



A division of the
Nevada Department of Conservation & Natural Resources

NEVADA DIVISION OF
**ENVIRONMENTAL
PROTECTION**

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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.

Responses Table of Contents

1. General Opposition and Form-Letter Submissions.....	3
2. Groundwater and Basin No. 162.....	4
3. Air Quality and Emissions.....	5
4. Hydrated Ash — Characterization and Disposal	6
5. On-Site Storage, Vectors, and Packaging.....	7
6. Treatment Efficacy, Pathogen Destruction, and Containment.....	8
7. Financial Assurance and Closure.....	9
8. Inspections, Oversight, and Reporting.....	10
9. Permit Completeness, Consistency, and Corrections.....	11
10. Waste Stream Definition and Out-of-State Waste	12
11. Process Byproducts — DME and Methanol.....	12
12. Water Use and Process Water.....	13
13. Facility Siting and Land Use	13
14. Conditional Use Permit — Validity, Statute, and Expiration	13
15. Public Notice and Process	14
16. Conflicts of Interest and Official Conduct.....	14
17. Operator Qualifications and Experience.....	15
18. Emergency Response, Roads, and Transportation.....	16
19. Economic Effects and Utility Demand	16
20. Nye County Moratorium.....	16
21. Permit Decision — Requests to Deny or Hold in Abeyance	17



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

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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



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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 (SWPP) plans. 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 SWPP. 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). 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.	NAC 444.594 NAC 444.6425 NAC 444.668 NAC 444.676
	4/1–5/1/26	Ruth Matthew; 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.		
	4/1–5/1/26	Ruth Matthew; 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.		
	7/7-7/8/26	Ruth Matthew	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.		



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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.		



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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. NRS/NAC Chapter 444 does not require a mass balance of process inputs and outputs for any solid waste management facility. However, in the event of extended closure, any unprocessed medical waste and/or hydrated ash must be removed from the site and sent to a facility approved by the Division if that facility is in Nevada.	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 commentators 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 grounded 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 Matthew; 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 Aemerge RedPak foreclosure and the Freepoint 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 Matthew; Victoria Poulsen; Margaret Chang; A.J. Brown; Faye Brudzinski	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 Matthew	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 Matthew	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 commenters; 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. Commentators ask the applicant to name clients and the fee schedule and whether the operation is for-profit. Commentators state that Nye County could absorb 100% of the risk without local benefit. Commentators 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 roentgens 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 Matthew; 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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Bureau of Sustainable Materials Management
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Permit ID#: SW1900REV00
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12. Water Use and Process Water	4/1–5/1/26	A.J. Brown; Ruth Matthew; 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 overallocated 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 Hicks; Craig McVeay; Jeannie King; Sandra Nitch; 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 Matthew; 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 Matthew	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.		



NEVADA DIVISION OF
**ENVIRONMENTAL
PROTECTION**

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

TOPIC	DATE	FROM	QUESTION / COMMENT	RESPONSE	PERMIT SECTION / REGULATORY CITATION
15. Public Notice and Process	4/1–5/1/26	Ruth Matthew; 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 Matthew; 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.	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 444.685–444.6859 (see Financial Assurance).	NAC 444.676 NAC 444.685–444.6859
	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. Commentators ask whether anyone could vouch for the LLC and why the LLC structure is used.		
	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 permissible 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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**ENVIRONMENTAL
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18. Emergency Response, Roads, and Transportation	4/1–5/1/26	Ruth Matthew; A.J. Brown; Paul Greenawalt	Commenters state Pahrump 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 Brudzinski; 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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**ENVIRONMENTAL
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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 444.6415 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.	