



State of Nevada
Dept. of Conservation & Natural Resources
State Environmental Commission SEC.nv.gov
901 South Stewart Street, Suite 4001, Carson City, Nevada 89701

FORM 3: FORM FOR REQUESTING AN APPEAL HEARING
(Provide attachments as needed)

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

Name: Nathaniel Seltenreich

Physical Address: 3691 E Saddle Ave Las Vegas, NV 89121

E-mail Address: selten_nate@yahoo.com

Telephone Number: 7024165352

Signature: Nathaniel Seltenreich

Representative capacity (if applicable): I will notify the board if I retain an attorney

2. Attach copy of Nevada Division of Environmental Protection final decision, such as permit or notice of alleged violation, being appealed.

3. Specify grounds of appeal: (check all that apply)

- Final decision in violation of constitutional or statutory provision;
- Final decision made upon unlawful procedure;
- Final decision was affected by other error of law;
- Final decision was clearly erroneous in view of the reliable, probative and substantial evidence on the whole record;
- Final decision was arbitrary or capricious or characterized by abuse of discretion;

4. For each ground of appeal checked above, please list the constitutional, Nevada Revised Statute (NRS), and/or Nevada Administrative Code (NAC) provision allegedly violated. Also list the statutes and/or or regulations that give the State Environmental Commission jurisdiction to hear the appeal.

[Empty rectangular box for providing details on grounds of appeal]

5. For each ground of appeal checked above, provide a brief and concise statement of the facts which provide the basis for the appeal.

Per Regulation R155-17, Section 11.1, I have never falsely or fraudulently provided any information to the licensing board or my employer. When Nevada offered reciprocity for our certifications with Utah, Utah also allowed you to test 6 months earlier than Nevada. I decided to take my Grade III in Utah following all of their applicable regulations and policies. Utah offered the opportunity to review the exam if you failed. I reviewed the exam and after asking the proctor specifically if I was allowed to take notes, I did. I used my notes to study and prepare so I was successful the next time I took the exam.

Per Regulation R155-17, Section 11.3, I studied appropriately so as never to put the health and safety of the public and environment in jeopardy. I have now had my Grade III and been working as an Operator since 9/30/2013 without any incident that would put the environment or public in danger.

Date of Request: 10/2/2018

Send Form to: Executive Secretary, State Environmental Commission, 901 South Stewart Street, Suite 4001, Carson City, NV 89701

Valerie King

From: Nate Seltenreich <selten_nate@yahoo.com>
Sent: Friday, October 5, 2018 3:18 PM
To: Valerie King
Subject: Re: Form #3 Requesting an appeal hearing

I would like to waive my 20 day hearing right pursuant to NAC 445B.891.

Thank you,

Nate Seltenreich

> On Oct 5, 2018, at 2:42 PM, Valerie King <vking@ndep.nv.gov> wrote:

>

> Thank you, Mr. Seltenreich. I believe that completes your request for an appeal hearing.

> I'd like to walk you through the process, if you would like that. Please call me and we can go over it.

> Pursuant to NAC 445B.891, a hearing must be held within 20 days after receipt of the request for a hearing (today) unless both parties waive the right.

> Do you prefer to waive the right for a hearing to be held in 20 days so the briefing process is not rushed? I will ask NDEP separately if they wish to waive this right.

> Thank you,

> Valerie King

> (775) 687-9374

>

> -----Original Message-----

> From: Nate Seltenreich <selten_nate@yahoo.com>

> Sent: Friday, October 5, 2018 11:56 AM

> To: Valerie King <vking@ndep.nv.gov>

> Subject: Re: Form #3 Requesting an appeal hearing

>

> I believe the regulations that gives them the right to hear this is NRS 445A.425 and NAC 445A.288.

>

> Let me know if there is further information needed.

>

> Thank you for your time,

>

> Nate

>

>> On Oct 5, 2018, at 11:32 AM, Valerie King <vking@ndep.nv.gov> wrote:

>>

>> Mr. Seltenreich,

>>

>> Here is the link to the SEC website where you can find previous Form 3s that have been submitted to the SEC:

<http://sec.nv.gov/index.htm>

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>> -----Original Message-----

>> From: Nate Seltenreich <selten_nate@yahoo.com>

>> Sent: Friday, October 5, 2018 10:08 AM

>> To: Valerie King <vking@ndep.nv.gov>

>> Cc: Katrina Pascual <kpascual@ndep.nv.gov>; Henna Rasul <HRasul@ag.nv.gov>

>> Subject: Re: Form #3 Requesting an appeal hearing

>>

>> Hello,

>>

>> For #4, the regulations include Reg 155-17, Section 11.1 and Section 11.3. I have attached the final decision we received as well to this email. Please let me know if I need to submit this information in a different spot.

>>

>> Thank you for your help,

>>

>> Nate Seltenreich

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