



# Storey County Planning Commission Meeting Agenda

Thursday January 16, 2020 at 6:00 p.m.  
Storey County Courthouse, District Courtroom  
26 South B Street, Virginia City, NV

*Jim Hindle – Chairman  
Jim Collins – Planning Commissioner  
Larry Prater – Planning Commissioner  
Summer Pellett – Planning Commissioner*

*Kris Thompson – Planning Commissioner  
Adrienne Baugh – Planning Commissioner*

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**All items include discussion and possible action to approve, modify, deny, or continue unless marked otherwise.**

1. **Call to Order at 6:00 p.m.**
2. **Roll Call**
3. **Pledge of Allegiance**
4. **Discussion/Possible Action:** Approval of Agenda for January 16, 2020.
5. **Discussion/Possible Action:** Election of Chairperson and Vice-Chairperson for 2020.
6. **Discussion/Possible Action:** Approval of Minutes for November 7, 2019.
7. **Discussion/Possible Action:** Special Use Permit 2020-001 request by the applicant Eco Compliance Corporation to construct and operate a medical waste thermal destruction plant and potential commercial power generation from waste. This request is a re-issuance of Special Use Permit 2017-044, due to expiration, which was originally approved on December 5, 2017. No changes from the previous approval are proposed. The subject property is located at 475 Pittsburgh Avenue, Tahoe-Reno Industrial Center, McCarran, Storey County, Nevada, Assessor's Parcel Number (APN) 005-051-54.

Note for Items 8, 9, 10 and 11 additional information including, but not limited to, draft text may be obtained from the Planning Department at 775.847.1144 or [planning@storeycounty.org](mailto:planning@storeycounty.org), or viewed online at <http://storeycounty.org/517/Updates>. In addition to the provisions of the NRS, any person may complete and return to the Board a statement supporting or opposing the proposed amendments to the county code and/or zoning ordinance. These items may be heard and discussed together if determined appropriate by the planning commission.

8. **Discussion Only/No Possible Action:** Text amendments to Storey County Code Title 17 Zoning regulating building setback, height, bulk, area, dimension, and density; parking requirements, egress, easements and right-of-ways; accessory structures and buildings; fences, hedges, and barriers; and other properly related matters in the following regulatory zones: CR Commercial-Residential; R1 Single-Family and R2 Multi-Family Residential; E Estate; F Forestry; A Agriculture; I1 Light Industrial and I2 Heavy Industrial; and SPR Special Planning Review zones.
9. **Discussion Only/No Possible Action:** Text amendments to Storey County Code Title 17 Zoning regulating shipping containers and accessory non-dwelling uses in all regulatory zones; watch-persons' accessory dwellings in the I1 Light Industrial, I2 Heavy Industrial, and IC Industrial Commercial zones; accessory dwelling units ("in-law quarters") in the following regulatory zones: CR Commercial-Residential; R1 Single-Family and R2 Multi-Family Residential; E Estate; F Forestry; A Agriculture; and SPR Special Planning Review zones.

10. **Discussion Only/No Possible Action:** Text amendments to Storey County Code Title 17 Zoning modifying, clarifying, elaborating upon, and consolidating land use and other terms and definitions in Chapter 17.10 Definitions and as those terms and definitions apply to and within all regulatory zones and all other provisions in the zoning ordinance.
11. **Discussion Only/No Possible Action:** Text amendments to Storey County Code Title 17 Administrative Provisions to clarify and modify language, and align to NRS noticing requirements in sections 17.03.050, 17.03.060, 17.03.070 and 17.03.080.
12. **Discussion Only:** Special Use Permit use category listing and related fees.
13. **Discussion Only/No Possible Action.** Map amendments to the Official Storey County Zoning Map, changing zone districts R1 Single-Family Residential to SFR Single-Family Residential, R2 Multi-Family Residential to MFR Multi-Family Residential, I1 Light Industrial to IL Light Industrial, I2 Heavy Industrial to IH Heavy Industrial, and adding IN Neighborhood Industrial to the list of classified zones, affecting all listed zones in Storey County except those located within the annexed portions of the Tahoe-Reno Industrial Center, and other properly related matters.
14. **Discussion/Possible Action:** Determination of next Planning Commission meeting.
15. **Discussion/Possible Action:** Approval of Claims.
16. **Correspondence** (no action)
17. **Public Comment** (no action)
18. **Staff** (no action)
19. **Board Comments** (no action)
20. **Adjournment**

**Notes:**

- There may be a quorum of Storey County Commissioners in attendance, but no action or discussion will be taken by the Commissioners.
- Public comment will be allowed after each item on the agenda (this comment should be limited to the item on the agenda). Public comment will also be allowed at the end of each meeting (this comment should be limited to matters not on the agenda).
- Items on the agenda may be taken out of order, the public body may combine two or more agenda items for consideration, and the public body may remove an item from the agenda or delay discussion relating to an item on the agenda at any time.
- Additional information pertaining to any item on this agenda may be requested from Lyndi Renaud, Planning Department (775-847-1144).
- Supporting material is available to the public and may be obtained at <http://www.storeycounty.org/agendacenter> or the Storey County Courthouse, Planning Department, 26 South B Street, Virginia City, Nevada.

**Certification of Posting**

I, Lyndi Renaud, on behalf of the Storey County Planning Commission, do hereby certify that I posted, or caused to be posted, a copy of this Agenda at the following locations on or before January 7, 2020: Virginia City Post Office; Storey County Courthouse; Storey County Community Development; Virginia City Fire Station 71; Virginia City RV Park; Mark Twain Community Center; Rainbow Bend Clubhouse; Lockwood Community/Senior Center; Lockwood Fire Station; and the Virginia City Highlands Online Message Board. By Lyndi Renaud, Secretary



# STOREY COUNTY PLANNING COMMISSION

## Meeting and Public Workshop

Thursday November 7, 2019 6:00 p.m.  
26 South B Street, District Courtroom,  
Virginia City, Nevada

### MEETING MINUTES

CHAIRMAN: Jim Hindle

VICE-CHAIRMAN: John Herrington

COMMISSIONERS:

Larry Prater, Kris Thompson, Summer Pellett, Jim Collins, Adrienne Baugh

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1. **Call to Order:** The meeting was called to order by the Chairman at 6:00 P.M.
2. **Roll Call:** Jim Hindle, Summer Pellett, Larry Prater, John Herrington, Jim Collins, Kris Thompson. **Absent:** Adrienne Baugh.  
**Also Present:** Senior Planner Kathy Canfield, County Manager Austin Osborne.
3. **Pledge of Allegiance:** The Chairman led those present in the Pledge of Allegiance.
4. **Discussion/Possible Action:** Approval of Agenda for November 7, 2019.  
**Motion:** Amend to combine items 7 through 10 to be heard as one agenda item, and Approval of Agenda for November 5, 2019, **Action:** Amend and Approve, **Moved by** Commissioner Herrington, **Seconded by** Commissioner Thompson, **Vote:** Motion carried by unanimous vote (**summary:** Yes=6).  
No Public Comment.
5. **Discussion/Possible Action:** Approval of Minutes for September 5, 2019.  
**Motion:** Approval of Minutes for September 5, 2019, **Action:** Approve, **Moved by** Commissioner Thompson, **Seconded by** Commissioner Pellett, **Vote:** Motion carried by unanimous vote (**summary:** Yes=6).  
No Public Comment.
6. **Discussion/Possible Action:** Approval of Minutes for September 19, 2019.  
**Motion:** Approval of Minutes for September 19, 2019, **Action:** Approve, **Moved by** Commissioner Pellett, **Seconded by** Commissioner Collins, **Vote:** Motion carried by vote (**summary:** Yes=5, Abstain=Kris Thompson).  
No Public Comment.

Note for Items 7, 8, and 9, additional information including, but not limited to, draft text may be obtained from the Planning Department at 775.847.1144 or [planning@storeycounty.org](mailto:planning@storeycounty.org), or viewed online at <http://storeycounty.org/517/Updates>. In addition to the provisions of the NRS, any person may complete and return to

the Board a statement supporting or opposing the proposed amendments to the county code and/or zoning ordinance. These items may be heard and discussed together if determined appropriate by the planning commission.

7. **Discussion Only/No Possible Action:** Text amendments to Storey County Code Title 17 Zoning regulating building setback, height, bulk, area, dimension, and density; parking requirements, egress, easements and right-of-ways; accessory structures and buildings; fences, hedges, and barriers; and other properly related matters in the following regulatory zones: CR Commercial-Residential; R1 Single-Family and R2 Multi-Family Residential; E Estate; F Forestry; A Agriculture; I1 Light Industrial and I2 Heavy Industrial; and SPR Special Planning Review zones.
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9. **Discussion Only/No Possible Action:** Text amendments to Storey County Code Title 17 Zoning modifying, clarifying, elaborating upon, and consolidating land use and other terms and definitions in Chapter 17.10 Definitions and as those terms and definitions apply to and within all regulatory zones and all other provisions in the zoning ordinance.
10. **Discussion Only/No Possible Action.** Map amendments to the Official Storey County Zoning Map, changing zone districts R1 Single-Family Residential to SFR Single-Family Residential, R2 Multi-Family Residential to MFR Multi-Family Residential, I1 Light Industrial to IL Light Industrial, I2 Heavy Industrial to IH Heavy Industrial, and adding IN Neighborhood Industrial to the list of classified zones, affecting all listed zones in Storey County except those located within the annexed portions of the Tahoe-Reno Industrial Center, and other properly related matters.

**Senior Planner Canfield:** Handed out binders with the proposed zone text amendments in paper form for the commissioners to review and comment on, no action tonight. Drafts will be on the website within the next couple of days for the public to view.

**Topics of discussion included:**

Changing the abbreviations for certain zones to match building code, such as R1 changing to SFR (single family residence), R2 changing to MRF (multi-family residential).

**Definitions:** Language has been clarified, combined in some cases, and simplified.

**General Provisions and other Title 17 Chapters:**

Changes to Home Enterprises (deregulate).

In-Home Childcare is proposed to be allowed in any zone which allows residential units. Special Use Permit required to care for more than six children.

Height of communication towers proposed to be 55' instead of 45'; industrial zones to still be allowed 75'. Anything over the height limitations will require a special use permit.

Revisions to shipping container and accessory structure requirements are proposed in order to streamline language and make it simpler to understand.

Propose to eliminate the deed restriction for accessory buildings which are connected to a water source; this restriction wasn't being enforced. Deed restriction will still be required for accessory dwellings; however the requirement for a special use permit to construct an accessory dwelling is proposed to be eliminated.

Historic standards will remain the same at this point, but the requirement for covered porches over the boardwalk will only be between Flowery and Sutton Streets. May also allow for design and materials other than wood to replace the boardwalk; this will require a special use permit.

Setbacks proposed to be reduced in some zones. Need to review setbacks in SFR and MFR zones. Much of the MFR zone is utilized by SFR uses.

Revisions to fencing and open storage are proposed.

Added a minimum lot size waiver for infrastructure uses.

Crisis Care Facilities are proposed to be allowed in residential zones. Input from the Community Chest was considered in this proposal. This is specifically a place where a person or family members can escape a domestic violence situation. Requiring a special use permit can compromise confidentiality. This doesn't include Group Homes or rehab facilities.

Distance requirement between buildings is proposed to be eliminated. Building codes cover this.

Agriculture zone revision includes adding some allowed uses which currently require a special use permit.

Streamlined some land uses in the light industrial zone and proposing to change the setback to zero unless it abuts a residential use.

Short term vacation rentals are already allowed in the CR zone and are a special use in the R1 and R2 zone. Looking at pros and cons of allowing these in the Estate zone.

Setbacks are generally proposed to be reduced slightly in the Estate zone but may remain the same for E-1 in Mark Twain. We want to be consistent but not increase setbacks for existing Estate zones such as Mark Twain.

SPR (Special Planning Review) zone which consists of mostly mining uses is proposed to allow dwellings of less than 800 square feet with a special use permit. Historically, many of the homes in this zone were probably very small (miners cabins).

NR (Natural Resources) did not have any allowed uses listed. Proposed to have some allowed uses without a special use permit. Most of the NR zoning is along the Truckee River and is owned by the Nature Conservancy.

**Commissioner Pellett:** Asked if the Public zone has a minimum lot size. Commented that the county may want to rezone a parcel that has a public use on it, to a Public zone. That way the zoning map would show infrastructure on any parcel as yellow for Public and it wouldn't have a minimum lot size.

**Senior Planner Canfield:** Said that allowing public infrastructure in any zone avoids having to rezone parcels to Public which would create spot zoning.

Discussion between staff and commissioners about public infrastructure being allowed in any zone and the pros and cons of rezoning parcels to allow for infrastructure uses.

Public Comment:

**Brenda Findley:** Said she and her husband are in escrow to purchase property below Savage Mansion on D Street. The property is steep and has a travel way running through it between D and E Street. Would like to take advantage of the slope to build up high to have a view, but are limited due to the road intersecting the property. Would like to be able to build a bridge over the road in order to utilize the whole property and have a portion of the home or at least a deck over the road. It would create a tunnel effect for that road. Understand that there would be requirements for solid construction to maintain the public travel way. Said they would like that to be considered as an option in order to construct a home. Just curious as to how the zoning amendments would impact their ability to do something like this. Spoke with the historic district and they are fine with the idea as long as the bridge could look like a railroad trestle or something appropriate for the history of the town.

**11. Discussion/Possible Action:** Determination of next planning commission meeting.

**Motion:** Next planning commission meeting to be held on December 5, 2019 at 6:00 P.M. at the Storey County Courthouse, Virginia City, Nevada, **Action:** Approve, **Moved by** Commissioner Thompson, **Seconded by** Commissioner Prater, **Vote:** Motion carried by unanimous vote (**summary:** Yes=6).

No Public Comment

**12. Discussion/Possible Action:** Approval of claims – None

**13. Correspondence (No Action) – None**

**14. Public Comment (No Action) – Brenda Findley:** Asked about the height restriction of 35' or three stories and if that includes a basement if it was underground and two stories above it.

**Commissioner Collins:** Said he believes that the basement wouldn't be counted as a floor if three sides of it are buried.

Brief discussion between staff, commissioners and the public of what counts as a story and height restriction, and how it affects the ability to build.

**15. Staff (No Action) –**

**Senior Planner Canfield:** Talked about attending the APA Conference with Adrienne, Jim and Summer that was held in Sparks. It was a good conference and was primarily focused on housing and transportation issues. Said that the person who is in charge of vacation rentals in South Lake Tahoe had interesting things to say on what's happened in their community with these types of uses. The most impactful speech at the conference was one given by a director from Paradise, CA talking about what happened to their community and the governmental agencies and how they have dealt with rebuilding in the aftermath of the devastating wildfire. It was a very emotional speech. Most of the government buildings were destroyed too. She talked about how zoning was changed to allow people to live in trailers while clearing and rebuilding was going on.

**Chairman Hindle:** Commented that he attended the conference held in Carson two years ago and the one held in Sparks recently. He found that at the Carson conference had talks that were more futuristic and discussed autonomous and electric vehicles and urban development rather than focused on today and dealing with today's issues. The Sparks conference was more focused on the here and now regarding residential development, economics and zoning. Said that during the opening breakfast and some of the discussions Storey County was getting the finger pointed at it from Washoe County stating that Storey has a lot of development occurring but is not incurring any costs from residences. Austin did well on the panel that he was on in defending Storey County.

**Commissioner Thompson:** Said that he is already hearing that there will be a move made by Washoe County and perhaps other neighboring counties to try to come after Storey County's revenue in the next session (legislature). He explained the argument TRI uses in defending this is notion that neighboring counties incur the costs related to development in Storey. For example 94% of Tesla's 10,000 employees were already Nevada residents when they were hired meaning that only 6% had to move here from somewhere else. TRI's annual payroll is about 750M. Most of that payroll goes out to other communities which drives sales taxes up. Room taxes are up for people visiting TRI from all over the world. Gaming, Sales and room taxes are all up in Reno and Sparks and a lot of it is from the 25,000 jobs at TRI. Most of the trades that are contracting and sub-contracting work at TRI are based in Reno and Sparks.

Discussion about Storey County development and perceived impacts to Washoe County continued.

**Senior Planner Canfield:** The BOCC on Tuesday designated November 16 through the 22<sup>nd</sup> Flood Awareness Week which is in conjunction with the State Department of Water Resources. This helps us with the FEMA programs the county is doing. Said she has been coordinating with State staff, and staff in surrounding counties with flood plain issues and public outreach.

**16. Board Comments (No Action) –**

Chairman Hindle mentioned the passing of Virgil Bucchianeri longtime member of the planning commission who certainly had a lot of input and impact here. Thoughts and prayers to the family.

**Commissioner Prater:** Propose that staff could write up a commendation about Virgil's service to the County that can be read into the record at the next meeting.

**County Manager Osborne:** Said that he did ask the family how they would like the County to recognize Virgil and his service to the County. The family asked that it be kept very quiet and very low key. He said that before we do anything public, he would like to reach out to the family again and make sure they are okay with it.

**17. Adjournment (No Action) -** The meeting was adjourned at 7:10 pm.

Respectfully Submitted, By Lyndi Renaud

**Storey County  
Planning Department**  
Storey County Courthouse  
26 South B Street, PO Box 176, Virginia City, Nevada 89440  
Phone 775-847-1144 – Fax 775-847-0949  
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**To:** Storey County Planning Commission

**From:** Storey County Planning Department

**Meeting Date:** January 16, 2020 at 6:00 p.m.

**Meeting Location:** Storey County Courthouse, 26 South “B” Street, Virginia City, Nevada

**Staff Contact:** Kathy Canfield

**File:** Special Use Permit File 2020-001

**Applicant:** Eco Compliance Corporation

**Property Owner:** Eco Compliance Corporation

**Property Location:** 475 Pittsburgh Avenue, McCarran, Storey County, Nevada

**Request:** Special Use Permit 2020-001 request by the applicant Eco Compliance Corporation to construct and operate a medical waste thermal destruction plant and potential commercial power generation from waste. This request is a re-issuance of Special Use Permit 2017-044, due to expiration, which was originally approved in December 5, 2017. No changes from the previous approval are proposed. The subject property is located at 475 Pittsburgh Avenue, Tahoe-Reno Industrial Center, McCarran, Storey County, Nevada, Assessor’s Parcel Number (APN) 005-051-54.

**1. Background & Analysis**

- A. Background.** This application is a request for a re-issuance of the Special Use Permit (SUP) 2017-044, which was reviewed by the Planning Commission and approved by the Board of County Commissioners in December 2017. No changes to the project are proposed from what was originally reviewed and approved by Storey County. During the timeframe from when the original SUP was issued, the applicant has been working with the Nevada Division of Environmental Protection (NDEP) to obtain all necessary permits from the State of Nevada. The applicant is now in the final stages of the NDEP permitting process and is expecting a permit to be issued within the next two months.
- B. Site Location and Characteristics.** The property is located within the Tahoe-Reno Industrial Center in McCarran, Storey County, Nevada. The property is located on

Pittsburgh Avenue between USA Parkway and Peru Drive. The site is zoned I-2, Heavy Industrial and is an undeveloped parcel. Surrounding land uses include Union Pacific Railroad line and vacant land to the north, vacant land and USA Parkway to the east, Pittsburgh Paints and vacant land to the south, and vacant land Tire Rack to the west.



Vicinity Map



Property Location



Existing Development



Surrounding Uses

- C. **Proposed Use.** The applicant, Eco Compliance Corporation (ECO) is proposing to construct and operate a medical waste thermal destruction plant. The proposal includes constructing a single building facility which includes the thermal destruction facility, an office area, employee parking area and two separate areas for truck trailer parking. With the construction of the proposed facility, ECO will offer full medical waste disposal services from collection, transportation and final disposal via thermal destruction. It is estimated the facility will employ approximately 36 full-time staff.

In the thermal destruction process, the medical waste is not being burned or incinerated, but rather chemically converted to combustible gases and ash under specific conditions (temperature and oxygen content). In a typical combustion process, the medical waste serves as a fuel and is burned which creates heat, smoke and gaseous combustion byproducts. In the proposed gasification process, the medical waste does not serve as the fuel, but is converted to a combustible gas (sometimes called syngas). This gas is then combusted. The combustion of the resulting syngas is a much cleaner and more efficient process than the combustion of the medical waste directly. During this combustion process, it is estimated that more power than what is consumed for the process will be generated. The applicant will be exploring options to provide the power to other users.

The medical waste will arrive at the facility by both 53-foot semi-trailer trucks and smaller 26-foot trucks. At full operating capacity, it is estimated that 7 to 9 semi-trailer trucks and 8 to 10 smaller trucks will arrive at the facility on a weekly basis. The trucks will be a combination of ECO owned and operated trucks and third-party transporters and will arrive at the facility during low traffic hours (between 8:00 p.m. and 5:00 a.m.). The facility also anticipates constructing a rail spur within the facility to allow for receipt of medical waste by rail; however, the construction of the rail spur will be a future endeavor and is not proposed with the initial construction of the facility.

The delivered waste is processed through the thermal destruction equipment. Approximately 80% of the waste is converted to a combustible gas and the remaining 20% is converted to ash. The high temperatures achieved in the thermal destruction eliminates any biohazard associated with the ash. Water is then added to the ash to create a paste mixture which is then packaged in bags within the facility and then shipped offsite for sale for use as fertilizer.



Proposed Site Layout

D. **Special Use Permit.** This property is subject to the provisions of the 1999 Zoning Ordinance of Storey County. The property is zoned I-2, Heavy Industrial and as stated in Section 17.37.040, "Recycling facilities and operations involving use, recovery or residue of hazardous materials and/or wastes" are a use subject to a special use permit. The generation of excess power is considered an "electric or gas power generating plant" which is also subject to a special use permit. The proposed equipment height is less than 75-feet in height so that no special use permit is needed for additional height.

E. **Biohazardous Waste.** The waste streams that the facility will process are considered biohazardous as they potentially can be contaminated with infectious agents that may be a threat to public health if not handled and disposed of properly. These wastes include:

- Red-Bag Waste: Used medical gloves, paper towels, gauzes, bandages, etc. May include some human tissue (teeth, cultures).
- Sharp Containers: Containers that contain sharps (i.e. needles/syringes).
- Chemotherapy: Tubing, gauzes, gloves, and other supplies used in the administration of chemotherapy medication. Does not include the actual chemotherapy medication other than what trace amounts may be on the aforementioned supplies.
- Pharmaceutical: Expired or tainted pharmaceuticals.
- Pathology: Human or animal tissue or fluids generated during surgery, medical procedures, or autopsies. Does not include bodies (human or animal) or entire limbs. May include human body parts up to the size of a finger.

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The medical waste inside the trucks will be stored in one of two containers<sup>2</sup>:

1) Gaylord boxes (pallet sized corrugated cardboard box with lid)



Example of a gaylord box

2) 28 or 38-gallon sealed plastic containers



Example of a 28-gallon plastic container

The wastes do not represent an airborne threat and direct contact with the waste is required for a threat to be present. These wastes are collected and stored at their point of generation (i.e. hospitals, doctor offices, dentists, etc...) in open, non-air tight

containers. The closest a typical person comes into contact with any of these wastes is at their doctor or dentist office (inside the exam room) where the waste is stored in open, non-air tight containers.

All of the above referenced medical wastes are not considered or regulated by the U.S. Environmental Protection Agency (EPA) Resource and Conservation Recovery Act (RCRA) as hazardous waste and under Nevada Division of Environmental Protection (NDEP) regulations can be disposed of in a standard landfill without treatment. Some jurisdictions have adopted more stringent requirements for disposal, including the State of California and both Washoe and Clark Counties in Nevada. Regardless of where a waste is ultimately disposed, the local regulations at the point of generation apply to the disposal. The proposed thermal destruction meets the State of California and the Washoe and Clark Counties requirements.

- F. **Thermal Destruction Process.** The medical waste arrives at the site by truck in either Gaylord boxes or in sealed plastic containers as depicted above. The trucks unload directly into the facility at the loading docks proposed on the east side of the facility. At no time are the boxes or containers exposed or stored outdoors. Once inside the facility, the content of the boxes and containers are emptied into a cart and then the cart is unloaded into the thermal unit. The boxes are then separately loaded into the thermal unit and the plastic containers are cleaned and reused. The plastic containers are cleaned in a machine which utilizes hot water and cleaning agents. No air pollutant emissions are generated from this washing machine.

In some instances storage of the medical waste in the delivery trucks may be required due to adverse weather conditions, facility breakdowns or maintenance, or high receipt volume.

The thermal destruction unit consists of a two-chamber thermal unit followed by a heat recovery boiler, and then a series of four air pollutant control devices to treat the exhaust air for the thermal destruction unit prior to discharge to the atmosphere. The heat content of the medical waste is sufficient to maintain the temperature needed for thermal destruction of the waste (i.e. process is endothermic). Following the initial pre-heat cycle using natural gas to bring the thermal unit to operating temperature, the thermal destruction process operates without the need for natural gas combustion. The natural gas burners remain on standby in case a disruption in the medical waste feed occurs and combustion of natural gas is required to maintain operating temperature.

The thermal destruction unit is also equipped with a “power package” that uses the heat generated during thermal destruction of the medical waste to create steam in the heat recovery boiler and operate a steam turbine for the production of electrical power. The steam generated in the recovery boiler is condensed back into water and reused in the boiler, no steam is exhausted from this unit. During normal operation, the facility will produce significantly more power than it consumes. The applicant plans to investigate donating power to University of Nevada – Reno or potentially Storey County, and to selling power to other nearby high energy users. Further discussions between power users will occur at a later date.

The first chamber of the thermal destruction unit, the medical waste is converted into a combustible gas and ash through a process called gasification. Approximately 80% of the medical waste is converted to combustible gas and 20% is converted to ash. The high temperatures achieved in the thermal destruction unit eliminates any biohazard associated with the medical waste. The combustible gas then goes into the second chamber where it is combusted. The exhaust from the secondary chamber, which is at approximately 2,000 degrees Fahrenheit, goes through the heat recovery boiler where the heat is used to create steam which is then turned into electricity in the steam turbine. Following the heat recovery boiler, the exhaust stream is routed to four unique air pollutant control devices. The purpose of the control devices is to remove acid gases, dioxins, particulate matter and metals from the exhaust stream of the secondary chamber. These pollutants are partially byproducts of the thermal destruction process and partially materials present in the medical waste. The pollutant controls devices, which will achieve virtually complete removal of the pollutants are install in series in the following order:

1. Lime and activated carbon reactor
  - Slaked lime dosed with activated carbon is used to remove acid gases and dioxins from exhaust stream.
  - Exhaust gas contact lime/activated carbon in a reactor where the acid gases and dioxins absorb to the lime/activated carbon.
  - Lime/activated carbon is loaded into unit via a sealed hopper (no dust production) equipped with a metering screw auger.
  - Spent lime/activated carbon is discharged into sealed containers (no dust production) located inside the facility building and shipped offsite for disposal/sale.
  
2. Baghouse
  - Baghouse equipped with lime/activated carbon coated filter bags for the removal of particulates (including lime/activated carbon from previous process), metals, and further acid gas and dioxin removal.
  - Baghouse removes particulates and materials via filtration and lime coating on baghouses provides removal of residual acids gases and dioxins via absorption.
  - Solid material removed by baghouse is discharged into sealed containers (no dust production) located inside facility building and shipped offsite for disposal/sale.
  
3. Wet scrubber
  - Recirculating wet scrubber with a liquid scrubbing liquor at pH 7 for submicron particle removal and further removal of acid gases (if needed).
  - Exhaust stream is passed through “misting” liquid scrubbing liquor inside wet scrubbing unit.

- Acid gases are removed by acid neutralization in the scrubbing liquor and submicron particles are removed via absorption into the scrubber liquor.
  - The vast majority, if not all, of acid gases will be removed by this stage and wet scrubber serves as a “polishing” removal.
  - Water is produced by this unit which is recirculated into the thermal destruction unit to be used for cooling when needed.
4. Wetted packed tower polisher
- Final pollutant control device designed to remove any residual pollutants not removed by other control devices.
  - Unit is a tower “packed” with Teflon balls dosed with scrubbing liquor at pH 7.
  - Acid gases are removed by acid neutralization in the scrubbing liquor and submicron particles are removed via absorption into the scrubber liquor.
  - It is important to note that by this stage virtually all of the pollutants will be removed and this unit services as a “polisher” and provides redundancy.
  - Water is produced by this unit which is recirculated into the thermal destruction unit to be used for cooling when needed.
  - This tower discharges to a 70-foot exhaust stack.

In addition to the above pollutants, the thermal destruction process will also produce nitrogen oxides (NOx), carbon monoxide (CO), and sulfur dioxide (SO<sub>2</sub>) which the pollutant control devices do not provide significant removal, however, these pollutants are emitted in relatively low quantities compared to other industrial facilities.

Estimated Maximum Potential to Emit (tons/yr)*									
Particulate Matter	CO (Carbon Monoxide)	Dioxin	VOC (Volatile Organic Compounds)	HCl (Hydrochloric Acid)	SO <sub>2</sub> (Sulfur Dioxide)	NOx (Nitrogen Oxides)	Pb (lead)	Cd (Cadmium)	Hg (Mercury)
0.14	2.45	0.000000015	2.36	0.74	2.06	26.93	0.0000011	0.00000021	0.0000021

\*Estimate as of October 2017. Values subject to change based on facility design changes and/or air quality permitting process

The above table documents the maximum potential emissions that will meet NDEP requirements. The NDEP does not allow facilities to operate that will result in the exceedance of National Ambient Air Quality Standards (NAAQS) based on air dispersion modeling. The NAAQS are the pollutant concentrations in the air that the Environmental Protection Agency has determined to be safe for public air.

In addition, NDEP has a condition in their permits that “Permittee may not discharge or cause to be discharged, from any stationary source, any material or regulated air pollutant which is or tends to be offensive to the senses, injurious or detrimental to health and safety, or which in any way interferes with or prevents comfortable enjoyment of life or property.

There is no odor expected from what is approved to be release in the air quality permit and “down-wind” properties are not expected to be impacted by the proposed air emissions.

- G. Safety Issues.** In the event of a spill or release of the medical waste, properly trained facility personnel will clean up the released materials. The wastes do not represent an airborne threat. A “portal of entry” (a site where an infectious agent enters the body such as ingestion, break in the skin, etc.) is needed for the waste to represent a threat to humans. The medical waste is a solid product and cannot “flow” out of the facility. A cleanup of any released materials is essentially the same as cleaning up garbage that has spilled with the difference being the training and personal protective equipment (gloves, face shields, protective garments) is required to ensure no direct body contact with the medical waste occurs. Similarly, if one of the delivery trucks is involved in an accident the vehicle and waste containers would be properly labeled such that responders would be aware of the contents and proper cleanup would occur.

In addition, the medical waste is double contained through all transportation. ECO provides third-party response to release of medical waste and therefore will have the full capability to respond to any releases of medical waste that occurs within and outside of the facility.

As stated in Section 1.D, above, all of the above referenced medical wastes are not considered or regulated by the U.S Environmental Protection Agency (EPA) Resource and Conservation Recovery Act (RCRA) as hazardous waste and under Nevada Division of Environmental Protection (NDEP) regulations can be disposed of in a standard landfill without treatment.

All permitting and reporting will be performed per federal, State of Nevada and Storey County requirements. The facility will be subject to Title 40 of Federal regulations (*40 CFR Part 60 – Standards of Performance for New Stationary Sources, Subpart Ec, Standards of Performance for Hospital/Medical/infectious Waste incinerators for Which Construction is Commenced After June 20, 1996*) which provides federally enforceable standards of performance for facilities of this type. Although the proposed facility is not considered an incinerator, based on meetings with regulatory authorities, the facility will be subject to these same standards and requirements. These standards include limits on emitted air pollutants, air quality compliance testing and monitoring and reporting requirements. The Nevada Division of Environmental Protection – Bureau of Air Pollution Control, will be the regulatory authority responsible for issuing and enforcing the air quality operating permit for the proposed facility.

## **2. Compatibility and Compliance**

- A. Compatibility with surrounding uses and zones.** The following table documents land uses, zoning classifications and master plan designations for the land at and surrounding the proposed project.

	Land Use	Master Plan Designation	1999 Zoning Code	2015 Zoning Code
Applicant's Land	Vacant	Industrial	I-2 Heavy Industrial	I2 Heavy Industrial
Land to the North	U.P. Railroad line, vacant	Industrial	I-2 Heavy Industrial	I2 Heavy Industrial
Land to the East	USA Parkway, vacant	Industrial	I-2 Heavy Industrial	I2 Heavy Industrial
Land to the South	Pittsburgh Paints, vacant	Industrial	I-2 Heavy Industrial	I2 Heavy Industrial
Land to the West	Pittsburgh Paints, Tire Rack, vacant	Industrial	I-2 Heavy Industrial	I2 Heavy Industrial

- B. **Compliance with required height limitations.** The 1999 Storey County Zoning Ordinance Section 17.37.080 states: “No building shall have a height greater than six (6) stories or seventy-five (75) feet, not including silos, stacks, or equipment.” Based on the submitted application, the applicant has stated the maximum height proposed is for a 70-foot high exhaust stack, which is consistent with the height limitations.
- C. **Compliance with required setbacks.** The 1999 Storey County Zoning Ordinance Section 17.37.080 states: No building shall be located closer than fifty (50) feet to any property line. The applicant previously applied for and received a variance for the front yard setback, which has now expired. Since the variance approval (File 2017-046), Storey County has done more research into the Development Agreement between the TRI Center and Storey County, and it was found that the Building Official may grant a waiver to the setback requirements without needing a variance. As the variance was previously reviewed and approved by the Planning Commission and the Board of County Commissioners, the Building Official has agreed to grant a waiver for the setback, and no new variance approval is required.
- D. **General use allowances and restrictions.** The 1999 Storey County Code Section 17.62, Special Uses (which refers to Section 17.60) identifies the administration for the Board and Planning Commission for allowing special use permits. The use of “recycling facilities and operations involving use, recovery or residue of hazardous materials and/or wastes” and electric or gas power generating plants” are uses subject to a Special Use Permit. Approval of a Special Use Permit “may only be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of any ordinance or resolution and under such conditions as the board may deem necessary to assure that the general purpose and intent of this ordinance will be observed, public safety and welfare secured and substantial justice done.” The approval, approval with conditions, or denial of the Special Use Permit must be based on findings of fact that the proposed use is appropriate or inappropriate in the location. The findings listed in Section 3 of this staff report are the minimum to be cited in an approval.
- E. **Conformance with the 2016 Storey County Master Plan.** This project is located within the Tahoe-Reno Industrial Center which the Master Plan states “provides for light industrial, heavy industrial, commercial, and industrial commercial uses and zones pursuant to the Development Agreement between Storey County and the Tahoe-Reno Industrial Center, LLC.” The property and the Tahoe-Reno Industrial Center are located in the McCarran Area Plan which the Master Plan states “depicts a homogenous

planned industrial center located toward the north-central part of Storey County nine miles east of Lockwood. It is home to the Tahoe-Reno Industrial Center and is dedicated solely to manufacturing, utility power production, warehousing and distribution, and other heavy- and light-industrial, and commercial uses. The industrial center has grown to become a major regional hub for distribution, alternative energy production, digital data management, and highly intensive and experimental industries.” The proposed use of “recycling facilities and operations involving use, recovery or residue of hazardous materials and/or wastes” is consistent with the heavy industrial use statements for the Tahoe-Reno Industrial Center.

### 3. Findings of Fact

- A. Motion for approval.** The following Findings of Fact are evident with regard to the requested special use permit when the recommended conditions of approval in Section 4, Recommended Conditions of Approval, are applied.
- (1) This approval is for Special Use Permit 2020-001, a request by the applicant Eco Compliance Corporation to construct and operate a medical waste thermal destruction plant and potential commercial power generation from waste. The subject property is located at 475 Pittsburgh Avenue, Tahoe-Reno Industrial Center, McCarran, Storey County, Nevada, Assessor’s Parcel Number (APN) 005-051-54.
  - (2) The Special Use Permit conforms to the 2016 Storey County Master Plan for the McCarran planning area in which the subject property is located. A discussion supporting this finding for the Special Use Permit is provided in Section 2.E of this staff report and the contents thereof are cited in an approval of this Special Use Permit.
  - (3) The subject property is located within an existing industrial neighborhood in the McCarran area of Storey County. The zoning is based on the 1999 Storey County Zoning Ordinance which identifies this property as I-2 Heavy Industrial. The proposed medical waste thermal destruction plant is defined as a “recycling facilities and operations involving use, recovery or residue of hazardous materials and/or wastes” and requires a Special Use Permit.
  - (4) Granting of the Special Use Permit, with the conditions of approval listed in Section 4 of this report, will not under the circumstances of the particular case adversely affect to a material degree the health or safety of persons/property in the neighborhood of the subject property. The project is expected to meet the safety and health requirements for the subject area. The use will also be subject to building and fire plan review in order to ensure compliance with federal, state and other codes.
  - (5) The Special Use Permit will not impose substantial adverse impacts or safety hazards on the abutting properties or the surrounding area, and it will comply with all federal, state and county regulations.

- (6) The conditions under the Special Use Permit do not conflict with the minimum requirements in the 1999 Storey County Zoning Ordinance Sections 17.37 I-2 Heavy Industrial and 17.62 Special Uses.
- (7) Granting of the Special Use Permit will not, under the circumstances of the particular case, adversely affect to a material degree the health or safety of persons working in the neighborhood or area of the subject property and will not be materially detrimental to the public welfare or materially injurious to property improvements in the neighborhood or area of the subject property.

B. **Motion for denial.** Should a motion be made to deny the Special Use Permit request, the following findings with explanation why should be included in that motion.

- (1) This denial is for Special Use Permit 2020-001, a request by the applicant Eco Compliance Corporation to construct and operate a medical waste thermal destruction plant and potential commercial power generation from waste. The subject property is located at 475 Pittsburgh Avenue, Tahoe-Reno Industrial Center, McCarran, Storey County, Nevada, Assessor's Parcel Number (APN) 005-051-54.
- (2) The conditions under the Special Use Permit conflict with the minimum requirements in the 1999 Storey County Zoning Ordinance Sections 17.37 I-2 Heavy Industrial, 17.62 Special Uses.
- (3) The conditions under the Special Use Permit do not adequately mitigate potential adverse impacts on surrounding uses or protect against potential safety hazards for surrounding use.

#### 4. **Recommended Conditions of Approval**

- A. **Special Use Permit.** This approval is for Special Use Permit 2020-001, a request by the applicant Eco Compliance Corporation to construct and operate a medical waste thermal destruction plant and potential commercial power generation from waste. The subject property is located at 475 Pittsburgh Avenue, Tahoe-Reno Industrial Center, McCarran, Storey County, Nevada, Assessor's Parcel Number (APN) 005-051-54.
- B. **Requirements.** The Permit Holder shall apply for all required permits and licenses, including building and fire permits, for the project within 24 months from the date of final approval of this Special Use Permit, and continuously maintain the validity of those permits/licenses, or this approval shall be null and void. This permit shall remain valid as long as the Permit Holder, its heirs, assigns, or successors remain in compliance with the terms of this permit and Storey County, Nevada State, and federal regulations.
- C. **Permit Contents.** This permit incorporates by reference the standards, objectives, conditions, terms and requirements of all plans, including the operating plan, safety plan, training plan, and closure plan, to be submitted separately from this permit. The requirements of all submitted plan, along with support material submitted with the application, become part of this Special Use Permit.

- D. Allowed Modes of Transport.** The facility may receive and distribute medical waste and the resultant ash/paste via truck and rail. All loading and unloading of materials must occur within an enclosed structure. The structure must meet the requirements of this special use permit with regard to emergency spill and containment. The Storey County Community Development Department and Fire Protection District plan review are required for any proposed rail spur facilities.
- E. Storage.** This permit does not authorize any outdoor storage at the site. All storage of all materials transported to the site and the byproduct created at the site shall be contained within the proposed building or within an enclosed truck trailer while awaiting unloading or delivery.
- F. Taxes.** Before obtaining a building permit, the Permit Holder must show the building department valid evidence that all property taxes on the land are paid-to-date.
- G. Emergency Management Plan.** The Permit Holder must submit an emergency plan to the Storey County Fire Protection District, Community Development, Emergency Management and Planning Departments for review and approval. At a minimum, the elements of the plan must include disaster management, Emergency Medical Services (EMS), and environmental protection. This plan shall include industry best practices implementation in addition to local, state and federal requirements. Specific items to be included in the plan are as follows. The following list is not exhaustive; the County may impose additional requirements as necessary. Requirements of State and federal agencies which fulfill the following may suffice when documentation thereof is submitted to the governing body and to Storey County.
- Basic company, owner, site, and emergency contact information
  - Plot Plan (detailed drawings) of the site and access points
  - Site evacuation, gathering points and emergency procedure
  - Area evacuation and emergency procedure for each applicable emergency situation
  - Initial and ongoing training and education of county and fire district emergency response personnel applicable to the subject use, and at the permit holder's expense
  - Emergency contact procedures, including for the NDEP, Dispatch 9-1-1, and Storey County Emergency Services
  - Facility shut-down and startup procedure
  - Special training and identification of any funding for the Fire District and Emergency Management to address site specific hazards
  - Emergency vehicle access, circulation, and staging
  - Documenting and reporting of emergency situations, including spills and gassing-off of any product.
  - Post disaster management, cleanup, and material disposal
  - Documenting and reporting of NDEP and other environmental permits and notices

- Stormwater drainage and detention will be submitted for review and approval during the plan review and permitting processes
- Facility Closure Plan
- Risk Management Plan
- Industry Best Practices shall be utilized when developing any plans for the facility
- Complete index of MSDS/SDS shall be provided to the Storey County Fire Protection District, Storey County Community Development Department, Storey County Local Emergency Planning Committee, Storey County Emergency Management and Storey County Planning Department
- Community Right to Know Plan and Information shall be maintained and provided at all times within the facility.
- Copy of all Fire Marshall Permits for Hazardous Materials shall be maintained onsite and available upon request to Storey County.
- Dates, time and attendees of all drills held at facility shall be maintained on site and available upon request to Storey County

**H. Transfer of Rights.** This Special Use Permit shall inure to the record owner of the Subject Property and to the Permit Holder and shall run with the land defined herein. This Special Use Permit, subject to its terms and conditions, may be transferred by the Permit Holder, its successors, heirs or assigns. Any/all transfers of Special Use Permit 2020-001 shall be advised in writing to Storey County Planning Department 180 days prior to assignee taking over operation of facility. The operators of the facility must sign and accept all stipulations and requirements of the Special Use Permit 2020-001. The operators of the facility must within 60 days of this notice contact Storey County in order to schedule a consultation with the Storey County Fire District, Emergency Management Department, and all other applicable federal, state, and local emergency response agencies, and demonstrate the ability to maintain the level of security, safety, and conformance with the requirements of this special use permit, including the codes and regulations of the applicable agencies during and after the transition to new ownership.

**I. Abandonment.** In the event that the use authorized by this Special Use Permit is abandoned for a period of more than twenty-four (24) calendar months from the date of last producing operations, this permit shall become null and void and a new Special Use Permit shall be required. In the event of a force Majeure such as and not limited to a flood, damage or destruction of the access to the site, earthquake, or other events beyond the control of Storey County of the Permit Holder, the period of abandonment shall not be deemed to commence until such time as the permit holder may be found to once again have reasonable access to the site. In this connection, the permit holder shall reasonably attempt to establish access to the site.

**J. Closure.** The Permit Holder shall be responsible for the cost for the closure of this facility as permitted under Special Use Permit 2020-001. Complete closure shall consist of providing reclamation that would eliminate any hazardous materials or environmental damage to the existing site or adjacent areas proven to be contaminated by the Applicant's processes.

- K. Post-Closure Monitoring.** In the event that the permit lapses or the use is discontinued or abandoned, the Permit Holder, its heirs, assigns or successors shall remain responsible for environmental monitoring and post-closure maintenance. Under no circumstances shall Storey County, its officers, or representatives bare any cost or responsibility for the deconstruction, disassembly, or removal of equipment or environmental monitoring or clean-up.
- L. Setbacks.** Any proposed buildings and storage tanks and accessory structures containing chemical substances shall be setback a minimum 50-feet from the property line. Other accessory structures must meet the standard setback requirements for the I2 zoning. The fire district may impose more restrictive setbacks on any structure, container, or apparatus on the subject property when the need for additional separation is demonstrated. Any additional setbacks based on the use/materials contained within accessory structures and separation requirements shall be identified. Alternatively, the Permit Holder shall demonstrate that a setback waiver has been granted by the Storey County Building Official.
- M. Nuisances.** As stated in Section 17.12.100(A), noise, smoke, odor, gases, or other noxious nuisances shall be controlled so as not to become objectionable, or adversely affect the properties in the vicinity, and shall not be detrimental to the public health, safety and welfare.
- N. Separate Permits Required.** This Special Use Permit shall not be construed to be a permit for design or construction. A separate Storey County plan review, fire safety review, and building permit will be required. Nevada Division of Environmental Protection (NDEP) permit(s) must be obtained for the project consistent with NRS requirements. A copy of the NDEP approval(s) shall be forwarded to Storey County Planning Department for inclusion with the Special Use Permit. If there is a violation of NDEP permit, Storey County shall be notified of the violation, corrective action to be taken and date to be completed.
- O. Legal Responsibility.** Issuance of this permit does not convey property rights of any sort or any exclusive privilege; nor does it authorize any injury to persons or property, any invasion of other private rights, or any infringement of state or local laws or regulations.
- P. Indemnification.** The Permit Holder warrants that the future use of land will conform to the requirements of the County of Storey, State of Nevada, and applicable federal regulatory and legal requirements for the production, refining, purification, processing, dilution, blending, distribution and use of hazardous and non-hazardous chemical products associated with the microelectronics industry; further, the Permit Holder warrants that continued and future use of the land shall so conform. The Permit Holder, its assigns, heirs or successors, agrees to hold Storey County, its officers, and representatives harmless from the costs associated with any environmental damage, environmental liability, and any/all other claims now existing or which may occur as a result of this special use permit.
- Q. Liability Insurance.** The Permit Holder, as well as its assigns, heirs or successors, shall provide proof of insurance to Storey County and maintain a satisfactory liability

insurance for all aspects of this operation under Special Use Permit 2020-001 for a minimum amount of \$5,000,000.00 (five million dollars).

- R. **Operations Safety.** The facility/site design and layout must meet all Storey County adopted model codes and amendments, as well as Federal, State and County environmental, best practices and health/safety requirements.

Emergency response plans and protocols must be established, documented and practiced prior to operations commencing on site. All operators must be trained and certified, and plant management will be trained in incident command. Drills must be practiced annually and jointly with the local emergency responders (at the discretion of the emergency responders).

All loading and unloading of materials, along with storage of materials must occur within the structure.

- S. **Safety.** The following security measures must be implemented at a minimum.

- All staff shall be trained for spill containment and cleanup. A copy of the training shall be submitted to Storey County.
- All medical waste shall be double contained.
- The property shall be enclosed with a minimum 6-foot high fence and entrances shall be gated.
- The premises must be well lit in order to maintain property security. The lighting plan shall be designed to provide necessary operation, but not be over obtrusive to avoid safety hazard(s) for adjacent right-of-ways and/or light pollution, and shall comply with Chapter 8.02 of the Storey County Code.
- No outside storage of materials is permitted or proposed with this application. All materials will be housed either in the main building or in separate accessory buildings designed to meet the requirements of this special use permit and any federal, state, and local regulations.

- T. **State/Federal Taxes.** Whenever Nevada law requires the payment of a sales and/or use tax, all materials and equipment purchased or rented for this project should be received in Storey County and the value reported as 'county-of-delivery' on the Nevada Dept. of Taxation form TXR-01.01 'Sales/Use Tax Return'. Proof of appropriate reporting is required prior to a 'Certificate of Occupancy' being issued. Additionally, when applicable, the Permit Holder shall be responsible for reporting and paying all Federal Motor Fuels and Lubricants taxes.

- U. **Emergency Training.** The Permit Holder shall provide and/or pay for any and all special training and/or equipment needed for the Storey County personnel that is required due to the operation of the facility. This may include plugging, diking, air monitoring, Level A response suits or any other item required to properly and safely respond to the facility. This may also include medical equipment specifically needed for exposure to specific products, including body substance isolation (BSI) personal protective equipment (PPE)

as needed when operating within the facility.

- V. **Emergency Response Training.** The facility shall be an active member of the Storey County Local Emergency Planning Committee. This includes participation as requested for drills.
- W. **Landscaping.** A landscaping plan consistent with, but not limited to, the minimum standards set forth in Subsection 4 of the Tahoe-Reno Industrial Center's CC&R's and Architectural Committee, as well as Storey County approval, shall be implemented onsite.
- X. **Water and Sewer Connection.** The Permit Holder shall provide a 'Will Serve' letter from Tahoe-Reno Industrial Center General Improvement District to the Storey County Building Department for the necessary water and sewer to operate the facility.
- Y. **Environmental Monitoring.** Before operations commence, the Permit Holder shall submit to Storey County a copy of the environmental monitoring requirements applicable to the facility under the environmental permits issued for the facility. The Permit Holder shall include storm water management measures on its site plan which shall be submitted to Storey County Community Development Department for approval. Community Development.
- Z. **Incident Reporting.** Any uncontrolled release of hazardous shall be required to be reported immediately to Storey County Emergency Dispatch via 9-1-1. The incident shall be immediately reported to Storey County Community Development and Planning Departments and the Nevada Division of Environmental Protection (NDEP). The Permit Holder shall comply with the NDEP's clean-up requirements and provide Storey County Emergency Management and Fire District a copy of NDEP's completion of remediation. All hazardous materials incident clean-up and response costs shall be borne by the permit holder as part of the issuance of this special use permit. Incidents exceeding a standard first alarm response will be billed to the company. If mutual aid is warranted to suppress an incident, those costs shall also be funded by the company.
- AA. **Fluid Containment.** The Permit Holder shall construct containment systems in areas where fuels and other types of hazardous materials are being stored or processed to prevent spills, if any, from entering the environment. The containment system shall be designed and installed to the satisfaction of the Storey County Community Development Department and in accordance with model codes.
- BB. **Air Emissions.** Air emissions from the facility shall meet the Nevada Division of Environmental Protection permit requirements. Copies of the annual reports of environmental quality, necessary to comply with the requirements of the permit issued by the Bureau of Air Pollution Control, Nevada Division of Environmental Protection (NDEP) shall be submitted to Storey County Planning Department. In the event that there is an air discharge in excess of the standards approved by NDEP under the construction or operating permit, the permit holder shall provide Storey Community Planning Department a copy of any notice of the event or plan to remediate the event submitted to NDEP. If the Permit Holder is required by the Bureau of Air Pollution

Control, Nevada Division of Environmental Protection to prepare a report on the event, the permit holder shall submit a copy of the report to Storey County Planning Development. There shall be no obnoxious odors released into the air that are a nuisance to abutting properties. The facility will be subject to Title 40 of Federal regulations (*40 CFR Part 60 – Standards of Performance for New Stationary Sources, Subpart Ec, Standards of Performance for Hospital/Medical/infectious Waste incinerators for Which Construction is Commenced After June 20, 1996*) which provides federally enforceable standards of performance for facilities of this type. Although the proposed facility is not considered an incinerator, based on meetings with regulatory authorities, the facility will be subject to these same standards and requirements.

**CC. Air Pollution Controls.** This permit acknowledges the following pollutant controls devices are to be install in series in the following order:

1. Lime and activated carbon reactor
  - Slaked lime dosed with activated carbon is used to remove acid gases and dioxins from exhaust stream.
  - Exhaust gas contract lime/activated carbon in a reactor where the acid gases and dioxins absorb to the lime/activated carbon.
  - Lime/activated carbon is loaded into unit via a sealed hopper (no dust production) equipped with a metering screw auger.
  - Spent lime/activated carbon is discharged into sealed containers (no dust production) located inside the facility building and shipped offsite for disposal/sale.
  
2. Baghouse
  - Baghouse equipped with lime/activated carbon coated filter bags for the removal of particulates (including lime/activated carbon from previous process), metals, and further acid gas and dioxin removal.
  - Baghouse removes particulates and materials via filtration and lime coating on baghouses provides removal of residual acids gases and dioxins via absorption.
  - Solid material removed by baghouse is discharged into sealed containers (no dust production) located inside facility building and shipped offsite for disposal/sale.
  
3. Wet scrubber
  - Recirculating wet scrubber with a liquid scrubbing liquor at pH 7 for submicron particle removal and further removal of acid gases (if needed).
  - Exhaust stream is passed through “misting” liquid scrubbing liquor inside wet scrubbing unit.
  - Acid gases are removed by acid neutralization in the scrubbing liquor and submicron particles are removed via absorption into the scrubber liquor.
  - The vast majority, if not all, of acid gases will be removed by this stage and wet scrubber serves as a “polishing” removal.

- Water is produced by this unit which is recirculated into the thermal destruction unit to be used for cooling when needed.

4. Wetted packed tower polisher

- Final pollutant control device designed to remove any residual pollutants not removed by other control devices.
- Unit is a tower “packed” with Teflon balls dosed with scrubbing liquor at pH 7.
- Acid gases are removed by acid neutralization in the scrubbing liquor and submicron particles are removed via absorption into the scrubber liquor.
- It is important to note that by this stage virtually all of the pollutants will be removed and this unit services as a “polisher” and provides redundancy.
- Water is produced by this unit which is recirculated into the thermal destruction unit to be used for cooling when needed.
- This tower discharges to a 70-foot exhaust stack.

**DD. Drainage Protection.** All process drains around each unit and site drainage shall be designed to prevent the discharge of oils to the sewer or septic system and or storm drain systems. All site drainage shall be designed as not to adversely impact surrounding property owners.

**EE. Nevada Division of Environmental Protection (NDEP).** The Permit Holder shall demonstrate all required permits from the NDEP have been obtained prior to commencing the project.

**FF. Roadway Development.** The Permit Holder shall be required to pave Pittsburgh Avenue from the edge of existing pavement up to and through the facility’s driveway approachment(s). The paved roadway shall be at least thirty (30) feet in total width and include a cul-de-sac near the western driveway entrance, both of which shall be completed to the satisfaction of the Storey County Fire Protection District, Building, Planning and Public Works Departments at the applicant’s expense. The permit holder shall be required to maintain said roadway (i.e., repair and resurface and remove snow and ice, etc.) until it is developed to the satisfaction of the Storey County Public Works Director, deeded to Storey County, and accepted as a public right-way by the Board of Storey County Commissioners. Additionally, should the Permit Holder desire to apply for infrastructure reimbursement as provided for under the terms of the Development Agreement between Storey County, Tahoe-Reno Industrial Center and DP Operating Partnership, all applicable requirements contained with the Agreement also apply including obtaining pre-approval of costs and structuring the project as a Public Works Project subject to prevailing wage compensation. At that point, Storey County shall assume the responsibility of maintaining said roadway through deed dedication.

**GG. Power Generation.** This permit acknowledges the generation of excess electrical power. Any proposed power purchase agreement or connection to a power facility is a private agreement and Storey County is not a part of any discussions or negotiations

between other parties. Any proposed physical connections (such as power lines) may require future Storey County review and/or permitting.

**HH. Compliance.** The use on the subject property, along with the medical waste materials transported to the site, must comply with all applicable federal, state, and county codes and regulations and the submitted plans and reports, as approved. The Permit Holder must provide the community development department plans drawn to scale prior to obtaining a building permit. The Permit Holder shall be responsible for maintaining the premises and managing operations in accordance with all conditions and stipulations set forth by this Special Use Permit and all other federal, Nevada State, and Storey County codes and regulations. Failure to comply with the requirements herein shall elicit a written warning to the Permit Holder by Storey County on the first and second offense. A third offense shall warrant Storey County to revoke the Special Use Permit. Storey County shall reserve the right to conduct periodic reviews of the Permit Holder's compliance with all conditions and stipulations of the Special Use Permit. In the event of a life safety issue, standard stop work orders and red tags will be issued as approved within the fire and building codes.

Storey County may refer this Special Use Permit to the Board of County Commissioners for show-cause hearing for revocation based on reasons listed in this section. The procedures for show-cause will be pursuant to Storey County Code. The continuation of uses of a revoked Special Use Permit is a violation of SCC Title 17 (Zoning) and will be punishable as provided for therein or other applicable codes. The Special Use Permit may be referred to show-cause for the following reasons:

- Failure to comply with the SUP conditions, or federal, state, and county regulations, without appropriate remedy;
- Any misrepresentation made in the application for the SUP or in other official documents, or amendments thereof, submitted to a federal, state, or local agency;
- Failure to provide notice to the county on violations, disasters, notice of decisions, and other such correspondence from federal, state, and local agencies as required in this SUP.

## **5. Public Comment**

As of January 7, 2020, Staff has not received any comments from the public.

## **6. Power of the Board & Planning Commission**

At the conclusion of the hearing, the Planning Commission must take such action thereon as it deems warranted under the circumstances and announce and record its action by formal resolution, and such resolution must recite the findings of the Planning Commission upon which it bases its decision. The decision of the Planning Commission in the matter of granting the Special Use Permit is advisory only to the Board of County Commissioners and that governing

body must consider the report and recommendation and must make such a decision thereon as it deems warranted.

## **7. Proposed Motions**

This section contains two motions from which to choose. The motion for approval is recommended by staff in accordance with the Findings of Fact under Section 3.A of this report. Those findings should be made part of the approval motion. A motion for denial may be made and that motion should cite one or more of the findings shown in Section 3.B. Other findings of fact determined appropriate by the Planning Commission should be made part of either motion.

### **A. Recommended motion for approval**

In accordance with the recommendation by staff, the Findings of Fact under Section 3.A of this report, and other findings deemed appropriate by the Planning Commission, and in compliance with the conditions of approval, I (planning commissioner), recommend approval of Special Use Permit 2020-001, a request by the applicant Eco Compliance Corporation to construct and operate a medical waste thermal destruction plant and potential commercial power generation from waste. The subject property is located at 475 Pittsburgh Avenue, Tahoe-Reno Industrial Center, McCarran, Storey County, Nevada, Assessor's Parcel Number (APN) 005-051-54.

### **B. Alternative motion for denial**

Against the recommendation by staff, but in accordance with the Findings of Fact under Section 3.B of this report, and other findings deemed appropriate by the Planning Commission, I (planning commissioner), recommend denial of Special Use Permit 2020-001, a request by the applicant Eco Compliance Corporation to construct and operate a medical waste thermal destruction plant and potential commercial power generation from waste. The subject property is located at 475 Pittsburgh Avenue, Tahoe-Reno Industrial Center, McCarran, Storey County, Nevada, Assessor's Parcel Number (APN) 005-051-54.



Exhibit B  
NDEP Letters



STATE OF NEVADA  
Department of Conservation & Natural Resources  
Steve Sisolak, Governor  
Bradley Crowell, Director  
Greg Lovins, Administrator

July 9, 2019

Reza Tariverdi  
ECO Compliance Corp.  
35 Miller Ave. Ste. 195  
Mill Valley, CA 94941

Re: ECO Compliance SW1778  
Application for Medical Waste Pyrolytic Destruction Facility – Approved

Dear Mr. Tariverdi:

The Division of Environmental Protection (NDEP) – Bureau of Sustainable Materials Management (BSMM) is in receipt, on June 18, 2019, of the final revision of the application for approval of the ECO Compliance Medical Waste Pyrolytic Destruction Facility, a *System to Process Waste* per NAC 444.676. The revised application has been reviewed and all technical comments are now considered to have been addressed.

The application has been determined to satisfy the requirements established by the BSMM for this type of facility. Please retain this letter in your files as evidence of the Division approval required for construction and operation of the facility pursuant to NAC 444.676. If the design or Plan of Operations require modification in the future, proposed changes must be submitted to the BSMM for approval prior to implementation.

As a reminder, financial assurance according to the requirements of NAC 444.685 must be in place throughout the operating life of the facility. Once finalized, please forward the fully executed financial instrument to the BSMM *prior* to acceptance of waste on the facility property.

Please notify the BSMM at least 30 days prior to initiation of operation of the facility. BSMM may contact you to schedule a preoperational inspection of the site.

Please contact Paul Eckert at (775) 687-9477 or [PEcker@ndep.nv.gov](mailto:PEcker@ndep.nv.gov) with any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read "D. Winkelman", is written over a light blue horizontal line.

Daren Winkelman  
Chief  
Bureau of Sustainable Materials Management

PE:er

cc: Reza Tariverdi, ECO Compliance [rt@ecocomp.net](mailto:rt@ecocomp.net)  
Ally Freitas, McGinley & Associates [afreitas@mcgin.com](mailto:afreitas@mcgin.com)  
Mike Leigh, P.E., Supervisor, Permitting Branch, BSMM  
Paul Eckert, P.E., Permitting Branch, BSMM

File: 1778\_eckert\_07092019\_15\_LTR\_Application Approved.docx

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**NOTICE OF PROPOSED ACTION**

by the  
State of Nevada  
Division of Environmental Protection  
Bureau of Air Pollution Control

**PUBLIC NOTICE**

Pursuant to Nevada Revised Statutes (NRS) Chapter 445B, the Nevada Administrative Code (NAC) Chapter 445B, and the Clean Air Act, the Nevada Division of Environmental Protection is issuing the following Notice of Proposed Action.

The Director received an application for a new Class I Air Quality Operating (Title V), AP4951-3914 (PIN A2068) from the following applicant:

ECO Compliance Corporation  
35 Miller Avenue #195  
Mill Valley, CA 94941

ECO Compliance Corporation (ECO) will be located at 475 Pittsburgh Avenue in the Tahoe Reno Industrial Center in Storey County, Nevada. The project is located in all or portions of Section 2, Township 19N, Range 22E, M.D.B.&M.

ECO is proposing to construct and operate a medical waste thermal destruction plant in Storey County, Nevada. ECO personnel collect pre-approved and properly sealed bags or bins of medical waste from a variety of facilities including, but not limited to, hospitals, doctor offices, dentists, veterinarian offices, and pharmacies. ECO's proposed facility will allow them to offer full medical waste disposal services from collection, transportation, and final disposal via thermal destruction. Eco is subject to federal requirements for 40 CFR Part 69 Subpart Ee.

On the basis of the preliminary review and the requirements of the NRS, the NAC and the Clean Air Act, the Director is hereby announcing his intent to issue the proposed Class I Air Quality Operating Permit based on a review of the information submitted. A copy of this document, the draft operating permit, and the Director's Review will be available for public inspection at <https://ndep.nv.gov/post> and at the following locations:

Storey County Library  
95 R Street  
Virginia City, Nevada 89419  
(775) 847-0956

Washoe County Library  
P.O. Box 2151  
Reno, Nevada 89505  
(775) 327-8300

Persons wishing to comment regarding this proposed action, or to request a hearing pursuant to NRS 445B Air Pollution and NAC 445B Air Controls, should submit their comments or request in writing, either in person or by mail within thirty (30) days to:

Jennifer Schmecher  
Nevada Division of Environmental Protection  
Bureau of Air Pollution Control  
901 South Stewart Street, Suite 4001  
Carson City, Nevada 89701  
(775) 687-9551

The application, Director's Review, proposed permit, any comments received, and other relevant information may be copied at the above address or copies may be obtained by written request to the above address. Written comments or objections will be received at NDEP, above address, until November 6, 2019, and will be retained and considered prior to final action on the proposed Class I Air Quality Operating Permit.

Upon completion of the 30-day public comment period, the BAPC will submit the proposed Class I Air Quality Operating Permit to the U.S. Environmental Protection Agency (EPA) for a 45-day review period. If the BAPC has not addressed any received comments in a satisfactory manner, and the EPA does not object to the Class I Air Quality Operating Permit during its review period, the public may submit a petition to the EPA requesting to reconsider issuance within 60 days after the expiration of the 45-day review period. Please bring the foregoing notice to the attention of all interested persons.

# STOREY COUNTY PLANNING DEPARTMENT

Storey County Courthouse  
26 South B Street, PO Box 176, Virginia City, NV 89440 Phone (775)  
847-1144 – Fax (775) 847-0949  
planning@storeycounty.org



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**To:** Storey County Planning Commission

**From:** Storey County Planning Department

**Meeting Date:** January 16, 2020

**Meeting Location:** Storey County Courthouse, 26 S. B Street, Virginia City, Nevada

**Staff Contact:** Kathy Canfield

**Request:** Discussion of Special Use Permit Categories – No Action

**Background:** The Planning Department Development Application Fees schedule for Special Use Permits is divided into four categories: minor, routine, major and major industrial and the applicable fees are \$250, \$450, \$750 and \$2,500. The purpose of this agenda item is to document which land uses or subject matters are applicable to each category.

The items assigned to each category follow the rationale Planning staff have used in determining which category is applicable for each Special Use Permit application. In general, the categories are defined as follows:

- Minor - residential uses and “small” commercial uses.
- Routine - commercial and indoor uses, public uses.
- Major – outdoor commercial uses and industrial uses, “major” public uses
- Major Industrial – Heavy industrial uses, with some “major” commercial uses, all with potential to significantly impact surrounding properties.

In assigning categories, there may be some minor differences based on the above definition, however, for the most part, these categories follow this criteria and are also how the Planning Department have applied the Special Use Permit fees in the past.

The listed land uses are based on the proposed Title 17 update and proposed revised definitions.



Special Use Permits  
Category Designations  
(see Zoning Code to determine if a Special Use Permit is required)

**Minor**

Bee Keeping  
Business Sales – Outdoor  
Childcare (in-home facility)  
Flea Markets  
Fortune Tellers  
Home Occupation  
Keeping of Large Domestic Animals (farm animals)  
Real Estate Office – temporary  
Residential parcel design elements  
Sale of Onsite Grown Products  
Single Family Dwelling  
5+ dogs, 3+ pigs

**Routine**

Adult Retail  
Animal boarding and grooming  
Archery  
Bed & Breakfast Inns, Vacation Rentals, Boarding Accommodations  
Childcare Facilities  
Commercial parcel design elements  
Congregational Establishments  
Dry Cleaning  
Gun Club  
Healthcare Facilities- Offices  
Equestrian Establishments  
Manufactured Home Sales  
Micro-distilleries  
Mini-warehouse, Storage for Rent  
Multi-family Dwellings  
Outdoor Storage  
Public Buildings  
Public parcel design elements  
Rest Areas, Playgrounds, Parks, Trails  
Skateboard Parks  
Trade and Craftsman Industries  
Veterinary services

**Major**

Additional Height for towers  
Auction Facilities with Outdoor Storage  
Auditoriums, Theaters, Indoor & Outdoor  
Automotive Paint & Body Shop Services  
Batch Plants – Temporary & Permanent  
Building Material Manufacturing  
Campgrounds  
Cemeteries, Funeral Parlors  
Communication Towers – Use and Additional Height  
Education (non-boarding and boarding)

**Major – continued**

Fairgrounds  
Firearms – Outdoor Discharge  
Firewood Sales and Storage  
Golf Courses, Country Clubs  
Guest Ranches  
Helipads  
Healthcare Facilities  
Heavy Equipment Storage and Sales  
Hunting, Fishing, Skiing Lodges  
Industrial parcel design elements  
Jails  
Laboratories & Testing  
Landfill Energy Generation  
Manufacturing & Assembly –All Indoor  
Outdoor Sets & Props  
Petroleum Products – Indoor Storage  
Propane Sales and Storage  
Public Utility Yards, Substations  
Radio Control Vehicles and Tracks  
RV Parks  
Sewage Treatment Facilities  
Solid Waste Transfer, Collection Stations  
Storage of Paints, Similar Products  
Warehouses, Distribution  
Wild Animal Keeping

**Major Industrial**

Airports  
Amusement Parks  
Blast Furnaces, Incinerators  
Bottling and Canning  
Brick Manufacturing  
Casino  
Commercial Energy Production  
Explosives Manufacturing  
Hazardous Materials – Manufacturing, Storage  
Highway & Public Maintenance Camps  
Hospital  
Industrial Agriculture  
Junk Yards, Auto Wrecking Yards  
Milling & Processing  
Mining & Extraction, Aggregate Extraction  
Paint Manufacturing  
Paper Manufacturing  
Petroleum Manufacturing  
Race Tracks – Motorized Vehicles  
Recycling Facility  
Regional Shopping Centers  
Saw Mills  
Truck Stops  
Waste to Energy Facilities