

**NEVADA DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES**

**NEVADA ENVIRONMENTAL COMMISSION**

**HEARING ARCHIVE**

**FOR THE HEARING OF March 5, 1999 and April 16, 1999 (continuation)**

**HELD AT: Las Vegas, Nevada**

**TYPE OF HEARING:**

**REGULATORY**

**YES APPEAL (Western Elite Inc.)**

**FIELD TRIP**

**ENFORCEMENT**

**VARIANCE**

**RECORDS CONTAINED IN THIS FILE INCLUDE:**

**YES AGENDA**

**YES PUBLIC NOTICE**

**MINUTES OF THE HEARING**

**LISTING OF EXHIBITS**

# AGENDA

## **NEVADA STATE ENVIRONMENTAL COMMISSION PUBLIC HEARING**

As provided by Nevada Revised Statutes (NRS) Chapter 233B and Nevada Administrative Code (NAC) inclusive, a panel of the Nevada State Environmental Commission will conduct an appeal hearing on **Friday March 5, 1999 beginning 9:30 a.m.**, at the Las Vegas Valley Water District, 1001 Las Vegas Valley View, Mead Room #3, Las Vegas, Nevada.

This agenda has been posted at the Grant Sawyer State Office Building and the Las Vegas Valley Water District in Las Vegas, the Washoe County Library in Reno and the Nevada State Library and Division of Environmental Protection Office in Carson City, Nevada.

The following items will be discussed and acted upon but may be taken in different order to accommodate the interest and time of the persons attending.

### **I. Appeal Hearing - \* ACTION**

Western Elite Inc., Ryan Williams, President, 6345 E. Bonanza, Las Vegas, Nevada, 89110 appeals the order dated August 6, 1998 by the Nevada Division of Environmental Protection.

The Nevada Division of Environmental Protection, Bureau of Waste Management, on August 6, 1998, issued a Finding of Alleged Violation and Order to Western Elite Inc. to not accept any additional solid waste at their Lincoln county solid waste processing and composting facility. The Division on August 6, 1998, ordered Western Elite to cease disposal, including application as a "soil amendment." The Division alleges that Western Elite has failed to reduce the total waste material volume on site to an agreed upon maximum inventory of 15,000 cubic yards, failed to manage waste material in organized piles, and failed to control litter on site. The Division alleges that Western Elite is in violation of Nevada Revised Statute (NRS) 444.553 "Permit to operate disposal site: Issuance; requirements", Nevada Administrative Code (NAC) 444.6405 "Permit to operate disposal site: Requirement; exemptions; application"; NAC 444.644 "Systems for solid waste"; and NAC 444.668 "System to process waste: Hazards, nuisances, impairment of environment prohibited."

### **II. General Commission or Public Comment**

Members of the public who are disabled and require special accommodations or assistance at the meeting are requested to notify the Executive Secretary in writing, Nevada State Environmental Commission, 333 West Nye Lane, Room 138, Carson City, Nevada, 89706-0851, facsimile (775) 687-5856, or by calling (775) 687-4670 extension 3117 no later than 5:00 p.m., March 5, 1999.

####

# AGENDA

## NEVADA STATE ENVIRONMENTAL COMMISSION PUBLIC HEARING

As provided by Nevada Revised Statutes (NRS) Chapter 233B and Nevada Administrative Code (NAC) inclusive, a panel of the Nevada State Environmental Commission **will continue** to conduct an appeal hearing on **Friday April 16, 1999 beginning 9:00 a.m.**, at the Las Vegas Valley Water District, 1001 South Valley View Boulevard, Mead Room #3, Las Vegas, Nevada. This hearing continues the appeal heard on March 5, 1999.

This agenda has been posted at the Grant Sawyer State Office Building and the Las Vegas Valley Water District in Las Vegas, the Washoe County Library in Reno, and the Department of Museums, Library and Arts, and Division of Environmental Protection Office in Carson City, Nevada.

The following items will be discussed and acted upon but may be taken in different order to accommodate the interest and time of the persons attending.

### **I. Appeal Hearing - \* ACTION**

Western Elite Inc., Ryan Williams, President, 6345 E. Bonanza, Las Vegas, Nevada, 89110 appeals the order dated August 6, 1998 by the Nevada Division of Environmental Protection.

The Nevada Division of Environmental Protection, Bureau of Waste Management, on August 6, 1998, issued a Finding of Alleged Violation and Order to Western Elite Inc. to not accept any additional solid waste at their Lincoln county solid waste processing and composting facility. The Division on August 6, 1998, ordered Western Elite to cease disposal, including application as a "soil amendment." The Division alleges that Western Elite has failed to reduce the total waste material volume on site to an agreed upon maximum inventory of 15,000 cubic yards, failed to manage waste material in organized piles, and failed to control litter on site. The Division alleges that Western Elite is in violation of Nevada Revised Statute (NRS) 444.553 "Permit to operate disposal site: Issuance; requirements", Nevada Administrative Code (NAC) 444.6405 "Permit to operate disposal site: Requirement; exemptions; application"; NAC 444.644 "Systems for solid waste"; and NAC 444.668 "System to process waste: Hazards, nuisances, impairment of environment prohibited."

### **II. General Commission or Public Comment**

Members of the public who are disabled and require special accommodations or assistance at the meeting are requested to notify the Executive Secretary in writing, Nevada State Environmental Commission, 333 West Nye Lane, Room 138, Carson City, Nevada, 89706-0851, facsimile (775) 687-5856, or by calling (775) 687-4670 extension 3117 no later than 5:00 p.m., April 9, 1999.

####

## **NEVADA STATE ENVIRONMENTAL COMMISSION NOTICE OF APPEAL HEARING**

A three member panel of the Nevada State Environmental Commission will conduct an appeal hearing in the matter of:

Western Elite Inc., Ryan Williams, President, 6345 E. Bonanza, Las Vegas, Nevada, 89110 appeals the order dated August 6, 1998 by the Nevada Division of Environmental Protection.

The Nevada Division of Environmental Protection, Bureau of Waste Management, on August 6, 1998, issued a Finding of Alleged Violation and Order to Western Elite Inc. to not accept any additional solid waste at their Lincoln county solid waste processing and composting facility. The Division on August 6, 1998, ordered Western Elite to cease disposal, including application as a "soil amendment." The Division alleges that Western Elite has failed to reduce the total waste material volume on site to an agreed upon maximum inventory of 15,000 cubic yards, failed to manage waste material in organized piles, and failed to control litter on site. The Division alleges that Western Elite is in violation of Nevada Revised Statute (NRS) 444.553 "Permit to operate disposal site: Issuance; requirements", Nevada Administrative Code (NAC) 444.6405 "Permit to operate disposal site: Requirement; exemptions; application"; NAC 444.644 "Systems for solid waste"; and NAC 444.668 "System to process waste: Hazards, nuisances, impairment of environment prohibited."

The appellant asserts that the order for termination of operations by Western Elite was wrongfully made by the Division in regards to the determination that materials stockpiled and/or being composted did not have a beneficial use.

The hearing will be held:

**Friday - March 5, 1999  
9:30 a.m.  
Las Vegas Valley Water District  
1001 South Valley View Blvd, Mead Room #3  
Las Vegas, Nevada**

Members of the public who are disabled and require special accommodations or assistance at the meeting are requested to notify the Executive Secretary by writing to Nevada State Environmental Commission, 333 West Nye Lane, Room 128, Carson City, Nevada, 89706-0851; by facsimile to (775) 687-5856; or by calling (775) 687-4670 extension 3117 no later than 5:00 p.m., March 1, 1999.

This notice is issued pursuant to Nevada Revised Statutes (NRS) Chapter 233B. The hearing will be held in accordance with Nevada Administrative Code, (NAC) 445B.875 to 445B.897, inclusive.

###