

# EXHIBIT 9



State of Nevada

Dept. of Conservation & Natural Resources

State Environmental Commission SEC.nv.gov

901 South Stewart Street, Suite 4001, Carson City, Nevada 89701

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**SEC Appeal Hearing**

**Notice Pursuant to NRS 233B.121 and NAC 445B.891**

**Date:** October 23, 2018

**To:** Appellant:  
Nathaniel Seltenreich  
In Proper Person

Respondent:  
Nevada Division of Environmental Protection ("NDEP")  
Represented by Katie Armstrong, Esq.  
Office of the Attorney General

**From:** Valerie King, CPM, Executive Secretary

**Subject:** Notice of Appeal Hearing: Proposed Revocation of NDEP Grade III Wastewater Treatment Operator Certificate No. NV-876

A three-member panel of the State Environmental Commission (SEC) has scheduled an appeal hearing regarding the above referenced wastewater treatment operator certificate. The hearing will be held on November 29, 2018, beginning at 9:30 a.m. in Las Vegas, Nevada at the Grant Sawyer Building located at 555 East Washington Avenue, Las Vegas, Nevada 89101. Check in will be on the second floor at the front desk located in suite 2600. An escort will be provided to the Gaming Control Boardroom where the hearing will take place. The hearing date was selected after consultation with the parties.

The SEC has jurisdiction to hear this appeal pursuant to NRS 445A.425 and NRS 445A.605. The regulation alleged by NDEP to have been violated, as cited in the September 26, 2018 Notice of Proposed Revocation is Nevada Administrative Code ("NAC") R155-17. Mr. Seltenreich contests the alleged violation and has identified the following statutory basis for appeal: NRS 445B.890(2)(a), NRS 445B.890(2)(d), and NRS 445B.890(2)(e).

**About the Appeal:** On October 2, 2018, Mr. Seltenreich filed his appeal.

In summary, Mr. Seltenreich has contested the proposed revocation of his Grade III Nevada Wastewater Treatment Operator Certificate NV-876 because he claims that NDEP's Notice of Proposed Revocation was:

- (1) Made in violation of constitutional and statutory provisions;
- (2) Affected by other error of law; and
- (3) Was clearly erroneous in view of the reliable, probative and substantial evidence on the whole record.

Specific issues include but are not limited to, the manner in which Mr. Seltenreich obtained his Grade III Nevada Wastewater Treatment Operator Certificate NV-876. The issues for this appeal are, or will be, further clarified in the pre-hearing briefs ordered by the SEC on October 19, 2018.

**Hearing Procedure:** Practice before the SEC is governed by the attached regulations found at NAC 445B.875 et seq. The online version is located at: <http://www.leg.state.nv.us/NAC/NAC-445B.html#NAC445BSec875>  
NRS 233B.121 to 233B.150 are also applicable. See: <http://www.leg.state.nv.us/NRS/NRS-233B.html#NRS233BSec121>

ecc: Appellant  
NDEP Staff  
SEC Appeal Panel  
SEC/DAG