

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

Name: Cheryl + Raymond Varkalis

Physical address: 1560 Indole St, Pahrump, NV 89048

E-mail address: happyhappyhappy997@gmail.com

Telephone number: 301-233-0525

Signature: Cheryl Varkalis, Raymond Varkalis

Representative capacity (if applicable):

Date: 9/3/2026

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.

NAC 444.980, NRS 444.553, NRS 444.560, NAC 444.641-444.6425,
NAC 444.668

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

I/We are aggrieved by NDEP's decision to issue Permit SW1900REV00 for the MediWaste Medical Waste Pyrolysis Facility in Pahrump. We contend the administrative record does not adequately demonstrate the proposed handling, storage + pyrolysis treatment of medical waste + resulting residues can be conducted without causing or contributing to health hazards public nuisances or impairment of the environment as required by NAC 444.668. We further contend that substantial environmental + health concerns raised during the public review process were not adequately resolved before final permit was issued. We therefore contend NDEP's final decision was clearly erroneous in view of reliable, probative + substantial evidence in the whole record and/or was arbitrary or capricious. We are personally aggrieved because we use water from Pahrump Basin 162. Also we participated in the NDEP 7/7/26 hearing + everyone who spoke against this was clear about the dangerous environmental impacts + health impacts on our town. We submitted written comments on these issues. What evidence did NDEP rely upon to conclude this particular medical waste pyrolysis operation satisfies NAC 444.668 despite contrary evidence + concerns in the administrative record?



ENVIRONMENTAL PROTECTION

A division of the
Nevada Department of Conservation & Natural Resources

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.



ENVIRONMENTAL 101

and how it affects the environment

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1. The environment is a complex system

2. The environment is a dynamic system

3. The environment is a complex system

4. The environment is a dynamic system

5. The environment is a complex system

6. The environment is a dynamic system

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The environment is a complex system

The environment is a dynamic system