

Form #3

Request for an Appeal Hearing

Revised: 4/28/2026



NEVADA
STATE ENVIRONMENTAL
COMMISSION

Instructions for Completing Form #3



Use this form to request an appeal hearing before the State Environmental Commission.

This form is required when an individual or entity seeks to appeal a final decision issued by the Nevada Division of Environmental Protection (NDEP), including but not limited to permits or notices of alleged violation.

Please complete all sections of the form in full. **Attach a copy** of the NDEP final **decision being appealed**. This may include a permit, a notice of alleged violation, or another qualifying final decision. Additional supporting documents may be included as needed.

If submitting the form and supporting materials by mail, send to:

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

RECEIVED

SEP 08 2026

ENVIRONMENTAL PROTECTION

NOTE: ACCESSIBILITY ACCOMMODATION REQUEST ATTACHED.

Name: A. J. Brown

Physical address: 3216 Mount Charleston Dr. Pahrump, NV. 89048-1050

E-mail address: V540501@gmail.com

Telephone number: Deaf please use Email. 760.559.5620

Signature:

A handwritten signature in black ink, appearing to be "AJB", written over a horizontal line.

Representative capacity (if applicable): Self / Individual

Date: 09/02/2026

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

- ☒ Final decision in violation of constitutional or statutory provision.
- ☒ Final decision was made upon unlawful procedure.
- ☒ Final decision was affected by another 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, capricious, or characterized by abuse of discretion.

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

See Exhibit A
Continuation to Form #3, Question 4.

+

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

See Exhibit B
Continuation to Form #3, Question 5.

+

DOCUMENT LIST / INDEX OF FILING

1. State Environmental Commission Form #3
2. Accessibility Accommodation Request
3. NDEP Notice of Permit Issuance and Public Comment Review August 31, 2026
4. Solid Waste Management Facility Permit SW1900REV00 August 2026
5. Exhibit A Continuation to Form #3, Question 4
6. Exhibit B Continuation to Form #3, Question 5
7. Appeal of NDEP Final Decision Issuing Permit #SW1900REV00
8. Nye County Pahrump Regional Planning Commission Staff Report CU-24-3, April 10, 2024
9. Nye County Pahrump Regional Planning Commission Draft Minutes April 10, 2024 CU-24-3 (Official Nye County Record)
10. NDEP Responses to Public Comments MediWaste Disposal LLC, SW1900REV00 August 31, 2026

ADA

REQUEST FOR ACCESSIBILITY ACCOMMODATION

I have disabilities that affect my ability to participate effectively in oral proceedings. I am deaf and also have mobility limitations and vision tracking difficulties.

Because of these disabilities, I respectfully request that the Commission rely substantially upon my written appeal, briefs, exhibits, and other written submissions wherever reasonably possible, and that any required oral presentation or testimony by me be kept to the minimum necessary for the Commission to decide the appeal.

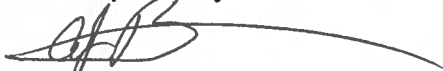
For any hearing or proceeding requiring my participation, I request effective real time captioning/CART and the ability to participate remotely if remote participation is available. I also request reasonable breaks as necessary and reasonable additional time to read, visually track, and respond to written material or information presented during the proceeding.

I am fully willing to respond to questions from the Commission and do not seek to avoid participation in this appeal. This request is intended to allow me to participate effectively while relying primarily upon the written record wherever practicable.

Please communicate with me regarding this appeal and accommodation request by email whenever practicable.

Email: V540501@gmail.com

Respectfully,



A J Brown

2 Sept 2026



A division of the
Nevada Department of Conservation & Natural Resources

NEVADA DIVISION OF
**ENVIRONMENTAL
PROTECTION**

STATE OF NEVADA
Joe Lombardo, *Governor*
Vinson Guthreau, *Director*
Jennifer L. Carr, *Administrator*

901 S. Stewart Street, Suite 4001
Carson City, Nevada 89701
p: 775-687-4670 f: 775-687-5856
ndep.nv.gov

August 31, 2026

Ryan Oganessian (ryan@medi-waste.com)
President
MediWaste Disposal LLC
1850 E. Basin Avenue
Pahrump, NV 89060

Sent via Email

**RE: MediWaste Medical Waste Treatment Facility Permit Application, Nye County,
Permit #SW1900REV00. Notice of Permit Issuance and Public Comment Review**

Dear Ryan Oganessian:

The Nevada Division of Environmental Protection – Bureau of Sustainable Materials Management (Division) is providing notice to MediWaste Inc. of the final permit decision regarding the initial solid waste management facility permit, SW1900REV00, as required by NAC 444.6425, for the MediWaste Medical Waste Treatment Facility located in Pahrump, Nevada. The permit is effective as of August 26, 2026. The permit and factsheet will be posted on the Division's website at: <https://ndep.nv.gov/land/waste/solid-waste/facilities>.

The 30-day public comment period for the proposed permit ended May 1, 2026. Three hundred and thirty-four (334) comments and 13 requests to hold a public hearing per NAC 444.6415 were received. A public meeting was held July 7, 2026, with comments being accepted until July 8, 2026. Given the volume of public comments received, the Division has prepared a consolidated response document in lieu of individual responses to each submission. The document is attached to this email and can be found posted on the Division's website at <https://ndep-onbase.nv.gov/>.

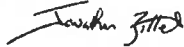
Based on substantive public comments, portions of the draft permit were updated. Schedule of compliance items shall be completed before the start of operations, or the facility may be subject to enforcement.

Any party wishing to appeal the final decision must do so within **10 days** of the effective date of the Permit, by **September 10, 2026**, in accordance with **NAC 445B.890** by filing the State Environmental Commission Form #3, included with this letter.

Ryan Oganessian
MediWaste Disposal LLC
August 31, 2026
Page 2 of 2

If you have any questions regarding the above, please contact me at jzittel@ndep.nv.gov or the Bureau of Sustainable Materials Management Chief, Annalyn Settlemeyer, at asettelm@ndep.nv.gov.

Respectfully,



Jonathan Zittel, P.E.
Permitting Branch Supervisor
Bureau of Sustainable Materials Management

cc: Jeffrey Kinder, P.E., NDEP Deputy Administrator
Annalyn Settlemeyer, Chief, Bureau of Sustainable Materials Management
Jennifer Schumacher, Chief, Bureau of Air Pollution
Christopher Locken, Compliance and Enforcement Supervisor, Bureau of Sustainable Materials Management
Christian Pineda-Arciniega, Staff Engineer, Bureau of Sustainable Materials Management
Fortunato Villamagna, Vulcan Systems, Inc (fvillamagna@msn.com)
Jenna Kube, Trinity Consultants (jenna.kube@trinityconsultants.com)
Bruce Jabbour, Nye County Commissioner (bjjabbour@nyecountynv.gov)
Ian Bayne, Nye County Commissioner (commissionerbayne@gmail.com)
Debra Strickland, Nye County Commissioner (dlstrickland@nyecountynv.gov)
John Koenig, Nye County Commissioner (jkoenig@nyecountynv.gov)
Ron Boskovich, Nye County Commissioner (reboskovich@nyecountynv.gov)
Brett Waggoner, Nye County Manager (bwaggoner@nyecountynv.gov)
Division Solid Waste Email List Serv

enc: MediWaste Permit
MediWaste Factsheet
State Environmental Commission Form #3
Division's Response to Comments

20260831.MediWaste.Notice of Permit Issuance

Final Audit Report

2026-08-31

Created:	2026-08-31
By:	MICHELLE GONSE (mgonse@ndep.nv.gov)
Status:	Signed
Transaction ID:	CBJCHBCAABAAU0Q7QjDEFZkJ8GTHAox3NiDW0chCmy5N

"20260831.MediWaste.Notice of Permit Issuance" History

-  Document created by MICHELLE GONSE (mgonse@ndep.nv.gov)
2026-08-31 - 8:31:57 PM GMT
-  Document emailed to Jonathan Zittel (jzittel@ndep.nv.gov) for signature
2026-08-31 - 8:32:01 PM GMT
-  Email viewed by Jonathan Zittel (jzittel@ndep.nv.gov)
2026-08-31 - 8:32:07 PM GMT
-  Document e-signed by Jonathan Zittel (jzittel@ndep.nv.gov)
Signature Date: 2026-08-31 - 9:29:05 PM GMT - Time Source: server - Signature Appearance Selected: IMAGE
-  Agreement completed.
2026-08-31 - 9:29:05 PM GMT

Permittee Name: Newmont Nevada Energy Investment LLC

Final Audit Report

2026-08-31

Created:	2026-08-31
By:	MICHELLE GONSE (mgonse@ndep.nv.gov)
Status:	Signed
Transaction ID:	CBJCHBCAABAAtgOx67TYAXYewsVI_63HTV0CIIRMBzxD

"Permittee Name: Newmont Nevada Energy Investment LLC" History

-  Document created by MICHELLE GONSE (mgonse@ndep.nv.gov)
2026-08-31 - 8:32:45 PM GMT
-  Document emailed to Annalyn Settlemeyer (asetteln@ndep.nv.gov) for signature
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NEVADA DIVISION OF
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STATE OF NEVADA
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Jennifer L. Carr, Administrator

901 S. Stewart Street, Suite 4001
Carson City, Nevada 89701
p: 775-687-4670 f: 775-687-5856
ndep.nv.gov

MediWaste Medical Waste Pyrolysis Facility
Pahrump, Nevada

Permit ID: SW1900REV00

Solid Waste Management Facility

Permit

August 2026

State of Nevada
Department of Conservation and Natural Resources
Division of Environmental Protection
Bureau of Sustainable Materials Management



NEVADA DIVISION OF
**ENVIRONMENTAL
PROTECTION**

Bureau of Sustainable Materials Management
Solid Waste Management Facility Permit
Permit ID#: SW1900REV00
Date of Publication: August 31, 2026

Point(s) of Contact for the Reviewee:

Reviewee: Bureau of Sustainable Materials Management
Phone: 775-687-9462

The Bureau of Sustainable Materials Management can be reached by emailing solidwaste@ndep.nv.gov, calling 775.687.9462, or by visiting the website at <https://ndep.nv.gov/contact-us/bureau-of-waste-management-contacts>.

Point(s) of Contact for the Permittee:

Permittee: MediWaste Disposal LLC
Phone: 855-449-6334
Email: info@medi-waste.com

MediWaste Disposal LLC can be reached by contacting them by the email or phone listed above, or by visiting their website at <https://medi-waste.com>.

Permit Modification Chronology:

Permittee: MediWaste Disposal LLC
Facility ID: 1900
Date Issued: August 31, 2026

Revision	Permit Application Document(s)	Name in Permit	Organization	Submitted Date
REV00	Vulcan Medical Waste Treatment Facility Application v6.0	Initial Application	Trinity Consultants on behalf of MediWaste Disposal LLC	April 2, 2026



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Permit Attachments

1. Vulcan Medical Waste Treatment Facility Application v6.0
2. Quarterly Solid Waste Reporting Form v1.0



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A. FACILITY SUMMARY

The MediWaste Medical Waste Pyrolysis Facility (MediWaste) is a pyrolysis facility owned and operated by MediWaste Disposal LLC. The pyrolysis facility is as a solid waste management facility in the State of Nevada. The facility serves Nevada, California, and other various markets throughout North America.

The facility is permitted to treat by pyrolysis, solid waste and various special wastes as listen in Section C(2) below. No other waste is permitted for acceptance or processing at this facility.

The permit authorizes the construction and operation of a solid waste pyrolysis facility, consisting of seven (7) pyrolysis units, contiguous land, structures, and other appurtenances and improvements for the handling and thermal processing solid waste as approved by the Nevada Division of Environmental Protection – Bureau of Sustainable Materials Management (Division). The Owner/Operator has obtained an Air Pollution Operating Permit from NDEP's Bureau of Air Pollution Control in accordance with NAC 445B.001 to 445B.3689 inclusive.

1. PERMIT MODIFICATION HISTORY

The MediWaste Permit has not been modified.

Table 1. Permit Modification History

Revision	Modification Description	Organization	Issued Date
REV00	Initial Permit	MediWaste Disposal LLC	August 31, 2026

2. GENERAL DESCRIPTION

The subject property is a parcel of land 4.70 acres in size. Located within the confines of the Permittee's property in the southern portion of the Parcel 035-191-52, adjacent to East Basin Avenue of Nye County, Nevada.

The permit authorizes the construction and operation of a pyrolysis facility, consisting of two (2) existing buildings, contiguous land, and other appurtenances and improvements for the processing of medical wastes as approved by the Division.

3. OWNER/OPERATOR

The MediWaste Facility is currently owned and operated by MediWaste Disposal LLC.

Table 2. Owner and Operator of the Facility

Relation	Owner / Operator	Headquarter
Name	MediWaste Disposal LLC	MediWaste Disposal LLC
Physical Address	1850 East Basin Avenue	235 Deininger Circle
County, State Zip	Pahrump, NV 89060	Corona, CA 92880

4. FACILITY LOCATION

The facility is located at 1850 East Basin Avenue in the town of Pahrump, Nevada. Immediately adjacent to the West of facility is a storage facility. Immediately West of the storage facility is an urban



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center which holds the Pahrump DMV and a local Church. To the east of the facility is an existing ready mix concrete supplier site. The site is approximately 0.70 miles east of the intersection of Pahrump Valley Highway and East Basin Avenue.

The facility is located in the town of Pahrump, Nevada at 1850 East Basin Avenue and approximately 0.7 miles East of the intersection of Pahrump Valley Highway and East Basin Avenue, SE ¼ of the SE ¼ of Section 11, Township 20 South, Range 53 East, Mount Diablo Baseline and Meridian (MDB&M) of Nye County.

5. FACILITY DESIGN

Table 3. Permitted Design Summary

Medical Waste Pyrolysis Facility	REV00	REV[...]
Facility Area (acres)	4.70	...
Maximum Design Processing Rate (tons/yr/unit)	2,160	...
Maximum Annual Permitted Throughput (tons/yr)*	15,120	...
Maximum Average Daily Permitted Throughput (tons/day)	41.4	...
Maximum Design Staging Capacity for Incoming Material in Building 1 (tons)	250	...
Maximum Design Staging Capacity for Incoming Material Outside on Paved Lot (tons)	200	...
Maximum Amount of Enclosed Tractor Trailers (20-ton capacity/trailer)	10	...
Maximum Design Staging Capacity for Outgoing Residue (yds ³)**	One 40-yard roll off container***	...
* All seven units operating ** Where (yds³) is cubic yards *** There is a possibility of two 40-yard roll-off containers while one is being scheduled for pickup.		

B. GENERAL PERMIT CONDITIONS

1. DEFINITIONS

Unless the context otherwise requires, the definitions used in this permit have the meanings ascribed to them in NAC 444.570 to 444.631.

“Incoming Material” means the solid waste intended to be treated in the pyrolysis.

“Outgoing Residue” means the material remaining in the pyrolysis unit after the treatment process is complete, which must be disposed of at an appropriately permitted disposal facility. If the permitted disposal facility is located within the State of Nevada, the Division must approve the disposal of the ash at that facility.



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2. PERMIT ACTIONS

This permit is based upon the information submitted in the initial permit application, and subsequent revisions, as approved by the Division.

This permit may be modified by the Division, for cause, in accordance with Nevada Revised Statutes and Nevada Administrative Code (NRS/NAC) 444 or if there is a change in the statutes or regulations upon which the issuance of the permit is based, or if a modification is otherwise necessary to protect public health, safety, and the environment.

This permit may be revoked or suspended by written notice if the solid waste management facility does not remain in compliance with the applicable statutes and regulations or any terms or conditions of the permit.

The filing of a request by the Permittee for a permit modification or termination, or a notification of planned changes or anticipated noncompliance, or termination of activities authorized in the permit does not stay any permit term or condition. The Permittee shall inform the Division of any deviation from or change in the operations as presented in the initial application, including subsequent revisions, which may affect the Permittee's ability to comply with applicable requirements.

This permit may be transferred to a subsequent owner or operator only if the Division approves the transfer based on documentation of financial responsibility provided by the new owner or operator.

3. AVAILABILITY OF PERMIT DOCUMENTS

The Permittee shall keep at the solid waste management facility a complete copy of this permit and incorporated documents, as identified herein.

4. COMPLIANCE WITH STATUTES AND REGULATIONS

The Permittee shall comply with NRS 444.440 through 444.620, and NAC 444.570 through 444.7499, as applicable.

5. DUTY TO PROVIDE INFORMATION

In accordance with NRS 444.553, the Permittee shall furnish to the Division, within a reasonable time, any relevant information which the Division may request to determine compliance with this permit or to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit. The Permittee shall also furnish to the Division, upon request, copies of records required to be kept by this permit.

6. INCIDENT REPORTING

The Permittee shall report any noncompliance, imminent or existing hazard from a release of waste or hazardous constituents, any fire or explosion at the facility, or any condition which may endanger human health or the environment.

Such information shall be reported to the NDEP within 24 hours from the time the Permittee becomes aware of the circumstances by one of the following methods:

- Spill Hotline telephone at 888.331.6337
- Online at: <https://nevadaenvironmentalactivities.ndep.nv.gov/Spill/ReportForm.aspx>



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A written report shall be submitted to the Division within 15 days of the incident and shall include the following:

- Name and title of person making report;
- Date, time, and type of incident;
- Name(s) and quantity of material(s) involved;
- A complete description of the occurrence and its cause;
- The extent of injuries, if any;
- An assessment of actual or potential hazards to the environment and human health outside the facility, where this is applicable;
- Estimated quantity and disposition of recovered material that resulted from the incident;
- Actions taken by the Permittee in response to the incident; and
- Actions taken by the Permittee to prevent similar incident from occurring.

7. REPORTING ANTICIPATED NON-COMPLIANCE

The Permittee shall give advanced notice to the Division of any planned changes in the permitted facility or activity that may result in noncompliance with permit requirements.

8. INSPECTION AND ENTRY

Per NRS 444.570 the Permittee shall allow the Division, or an authorized representative, upon the presentation of credentials or other documents as may be required by law, to:

- Enter at reasonable times upon the Permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit;
- Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
- Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and
- Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized, any substances or parameters at any location subject to the permit.

C. SPECIFIC PERMIT CONDITIONS

1. PERMIT DOCUMENTS

The following documents, as submitted by the Permittee and approved by the Division, also describe and/or restrict the operation of this solid waste management facility and are incorporated into this permit by reference:

- a. Permit application v6.0 submitted April 2, 2026;
- b. Sampling and Analysis Plan, Schedule of Compliance (SOC) Item 4; and
- c. Financial Assurance, Closure Cost Estimate, SOC Item 3.

In the event of any conflict, the most restrictive document shall govern.

2. SOLID WASTES PERMITTED FOR DISPOSAL

The Permittee is allowed the acceptance of the following wastes at the facility:

- a. Sharps: Any object contaminated with a pathogen or that may become contaminated with a pathogen through handling or during transportation and capable of cutting or penetrating skin or packaging material. Sharps include needles, syringes, scalpels, broken glass, culture slides, culture dishes, broken capillary tubes, broken rigid plastic and exposed ends of dental wires.



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- b. Regulated Medical Waste, or Clinical Waste, or (Bio) Medical Waste as defined in NAC 444.589.
- c. Trace Chemotherapy Contaminated Waste: Resource Recovery Conservation and Recovery Act (RCRA) empty drug vials, syringes and needles, split kits, IV tubing and bags, contaminated gloves and gowns, and regulated materials as defined in applicable laws, rules, regulations or guidelines.
- d. Pathological Waste: Human or animal body parts, organs, tissues and surgical specimen (decanted of formaldehyde, formalin or other preservatives), as required per hazardous waste rules as defined in 40 CFR 62.14490.
- e. Non-RCRA Pharmaceuticals: Must be characterized and certified as non-RCRA hazardous waste by the generator. Excludes all Drug Enforcement Administration (DEA) scheduled drugs, including controlled substances.
- f. California Only – Solidified Canisters: Suction canisters that have been injected with solidifier materials to control liquids or suction canisters made of high heat-resistant plastics such as polysulfide.

No other material or waste will be accepted unless prior written approval is received from the Division.

3. PROHIBITED SOLID WASTES

The Permittee is prohibited from accepting the following wastes at the facility:

- a. Untreated Category A Infectious Substances.
- b. Putrescible wastes as defined in NAC 444.608.
- c. RCRA hazardous waste as defined under CFR 40 Part 261, NRS 459.430, and NAC 444.580, including drums or other containers with a hazard warning symbol, batteries and other heavy metals.
- d. RCRA hazardous pharmaceutical waste as defined by 40 CFR 266 Subpart P.
- e. State listed hazardous and dangerous waste pursuant to NAC 444.8565.
- f. DEA controlled drugs, including controlled substances.
- g. Radioactive Waste if the radiation exceeds the screening level of 36 μ R/hr, as outlined in Section 4.2 of the Application.
- h. Chemicals including formaldehyde, formalin, acids, alcohol, waste solvents reagents, fixer developer.
- i. Lead-containing materials.
- j. Complete human remains (including heads, full torsos and fetuses).
- k. Bulk chemotherapy waste.
- l. Compressed glass cylinders, canister, inhalers, and aerosol cans.
- m. Any mercury-containing material or devices, including any mercury thermometers, thermometers, Sphygmomanometers, lab or medical devices.
- n. Mercury-containing dental waste, including non-contact and contact amalgam and products, chairside, amalgam sludge or vacuum pump filters, extracted teeth with mercury filings and empty amalgam capsules.
- o. Embryos as defined in NRS 451.015.

4. RECORDKEEPING

The Permittee shall maintain records at the site as described below.

- Records of inspection, training procedures and procedures for notification referenced by NAC 444.6665;
- Records of each incident of unauthorized waste refusal or acceptance as described in the operating plan included with the initial application;
- Records of each shipment of outgoing residue as described in the operating plan included with the initial application;
- Plans for closure and post-closure and any monitoring, testing or analytical data referenced by NAC 444.6891 to 444.6896, inclusive; and



- Any documentation of cost estimates and financial assurance referenced by NAC 444.685.

The owner or operator shall promptly notify the Division when the documentation has been placed in or added to the operating records. All information contained in the operating records must be furnished upon request to the Division or be made available at all reasonable times for inspection by the Division.

D. REPORTING

1. SOLID WASTE REPORTING

The Permittee shall:

- Submit quarterly to the Division a report of the solid waste received at the site during the calendar year quarterly period. The report shall be submitted by a method prescribed by the Division and submitted within 30 days following the end of each calendar year quarter (April 30, July 30, October 30, January 30). Such information shall be reported to the Division by the following methods:
 - Entering the information directly into a Division managed database, or if the database is not available;
 - A Division assigned form, see Attachment 3.

2. FINANCIAL ASSURANCE REPORTING

The Permittee shall:

- Notify the Division of any adjustments made to the estimates for the amounts of closure and post-closure care in accordance with NAC 444.6851 and 444.68515; and
- Within thirty (30) days following the end of each calendar year, by January 30, including the year of the issuance of this permit, the Permittee shall submit the closure and post-closure cost estimates adjusted for inflation.
 - Submittals shall conform to the allowable mechanisms found in NAC 444.68525.
 - Submit proof that the allowable financial assurance mechanism is fully funded in accordance with NAC 444.6851.

E. MONITORING

1. RESIDUE AND ASH MONITORING

Residue and ashes will be sampled based on the Waste (Ash) Analysis and Management Plan from the initial application, see Table 5 for the sampling schedule. The characterization results and sampling data will be reported to the Division once the characterization is performed, see Table 4 for the sampling requirements. Samples shall be analyzed by a Nevada Certified Laboratory. The report shall state where waste was disposed of based on the results of the characterization.

Table 4. Monitoring Requirements for Hydrated Ash Waste

Characterization Method	Constituents	Regulatory Threshold (mg/L)
Toxicity Characteristic Leaching Procedure (TCLP) – SW-846 1311	Arsenic (As)	5 mg/L
	Barium (Ba)	100 mg/L
	Cadmium (Cd)	1 mg/L
	Chromium (Cr)	5 mg/L
	Lead (Pb)	5 mg/L



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EPA Method 8290A	Mercury (Hg)	0.2 mg/L
	Selenium (Se)	1 mg/L
	Silver (Ag)	5 mg/L
	Dioxins	20 ng TEQ/kg dry weight
	Furans	20 ng TEQ/kg dry weight

Table 5. Hydrated Ash Waste Sampling Schedule [TBD]

Stage	Sampling Frequency	Duration*	Reporting
I			
II			
III			
IV			
V			

*Sample frequency and duration are minimums

F. MISCELLANEOUS CONDITIONS

1. FACILITY CONDITIONS

- The Permittee is responsible for all waste received at the facility.
- The storage of outgoing residue outside the property boundaries is prohibited.

G. SCHEDULE OF COMPLIANCE

1. GENERAL REQUIREMENTS

- The following schedule of compliance items must be provided to the Division 30 days prior to commencement of operations, unless otherwise noted below, and reviewed and approved prior to commencement of operations:
 - The Permittee must confirm and provide the assessor zoning information where the facility will be located, including the zoning determination and parcel identification number.
 - The Permittee shall ensure all floor drains within the facility are permanently closed and provide evidence of such closure to the Division.
 - The Permittee must provide a report detailing what measures will be taken to address dust generation, accumulation, and whether any ignition risks have been evaluated or mitigated.
 - The Permittee must detail the 40 cubic yard roll-off container to be used to store the hydrated ash and detail how it will be fully sealed to prevent intrusion and extrusion of material, for example featuring a hard top, sealed, roof, or sealed tailgate.
 - The Permittee must be registered and be in good standing with the Nevada Secretary of State as an entity authorized to transact business in Nevada and must provide evidence of that registration to the Division.
 - The Permittee must provide its emergency action plan, fire-suppression provisions, and 24-hour hazardous-material response provisions to the local fire department and first responders including providing any subsequent updates to those plans to the local fire department and first responders; and provide evidence of such coordination to the Division.



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- vii. The Permittee must provide a report detailing what measures are in place to prevent wind-driven release or migration of materials, including wind-speed operational limits, enclosed or controlled handling procedures, physical containment, and housekeeping protocols 60 days prior to the start of operations.
- b. On-site storage of all incoming and unprocessed waste limited to a maximum of 15 days from day of receipt on-site.
- c. The Permittee must provide the Spill Prevention, Control, and Countermeasure (SPCC) and Stormwater Pollution Prevention (SWPP) plans referenced in the application 30 days prior to the start of operations.

2. NOTICES OF CONSTRUCTION AND OPERATION

- a. The Permittee must submit letters of local agency approval 30 days prior to the start of operations.
- b. The Permittee must submit a "As-Built Report" within thirty (30) days after the construction and installation of equipment is completed, stamped by a Professional Engineer (PE) licensed within the State of Nevada.
- c. The Permittee must submit Engineering Design Change (EDC) Report within 180 days after the start of operations, stamped by a Professional Engineer (PE) licensed within the State of Nevada.

3. FINANCIAL ASSURANCE

- a. Per NAC 444.6851 the Permittee shall obtain a detailed written estimate to contract with a "third person" to conduct clean closure of the facility. The Permittee must submit a financial assurance estimate to the Division for approval at least 60 days before the beginning of the operations. Additionally, the Permittee must submit proof of financial assurance 30 days prior to commencing operations. Operations may not begin until a financial assurance estimate has been reviewed and approved by the Division.

4. SAMPLING AND ANALYSIS PLAN

- a. The Permittee must submit an Ash Sampling Frequency Plan to the Division for approval at least 60 days before the beginning of the operations. Operations may not begin until the plan has been reviewed and approved by the Division.
- b. The Permittee must submit an Ash Characterization Plan to the Division prior to the start of operations specifying that all solid ash residue will be analyzed for polychlorinated dibenzo-p-dioxins and dibenzofurans (PCDD/Fs) using EPA Method 8290A, with a compliance limit of 20 nanograms toxic equivalents per kilogram (ng TEQ/kg) dry weight. No ash residue may be transported off-site for disposal until at least one representative sample per unit has been submitted to the Division. Operations may not begin until the plan has been reviewed and approved by the Division.

H. SUBMITTAL INFORMATION

All reports, notifications, or other submissions which are required by this permit must be submitted by the specified due date to the Bureau of Sustainable Materials Management, Permitting Branch Supervisor:

Digitally: By <https://ndep.nv.gov/contact-us/bureau-of-waste-management-contacts>; and
solidwaste@ndep.nv.gov

Physically: Nevada Division of Environmental Protection
Bureau of Sustainable Materials Management



NEVADA DIVISION OF
**ENVIRONMENTAL
PROTECTION**

Bureau of Sustainable Materials Management
Solid Waste Management Facility Permit
Permit ID#: SW1900REV00
Date of Publication: August 31, 2026

Richard H. Byran Building
901 S Stewart Street, Suite 4001
Carson City, NV 89701-5249

I. AUTHORIZATION

Annalyn Settlemeyer
Printed Name of Approving Officer

Chief, Bureau of Sustainable Materials Management
Title of Approving Officer

Annalyn Settlemeyer
Signature of Approving Officer

August 31, 2026
Date of Issuance



NEVADA DIVISION OF

ENVIRONMENTAL PROTECTION

Bureau of Sustainable Materials Management

Solid Waste Management Facility Permit

Permit ID#: SW1900REV00

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Attachment 1. Vulcan Medical Waste Treatment Facility Application v6.0



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Attachment 2. Quarterly Solid Waste Tracking Form for MediWaste

Incoming Waste Category (corresponding reference in Section 2 of the permit)	Quantity (tons)
Sharps: Needles, syringes, scalpels, broken glass, culture slides, culture dishes, broken capillary tubes, broken rigid plastic, exposed ends of dental wires, etc.	
Regulated Medical Waste or Clinical Waste or (Bio) Medical Waste:	
Trace Chemotherapy Contaminated Waste: RCRA empty drug vials, syringes and needles, split kits, IV tubing and bags, contaminated gloves and gowns, and regulated materials as defined in applicable laws, rules, regulations or guidelines.	
Pathological Waste: Human or animal body parts, organs, tissues and surgical specimen (decanted of formaldehyde, formalin or other preservatives, as required per hazardous waste rules).	
Non-RCRA Pharmaceuticals: Must be characterized and certified as non-RCRA hazardous waste by the generator. Excludes all DEA scheduled drugs, including controlled substances.	
Solidified Canisters (California Only): Suction canisters that have been injected with solidifier materials to control liquids or suction canisters made of high heat resistant plastics such as polysulfide.	
Other (explain and specify "Other" wastes):	
Total Incoming Waste Processed:	

Outgoing Waste Category	Receiving Facility Name(s)	Quantity (tons)
1. Rejected waste loads and/or containers due to radioactivity above the screening threshold:		
2. Rejected other wastes:		
3. Hydrated ash and biochar:		
4. Other (explain and specify):		
Total Outgoing Waste:		

EXHIBIT A

CONTINUATION TO STATE ENVIRONMENTAL COMMISSION FORM #3, QUESTION 4

A.J. Brown. Appeal of NDEP Final Decision Issuing SW1900REV00

The following provisions are identified based upon the permitting record presently available to Appellant and are not intended as an exhaustive statement of every constitutional, statutory, regulatory, procedural, or other legal provision applicable to the matters raised in this appeal. Appellant respectfully requests application of all provisions determined by the State Environmental Commission to govern NDEP's decision and the issues presented herein.

Jurisdiction

Jurisdiction is invoked pursuant to NAC 444.748, which provides for an appeal from a decision or action of the Nevada Division of Environmental Protection in accordance with the procedural rules of the State Environmental Commission. The Commission's authority over regulations governing solid waste management systems and permitting is further established by NRS Chapter 444, including NRS 444.560.

Statutory and Regulatory Provisions Implicated

The provisions implicated by the grounds and facts stated in this appeal include, but are not limited to:

NRS Chapter 444, including NRS 444.553, NRS 444.560, and NRS 444.592; and

NAC Chapter 444, including NAC 444.641, NAC 444.6415, NAC 444.6419, NAC 444.6425, NAC 444.643, NAC 444.6435, NAC 444.644, NAC 444.646, NAC 444.676, and NAC 444.748, together with applicable related sections and subsections.

These provisions concern, among other matters, solid waste facility permitting; completeness and evaluation of permit applications; public notice, review, comment and hearing procedures; consideration of and response to public comments; issuance and conditioning of permits; modification, suspension and revocation; facility operation and handling requirements; medical waste management; other processing methods; protection and enforcement; and appeals.

The identification of these provisions is not intended to waive, exclude, or limit reliance upon any other applicable provision of the Nevada Constitution, Nevada Revised Statutes, Nevada Administrative Code, State Environmental Commission procedural rules, or other controlling law determined to apply to NDEP's decision or the issues presented in this appeal.

EXHIBIT B

CONTINUATION TO STATE ENVIRONMENTAL COMMISSION FORM #3, QUESTION 5

A.J. Brown. Appeal of NDEP Final Decision Issuing SW1900REV00

The facts providing the basis for the grounds of appeal checked in Question 3 of State Environmental Commission Form #3 are set forth in the attached Appeal of NDEP Final Decision Issuing SW1900REV00, including Grounds One through Thirteen and the supporting facts, permitting record, documents, and circumstances identified therein.

The grounds and facts stated in the attached appeal are incorporated into this response to Question 5 in their entirety.

1 ATTACHMENT TO STATE ENVIRONMENTAL COMMISSION FORM 3

2

3 **APPEAL OF NDEP FINAL DECISION ISSUING PERMIT # SW1900REV00**

4

5 Appellant: A. J. Brown

6

7 Permittee: MediWaste Disposal LLC

8

9 Facility: MediWaste Medical Waste Pyrolysis Facility, 1850 E. Basin Avenue, Pahrump,

10

11 Nevada

12

13 Permit: Solid Waste Management Facility Permit SW1900REV00

14

15 NDEP Final Action: Issuance of SW1900REV00

16

17 Date of Issuance: August 31, 2026

18

19 **I. NATURE AND BASIS OF APPEAL**

20

21 I appeal the Nevada Division of Environmental Protection's August 31, 2026 final decision

22

23 issuing Solid Waste Management Facility Permit SW1900REV00 to MediWaste Disposal LLC.

24

25 This appeal is not based upon opposition to medical waste treatment or pyrolysis as
26
27 technologies. My objection is that NDEP issued a final permit while significant operating,
28
29 monitoring, safety, emergency response, financial assurance and other substantive
30
31 requirements remain **TBD** or **deferred** for submission and approval shortly before operations
32
33 begin. The public comment period has nevertheless ended, the permit has been issued, and
34
35 the limited period for appealing that decision has commenced. The central procedural
36
37 problem is straightforward:
38
39 **A document, standard, plan, threshold or operating condition that does not yet exist**
40
41 **cannot be meaningfully reviewed, commented upon or challenged during the present**
42
43 **appeal period.**
44
45 **The final decision should therefore be revoked, suspended, reversed, modified or**
46
47 **remanded as legally appropriate so that the substantive permitting record can be**
48

49 **completed and made available for meaningful public review before MediWaste is**

50

51 **authorized to operate under those later developed standards.**

52

53 This appeal asserts, as applicable, that the final decision was made upon unlawful procedure,

54

55 affected by error of law, clearly erroneous in view of the reliable, probative and substantial

56

57 evidence in the whole record, and / or arbitrary or capricious or characterized by abuse of

58

59 discretion.

60

61

II. GROUND ONE

62

63 Substantive Permit Requirements Remain TBD or Deferred Until After Permit Issuance

64

65 The final permit itself demonstrates that significant portions of the operating record remain

66

67 incomplete. Table 5 is expressly entitled: "Hydrated Ash Waste Sampling Schedule (TBD)"

68

69 and contains five sampling stages without established sampling frequencies or durations.

70

71 The Schedule of Compliance also requires future submission or completion of matters

72

73 including:

74

75 an Ash Sampling Frequency Plan;

76

77 an Ash Characterization Plan;

78

79 financial assurance estimates and mechanisms;

80

81 wind related operational limitations or controls;

82

83 dust generation, accumulation and ignition risk controls;

84

85 emergency action planning;

86

87 fire suppression provisions;

88

89 24-hour hazardous material response provisions;

90

91 coordination with local fire departments and first responders;

92

93 SPCC / SWPP requirements;

94

95 containment details;

96

97 local approvals; and

98

99 other pre operational Schedule of Compliance requirements.

100

101 Some of these matters are expressly subject to NDEP review and approval before operations

102

103 may begin. That restriction prevents MediWaste from operating before NDEP approves them.

104

105 It does not resolve the separate public participation problem: the public is presently required

106

107 to decide whether to challenge the permit before it can see and evaluate the substantive

108

109 standards under which the facility will actually operate.

110

111 **III. GROUND TWO**

112

113 Deferred Approvals Deprive the Public of Meaningful Review, Comment, Hearing and Appeal

114

115 Nevada's permitting process provides for public notice, access to application materials, a

116

117 public comment period, requests for a public hearing, and responses to comments.

118

119 Those protections lose much of their meaning if substantive operating standards are

120

121 established only after the public review period has closed. The final permit does not identify a
122
123 guaranteed procedure under which every substantive later submission will receive:public
124
125 notice;
126
127 public access before NDEP approval;
128
129 a new public comment period;
130
131 an opportunity for a public hearing;
132
133 NDEP responses to those comments; and a renewed opportunity to challenge the resulting
134
135 substantive decision. A later permit modification may under certain circumstances receive
136
137 public notice and review, but that possibility does not establish that every substantive
138
139 Schedule of Compliance approval will receive those protections.
140
141 **I therefore request** more than a hearing concerning the incomplete record presently
142
143 available.
144

145 I request that NDEP first obtain and disclose the substantive deferred plans, standards,
146
147 thresholds and procedures. The public should then receive a meaningful opportunity to review
148
149 and comment upon that completed record. **A public hearing should follow that disclosure**
150
151 **and review not precede it.** NDEP should thereafter respond to the resulting comments and
152
153 issue a new final permitting determination from which affected persons can exercise
154
155 meaningful appeal rights.

156
157 **A hearing conducted before the missing information exists does not cure the problem.**

158

159 **IV. GROUND THREE**

160

161 **Emergency Response Planning Does Not Establish Actual Local Response Capability**

162

163 SW1900REV00 requires MediWaste to provide its emergency action plan, fire suppression

164

165 provisions and 24-hour hazardous material response provisions to the local fire department

166

167 and first responders and to provide NDEP evidence of coordination.

168

169 **But providing an emergency plan to local responders is not the same as establishing**
170
171 **that those responders possess the resources necessary to execute it. The record**
172
173 **should establish whether Nye County's responding agencies presently possess the:**
174
175 **trained personnel;**
176
177 **appropriate PPE'S;**
178
179 **specialized HazMat capability;**
180
181 **decontamination capability;**
182
183 **fire suppression resources;**
184
185 **specialized equipment and apparatus;**
186
187 **staffing;**
188
189 **training; and**
190
191 **continuing readiness necessary to respond to the facility as finally permitted.**
192

193 The record should also identify any additional capability that must be acquired and who will
194
195 pay for it. If operation of this private commercial facility requires Nye County to purchase
196
197 specialized equipment, provide additional HazMat or fire/EMS training, increase staffing,
198
199 acquire protective or decontamination equipment, maintain specialized response capability or
200
201 otherwise increase emergency preparedness, **those costs do not disappear simply**
202
203 **because they are incurred by local government.** If MediWaste is not responsible for those
204
205 additional costs, the financial burden may ultimately fall upon Nye County and its taxpayers.
206
207 The permitting record should therefore establish what additional emergency response
208
209 capability, if any, will be required because of this facility; whether that capability presently
210
211 exists; what it will cost to establish and maintain; and who will bear those costs.
212
213 Requiring MediWaste merely to provide emergency plans and evidence of coordination does
214
215 not answer those questions.
216

V. GROUND FOUR

217
218
219 Local Medical and Trauma Care Capability Remains an Unresolved Emergency Planning
220
221 Issue Pahrump has local emergency medical care but does not have a designated trauma
222
223 center. Patients requiring higher level trauma care must be transferred outside Pahrump.
224
225 Emergency planning should therefore address more than whether an ambulance can respond
226
227 to the facility. The record should identify whether the emergency analysis considered:
228
229 serious burns;
230
231 chemical exposure;
232
233 inhalation injuries;
234
235 fire or explosion injuries;
236
237 responder contamination;
238
239 multiple simultaneous patients;
240

241 local stabilization capability;

242

243 availability of ground or air medical transportation; and

244

245 time and distance to an appropriate trauma facility.

246

247 **NDEP's requirement for emergency planning and coordination does not itself establish**

248

249 **that the necessary local medical and emergency response capabilities exist. Those**

250

251 capabilities and limitations should be evaluated for the facility actually being permitted,

252

253 and the resulting information should be available before the public's opportunity to challenge

254

255 the permit expires.

256

257

VI. GROUND FIVE

258

259 SW1900REV00 Relies Upon a Natural Gas Fired Air Permit Configuration Without

260

261 Establishing the Actual Fuel Source. SW1900REV00 states that MediWaste has obtained an

262

263 Air Pollution Operating Permit from NDEP's Bureau of Air Pollution Control. The AP4953-4771

264

265 permitting record describes a specific configuration consisting of seven pyrolysis systems.

266

267 Each system contains four natural gas fired burners rated at 500,000 Btu/hr each, indirectly

268

269 heating a pyrolysis chamber, and a natural gas fired thermal oxidizer rated at 2,000,000

270

271 Btu/hr. The air permit operating conditions expressly provide that the pyrolysis burners "may

272

273 consume only natural gas." The record should therefore identify:

274

275 **Where will the natural gas required by AP4953-4771 come from?**

276

277 **What physical infrastructure will deliver it to 1850 E. Basin Avenue?**

278

279 Was that infrastructure included in the air permit application and technical evaluation?

280

281 Will the fuel require a pipeline connection or transmission line tap, onsite compressed or

282

283 liquefied natural gas storage, truck delivery or some other infrastructure?

284

285 What additional fire, HazMat, transportation, site plan and permitting requirements

286

287 accompany that infrastructure?

288

289 **PUCN records identify Southwest Gas Corporation and NV Energy as Nevada's**
290
291 **regulated natural gas local distribution companies, but the publicly available PUCN**
292
293 **records reviewed by Appellant do not identify Pahrump as an existing natural gas**
294
295 **distribution service area and no Southwest Gas application or PUCN docket has been**
296
297 **located seeking authority to extend natural gas distribution service to Pahrump. PUCN**
298
299 **instead identifies a Pahrump facility within its regulated LPG / propane distribution**
300
301 **category. Because AP4953-4771 expressly requires the pyrolysis burners to consume**
302
303 **only natural gas, NDEP and the applicant should establish the actual source of natural**
304
305 **gas available to 1850 E. Basin Avenue, including any pipeline, utility extension,**
306
307 **compressed or liquefied natural gas delivery system, storage facilities, permits,**
308
309 **approvals and associated safety requirements necessary for operation.**
310
311 **This is not merely a question of utility demand. The solid waste permit relies upon an air**
312

313 authorization describing a particular natural gas fired tationary source. **Whether that**
314
315 **permitted configuration can actually be constructed and operated as authorized is**
316
317 **directly relevant to the facility NDEP has approved. AP4953-4771 should be enforced**
318
319 **according to its express terms.** If the permitted burners may consume only natural gas,
320
321 MediWaste should not be allowed simply to substitute another fuel without the technical
322
323 review and permit action required by law.

324 325 **VII. GROUND SIX**

326
327 **A Substitute Fuel or Burner Configuration Cannot Simply Be Assumed Equivalent**
328
329 **If natural gas is unavailable** and MediWaste proposes propane or another fuel, the issue
330
331 extends beyond whether the substitute fuel is expressly authorized.
332
333 AP4953-4771's evaluation is based upon specified burners, fuel consumption rates,
334
335 emissions and thermal oxidizer operating conditions. The permit requires the thermal oxidizer
336

337 to achieve and maintain a minimum steady state temperature of 1,450°F before operation of
338
339 the associated pyrolysis unit. If another fuel, burner or fuel delivery configuration is proposed,
340
341 **NDEP should not simply assume equivalent:**
342
343 heat input;
344
345 burner performance;
346
347 combustion characteristics;
348
349 thermal oxidizer performance;
350
351 destruction or control effectiveness;
352
353 emissions;
354
355 operating temperature;
356
357 safety controls; or
358
359 emergency characteristics.
360

361 The relevant question is not merely whether propane or another fuel can burn.

362

363 The question is:

364

365 Has the proposed alternative configuration been technically demonstrated and tested to

366

367 achieve the same required performance and environmental protection upon which the existing

368

369 air authorization was based?

370

371 **If the natural gas fired stationary source described in AP4953-4771 cannot actually be**

372

373 **constructed and operated as permitted, NDEP should determine whether that**

374

375 **authorization must be modified, suspended, revoked or otherwise addressed under**

376

377 **applicable Nevada law before SW1900REV00 may rely upon it as the facility's air**

378

379 **authorization.**

380

381

VIII. GROUND SEVEN

382

383 The Facility Presented to Nye County Was Materially Different From the Facility Reflected in

384

385 the Final NDEP Record During the Nye County CUP proceeding, MediWaste representatives
386
387 described a process involving an enclosed loop, absence of oxygen during pyrolysis,
388
389 renewable DME production, biochar and reused process water. The County was also told
390
391 that the process used "unique electric heating." The present NDEP record is materially
392
393 different. NDEP has acknowledged that the recycled process water representation reflected
394
395 an earlier process design and that the current v6.0 process uses no process water and
396
397 generates no liquid byproduct. The present air permit configuration instead describes 28
398
399 natural gas fired burners and seven natural gas fired thermal oxidizers. NDEP further states:
400
401 "No beneficial reuse of the ash has been proposed." That statement appears inconsistent
402
403 with the project presented during the Nye County CUP proceeding, in which MediWaste
404
405 represented that biochar could be recycled or otherwise beneficially used. The official Nye
406
407 County PRPC Staff Report and meeting minutes substantiate those earlier representations.
408

409 Those records describe renewable DME and methanol produced from the feedstock for sale
410
411 as commodities, and describe residual biochar as recyclable, compostable, and intended for
412
413 use by an end user. The official local permitting record therefore documents both marketable
414
415 renewable fuel products and a proposed beneficial or recyclable use **for the residual**
416
417 **biochar. That record differs materially from the final NDEP description, which states**
418
419 **that the current process produces no DME, methanol or liquid byproduct and that “No**
420
421 **beneficial reuse of the ash has been proposed.”**
422
423 These are substantial changes in the description of the process, energy source and outputs.
424
425 The record should therefore establish whether the facility NDEP ultimately permitted is
426
427 materially the same facility Nye County evaluated and approved under the existing
428
429 Conditional Use Permit and whether the changed facility remains consistent with all
430
431 applicable local approvals.
432

IX. GROUND EIGHT

433
434
435 The Incorporated Application Record Is Unclear, v6.0 Versus v7.0 SW1900REV00 identifies
436
437 its incorporated application as:
438
439 "Vulcan Medical Waste Treatment Facility Application v6.0,"
440
441 submitted on April 2, 2026. The final permit also identifies Application v6.0 as Attachment 1.
442
443 However, the earlier draft permitting record identified Application v7.0, associated with a
444
445 January 14, 2026 submission. This creates a significant document control and public review
446
447 issue. NDEP should establish: Which exact application was publicly available when public
448
449 comment began on April 1, 2026? **Why does the final permit identify v6.0 submitted April**
450
451 **one day after the public comment period began? Why did the application designation**
452
453 **apparently move from v7.0 to v6.0? What changed between the versions?**
454
455 **Which version did NDEP technically evaluate? Which version did the public review?**
456

457 Was the April 2 v6.0 (final document) application available to the public during the comment
458
459 period? Did NDEP's final approval rely upon and incorporate a final v6.0 application rather
460
461 than a draft version, and was that same final version available to the public for review and
462
463 comment beginning April 1, 2026? Most importantly: Was the public afforded an opportunity
464
465 to review and comment upon the same application that NDEP ultimately incorporated into
466
467 SW1900REV00? The final permit expressly incorporates Vulcan Medical Waste Treatment
468
469 Facility Application v6.0 as an enforceable attachment and NDEP relies upon that application
470
471 in its responses to public comments. However, Appellant has been unable to locate the
472
473 complete v6.0 application among the publicly available final permit, fact sheet, issuance
474
475 notice, response to comments package or July hearing materials reviewed. If the document
476
477 incorporated into the final permit was not made available with the final permitting record, the
478
479 public cannot determine precisely what application requirements, representations and
480

481 specifications NDEP has made enforceable or compare that controlling application with the
482
483 version identified when public review began. **Until that record is established, it cannot be**
484
485 **determined whether the public reviewed the actual application forming the basis of the**
486
487 **final permit.**

488 **X. GROUND NINE**

490
491 **Pathological Waste, Prohibited Putrescible Waste and Unrefrigerated Storage Require**

492
493 **Clarification**

494
495 The final permit expressly prohibits: "Putrescible wastes as defined in NAC 444.608."

496
497 At the same time, the permit expressly authorizes: "Pathological Waste: Human or animal

498
499 body parts, organs, tissues and surgical specimen," after formaldehyde, formalin or other

500
501 preservatives are decanted as required. NDEP responded to public concerns regarding

502
503 decomposition, odor and gas generation by stating that the accepted waste stream is non-

505 putrescible, that putrescible material will be screened out at receipt, and therefore

506

507 refrigeration is unnecessary and decomposition, odor and gas generation scenarios are not

508

509 expected. That response leaves a significant practical question unanswered.

510

511 **The record does not identify the objective criteria by which an employee receiving a**

512

513 **shipment will determine that human or animal organs, tissues, body parts or surgical**

514

515 **specimens are non putrescible.** Nor does the record establish preservation, temperature,

516

517 age or condition requirements ensuring that accepted pathological tissue cannot

518

519 subsequently become putrescible during the permitted unrefrigerated holding period. If

520

521 refrigeration is unnecessary because the accepted pathological waste is considered non-

522

523 putrescible, the record should identify what treatment, preservation method, or other condition

524

525 renders human or animal organs, tissues, body parts, and surgical specimens non-putrescible

526

527 during the permitted storage period. NDEP should therefore identify: **how pathological**

528

529 **tissue is distinguished in practice from prohibited putrescible waste;** who makes that
530
531 **determination;** what objective acceptance / rejection criteria are used; whether temperature,
532
533 **age, condition or preservation standards apply;** how those criteria are documented; and
534
535 **what action is required if accepted pathological material begins decomposing during storage.**
536
537 **Simply declaring the accepted waste stream “non putrescible” does not explain how**
538
539 **that distinction will be maintained for human and animal tissue during actual facility**
540
541 **operations.**

XI. GROUND TEN

545 **The Permit Does Not Establish a Maximum Generation to Treatment Age for Medical and**
546
547 **Pathological Waste SW1900REV00 permits waste received at the Pahrump facility to remain**
548
549 **onsite for up to 15 days before processing. That is only the Pahrump onsite portion of the**
550
551 **waste's history. Waste may already have been stored following generation, collected,**
552

553 transferred, staged and transported interstate before arriving in Pahrump.

554

555 Consequently, a shipment may already be several days old when MediWaste's separate

556

557 Pahrump storage period begins.

558

559 **The critical unanswered question is:**

560

561 What is the maximum permitted elapsed time from generation of medical or pathological

562

563 waste until final treatment, including generator storage, collection, transfer, staging, interstate

564

565 transportation, Pahrump receipt and Pahrump storage?

566

567 **A 15-day onsite limit does not answer that question.**

568

569 For pathological waste in particular, the record should provide a traceable chain of custody

570

571 showing relevant generation, pickup, transfer, Pahrump receipt and treatment times so that

572

573 the actual age of the material can be determined.

574

575

XII. GROUND ELEVEN

576

577 The Final Residue Disposal Pathway and Relationship to the Pahrump Landfill Require

578

579 Clarification; During the Nye County CUP proceeding, MediWaste represented that its

580

581 residual material would go to the local landfill or be recycled. MediWaste also represented

582

583 that renewable fuel would be produced and sold while residual ash would be brought to the

584

585 landfill. The final NDEP record is materially different. NDEP now states: "No beneficial reuse

586

587 of the ash has been proposed." NDEP also states: "The Pahrump Landfill (Permit SW0097) I

588

589 is not authorized to accept ash or biochar." At the same time, Pahrump Landfill Permit

590

591 SW97REV05 expressly identifies Medical Waste among its accepted waste categories.

592

593 I do not contend that untreated medical waste and MediWaste's resulting hydrated ash must

594

595 legally receive the same classification. I request that NDEP explain the distinction.

596

597 NDEP should identify precisely what classification or regulatory requirement prevents

598

599 SW97REV05 from presently accepting MediWaste's hydrated ash / biochar and what

600

601 modification or approval would be required before that landfill could receive the residue.

602

603 If such an authorization is sought later, the record should also identify what public notice,

604

605 comment and appeal opportunities will accompany that decision.

606

607

XIII. GROUND TWELVE

608

609 The Original Resource Recovery Description Has Materially Changed and Raises a Direct

610

611 Landfill Question. The project presented to Nye County was substantially described as a

612

613 resource recovery operation. MediWaste represented that more than 60 percent of the input

614

615 weight would emerge as renewable fuel for sale, while a smaller portion would become

616

617 residual ash, and that biochar could be recycled or otherwise beneficially used.

618

619 The final NDEP process no longer proposes the DME, methanol or other liquid fuel production

620

621 described in the earlier project. NDEP expressly states **that no beneficial reuse of the ash**

622

623 **has been proposed.** Nevada regulations nevertheless provide a pathway for direct disposal

624

625 of qualifying untreated medical waste at an appropriately authorized disposal site whose
626
627 approved operational plan provides for such disposal. The Pahrump Landfill is already
628
629 authorized under SW97REV05 to accept medical waste. **That creates an important**
630
631 **unanswered question:** If MediWaste's final process no longer produces the renewable fuel
632
633 or beneficial use biochar represented during the CUP proceeding, what prevents qualifying
634
635 incoming medical waste from being transported directly to the Pahrump Landfill rather than
636
637 processed through MediWaste and converted into hydrated ash that NDEP presently states
638
639 the same landfill cannot accept? I do not contend that every waste category accepted by
640
641 MediWaste could legally be directly landfilled. Hazardous, radioactive, pharmaceutical and
642
643 other specially regulated materials may be subject to different requirements. The question
644
645 concerns qualifying medical waste for which Nevada already provides an approved landfill
646
647 disposal pathway.
648

649 The record should therefore identify whether any agreement, permit condition or other
650
651 **enforceable restriction** prevents MediWaste from diverting qualifying incoming medical
652
653 waste directly to the local landfill rather than processing it. **This question matters beyond**
654
655 **economics.** The final permit states that the facility may receive waste from Nevada,
656
657 California and other markets throughout North America. If the anticipated marketable resource
658
659 recovery products disappear while substantial quantities of medical waste continue to be
660
661 imported into Nye County, the record should establish whether the project could create an
662
663 additional medical waste handling and **disposal burden** without the resource recovery
664
665 benefits represented during local approval. The record should identify the potential
666
667 consequences for landfill capacity, roadway and truck impacts, emergency response, HazMat
668
669 preparedness, inspection and other local governmental and community resources.

670

671

XIV. GROUND THIRTEEN

672

673 Monitoring, Corrective Action and Shutdown Standards Should Be Established and

674

675 Reviewable. The air permit record contains certain operating safeguards, including thermal

676

677 oxidizer temperature requirements, continuous temperature monitoring and burner shutdown

678

679 associated with specified pyrolysis chamber backpressure. However, the solid waste permit

680

681 still leaves its hydrated ash sampling frequency expressly TBD, and other operational and

682

683 safety plans remain deferred. An emission limit, sampling requirement or reporting

684 requirement is not necessarily the same thing as an automatic shutdown requirement.

685

686 The completed record should clearly identify:

687

688 What condition requires immediate cessation of waste feed?

689

690 What condition requires immediate shutdown of a pyrolysis unit?

691

692 What happens when the thermal oxidizer falls below its required operating temperature?

693

694 What happens upon loss of power, vacuum, fan, plasma, burner, airflow or process control?

695

696 What ash result prevents continued operation?

697

698 What monitoring exceedance results merely in reporting or corrective action, and what

699

700 exceedance requires immediate cessation of operation?

701

702 **These distinctions should be established before, not after, the substantive public**

703

704 **review process has concluded.**

705

706

XV. REQUESTED RELIEF

707

708 For the reasons stated above, I respectfully request that the State Environmental

709

710 Commission: **Revoke, suspend, or reverse NDEP's issuance of SW1900REV00**, or grant

711

712 such other relief within its authority, until the issues raised in this appeal have been resolved

713

714 and the public has been afforded meaningful review of the completed permitting record.

715

716 **Require completion and public disclosure of the substantive deferred Schedule of**

717

718 **Compliance** materials before MediWaste is authorized to operate, including ash sampling

719

720 frequency, ash characterization, financial assurance, wind related operating controls, dust and

721
722 ignition controls, emergency / fire / HazMat planning, SPCC / SWPP provisions and other
723
724 substantive deferred requirements. Require NDEP to identify whether later approval of each
725
726 substantive deferred item will receive public notice, public review and an independent
727
728 opportunity for appeal, and the legal authority governing that determination. **If the permit**
729
730 **remains effective, however, merely identifying those procedures does not cure the**
731
732 **present appeal where substantive matters necessary to operation were left unresolved**
733
734 **when the final permit was issued.**
735
736 Require identification of the actual emergency response capability necessary for the facility as
737
738 finally permitted and whether Nye County's responding agencies presently possess that
739
740 capability.
741
742 **Require the record to identify** what additional emergency response equipment, training,
743
744 staffing, preparedness or continuing readiness is required because of this facility, the

745
746 estimated cost of that additional capability and who will bear those costs rather than
747
748 **transferring an unidentified burden to Nye County taxpayers.**
749
750 **Require NDEP to identify the natural gas source and infrastructure upon which the**
751
752 **permitted natural gas fired configuration relies and enforce the applicable**
753
754 **authorization according to its express terms.**
755
756 **If the natural gas fired stationary source cannot actually be constructed and operated**
757
758 **as permitted**, require NDEP to determine whether the applicable authorization should be
759
760 modified, suspended, revoked or otherwise addressed under Nevada law before
761
762 SW1900REV00 may rely upon it.
763
764 **Require any proposed alternative fuel**, burner configuration or materially different fuel
765
766 delivery or storage system to undergo the technical evaluation, testing, permitting and public
767
768 review required by applicable law **rather than assuming equivalence** to the natural gas

769
770 configuration evaluated by NDEP.
771
772 **Resolve** and publicly document the v6.0/v7.0 application discrepancy and establish which
773
774 application was actually subjected to public review and which application forms the basis of
775
776 SW1900REV00.
777
778 **Require the complete application incorporated into SW1900REV00 and all other**
779
780 **enforceable attachments to be available as part of the public permitting record.**
781
782 **Require NDEP to clarify** the distinction between permitted pathological waste and prohibited
783
784 putrescible waste and establish objective acceptance, storage and rejection criteria sufficient
785
786 to maintain that distinction.
787
788 **Establish or explain** the maximum generation to treatment period applicable to accepted
789
790 medical and pathological waste, including storage and transportation before arrival in
791
792 Pahrump.

793

794 **Resolve** the final residue disposal pathway and explain the regulatory distinction between

795

796 SW97REV05's authorization to accept medical waste and NDEP's determination that the

797

798 Pahrump Landfill is **not presently authorized** to accept MediWaste hydrated ash/biochar.

799

800 **Clarify** whether any enforceable requirement prevents qualifying incoming medical waste

801

802 **from being diverted directly to the Pahrump Landfill** and identify the resulting potential

803

804 impact upon local landfill capacity and taxpayer-supported public services.

805

806 **Make the completed substantive permitting record publicly available** and provide a

807

808 renewed public review and comment period.

809

810 **Provide an opportunity for a public hearing** after the completed materials have been made

811

812 available for meaningful public review.

813

814 **Require NDEP** to consider and respond to comments submitted concerning that completed

815

816 record.

817

818 **Thereafter require issuance of a new final permitting** determination from which affected

819

820 persons have a meaningful opportunity to exercise applicable appeal rights.

821

822

XVI. CONCLUSION

823

824 The central issue in this appeal is not whether MediWaste might eventually be able to satisfy

825

826 every deferred requirement. The issue is whether the public gets to see, evaluate and

827

828 challenge those requirements before its meaningful opportunity to participate has expired.

829

830 NDEP issued SW1900REV00 and commenced the appeal period while significant portions of

831

832 the operational, monitoring, emergency response, financial assurance and safety record

833

834 remained unwritten, TBD or deferred.

835

836 At the same time, the project reflected in the final NDEP record differs materially from the

837

838 project presented during local approval; the solid waste permit relies upon a natural gas fired

839

840 configuration without establishing the actual fuel source in the public record; the relationship

841
842 between accepted pathological waste and prohibited putrescible waste remains unclear;
843
844 emergency response capability and its potential taxpayer costs have not been demonstrated;
845
846 the complete generation to treatment age of incoming medical waste is unresolved; and the
847
848 final residue disposal pathway differs substantially from what was represented during the
849
850 County approval process.
851
852 The public should not lose its right to meaningful review simply because substantive answers
853
854 **are scheduled to arrive after the present public comment and appeal opportunities**
855
856 **have expired.**
857
858 **I therefore respectfully request that the State Environmental Commission revoke,**
859
860 **suspend, or reverse NDEP's issuance of SW1900REV00,** or grant such other relief within
861
862 its authority, until the substantive permitting record has been completed, the issues raised in
863
864 this appeal have been resolved, and the public has been afforded a meaningful opportunity to

865

866 review and comment upon the facility MediWaste will actually operate.

867

A handwritten signature in black ink, appearing to be "A.J. Brown", is written over the line for item 867. The signature is enclosed in a hand-drawn oval.

868 A.J. Brown

869 Appellant, Self Represented

870 Date: 02 Sept 2026



NYE COUNTY, NV
PAHRUMP REGIONAL PLANNING COMMISSION
REGULAR MEETING – April 10, 2024

Staff Report
Agenda Item No. 7

Case Description:	For Possible Action – CU-24-3: Public Hearing, discussion, and deliberation on an application for a Conditional Use Permit to allow a Medical Waste Treatment Facility on a 4.71-acre parcel zoned Heavy Industrial (HI), located at 1850 E. Basin Avenue, Pahrump, NV. Assessor's Parcel Number 035-191-52. Pinnacle Propane Express, LLC – Property Owner. Ryan Oganessian, MediWaste Disposal, LLC – Agent/Applicant. (This item is Final Action by the Pahrump Regional Planning Commission unless appealed to the Board of County Commissioners, or as otherwise announced.)
Location:	1850 E. Basin Avenue, Pahrump, NV
APN Number(s):	035-191-52
Legal Description(s):	T20S R53E S11 F#487360 P.2 4.71AC
Property Owner/ Applicant(s):	Pinnacle Propane Express, LLC
Applicant / Agent	Ryan Oganessian, MediWaste Disposal, LLC
Staff Contact:	Qiana Medici, Principal Planner, 775-751-4242

Project Synopsis: This is an application to allow a Medical Waste Treatment Facility to be operated on a Heavy Industrial zoned parcel. MediWaste is a full-service medical waste treatment company that reduces medical waste to biochar using the pyrolysis method. This type of operation requires an approved Conditional Use Permit and Site Development Plan within the PRPD.

MediWaste is a full-service medical waste treatment company and this proposed location will serve as the current operational feedstock in California as well as generators and transporters of medical waste throughout other various states. The purpose is to reduce the volume of both treated and non-treated waste going into landfills or incineration facilities.

As stated in the Project Summary, “The medical waste to be treated would be delivered to the facility in compliant secured containers via 53-foot-long trailers. The containers would be loaded into a pyrolysis unit where materials or feedstock would be reduced to residual biochar and renewable fuel product as a by-product. The renewable fuel products will be sold as a commodity (transported off-site) and the residual biochar would be transported off-site for recycling or landfill disposal. Biochar recycling will commence upon establishing a relationship with the end user. Pyrolysis is a superior alternative to incineration since it is a thermal process that breaks down materials in the absence of oxygen with no combustion, which reduces harmful emissions that could negatively impact the surrounding environment and community. Pyrolysis can also produce renewable and useful byproducts, such as carbon ash, biochar, and renewable fuel products that can be used for energy and other applications, making it a more sustainable and economically viable option compared to incineration. Processed water is recycled through the system and reused. The exhaust gases will be scrubbed in an onsite air pollution control system prior to discharge. No process fluids will be discharged onsite.”

The applicant submitted an Air Permit Determination Package to the Nevada Division of Environmental Protection in October 2023, and an updated package in December 2023. The determination package will be used to evaluate the potential applicability of federal regulations which determine which type of air quality operating permit will be required.

NDEP provided a letter to the applicant stating that MediWaste may proceed with submitting a Class II Air Quality Operating Permit Application for review. NDEP also requested that MediWaste consider the following items as they prepare their operating permit application and evaluate the requirements of other regulatory agencies as appropriate:

- The potential for an equipment malfunction that may result in a fire or explosion at the site due to the unique nature of the process design; and consideration of impacts to air quality.
- Because Dimethyl Ether (DME) is denser than air and therefore the fumes will tend to sink, evaluate where fumes and

leaks may migrate (e.g. sewer or storm water drainage systems), methods for detection, and appropriate corrective actions.

- Because both Methanol and DME pose an air quality concern and a fire hazard, after review with the local planning jurisdiction and emergency response organizations, please advise any additional monitoring, testing, recordkeeping, and reporting requirement that should be or is recommended to be included in the air quality operating permit.
- Please provide projected traffic-related aspects of project construction and operation for evaluation on air quality.

The applicant estimates that it will employ between 5 and 15 individuals. They will work 12-24 hours per day, 5-7 days per week.

Conclusions: Upon review of the application, staff finds sufficient justification to recommend Approval of the application, for the proposed use for this request, subject to the standard and special conditions of approval.

Recommended Motion(s): Move to Recommend APPROVAL of CU-24-3 based upon the Findings as outlined within the staff report and subject to the conditions stipulated in this report (or move to Approve the application based upon alternate findings as established by the Pahrump Regional Planning Commission.)

FINDINGS - NCC 17.04.920.L (Conditional Use Permit): The planning commission shall review the particular facts and circumstances of each proposal and whether to approve or deny an application, the applicant shall present adequate evidence showing that the proposed use:

1. *The conditional use is harmonious with and is in accordance with the general objectives or with any specific objectives of the currently adopted Master Plan, the Zoning Reference Map, and this Title.* The proposed use is compatible with the Heavy Industrial zoning district and Business Industrial Area Master Plan Designation. This type of use requires an approved Conditional Use Permit and Site Development Plan.
2. *The conditional use will be designed, constructed, operated, and maintained to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity.* The parcel was previously home to Pinnacle Propane and was required to comply with current development standards. MediWaste will be required to continue to maintain the property, structures, parking areas, lighting, and landscaping in accordance with Nye County Code.
3. *The conditional use will not be hazardous or disturbing to existing or future neighboring uses.* The proposed use is located in an area that has other heavy industrial type operations. The use requires Class II Air Quality Operating Permit and monitoring with NDEP.
4. *The conditional use will be a substantial improvement to property in the immediate vicinity and to the community as a whole.* Approving this Conditional Use may result in a substantial improvement to the property or immediate vicinity. The property will no longer be vacant, the exterior will be maintained, and the business will employ between 5 and 15 individuals.
5. *The conditional use will be adequately served by essential public facilities and services (highways, streets, police, and fire protection, drainage structures, refuse disposal, schools).* The proposed business is on a paved street with paved parking. In the event that an emergency arises, the location is within one mile of Pahrump Valley Fire Rescue Station 1. Traffic mitigation will be discussed during the Site Development Plan review process with Nye County Public Works.
6. *The conditional use will not potentially create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community.* It does not appear that the proposed use will create excessive additional requirements at public cost, nor be detrimental to the economic welfare of the community.
7. *The conditional use will not involve uses, activities, processes, materials and equipment, and conditions of operation that are detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glares, or odors.* As indicated in the Project Summary letter provided by the applicant, the process does not use combustion and reduces harmful emissions that could negatively impact the surrounding area.

8. *The conditional use is consistent with the intent and purposes of this Chapter.* The subject location is zoned Heavy Industrial (HI), which is allowed with an approved Conditional Use Permit. It is considered consistent with the intent and purposes of this chapter.

LAND USE MATRIX			
	CURRENT ZONING	MASTER PLAN DESIGNATION	CURRENT LAND USE
SITE	HI	BIA	Propane distribution yard
NORTH	HI	BIA	Industrial heavy duty equipment yard
SOUTH	GC	CDA	Vacant
EAST	HI	BIA	Storage yard for plastic flooring
WEST	HI	BIA	DMV

DISCUSSION

Background: The subject parcel was rezoned from Open Use (OU) to Light Industrial with the Comprehensive Rezoning, approved by the Board of County Commissioners at their June 20, 2007, meeting, and was rezoned again from Light Industrial to Heavy Industrial, approved by the Board of County Commissioners at their November 20, 2012, meeting. In April 2013, the PRPC approved CU-13-0003, to allow a Propane Bottling Facility to operate at this location. SD-13-0002 was approved and a Certificate of Occupancy was issued to Pinnacle Propane on March 7, 2014, by the Building Department. No further history follows.

Area Characteristics: The subject parcel and an inventory of surrounding land uses can be found in the above-listed matrix. FEMA has mapped the parcel in flood Zone X (FEMA 32023C 8850F, effective 12/2/2015), which corresponds to areas with minimal chance of flood hazards.

External Comments: Nye County Public Works supports any facts, findings or conditions determined by the Pahrump Regional Planning Commission (PRPC) at this time, reserving the right to provide additional facts, findings, and conditions upon the submission of the improvement plans for any commercial/industrial development of the property and/or complying code.

ANALYSIS

The subject parcel is designated in the 2023 Master Plan as Business Industrial Area (BIA).

- The Master Plan is intended to be used as a tool to provide information and to serve as a guide to elected officials and other decision makers, existing and future residents, business owners, and developers of commercial, industrial, residential, and other facilities within the PRPD.

PRPD Master Plan policies, objectives or goals related to this application.

Chapter 4 - Land Use Plan; Land Use Designations, Descriptions and Objectives

B. Land Use Designations – Private Lands

3. Industrial: There are two (2) industrial designations shown on the future land use plan for private lands:

a. Business Industrial Area - BIA

Purpose: To identify areas for business development of an intense industrial nature including manufacturing, processing, warehousing, construction industries, production, wholesale trade, mining, storage yards transportation and other similarly styled activities that are generally compatible with certain commercial activities. This designation is intended to create an environment in which business and industrial operations are conducted with minimum impact on the surrounding land uses. Limited residential, (caretakers dwelling) and commercial office uses which support the primary industrial activities

will be allowed. The distinctions of this designation are:

- BIA areas are sited on appropriate roadways that can or will be developed to handle the specific type of business traffic.
- Public water and sewer may or may not be available therefore, property development may require significant investment to provide needed infrastructure.

APPLICABLE NYE COUNTY POLICIES & CODES:

Purpose of a Conditional Use Permit: A CUP is required when certain uses may possibly have adverse effects on adjacent and local properties. The CUP procedures and requirements apply to use, occupancy, location, construction, design, character, scale, manner of operation, to assure consideration of the circumstances of each case and the establishment of such conditions and safeguards reasonably necessary for protection of the public interest. When granted, any conditions/safeguards apply to the land, structure, or use for which it was issued and not to a person.

Conditional Use Permit Procedures (NCC §17.04.920. C. & F): The Planning Commission shall be solely responsible for decisions on all applications for conditional use permits.

The planning commission shall take one of the following actions on an application for approval of conditional use permits:

1. Approval of the application, as submitted.
2. Approval of the application, with changes, conditions and safeguards attached; such conditions and safeguards shall be for the protection of the public health, safety, and general welfare.
3. Disapproval of the application.

CONCLUSIONS

Upon review of the applications, staff finds sufficient justification to recommend Approval of the applications.

The following **CONDITIONS FOR APPROVAL** are suggested pursuant to staff's recommendation and are subject to the discretion of the Regional Planning Commission:

STANDARD CONDITIONS OF APPROVAL

1. Applicant must comply with all applicable County, State, and Federal laws, rules, and regulations and license requirements.
2. Failure to comply with these conditions shall result in the immediate cancellation of the Conditional Use Permit.
3. Responsibility of Applicant to Submit Written Report: The applicant shall submit a written compliance report to the planning department not later than six (6) months following the issuance of the conditional use permit, outlining the status of compliance with any such conditions or safeguards attached to the granted conditional use permit. Thereafter, the applicant shall submit annually a written compliance report to the planning department outlining the status of any conditions or safeguards attached to the granted conditional use permit.
4. The conditional use permit shall automatically expire and become null and void without further action if, after construction the use has been completed or the use commenced, the use is relocated to a different parcel or location. Additionally, a conditional use permit shall automatically expire and become null and void without further action if, after construction the use has been completed or the use commenced, the use is discontinued or ceases for twelve (12) months or more on the parcel or location where the use was being conducted, or twenty four (24) months or more if the building or structure in which the use was being conducted has been damaged or partially destroyed by fire, flood, wind, or other calamity. A use is considered to have been discontinued if any required licenses or permits for the use have expired. If reconstruction has commenced within one year of the fire, flood, wind, or other calamity, the conditional use permit shall not expire, providing reconstruction is continuous and building permits do not expire.

SPECIAL CONDITIONS OF APPROVAL

5. The Applicant is required to obtain a Town of Pahrump Business License.

6. The Applicant is required to obtain approvals from Nevada Division of Environmental Protection, Great Basin Water Co., and the Division of Water Resources (if applicable) prior to receiving a Certificate of Occupancy to begin business.
7. Applicant will submit a CAT II Site Development application within 6 months (**October 9, 2024**) of this approval and applicant will obtain an approved Site Development before any activity can take place on the property.
8. Applicant is required to submit for a Fire & Life Safety Permit, Plan Review and Inspections and obtain a Certificate of Occupancy from Nye County Building and Safety prior to obtaining a Town of Pahrump Business license.



Map "A" -- Area Zoning

- Subject Property
- 1200 Foot Buffer
- Notified Properties
- LI; Light Industrial
- MU; Mixed Use
- RE-2; Rural Estates Residential
- CM; Commercial Manufacturing
- GC; General Commercial
- HI; Heavy Industrial

Map -- 10 April 2024

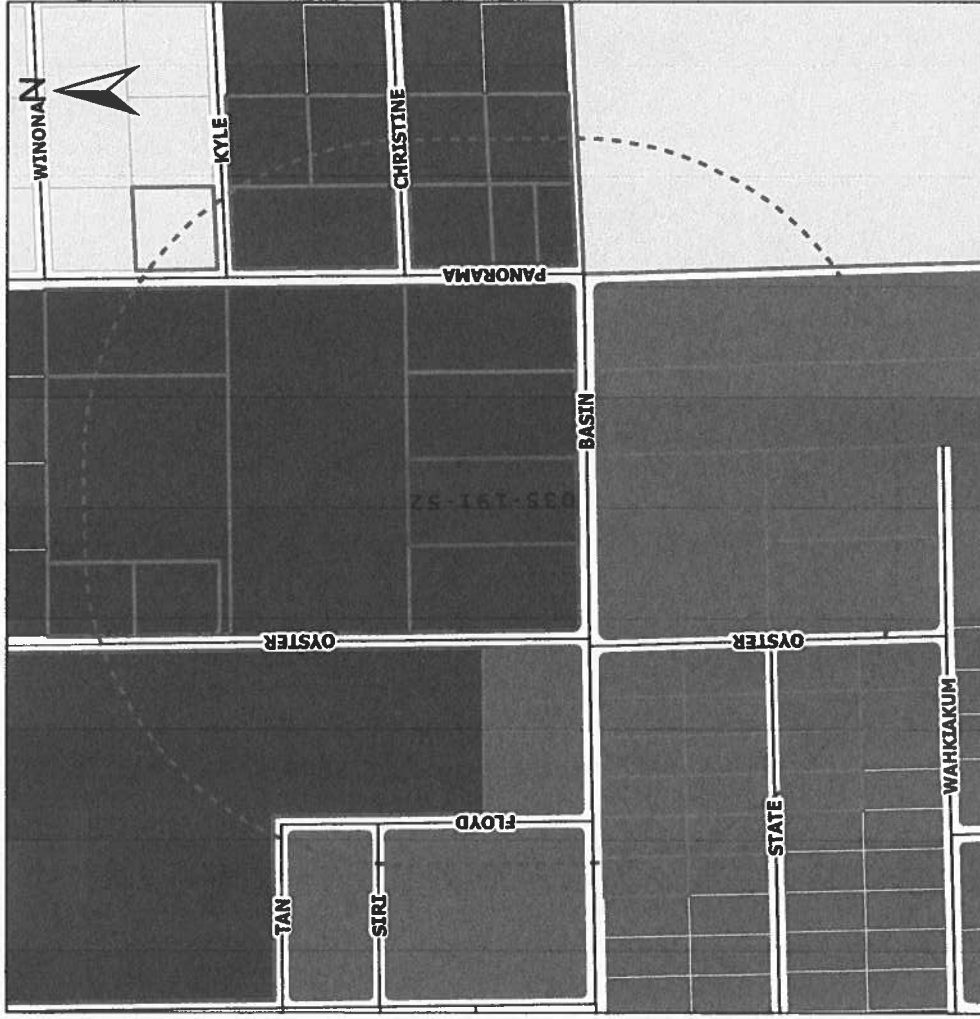
035-191-52

Basin Ave

Propane Express LLC -- Property Owner

anesian, MediWaste Disposal, LLC -- Agent / Applicant

DEPARTMENT OF PLANNING
Pinnacles Regional Planning District
The information shown herein is for informational purposes only and does not constitute a guarantee, warranty, or representation of any kind. The user assumes all responsibility for any errors or omissions. This drawing is not to scale.



Map "B" Master Plan Category

- Subject Property
- 1200 Foot Buffer
- Notified Properties
- BIA - Business Industrial Area
- CDA - Community Development Area
- RDR - Rural Density Residential

RPC Hearing -- 10 April 2024

CU-24-3

APN -- 035-191-52

1850 E Basin Ave

Pinnacle Propane Express LLC -- Property Owner

Ryan Oganessian, MediWaste Disposal, LLC -- Agent / Applicant

DEPARTMENT OF PLANNING
Pinnacles Regional Planning District
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Exhibit "C" -- Aerial Perspectives

- Subject Property
- 1200 Foot Buffer
- Notified Properties

RPC Hearing – 10 April 2024
 CU-24-3
 APN – 035-191-52
 1850 E Basin Ave
 Pinnacle Propane Express LLC – Property Owner
 Ryan Oqanesian, MediWaste Disposal, LLC.– Agent / Applicant

DEPARTMENT OF PLANNING
 Pahump Regional Planning District
 (PRPD)
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MediWaste is respectfully requesting a Conditional Use Permit to bring this proposed project to fruition.

MediWaste is a full-service medical waste treatment company with a long history of service that is planning to establish and operate a medical waste treatment facility (conversion to renewable energy) at this property referred to in this request. This location will serve MediWaste's current operational feedstock in California as well as generators and transporters of medical waste throughout other various States. It will reduce the volume of both treated and non-treated waste going into landfills or incineration facilities and provide an overall environmental benefit to the County and various surrounding States.

Operationally, medical waste to be treated would be delivered to the facility in compliant secured containers via 53-foot long trailers. The containers would be loaded into a pyrolysis unit where materials or feedstock would be reduced to residual biochar (landfill or compostable) and renewable fuel product (renewable DME and methanol) as a by-product. The renewable fuel products will be sold as a commodity (transported off-site) and the residual biochar would be transported off site for recycling or landfill disposal. Biochar recycling will commence upon establishing a relationship with an end user. Pyrolysis is a superior alternative to incineration since it is a thermal process that breaks down materials in the absence of oxygen with no combustion, which reduces harmful emissions that could negatively impact the surrounding environment and community. Pyrolysis can also produce renewable and useful byproducts, such as carbon ash, biochar, and renewable fuel products that can be used for energy and other applications, making it a more sustainable and economically viable option compared to incineration. Process water is recycled through system and reused. The exhaust gases will be scrubbed in an onsite air pollution control system prior to discharge. No process fluids will be discharged onsite. This process is a comprehensive, environmentally beneficial alternative to the current methods of disposal and processing, in addition to providing an economic benefit to the area.

- Explain proposed use, operating characteristics, number of employees, hours of operation, etc.

See the narrative above for proposed use and about the operations.

Estimated number of employees: 5-15

Estimated hours of operations: 12 - 24 hours per day and 5-7 days per week

- Justification to reduce/waive buffer and distance separation requirements (if applicable)

Waive buffer and distance separation requirements are not applicable for this project.

- Does the proposed use comply with all applicable provisions of the development code?

The proposed use complies with all applicable sections and requirements of the development code.

- Is the proposed use compatible with adjacent uses in terms of scale, site design, operating characteristics, hours of operation, traffic generation, lighting, noise, odor, dust, and other external impacts?

The proposed use is compatible with uses of all adjacent properties in terms of scale, operations, hours, traffic and issues including noise, odor and dust.

- Will public safety, transportation and utility facilities and services be available to serve the subject property while maintaining sufficient levels of service to existing development?

There will be no impact on public transportation, utility services nor any other public services arising from this project and the proposed use will not increase nor exceed any public service limitations.

-Is there adequate assurances of continuing maintenance being provided?

Continued maintenance on the property will continue on an ongoing basis since we are purchasing the site. We anticipate some minor owner improvements will be made to the inside of the building(s).

-Will any significant adverse impacts on the natural environment be mitigated to the maximum practical extent?

There are no perceived adverse impacts on the immediate or surrounding environment that might arise from this project. Any issue that may arise can be mitigated.

-Will the proposed use exceed the capacity of public services that cannot be mitigated?

There are no perceived adverse impacts related to exceeding the capacity of public services that cannot be mitigated. Any issue that may arise can be mitigated.



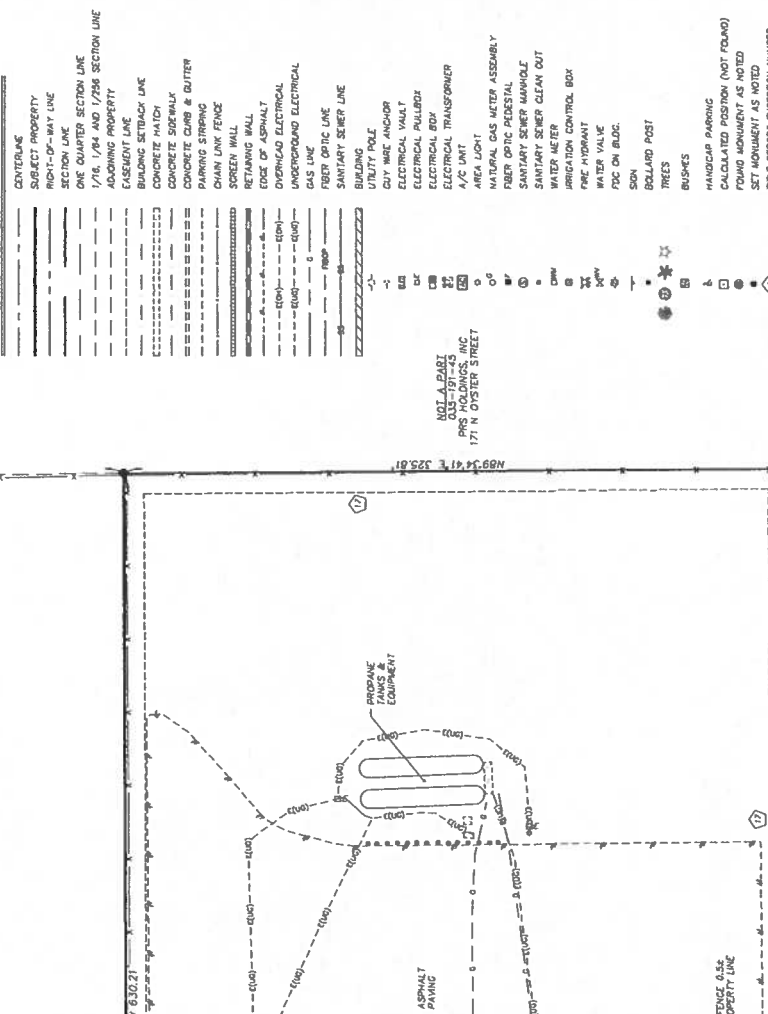
REV	DATE

PLANNED PROPRANE EXPRESS, LLC
1850 E. BASIN AVENUE, PHOENIX, ARIZONA
RECORDS REFERENCE TO 2000 AS FILED IN THE COUNTY OF MARICOPA, ARIZONA
RECORDS REFERENCE TO 2000 AS FILED IN THE COUNTY OF MARICOPA, ARIZONA

ALTA/NSPS LAND TITLE SURVEY FOR
PINNACLE PROPRANE EXPRESS, LLC
1850 E. BASIN AVENUE, PHOENIX, ARIZONA

DATE: 10/2/23
DRAWN BY: JAM
CHECKED BY: JAM
SHEET: 3
OF: 3

LEGEND



LEGAL DESCRIPTION

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF NTE, STATE OF ARIZONA, AND IS DESCRIBED AS FOLLOWS:
A PORTION OF THE SOUTHEAST QUARTER (SE 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 11, TOWNSHIP 20 SOUTH, RANGE 33 EAST, ALBUQUERQUE MERIDIAN, N.M.P.M., AS SHOWN BY PARCEL MAP RECORDED FEBRUARY 9, 2000 AS FILED IN THE COUNTY OF MARICOPA, ARIZONA, AT PAGE 108 OF PARCEL MAPS OFFICIAL RECORDS, NTE COUNTY, NEVADA.

BASIS OF BEARINGS:

NORTH, BEARING EAST BEING THE SOUTH LINE OF LOTS 1 & 4 AS SHOWN BY PARCEL MAP RECORDED FEBRUARY 9, 2000 AS FILED IN THE COUNTY OF MARICOPA, ARIZONA, AT PAGE 108 OF PARCEL MAPS OFFICIAL RECORDS, NTE COUNTY, NEVADA.

**PAHRUMP REGIONAL PLANNING COMMISSION
MINUTES OF THE APRIL 10, 2024 MEETING.**

Members in Attendance: Walt Turner, Beth Lee, John Koenig, Debra Hayden
Pamela Tyler, Leah-Ann DeAnda

Members Absent: Gina Meredith

Planning Staff: Qiana Medici, Steve Osborne, Amanda Marshall,
Celeste Sandoval, Brett Waggoner

District Attorney's Staff: Brian Kunzi

Public Works Staff: Tyler Mulvey

Other Attendees: Frank Carbone

Acronyms Used:

APN	=	Assessor Parcel Number
BOCC	=	Board of County Commissioners
CC	=	Calvada Commercial
CIP	=	Capital Improvement Plan
GC	=	General Commercial
LI	=	Light Industrial
MP	=	Master Plan
NCC	=	Nye County Code
NC	=	Neighborhood Commercial
PH	=	Public Hearing
ROW	=	Right of Way
RPC	=	Regional Planning Commission
SFR	=	Single-Family Residential
ZCMP	=	Zone Change/Master Plan Amendment

1. Pledge of Allegiance/Call to Order

Meeting called to order at 6:00 pm.

- 2. Public Comment (first)** – No action will be taken on matters raised under public comment until the matter itself has been included on the agenda as an action item. (Three-minute time limit per person and speakers are requested to limit comments to items not on the agenda.)

Public comment opened at 6:01 pm.

Tim Bohannon stated housing for short term living is very limited and there is an interest in that. He would like to see some coordination points between staff, meaning Tim Sutton, the Development as well as Commissioners to increase the tax base.

Ammie Nelson stated the last thing she wants is growth, if there isn't enough short-term housing for people who want to move here, they can either buy a place and move here or just don't move here. She wants this place to stay here and we are rural and want to keep it that way. Raising taxes isn't going to happen on her watch. We don't need or want growth but we need more people on the solar planning here.

Public comment closed at 6:06 pm.

3. For possible action - Approval of Minutes:

a. **PRPC Meeting – March 13, 2024**

Commissioner Lee stated she submitted a few typographical errors to staff.

Public comment opened and closed at 6:04 pm with no comments.

Motion: approve the modified minutes as submitted, **Action:** Approve, **Moved by** John Koenig, **Seconded by** Walt Turner.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 6).

Yes: Beth Lee, Debra Hayden, John Koenig, Leah-Ann DeAnda, Pamela Tyler, Walt Turner.

4. **For possible action - Approval of / Modifications to the Agenda:** Approval of the Agenda after Considering Requests to Rearrange, Hold or Remove Items.

Steve Osborne stated there are no changes.

Public comment opened and closed at 6:07 pm with no comments.

Motion: approve the agenda as posted, **Action:** Approve, **Moved by** John Koenig, **Seconded by** Walt Turner.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 6).

Yes: Beth Lee, Debra Hayden, John Koenig, Leah-Ann DeAnda, Pamela Tyler, Walt Turner.

5. **Correspondence and Announcements**

Commissioner Lee stated Commissioner Meredith is absent and Commissioner DeAnda will take over as the Secretary for the meeting.

6. **Commission/Committee/Director Reports:**

a. **BOCC Liaison Report**
None.

b. **Director's Report**

Mr. Osborne stated for March total Planning applications received was 175 which was 2 more than last month. Total applications processed was 77 which was 27 less than last month. Building Permits for the month of March single family residential was 34 which was 9 less than the previous month. Multi Family was 0 which was the same as last month. Commercial permits was 12 which was 6 more than last month and total permits all categories was 153 which was 12 more than last month. Total inspections all categories 447 which is 13 less than last month. New Code Compliance complaints received was 57 which was 21 more than last month and closed 39 which was 7 more than last month.

Previous items heard by the RPC - ZCMP-23-29 was heard by the RPC and was recommended for approval it was heard by the BOCC on 3/19/24 and was approved. ZCMP-23-35 was heard by the RPC, it was recommended for denial and it was heard by the BOCC on 3/19/24 and it was approved. ZCMP-23-36 was heard by the RPC, it was recommended for approval and heard by the BOCC on 3/19/24 and was approved. ZCMP-24-1 and ZCMP-24-2 were both heard by the RPC and recommended for approval, they will be heard by the BOCC at the 4/16/24 meeting.

7. **For Possible Action – CU-24-3:** Public Hearing, discussion, and deliberation on an application for a Conditional Use Permit to allow a Medical Waste Treatment Facility on a 4.71-acre parcel zoned Heavy Industrial (HI), located at 1850 E. Basin Avenue, Pahrump, NV. Assessor's Parcel Number 035-191-52. Pinnacle Propane Express, LLC – Property Owner. Ryan Oganessian, MediWaste Disposal, LLC –

Agent/Applicant. (This item is Final Action by the Pahrump Regional Planning Commission unless appealed to the Board of County Commissioners, or as otherwise announced.) (QM)

Commissioner Turner recused himself from this item because he has a business relationship as the selling agent.

Qiana Medici reviewed her staff report stating this is for a medical waste treatment facility. They reduce medical waste to biochar. This operation requires an approved CUP and Site Development. This location will serve as the current operational feed stock in California as well as generators and transporters of medical waste in other various states. Staff is recommending approval of the application.

Commissioner Lee asked if there are permitting or authorizations on transporting this across state lines?

Commissioner Hayden stated she doesn't see anything about water contamination or soil contamination.

Mrs. Medici stated they are within the Great Basin Tariff area, and they will address that with the applicant.

Mark Fiorentino representing the applicant stated you do have to obtain a permit with DOT and MediWaste already has that. This is an enclosed loop system, there will be no discharge as well as no combustion emissions in the air. This facility was recently operated as a propane facility, there will be no change to the building since the end product, DME that is a fuel additive, is very similar to propane. There is no oxygen in the system, use minimal amount of water because it gets reused back into the system.

Commissioner Koenig stated it says the people will work between 12-24 hours.

Mr. Fiorentino stated it means someone will be at the facility 24 hours a day.

Commissioner Koenig stated the residual biochar will be transported offsite to a landfill that is not ours.

Mr. Fiorentino stated it will be going to your landfill or it will be recycled and used for other purposes.

Commissioner Koenig asked what is the cubic feet will be used in the landfill?

Ryan Oganessian, President of MediWaste Disposal, stated they will provide 42 cubic enclosed containers that will be a couple tons each month.

Commissioner Koenig asked how long it will take to fill up a 40 ft container?

Mr. Oganessian stated once a day or every other day.

Commissioner Lee asked if they spoke to the landfill operators?

Mr. Oganessian stated yes, there will be a charge for the loads that go there.

Commissioner Hayden asked if they would accept waste that has heavy metal in it?

Mr. Oganessian stated the state of Nevada considers all medical waste trash, which goes to the landfill. Our materials from the California facility are being transported in fully enclosed DOT graded containers.

Commissioner Hayden asked how it would be transported from the container to the kilns.

Mr. Oganessian stated the gay lores are forklifted off the loading dock into the building from the 53 footers. They are then loaded into a hopper feeder to pre-sort and make sure nothing has nonconformities inside. It moves into a shredding chamber where the material is then pushed down an ex-chamber and through a granulator that breaks it down. It augers off into the pyrolysis unit, which is automated and knows what to feed at certain times. One on end you have renewable DME being piped down into tanks to sell and on the other end the carbon residual ash is what's brought to the landfill.

Commissioner Hayden asked how much is going to be stored on the property before it is moved off?

Mr. Oganessian stated they anticipate being 25-30% of volume capacity weight per month. The capacity is 1.4 million pounds for this system. As for storage there is plenty of space inside and a second building. They can also keep trailers in the yard and plan on processing daily.

Commissioner Hayden asked in what way could the system fail?

Mr. Oganessian stated the State of Nevada requires protocols to be put in place in order to get the Air Permit and Sustainability Permit as well as monitoring the facility.

Commissioner Hayden asked if the material is ash when it's brought to the landfill?

Mr. Oganessian stated yes, over 60 % of the weight volume that's put in the machine will come out as renewable fuel. 20-25% of the material will come out as ash. All material is considered trash today, is permitted to go to the landfill.

Commissioner Hayden asked if there were buyers for renewable energy and oil?

Mr. Oganessian stated yes, chemical companies, refineries, propane companies. It's very similar to propane.

Commissioner Hayden stated her concern of the ash becoming airborne in the landfill.

Mr. Oganessian clarified that it is heavier than ash, it's similar to compost.

Commissioner Hayden asked how often it is inspected for contaminants or biohazards that are a biproduct?

Mr. Oganessian stated Cassandra will have to speak on that.

Commissioner Lee asked if the facility is already operating in California or Texas and Alabama?

Mr. Oganessian stated Texas and Alabama use other pyrolysis companies. This is a 10-million-dollar project for them and in California they operate many facilities.

Commissioner Lee asked what are the vapor captures, containment process, is there a blast radius we should be concerned about?

Mr. Fiorentino stated the risks are similar to propane. The facility is not any more or less dangerous. The biproduct is entirely contained in the system and while being transported to the landfill. It's much heavier than ash and ultimately it to be compostable.

Cassandra Gomez, with Geosyntec Consultants who is the technical advisor, asked if the concerns are with the DME vapors or the facility vapor?

Commissioner Lee asked if any vapors that are being produced, how are you capturing it? What's your containment for a fire? What's the capacity of the oil being stored on site? With DME malfunction, that may result in a fire or explosion?

Ms. Gomez, the process the heating of waste in the absence of oxygen. Within the system it can't burn because there is no oxygen. If it's exposed to air, it would cool down rapidly because of the heating system used. Traditional heating, burning fossil fuels and generating heat, this uses unique electric heating, and the waste won't combust if exposed to air. Additionally, the DME is not interacting with the heating portion of the system. It would be generated from the same gas that is coming from the pyrolysis reactor and it will be stored separately with the sustainability permit through NDEP. Initially, the system will not store more than 10,000 lbs. of DME

on site to limit the risk of fire and explosion. Additional measures will be implemented when the facility decides to move beyond 10,000 lbs. and then enters into the CAP program.

Commissioner Lee asked if they have read, understood, and agree to the conditions.

Mr. Waggoner stated they do have some modifications that would like to suggest for conditions.

Brian Kunzi, DA stated they would like to replace Item #7 to read the applicant will submit SDP applications for future expansion, additions, or modification to the site.

Mr. Fiorentino stated that is fine, for clarification if they change the building, to make bigger want to change the tank storage form where it is to somewhere else, they would need to submit to Planning.

Brian Kunzi stated to add Condition #9 stating the applicant is required to submit all permits required for the transportation, processing or disposal of any waste material.

Commissioner Carbone stated there should be a plan for the traffic count coming in from California. Will they be coming in from anywhere else?

Mr. Fiorentino stated they might.

Commissioner Carbone stated they need to make sure the roads are being maintained properly with the heavier trucks. And to know exactly what you are doing and the capacity going into the landfill. Nobody picks up medical waste here.

Mr. Fiorentino stated there seems to be a fair amount of truck traffic going in and out of there.

Commissioner Carbone stated not as much as you think.

Mr. Fiorentino stated he does not know how to condition around that.

Commissioner Carbone stated they need to maintain the structure of the roads and how many truck loads you're bringing in.

Mr. Oganessian stated in a month at full capacity probably 30-40 truckloads.

Commissioner Carbone stated that's considerably more than what was coming out of that building before.

Mr. Fiorentino stated that's a truck and a quarter a day. The area is master planned and zoned and being developed for heavy industrial uses. The roads need to be able to sustain the traffic going in and out of there.

Commissioner Carbone stated correct, and as they are built, they will do impact fees for that area.

Mr. Waggoner asked if there are specific routes for the trucks to take to get to Pahrump.

Mr. Oganessian stated he doesn't think so since it's not hazardous material.

Public comment opened at 6:54 pm

Craig Poon stated he is concerned this is medical waste California does not want and it's coming here. The facility does not look reinforced and concerned about the pyrolysis process that he's not familiar with or how safe it is. How safe is the equipment coming from Europe?

Tim Bohannon stated he is concerned about pathogens and environmental issues. The concerns that the roads are not taken care of. No contingencies or risk management. Worst case scenarios, what's going to happen?

When it gets to the landfill, what's going to happen. If something goes wrong, what happens? Like the idea of doing something but is it worth it?

Ammie Nelson stated the first red flag is California is sending this out of their state. There's a lot of vague information and details. There were some apartments that were pledged in that area of the facility. There will be a lot of traffic on Basin. It will not be great for Pahrump or Nye County. Suggests looking at BLM land closer to California if it's a safe issue. Don't do it.

Public comment closed at 7:00 pm.

Commissioner Tyler stated there was previously an approved propane facility there. The location has a low caloric value, so it is less flammable, degradable in the atmosphere, not a greenhouse gas, and has lower explosive component. If approved, we would allow something less explosive than what was previously permitted in that location.

Mr. Kunzi stated there could be issues with the roads, if they expand the facility he asks they add a requirement to do a Site Development Agreement to do that.

Commissioner Hayden stated the landfill is being filled with materials from California. How fast is it going to fill up and does the town have the resources to have a secondary landfill?

Mr. Fiorentino stated there is a 40-year expectancy with the Landfill.

Commissioner Tyler stated C&S Waste should be the one to answer that question.

Commissioner Carbone stated as he mentioned earlier, they will take a look at the County landfill. Adding a new piece of property to that landfill is expensive.

Commissioner Hayden asked when that comes into the process.

Commissioner Carbone stated it will all be included in the Planning stages.

Tyler Mulvey stated the last survey said 20-year max. As the population grows so does the landfill. Expanding the landfill expensive, the county does not have that right now. We are trying to increase fees.

Mr. Waggoner stated in his opinion, you are holding up a business from opening due to the unknown with the landfill, which is something that has to be monitored. This property is zoned correctly and requires a CUP.

Motion: approve CU-24-3 based upon the findings as outlined within the staff report with amended code #7, submit SD for future additions and modifications to the site or expansions, #9 applicant is required to submit permits for the processing of waste material and transportation, **Action:** Approve, **Moved by** John Koenig, **Seconded by** Pamela Tyler.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 5).

Yes: Beth Lee, Debra Hayden, John Koenig, Leah-Ann DeAnda, Pamela Tyler.

Excused: Walt Turner.

8. **For Possible Action – CU-24-7:** Public Hearing, discussion, and deliberation on an application for a Conditional Use Permit to reinstate the Grandfathered use of an auto mechanic shop on a Neighborhood Commercial (NC) zoned parcel located at 6471 S Homestead Rd. Assessor's Parcel Number 045-211-24. Gennady & Betsy Levit – Property Owners, Walt Turner-Agent-Applicant. **(This item is Final Action by the Pahrump Regional Planning Commission unless appealed to the Board of County Commissioners, or as otherwise announced.) (QM)**

Mr. Kunzi stated there is an ethics restriction that you can't represent or act as an agent for a board you are on. He has concerns about the way the items are written. He is recommending continuing the item.

Commissioner Turner recused himself because he is the agent for the property owners.

Public comment opened at 7:13 pm.

Tim Bohannon recommends re-agendized the item.

Closed at 7:13 pm.

Motion: continue to May 15th, **Action:** Adjourn, **Moved by** John Koenig, **Seconded by** Leah-Ann DeAnda.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 5).

Yes: Beth Lee, Debra Hayden, John Koenig, Leah-Ann DeAnda, Pamela Tyler.

Excused: Walt Turner.

9. **For Possible Action – ZCMP-24-3:** Public Hearing, discussion, and deliberation on an application for a Conforming Zone Change from RH-4.5 (Rural Homestead) to NC (Neighborhood Commercial) for a Mini-storage facility, on a 4.8-acre parcel located at 1410 E. Manse Road, Pahrump, NV. Assessor's Parcel Number 044-201-10. Watson Family Trust. – Property Owner. Bill Cookston, Civilwise Services, Inc. – Agent/Applicant. **(The Pahrump Regional Planning Commission makes a recommendation on this item. Final Action by the Board of County Commissioners is scheduled for May 21, 2024, or as otherwise announced.) (AM)**

Amanda Marshall reviewed her staff report and is recommending approval of the application.

Bill Cookston stated the applicant has read and agreed to the conditions of approval besides condition #4 with the date.

Mrs. Marshall stated the May date was referencing the BOCC meeting that it would have been approved on and 6 months after that date. We can change that to make it clearer.

Commissioner Lee asked if we should change the date to 6 months after approval or take it away?

Mr. Waggoner clarified it needs to say after zone change, if approved by the BOCC on the May 21st agenda.

Public comment opened at 7:21 pm

Tim Bohannon stated the side of town is good and asked to make sure there is security and the materials going in are safe.

Ammie Nelson stated Pahrump needs this and wished it was on the west side.

Public comment closed at 7:22 pm

Motion: recommend approval of ZCMP-24-3 based upon the findings with the amended special condition #4, property owner must submit complete application for a CAT I SD within 6 months of the approval of Zone Change is approved by BOCC at the May 21st, 2024 meeting and all other conditions of the SD process apply , **Action:** Recommend, **Moved by** Pamela Tyler, **Seconded by** Walt Turner.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 6).

Yes: Beth Lee, Debra Hayden, John Koenig, Leah-Ann DeAnda, Pamela Tyler, Walt Turner.

10.

- a. **For Possible Action – ZCMP-24-4:** Public Hearing, discussion, and deliberation on an application for a Conforming Zone Change from GC (General Commercial) to CF (Community Facilities) on a 0.45-acre parcel, to allow the placement of a pre-manufactured building for an underground fiber internet route, located at 2450 E. Commercial Dr., Pahrump, NV. Assessor's Parcel Number 035-431-11. Mankins Family Trust – Property Owner. Nick Schroeder – Five Nine Design Group – Agent / Applicant. **(The**

Pahrump Regional Planning Commission makes a recommendation on this item. Final Action by the Board of County Commissioners is scheduled for May 21, 2024, or as otherwise announced.) (QM)

- b. For Possible Action – CU-24-5: Public Hearing, discussion, and deliberation on an application for a Conditional Use Permit to allow the placement of a pre-manufactured building for an underground fiber internet route, on a 0.45-acre parcel, zoned GC (General Commercial), located at 2450 E. Commercial Dr., Pahrump, NV. Assessor's Parcel Number 035-431-11. Mankins Family Trust - Property Owner. Nick Schroeder, Five Nine Design Group – Agent / Applicant. **(This item is Final Action by the Pahrump Regional Planning Commission unless appealed to the Board of County Commissioners, or as otherwise announced.) (QM)**

Mrs. Medici reviewed her staff report stating staff is recommending approval of the applications.

Nick Schroeder, applicant, stated Brian Hobbs will be doing a presentation and answer any questions.

Brian Hobbs, property owner, stated this will be an unoccupied utility building for private communication network, fiber optics backbone that runs data transport from Pahrump to Silver Springs NV. Unmanned site estimated 1 trip a month for maintenance. The facility will be unoccupied and monitored 24/7. Security on the fence, doors, and gates. Vacant parcel but electric.

Commissioner Turner asked if there will be additional uses in the future to this parcel?

Mr. Hobbs stated the facility is only for underground fiber optics lines. If the facility were to be filled out in capacity, the site is designed to place a second building in the compound to accommodate that.

Commissioner Turner asked in 15 years, would this remain a bare lot or could a secondary building be placed?

Mr. Hobbs, stated on the site plan located in the East corner, there is designated location for a secondary building.

Commissioner Tyler asked how the fiber gets to the facility?

Mr. Hobbs stated the utilities run in the ROW.

Commissioner Lee asked if it is currently in place?

Mr. Hobbs stated no, another group does fiber optics in which most of it is in BLM land that's currently under review and approval.

Commissioner Lee asked if they have read, understood, and agreed to the conditions in the staff report?

Mr. Hobbs stated yes.

Public comment opened at 7:33 pm.

Ammie Nelson, stated Valley Electric has been laying down fiber optics for the last 2 months. Is this affiliated with Valley Electric, if it's not, are they tying into what Valley Electric is doing now?

Public comment closed at 7:35 pm

Item A

Motion: recommend approval ZCMP-24-4, based upon the findings outlined within the staff report subject to the conditions stipulated **Action:** Recommend, **Moved by** Walt Turner, **Seconded by** Leah-Ann DeAnda.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 6).

Yes: Beth Lee, Debra Hayden, John Koenig, Leah-Ann DeAnda, Pamela Tyler, Walt Turner.

Item B

Motion: Approve CU-24-5, 4 based upon the findings outlined within the staff report subject to the conditions stipulated **Action:** Approve, **Moved by** Walt Turner, **Seconded by** Pamela Tyler.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 6).

Yes: Beth Lee, Debra Hayden, John Koenig, Leah-Ann DeAnda, Pamela Tyler, Walt Turner.

11.

- a. **For Possible Action – ZCMP-24-5:** Public Hearing, discussion, and deliberation on an application for a Conforming Zone Change from RE-2 (Rural Estates) to NC (Neighborhood Commercial) for a Body Art business, on a 2.17-acre parcel located at 4800 S. Pahrump Valley Blvd., Pahrump, NV. Assessor's Parcel Number 044-231-10. Cody & Amanda Dickerson, Carl & Mona Lisa Dickerson, CAVA Properties Sub 12, LLC – Property Owners / Applicants. **(The Pahrump Regional Planning Commission makes a recommendation on this item. Final Action by the Board of County Commissioners is scheduled for May 21, 2024, or as otherwise announced.) (QM)**
- b. **For Possible Action – CU-24-6:** Public Hearing, discussion, and deliberation on an application for a Conditional Use Permit to allow a Body Art business to be located on a 2.17-acre parcel located at 4800 S. Pahrump Valley Blvd., Pahrump, NV. Assessor's Parcel Number 044-231-10. Cody & Amanda Dickerson, Carl and Mona Lisa Dickerson, CAVA Properties Sub 12, LLC. – Property Owners. Donald Hinton, Social Suicide Tattoos – Applicant. **(This item is Final Action by the Pahrump Regional Planning Commission unless appealed to the Board of County Commissioners, or as otherwise announced.) (QM)**

Mrs. Medici reviewed her staff report stating staff is recommending approval of the applications.

Commissioner Lee asked for clarification on Condition #5, applicant must provide copy of Business License from TOP within 30 days of the BOCC Zone Change approval. But condition #16 states property owner must apply for SD within 6 months of the date of approval of the CUP. But also states applicant will obtain approved SD before any activity can take place on the property. As long as they turn in their Business License within 30 days, they can operate before the SD is approved?

Mr. Waggoner stated absolutely. Condition #16 is the same verbiage. Condition #5 should change to apply within 30 days of the BOCC approval to applying immediately upon the approval of the CUP. Temporary approval pending the BOCC final approval.

Mona Lisa Dickerson, property owner, purchased property with the intent of doing something there and thought it was NC. Apologized for not knowing, otherwise they wouldn't have moved forward. The previous building was a car lot and now wanting to use it for body art.

Commissioner Lee asked if they have read, understood, and agreed to the conditions in the staff report?

Monda Lisa Dickerson stated yes.

Public comment opened and closed with no comments at 7:46 pm.

Item A

Motion: Recommend approval to the BOCC ZCMP-24-5, based upon the findings as outlined within the staff report and subject to the conditions of stipulated within **Action:** Recommend, **Moved by** Walt Turner, **Seconded by** Pamela Tyler.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 6).

Yes: Beth Lee, Debra Hayden, John Koenig, Leah-Ann DeAnda, Pamela Tyler, Walt Turner.

Item B

Motion: Approval of CU-24-6, based upon the findings as outlined within the staff report and subject to the conditions of stipulated within and edit of #5 to be a Business License immediately after CUP approval and #16 to read if approved by BOCC on May 21st, 2024, **Action:** Approve, **Moved by** Walt Turner, **Seconded by** Leah-Ann DeAnda.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 6).

Yes: Beth Lee, Debra Hayden, John Koenig, Leah-Ann DeAnda, Pamela Tyler, Walt Turner.

12. Future Meetings/Workshops: Discussion and Direction Concerning Items for Future Meetings/Workshops; Set Date, Location and Time.

Next meeting is May 15th, 2024 at 6 pm.

Mr. Osborne stated last month talked about bylaws. Clarified the DA's office will be modifying and amending them.

13. Public Comment (second) – No action will be taken on matters raised under public comment until the matter itself has been included on an agenda as an action item. (Three-minute time limit per person and speakers are requested to limit comments to items not on the agenda.)

Public comment opened at 7:49 pm.

Ammie Nelson stated she is glad to know her objections are paid attention to, and she will be on more calls.

Public comment closed at 7:50 pm.

14. Adjournment.

Meeting adjourned at 7:50 pm.



A division of the
Nevada Department of Conservation & Natural Resources

NEVADA DIVISION OF
**ENVIRONMENTAL
PROTECTION**

STATE OF NEVADA
Joe Lombardo, Governor
Vinson Guthreau, Director
Jennifer L. Carr, Administrator

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ndep.nv.gov

DA

Responses to Public Comments

MediWaste Disposal LLC

Draft Permit SW1900REV00

1850 E. Basin Avenue, Pahrump, Nevada

Public Comment Period: April 1 – May 1, 2026 & July 7–8, 2026

To All Parties:

Please find attached the Nevada Division of Environmental Protection – Bureau of Sustainable Materials Management (Division) response to public comments and questions received during the public notice period for the MediWaste Medical Waste Pyrolysis Facility conducted on April 1, 2026, through May 1, 2026. Additional comments were presented on July 7, 2026, at the public hearing held in Pahrump, Nevada.

Given the volume of comments received, 334 total submissions, the Division has prepared this consolidated response document in lieu of individual responses to each submission. Comments are grouped by subject matter. All substantive comments, i.e. those raising issues within the Division's regulatory jurisdiction under Nevada Revised Statutes and Nevada Administrative Code (NRS/NAC) Chapter 444 have been considered and are addressed below.

For this permitting action, the Division's jurisdiction is limited to the State of Nevada's solid waste management statutes and regulations. Comments concerning air quality, county land use approvals, transportation, property values, or other matters outside the Division's authority are only acknowledged.

These responses address the comments provided during the public notice period and public hearing regarding the proposed action. The Division appreciates the time and effort taken to participate in this process.

If you have any questions or require additional information, please contact Annalyn Settlemeyer, Chief, Bureau of Sustainable Materials Management at (775) 687-9366 or asettelm@ndep.nv.gov.

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NEVADA DIVISION OF
**ENVIRONMENTAL
PROTECTION**

Bureau of Sustainable Materials Management
Responses to Comments Concerning MediWaste Medical Disposal LLC
Permit ID#: SW1900REV00
Date of Publication: August 31, 2026

TOPIC	DATE	FROM	QUESTION / COMMENT	RESPONSE	PERMIT SECTION / REGULATORY CITATION
1. General Opposition and Form-Letter Submissions	4/1-5/1/26	Numerous residents; multiple form-letter signatories	A substantial share of submissions expressed general opposition to the proposed facility, and many submissions were copies of a number of template-form letters. These submissions restate concerns about groundwater, air emissions, siting, and out-of-state waste, and request denial of the permit.	The Division received 334 comments during the comment period, of which a number were identical or near-identical form letters reflecting a small number of common templates. The Division has reviewed and considered each submission and responds to the shared content collectively; the substantive concerns most commonly raised in these submissions, groundwater protection, air emissions, facility siting, and out-of-state waste acceptance, are addressed in the corresponding topics below. Submissions expressing general opposition without identifying a specific deficiency in the draft permit or a requirement of NRS/NAC Chapter 444 that the application fails to meet are recorded as part of the public comment record and considered; a general expression of opposition does not itself establish a basis to deny the permit.	NAC 444.6425



NEVADA DIVISION OF
**ENVIRONMENTAL
PROTECTION**

Bureau of Sustainable Materials Management
Responses to Comments Concerning MediWaste Medical Disposal LLC
Permit ID#: SW1900REV00
Date of Publication: August 31, 2026

TOPIC	DATE	FROM	QUESTION / COMMENT	RESPONSE	PERMIT SECTION / REGULATORY CITATION
2. Groundwater and Basin No. 162	4/1-5/1/26	Nye County Water District; Numerous residents	Commenters noted the Pahrump Valley depends largely on the Basin No. 162, a closed groundwater basin with no natural inflow and no backup supply, serving roughly 11,280 private wells, already over-appropriated at about three times its sustainable yield, and already showing 26 contaminants above EPA Maximum Contaminant Level Goals (including arsenic and uranium) before any waste is processed.	The facility is permitted under NAC 444.676 "System to Process Waste: Other Methods" as a system to process waste and is not a disposal site; the landfill location restrictions of NAC 444.678 and the landfill groundwater-monitoring provisions of NAC 444.7481-444.7499 cited by commenters apply to landfill disposal sites and not to this type of facility. Accordingly, a site-specific hydrogeologic investigation is not required for this facility type under NRS/NAC Chapter 444. The proposed process uses no water and has a zero discharge to the stormwater system; the only pathway to soil or groundwater would be a physical spill of hydrated ash, which the facility is required to prevent and immediately contain and clean up under their Spill Prevention, Control, and Countermeasures (SPCC) and Stormwater Pollution Prevention (SWPPP) plans.	NAC 444.594 NAC 444.6425 NAC 444.668 NAC 444.676
	4/1-5/1/26	Ruth Mathew; Margaret Chang; Lorraine Gilbert; Fred Sobel; S. "Budd" Watkins (PWOA)	Commenters describe a specific pathway: the fact sheet shows stormwater flowing north across asphalt and native ground to a detention basin in the northwest corner, above native soil and the unsaturated zone over Basin 162. Correctly noting that pyrolysis residue often contains dioxins, polycyclic aromatic hydrocarbons (PAH), and heavy metals that leach over time and accelerate with desert temperature cycling, and that permeable alluvial soils, monsoon runoff, and "gravel chimney" pathways could carry contaminants toward into the basin(s) and private wells.	Incoming medical waste is contained in leakproof, watertight, and rodent-proof packaging; staged trailers are surrounded by a reusable diking system; hydrated ash is stored in covered, sealed containers; and stormwater is directed to an on-site detention basin via a culvert designed so that no stormwater leaves the site. Stormwater is managed under the facility's SWPPP.	
	4/1-5/1/26	Ruth Mathew; Margaret Chang; Nye County Water District	Commenters state SW1900REV00 contains no site-specific hydrogeologic analysis of Basin 162, no groundwater monitoring plan as required by NAC 444.7481-444.7499, no baseline aquifer data, and no location-restriction demonstrations under NAC 444.678-444.6795. The Water District formally protested on April 14, 2026, requesting denial or, alternatively, abeyance pending an independent hydrogeologic investigation.	Hydrated ash is neither disposed of onsite nor accepted at the Pahrump landfill; it is characterized and transported to a facility permitted to receive it (see Hydrated Ash).	
	7/7-7/8/26	Ruth Mathew	Commenter states the State Engineer's Groundwater Basin Report for Basin No. 162 is not expected to be completed until 2027 and argues that the Division cannot adequately evaluate the hydrogeologic risk posed by the facility until that baseline data is available. Commenter further argues that the basin is already over-appropriated at approximately three times its sustainable yield, that 26 contaminants already exceed EPA Maximum Contaminant Level Goals before any waste is processed, and that no dilution capacity exists in a closed basin, meaning any contamination event is effectively permanent and irreversible. She states the Division's own required site-specific hydrogeologic investigation cannot substitute for the basin-wide baseline the State Engineer's report would provide, and that issuing the permit before either document is complete is premature.	The State Engineer's Groundwater Basin Report for Basin No. 162 is an independent effort by the Division of Water Resources and is independent of the permitting requirements under NRS/NAC Chapter 444 that pertains to this permitting action.	



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3. Air Quality and Emissions	4/1-5/1/26	Ruth Matthew; Margaret Chang	Commenters raise concerns regarding the enclosed-basin geography: Pahrump is surrounded by mountains on three sides with regular temperature inversions and reversing seasonal winds that recirculate rather than disperse emissions. They note 27 PM10 exceedances (2001-2003) requiring an EPA Memorandum of Understanding and Clean Air Action Plan, and that current PM2.5 is roughly 5.1 times the WHO annual guideline.	Air emissions from the facility, including any stack emissions of particulate matter, VOCs, and dioxins and furans, are regulated by the Division's Bureau of Air Pollution Control (BAPC) under Air Quality Permit AP4953-4771. Emission limits, control requirements, and emissions monitoring, including evaluation of operating conditions, are established and enforced under that permit rather than the solid waste permit. The BAPC determined the proposed system does not meet the definition of a Hospital/Medical Infectious Waste Incinerator, and for solid waste classification the system was determined to be a pyrolysis process rather than an incinerator under NAC 444.672, because the primary treatment occurs through endothermic gasification in the absence of oxygen. The concern regarding the application of federal New Source Performance Standards under 40 CFR Part 60 is a matter administered by the BAPC under Air Quality Permit AP4953-4771.	NAC 444.672 NAC 444.676 EPA Method 8290A (ash) BAPC Air Quality Permit AP4953-4771
	4/1-5/1/26	Ruth Matthew; Margaret Chang; Lisa Curtis; Teresa Redl & Concerned Citizens	Commenters state MediWaste told the Nye County Regional Planning Committee (RPC) the process involves "no combustion," while the Bureau of Air Pollution Control (BAPC) permit (AP4953-4771) confirms four natural gas burners per chamber (0.5 MMBtu/hr each) plus one thermal oxidizer per unit (2.0 MMBtu/hr), seven units, totaling 28 MMBtu/hr. They note medical waste is ~25% plastic and that dioxins/furans form particularly below ~1200°C.		
	4/1-5/1/26	A.J. Brown	Commenter states that the record does not show that emissions and controls were evaluated under non-steady-state conditions (startup, shutdown, upset, variable feed), nor whether continuous emissions monitoring, automatic shutdown/fail-safe mechanisms, or dioxin/furan monitoring are required. Commenters also note the BAPC permit (AP4953-4771) comment period closed March 4, 2026, without notice in the Pahrump Valley Times.		
	7/7-7/8/26	Paul Greenawalt	Commenter states that Air Quality Permit AP4953-4771 was processed under a fundamental error of federal law, asserting that the BAPC Director's Review incorrectly applied the 40 CFR Part 60 NSPS pyrolysis exemption at \$60.50c(f) to the proposed plasma-assisted system. Commenter cites a 2019 EPA Applicability Determination (Federal Register, March 18, 2019) finding that the Coronalux plasma-assisted pyrolytic system does not qualify for that exemption, and argues the system proposed here is the same Paragon Waste Solutions / Dr. Villamagna system addressed in that determination.		
				Within the solid waste permit, dioxins and furans are addressed through required testing of the hydrated ash by EPA Method 8290A, with an analytical limit established (see Hydrated Ash and Permit Completeness).	



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4. Hydrated Ash Characterization and Disposal	4/1-5/1/26	Ruth Matthew; Victoria Poulsen; Margaret Chang; Tamie Pitman	Commenters state Table 5 (Ash Sampling Schedule) is blank and across five stages and no approved Nevada disposal facility is identified. Others note the Pahrump landfill is unlined, near capacity, under a groundwater monitoring waiver, subject to a local ash ordinance, and not authorized to receive ash. They note the residue was called "biochar" to the RPC and "hydrated ash" to Division, and assert wetting does not remove dioxins, polycyclic aromatic hydrocarbons (PAH), or heavy metals, which may include chemotherapy and radiation residues.	The only solid waste anticipated to be generated by the process is hydrated ash. Before disposal, ash is characterized using the Toxicity Characteristic Leaching Procedure (SW-846 Method 1311, with analyses by Methods 8260, 8270, and 6010B/7470A) and tested for dioxins and furans by EPA Method 8290A, samples are analyzed by a Nevada-certified laboratory consistent with NRS 459.500. Any load exhibiting a hazardous characteristic is managed as hazardous waste. The Ash Sampling Frequency Plan is a Schedule of Compliance (SOC) item under Section G of the permit and must be submitted for approval at least 60 days before the beginning of operations. All solid ash residue will be analyzed for polychlorinated dibenzo-p-dioxins and dibenzofurans (PCDD/Fs) using EPA Method 8290A, with a compliance limit of 20 nanograms toxic equivalents per kilogram (ng TEQ/kg) dry weight. No ash residue may be transported off-site for disposal until at least one representative sample per unit has been submitted to the Division.	NAC 444.676 EPA SW-846 Methods 1311 and 8290A Pahrump Landfill SW0097 Plan of Operations MediWaste Permit Section G (SOC)
	4/1-5/1/26	A.J. Brown; Faye Brudzinski; Donald Booth; Paul Greenawalt; Tiffany Patton Reinert; Ruth Matthew	Commenters request a complete mass balance of inputs and outputs, identification of final disposal locations, evaluation of the 36-inch cover requirement's effect on landfill capacity, the biochar reuse/disposal classification with end-use controls, and evaluation of combustible-dust and flash-fire risk.	No beneficial reuse of the ash has been proposed. The Pahrump Landfill (Permit SW0097) is not authorized to accept ash or biochar. The owner and/or operator is not required to pre-designate a specific receiving facility as a condition of permit issuance; however, the residue must be disposed of at a facility permitted to accept it. If in the State of Nevada, disposal requires Division approval; and out-of-state disposal is governed by the receiving jurisdiction. As a condition of the permit, MediWaste must detail the type and size of the roll-off container to be used to store hydrated ash and demonstrate how it will be fully sealed to prevent intrusion and extrusion of material (e.g., hard top, sealed roof, or sealed tailgate). Operations may not commence until this information has been approved by the Division.	



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5. On-Site Storage, Vectors, and Packaging	4/1-5/1/26	A.J. Brown; Faye Brudzinski; Tamie Pitman; Stephanie Q.; Brenda Paquette	Commenters object to up to 30 days of storage in uncooled trailers in Pahrump's relatively high ambient temperatures. Many commenters state the record does not evaluate extreme internal temperatures and thermal cycling that may accelerate decomposition, increase gas generation and odor, degrade packaging, and create container pressure fluctuations, nor the potential to attract disease vectors (insects, rodents, birds, mosquitoes). Others cite odor from pathological waste, that Nevada lacks California's storage time limits, and break in/tampering risk.	The waste accepted at the facility is non-putrescible. Putrescible waste is expressly excluded by the facility's Waste Acceptance Policy and screened out at receipt; because the accepted waste stream is non-putrescible, refrigeration is not required, and the decomposition, odor, and gas-generation scenarios described are not expected to occur. The hydrogen sulfide, methane, and biogenic-amine scenarios are predicated on putrescible decay, which is precluded. In response to the concerns about prolonged storage in elevated temperatures, the Division is reducing the on-site storage limit from 30 days to 15 days as a condition of the permit; this also addresses requests for a shorter feedstock-holding period. Medical waste is held in sealed, U.S. DOT packing-group-II, leakproof, and rodent-proof packaging from generation through processing; staged trailers are surrounded by a reusable diking system; the operator is required to engage a pest-control service; and the amount, type, and storage time of waste in each trailer are tracked through the facility's inventory system.	NAC 444.660 NAC 444.662 NAC 444.668 MediWaste Application Waste Acceptance Policy (App. F)
	4/1-5/1/26	Paul Greenawalt	Hydrogen sulfide and methane accumulation when containers are opened (citing the OSHA General Duty Clause), and biogenic-amine odor (cadaverine, putrescine) detectable at 10-100 ppb and ground by valley inversions.	Commenters also asked what maximum quantity of unprocessed waste may be staged on site. The facility's application discloses a maximum onsite inventory, and the Division is not imposing a separate numeric cap; the quantity onsite is bounded instead by the 15-day storage limit imposed as a condition of this permit, the requirement that waste be processed as soon as practicable, and the container-level tracking of the amount, type, and storage time of waste through the facility's inventory system. No open storage or stockpiling of waste is permitted.	



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6. Treatment Efficacy, Pathogen Destruction, and Containment	4/1-5/1/26	A.J. Brown; Dave & Laurie Lawdensky	Commenters state the record does not clearly identify when waste is rendered non-infectious, nor describe methods to verify that the intended level of pathogen destruction is consistently achieved (routine validation testing, performance standards, independent verification). A.J. Brown states that "while the record describes packaging methods, it does not demonstrate that the proposed packaging system has been validated for prolonged storage under elevated temperatures, repeated thermal cycling, or handling after extended staging," and asks that MediWaste address measures to prevent wind-driven release or migration of materials (wind-speed operational limits, enclosed or controlled handling, physical containment, and housekeeping) and how dust generation, accumulation, and ignition risks have been evaluated and mitigated. Commenters also question whether the existing unmodified metal-sided buildings provide adequate containment.	The applicant represents that the primary chamber operates above 1,400°F, with cycle times averaging approximately eight hours, sufficient to sterilize biological waste and decompose pharmaceutical compounds, and that treatment occurs within a fully enclosed system with no transfer points. The validation of that process, and worker handling, exposure, and training are the responsibility of the facility and the applicable occupational-safety authorities. In response to the comments, the Division will require, as conditions of the permit, that MediWaste address the measures in place to prevent wind-driven release or migration of materials, including wind-speed operational limits, enclosed or controlled handling procedures, physical containment, and housekeeping protocols. Furthermore, MediWaste will address how dust generation, accumulation, and ignition risks have been evaluated and mitigated. As a condition of the permit, MediWaste shall ensure all floor drains within the facility are permanently closed and provide evidence of closure to the Division for approval 30 days prior to the start of operations.	NAC 444.6425 NAC 444.644 NAC 444.668



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7. Financial Assurance and Closure	4/1-5/1/26	Ruth Mathew; Troy Hicks; Paul Greenawalt; A.J. Brown	Commenters state MediWaste has ~\$7 million in annual revenue against an average Superfund remediation cost of ~\$27 million per site, and that Section G.2 lets MediWaste self-propose the closure estimate with no Division-set minimum floor and no independent actuarial verification, citing the Amergen RedPak foreclosure and the Freeport and Braven closures. Commenters state financial assurance must cover worst-case closure, post-closure monitoring, soil remediation, and aquifer monitoring for at least thirty years (NAC 444.6851), and request a bond for "Nonsudden Accidental Occurrence" under NRS 459.525.	Financial assurance for closure is referenced under NAC 444.685 through 444.6859. The permit application includes a closure plan and a closure cost estimate, which the Division reviews for adequacy, and financial assurance must be procured upon the Division's approval of the closure cost amount before operations may commence. This facility is a system to process waste under NAC 444.676 and is not a disposal site; it does not receive waste for land disposal and generates no process discharge to soil or groundwater, so the extended post-closure and long-term groundwater-monitoring obligations applicable to landfill disposal units are not required for this type of facility. Closure consists of processing or removing any remaining waste and hydrated ash and decontaminating the site, which is the scope of the closure cost estimate. The specialized litigation bond and the indemnity agreement holding the State and County harmless that were requested by a commenter are not mechanisms provided for under NAC 444.685 through 444.6859. The applicant's experience in other jurisdictions is addressed under Operator Qualifications.	NAC 444.685-444.6859



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8. Inspections, Oversight, and Reporting	4/1-5/1/26	Faye Brudzinski; A.J. Brown; Geraldine Ahrens	Commenters ask what recourse exists if MediWaste is found in non-compliance, who would perform premises monitoring under Section B.8 of the MediWaste Permit and whether the facility can be required to report more frequently than annually (monthly or quarterly) under Section D.1 of the MediWaste Permit. Others ask whether the Division conducts surprise inspections and whether complaints will be addressed, and recommend a structured incident and near-miss reporting program with reporting measured in days.	The Division will inspect the facility and enforce the conditions of the permit, and retains the authority to inspect at any time, including without prior notice, and to take enforcement action for any permit violation. The Division's direct monitoring consists of its inspections and its review of the facility's ash sampling results; if a sample shows a hazardous characteristic, the residue is managed as hazardous waste under the applicable, more stringent requirements. The reporting frequency under Section D.1 will be revised to be quarterly rather than annual to address public comments. The facility is required to report accidents and to notify the Division of incidents as specified in the permit. Additionally, the facility is subject to NAC 445A.347 and 445A.3473. The facility conducts the self-monitoring and recordkeeping required by the permit, including the premises monitoring referenced in Section B.8 of the MediWaste Permit, and the Division reviews the results during its inspections.	NAC 444.6425



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9. Permit Completeness, Consistency, and Corrections	4/1-5/1/26	Ruth Mathew; Victoria Poulsen; Margaret Chang; A.J. Brown; Faye Brudznaki	Commenters identify gaps: Table 4 leaves dioxin/furan thresholds blank (TBD); Table 5 is blank; Section A.2 states "two (2) existing buildings" while Table 3 lists seven units (affecting NFPA, ventilation, and chemical-storage analyses); Table 3's 16.8 tons/day with one 40-yard roll-off does not reconcile with a 7-10 day haul-out; the APC scrubbing promised to the RPC is not an enforceable condition; and "process water recycled" conflicts with "no wastewater generated." The public notice refers to a "waste tire recycling facility."	The Division placed the Ash Sampling Frequency Plan as a Schedule of Compliance (SOC) item under Section G of the permit, and the plan must be submitted and approved before operations may commence. The dioxin and furan compliance limit has been established at 20 ng TEQ/kg dry weight using EPA Method 8290A. The Division will make the following corrections and clarifications: the throughput figures will be corrected from 16.8 tons/day to the correct 41.4 tons/day; the operational ranges stated in the permit reflect operation of between one and seven pyrolysis units, and the building and unit descriptions will be clarified accordingly; the incorrect reference to a "waste tire recycling facility" in the public notice was in reference to another permit which the Division had issued the same day as the MediWaste Public Notice; and the correct parcel number for the site will be confirmed and stated consistently across the permit and supporting documents.	NAC 444.641 NAC 444.676 MediWaste Permit Section G (SOC)
	4/1-5/1/26	Paul Greenawalt; Ruth Mathew	Commentators argue that NRS 233B.127 requires "full and true disclosure" and that "Reserved"/"TBD" placeholders prevent meaningful review of a facility processing 30,240,000 pounds annually, and notes the permit prohibits "fetuses" but is silent on "embryos" under NRS 451.015. Commentators note that the CUP cites parcel P.2 while the Division's permit cites P.1, and questions ownership of APN 035-191-52.	In response to the comment citing NRS 451.015, the Division will add "embryos" to the facility's prohibited-waste list. As a condition of operation, MediWaste must be an entity authorized to transact business in Nevada (registered with the Nevada Secretary of State); the applicant's registration status will be confirmed for the record. Air pollution control requirements are established under Air Quality Permit AP4953-4771 (see Air Quality), and the "process water" inconsistency is resolved by the revised process (see Water Use). Operational commitments are incorporated as enforceable conditions where applicable.	
	7/7-7/8/26	Ruth Mathew	Commenter states MediWaste registered as a foreign LLC in Nevada only on July 6, 2026, and that an unregistered California entity filed for and held Nevada permits during the application, questioning the applicant's legal capacity to hold the permit.		



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10. Waste Stream Definition and Out-of-State Waste	4/1-5/1/26	Form-letter comments; Faye Brudzinski; Troy Hicks; A.J. Brown	Commenters object to importing medical waste from California and other states ("regional dumping ground") and ask why other states cannot process their own waste; several note the application does not mention out-of-state waste. Commenters ask the applicant to name clients and the fee schedule and whether the operation is for-profit. Commenters state that Nye County could absorb 100% of the risk without local benefit. Commenters state that the record does not clearly define or bound the accepted waste types.	Acceptable waste is defined by NAC 444.589 and 49 CFR 173.134; the geographic origin of the waste is not a criterion for issuance under NAC 444.676. The facility's Waste Acceptance Policy, further limits acceptable waste and excludes, among other things, putrescible waste, RCRA hazardous waste, radioactive waste above the upper screening limit of 36 micro roenigens per hour, Drug Enforcement Agency (DEA)-controlled substances, bulk chemotherapy waste, complete human remains, mercury-containing materials, and a list of specified chemicals. These limits are conditions of the permit. Incoming loads are screened for radiation and inspected against shipping documentation, and non-conforming material is rejected. Additionally, the permit requires characterization of the hydrated ash output (see Hydrated Ash). Information regarding the applicant's customers and fee schedule concerns the applicant's business operations and is not part of the Division's permitting record.	NAC 444.589 NAC 444.00745 49 CFR 173.134 MediWaste Application Waste Acceptance Policy (App. F)
11. Process Byproducts — DME and Methanol	4/1-5/1/26	Ruth Mathew; Margaret Chang; Victoria Poulsen; Susan Ciani; Paul Greenawalt; Tamie Pitman	Commenters state MediWaste's RPC narrative described "renewable DME and methanol as a by-product" sold as a commodity, and that neither chemical appears in SW1900REV00 (no process description, prohibited-waste list, monitoring, or emergency-response provisions). They note the Division's pre-application correspondence (2023-2024) warned DME is denser than air and sinks into sewer and stormwater drainage and that methanol poses an air-quality and fire hazard and described a DME-to-stormwater-to-Basin-162 pathway.	These comments reference features of an earlier process design (v0.0, submitted May 6, 2024). Under the current application (v6.0, submitted April 2, 2026), the only solid output is hydrated ash and the only gaseous output is inert exhaust consisting of carbon dioxide and water vapor; the process does not generate dimethyl ether (DME), syngas, methanol, or any liquid byproduct, and it uses no water and generates no wastewater. The pre-application correspondence identifying DME and methanol hazards related to the earlier design and has been overtaken by the revised application. The concerns described do not apply to the facility as currently proposed.	NAC 444.676 Application v0.0



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12. Water Use and Process Water	4/1-5/1/26	A.J. Brown; Ruth Mathew; Dave & Laurie Lawdensky; Cory Young	Commenters ask how much water the facility uses; Commentators asks whether water exits as vapor or entrained moisture, the volume of make-up water, and how losses are managed, requesting a full accounting. Commentators notes the contradiction between "process water recycled" (to the RPC) and "no wastewater generated" (fact sheet). Many object to industrial water consumption in an overall located basin.	The pyrolysis process is proposed to use no water and generates no wastewater. The "recycled process water" representation reflects an earlier process design; there is no process water to account for, monitor, or discharge under the current application. Stormwater is managed on site as described under "Groundwater." The facility has also stated that the process generates no liquid byproduct; the pyrolytic bio-oil / condensate scenarios raised do not occur under the current (v6.0) design, and any equipment washdown is managed on site with no discharge.	NAC 444.676 MediWaste Application REV00 §3.2
13. Facility Siting and Land Use	4/1-5/1/26	Nye County Water District; Troy Hooks; Craig McVeay; Jeannie King; Sandra Nitoh; many residents	Commenters object to the central location near the DMV (~370 feet), a church, the courthouse, the Sheriff's Department, the Elks Lodge, schools, a park, businesses, and the landfill, and state the Master Plan designates an Industrial Park for such uses. They argue the site is "in the heart of town," offers little buffer, and that ample remote desert exists. Commentators note noise, light, odor, and visual impacts from extended operations.	The land-use compatibility, zoning, and siting are administered by Nye County. To the Division's knowledge, the parcel is zoned Heavy Industrial. The facility is permitted under NAC 444.676, and it is not subject to the landfill setbacks of NAC 444.678. The Division considered nuisance-related standards under NAC 444.594 and NAC 444.668 within the scope of its solid waste review.	NAC 444.594 NAC 444.668
14. Conditional Use Permit — Validity, Statute, and Expiration	4/1-5/1/26	Ruth Mathew; Victoria Poulsen; Margaret Chang; Paul Greenawalt; Fred Sobel	Commenters argue the CUP is void. Nye County processed it under NRS 278.315, which provides at subsection 12 that it does not apply to a CUP filed under NRS 278.147; that 278.147 was triggered because MediWaste disclosed commercial DME and methanol manufacture (listed under NAC 459.9533 / NRS 459.3833); and that applying 278.315 eliminated mandatory protections (notice to the Division and DIR Administrators, countywide publication, solicitation of Division/DIR comment, and a BOCC hearing). They cite NAC 459.953451 as requiring an NRS 278.147 CUP and call the CUP "void ab initio."	This facility is permitted under NAC 444.676. Provided the applicant satisfies the applicable permitting criteria under NRS/NAC Chapter 444, the Division's permitting decision is based on those requirements.	NAC 444.676
	4/1-5/1/26	Ruth Mathew	Commentator states that on expiration: Special Condition 7 required a CAT II Site Development application by October 9, 2024, and on August 13, 2025, the RPC voted 5-0 to deny a later application on the ground that CU-24-3 "had expired in May 2024," yet MediWaste filed with Division on January 14, 2026, without disclosing this.		



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15. Public Notice and Process	4/1-5/1/26	Ruth Mathew; A.J. Brown; Susan Ciani; Concerned Residents	Commenters state a timely written opposition (Paul Chong, April 3, 2024) was logged in the county archive but omitted from the RPC staff report, so the commissioners were unaware of it, and that the community learned of the April 10, 2024 vote only after the appeal window closed (citing NRS 241.036). Commentators state that a 2-mile radius (~12.6 square miles) was potentially affected but notice was limited to a parcel-based radius, and that medically vulnerable residents may not have been reached. Many commentators requested a public hearing.	The Division's public-notice process for SW1900REV00 was conducted in accordance with NRS/NAC Chapter 444: the comment period ran April 1 to May 1, 2026, a public hearing was held, and the notice and draft permit were published on the Division's website and distributed to the established mailing and electronic list.	NAC 444.6425
16. Conflicts of Interest and Official Conduct	4/1-5/1/26	Ruth Mathew; Victoria Poulsen; Margaret Chang; Faye Brudzinski	Commenters allege the planning director overlooked the NRS 278.147 trigger, the Division hazard warning, NRS 278.315(12), the department's own land-use matrix (WEST = DMV), and the Chong opposition letter — all “in the same direction, toward approval” — and that an RPC member brokered the property sale and recused only from the final vote. They request referral to the Nevada Commission on Ethics, the Attorney General's Public Integrity Unit, and the FBI, and ask whether any local entity stands to benefit financially.	The Division evaluates the application against the applicable requirements of NRS/NAC Chapter 444. The comments are recorded as part of the administrative record.	NRS/NAC Chapter 444



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17. Operator Qualifications and Experience	4/1-5/1/26	Troy Hicks; Carl Siva; Erica Clark; Hank Cent	Commenters state MediWaste is registered with the California Department of Public Health as an autoclave-only facility and has never operated a pyrolysis facility anywhere, and that autoclaving and pyrolysis are categorically different. They cite the Aemerge RedPak medical-waste pyrolysis facility (Hesperia, CA), which opened in 2017 and was in foreclosure by 2022, and the Rhode Island DEM denial of a near-identical proposal in July 2021 for lack of proven, tested protectiveness and inadequate buffer.		
	4/1-5/1/26	Troy Hicks; Faye Brudzinski	Commenters cite California's prohibition on new medical-waste incinerators since 2001 and peer-reviewed literature that pyrolysis produces PAHs, HCl, SO ₂ , NO _x , and dioxins/furans (particularly below ~1200°C), with the EU classifying pyrolysis as incineration. Commenters ask whether anyone could vouch for the LLC and why the LLC structure is used.	The Division evaluates the application against the applicable requirements of NRS/NAC Chapter 444. Comments concerning financial consequences of a facility closure are addressed through the financial assurance requirements under NAC 444.685-444.689 (see Financial Assurance).	NAC 444.676 NAC 444.685-444.689
	7/7-7/8/26	Ruth Matthew; Donald B. Booth; and Multiple Residents	Commenter states, and multiple other commenters corroborate, that MediWaste's representative stated on the record at the RPC hearing that California does not permit this technology and that Nevada was selected as a site specifically because of its comparatively less restrictive permitting environment. Commenter argues this is an admission that the applicant's own risk assessment concluded the facility was not permitable in its home state, and that Nevada should not serve as a regulatory refuge for processes other jurisdictions have determined pose unacceptable environmental risk. Several commenters reference the Granicus video archive of the April 10, 2024, RPC hearing as the source.		



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18. Emergency Response, Roads, and Transportation	4/1-5/1/26	Ruth Matthew; A.J. Brown; Paul Greenavalt	Commenters state Palrump Valley Fire-Rescue operates one HazMat team and three water tenders (~10,500 gallons) with no backup generator, that Las Vegas is 55 miles away, and that there is one critical-access hospital. They note the Division's pre-application correspondence flagged fire/explosion risk and that the draft permit contains no response, training, automatic suppression, mutual-aid agreement, or independent backup water. Commentators raise concerns with protection in failure scenarios, on-site HazMat-trained personnel, and firewater containment; others cite UN3291 biohazard response limits.	The Division evaluated the application against the applicable requirements of NRS/NAC Chapter 444. The transportation of medical waste is regulated under 49 CFR 173.134. MediWaste's application provided an Emergency Action Plan, fire-suppression provisions, and 24-hour hazardous-material response provisions. As a condition of the permit, the Division will require MediWaste to share all emergency plans, and any updates to those plans, with the local fire department and first responders. Larger spills will be managed in accordance with the facility's SPCC and SWPP plans. MediWaste shall report incidents to the Division as provided in their Operating Plan. Additionally, MediWaste shall report any noncompliance, imminent or existing hazard from the release of waste or hazardous constituents, any fire or explosion at the facility, or any condition which may endanger human health or the environment to the Division. Concerns specific to DME and methanol releases relate to the earlier process design (see Process Byproducts) and are no longer applicable.	NAC 444.6425 49 CFR 173.134 MediWaste Application §5, §7
	4/1-5/1/26	Troy Hicks; A.J. Brown; Tamie Pitman; Concerned Residents	Commenters raise transport on State Route 160 and U.S. 95 across two-lane desert highway, accident and spill risk, and deteriorating local roads, and state the record does not evaluate transportation routes, truck frequency, or road-infrastructure impacts.		
19. Economic Effects and Utility Demand	4/1-5/1/26	Faye Brudzinaki; Cory Young; Susan Ciani; Numerous Residents	Commenters raise the limited number and quality of jobs and ask about education and training requirements; the absence of tangible local benefit; effects on property values and community reputation; and demand on electric and natural-gas service.	The economic effects, employment, property values, and community benefit, and utility demand are not criteria for issuance of a solid waste permit under NRS/NAC Chapter 444.	NRS/NAC Chapter 444
20. Nye County Moratorium	4/1-5/1/26	Troy Hicks; others	Commenters note Nye County's hazardous-waste moratorium (Chapter 8.44) reflects the County's own acknowledgment that the local regulatory framework needed to evaluate such facilities does not yet exist, and request that the Division hold the application in abeyance until the County completes its rulemaking.	The Division's permitting decision is administered under NRS/NAC 444 and does not address nor incorporate Nye County's hazardous-waste moratorium (Nye County Code Chapter 8.44). However, per NRS 444.580 the governing body of a municipality may adopt standards and regulations for the location, design, construction, operation and maintenance of solid waste management systems more restrictive than those adopted by the State Environmental Commission and administered by the Division.	NAC 444.6425



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21. Permit Decision — Requests to Deny or Hold in Abeyance	4/1-5/1/26	Nye County Water District; Troy Hicks; Paul Greenawalt; A.J. Brown; Ruth Matthew	Commenters request that the Division deny the permit or, alternatively, hold it in abeyance pending an independent hydrogeologic investigation, comprehensive air-dispersion modeling, enforceable fail-safe containment and monitoring, demonstrated operating experience, and verified financial assurance.	Numerous commenters requested that the Division deny the permit or hold it in abeyance, on a range of grounds consolidated in the nine issues enumerated in one submission. After considering all comments received, the Division finds that none of the issues submitted establishes a basis to deny the permit under NRS/NAC Chapter 444. Grounds concerning the conditional use permit, land-use authorization, and the county moratorium fall outside the Division's solid waste authority (see Topics 14 and 20); the NSPS applicability determination and other air related issues such as real-time fence monitoring fall under the air pollution control permit (AP4953-4771). The grounds within the Division's jurisdiction: water pollution control, financial assurance, operator experience, and permit completeness, are addressed in Topics 2, 7, 9, and 17. The litigation bond and indemnity agreement are not mechanisms provided under NRA/NAC Chapter 444.	NAC 444.6425
	7/7-7/8/26	Ruth Matthew	Commenter formally invokes NAC 444.641.5 as the procedural basis for her denial request and enumerates nine specific grounds: (1) the local CUP foundation is procedurally defective under NRS 278.147 and NRS 278.315(12); (2) the facility has no valid local land-use authorization; (3) the permit was filed while the applicant knew the CUP had been found expired by the RPC in August 2025; (4) the permit contains material placeholders and blank tables that prevented meaningful public review; (5) no site-specific hydrogeologic investigation has been conducted for Basin 162; (6) financial assurance is self-proposed with no independent verification and does not cover post-closure, soil remediation, or aquifer monitoring; (7) the air quality permit (AP4953-4771) may have been issued under an incorrect NSPS applicability determination; (8) the facility has no operating history in pyrolysis anywhere; and (9) the Nye County moratorium on hazardous waste operations reflects the County's own documented finding that it lacks the regulatory framework to evaluate this facility. Commenter requests denial under NAC 444.6425.	Under NAC 444.6425(2), the Division may place conditions or modifications on a permit based on the comments received, and the specific conditions requested were evaluated individually for possible incorporation; those adopted are set out in the respective topics above and in the permit's Schedule of Compliance (SOC). Having evaluated the application against the applicable criteria of NRS/NAC Chapter 444, the Division's decision is set out in the Notice of Permit Issuance.	