the landfill, which significantly exceeds minimum standards. Taylor explained minimum standard calls for a leachate removal system under the landfill followed by a combination high-density, polyethylene liner (HDPE) over a low-permeability soil layer.

The liner under the proposed Jungo Road Landfill would, in essence, double that. Taylor said every effort was made to keep leachate from leaking through the landfill and into the soil underneath and from there to the groundwater – a mere 25 feet away – and the design significantly exceeds regulatory standards. The double-liner system includes a removal system for both leachate and methane gas.

Under all that, between the liner system and the water, the company must install an angled boring/monitoring well below the leachate sumps that will allow monitoring of the area under the landfill so operators will know right away if leachate is leaking through.

Taylor said it has not been determined how any collected leachate would be disposed.

In addition to the semi-annual sampling and reporting, the company will be expected to submit written reports on groundwater quality at the 10-year and 25-year benchmark. The water quality will be monitored by five wells: four on the perimeter and one

in the center. Baseline tests have been completed and the water analyzed so the company and NDEP will know if something's in the water that wasn't there before.

In addition to the groundwater monitoring program, the company will also be required to comply with a settlement program that will monitor and alert staff if the landfill begins to sink closer to the water table.

Groundwater was not the only concern; the other was the pools of standing water that sometimes collects on the Desert Valley floor during especially wet seasons. The company will be required to construct 6-foot dirt berms to keep water out of the landfill site.

NDEP is also requiring the company to create a site-specific emergency plan to include medical emergencies and fire. The agency also required the company to design the landfill to withstand seismic activity.

The agency is not only looking at the operations of the landfill, Taylor said, but also at what happens when the landfill reaches its capacity and it's time to close. First, NDEP would inspect the landfill and certify the company met its obligations for closure. If there were problems, that section would not close until the problem was mitigated. The site would continue to be monitored for 30 more years.

During the life of the landfill, Recology would be required to deposit money on a yearly basis in a trust fund controlled by the state. The money would be used for post-closure and the amount would be adjusted yearly to account for inflation and to ensure the money stayed ahead of the cost of closure.

Taylor commented several times on how well the landfill was being designed. He said, "It's the strongest ... better designed landfills in the country."

A final decision will be made on January 16 at which time NDEP will either issue the operating permit or deny it. If the agency issued the operating permit, Jungo Land & Investments could not move forward with construction until the issue of the conditional use permit (CUP) was resolved on the federal level.

Arguments in the federal lawsuit were scheduled for January 9, 2012 at 10 a.m. in room 6 of the Reno courtroom, US District Court.

PUBLIC CONCERNS

Those who commented following the technical overview presentation raised the following concerns:

That no liner system would prevent the leakage of leachate into the groundwater

The interaction of the property owner, Nevada Land & Resources, the company with the option to purchase, Jungo Land & Investments, which is wholly owned by Recology, the operator, raised some questions that ultimately no one would claim responsibility for clean up post-closure

The money held in trust for post-closure would not be sufficient

The monitoring of post-closure would not be sufficient

The soil at the site made the area unsuitable for a landfill. For example, the soil being proposed for use as a daily cover is fine and would probably blow away.

That the company's engineer, Golder & Associates, made errors that showed up in the technical documents -- such as the primary wind direction. These errors, members of the public argued, made their information suspect.

Addressing the audience during the comment period was Robert Dolan, whose appeal the Humboldt County Commissioners acted upon in revoking Jungo's CUP (now the subject of the federal lawsuit).

Dolan said he did not doubt NDEP would ultimately issue the operating permit, but he intended to appeal that decision.

Also addressing the audience was a representative of the Sierra Club, who said he was dismayed the NDEP would even consider permitting such a project on the playa.

However, others praised NDEP for their efforts to address community concern with more strident requirements.

John Siegfried, who helped build Cyanco, said he had faith in NDEP and that Recology would comply with what was expected of them.

Roberta Rothwell praised the members of Nevadans Against Garbage for getting her active in the project and for raising concerns that the NDEP and Recology then addressed.

Rothwell has been involved in the process as an observer and has travelled to California to see another of Recology's landfills and also travelled to the Jungo Rd. site.

She also expressed her appreciation to Recology for their open-door-policy that allowed her to get good information to make a more informed decision.

