



State of Nevada

Dept. of Conservation & Natural Resources

State Environmental Commission SEC.nv.gov

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

SEC Appeal Hearing

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

Date: December 19, 2018

To: Appellant:
Nathaniel Seltenreich

Represented by Carrie L. Parker, Esq.
Snell & Wilmer L.L.P.
50 West Liberty Street, Suite 510
Reno, Nevada 89501

Respondent:
Nevada Division of Environmental Protection (“NDEP”)

Represented by Katie Armstrong, Esq.
Office of the Attorney General
100 North Carson Street
Carson City, NV 89701

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 December 19, 2018, beginning at 10:00 a.m. at the Nevada Division of Environmental Protection building, Red Rock conference room, located at 2030 East Flamingo Road, Suite 230, Las Vegas, Nevada 89119. 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 November 9, 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