

**SOUTHERN NEVADA HEALTH DISTRICT
REGULATIONS GOVERNING THE SANITATION AND SAFETY OF
USED MATTRESSES, BEDDING, AND UPHOLSTERED FURNITURE**

WHEREAS, the Southern Nevada Health District (SNHD) has been established by the County of Clark and the cities of Las Vegas, North Las Vegas, Henderson, Mesquite, and Boulder City as the public health authority for those entities, and pursuant to Nevada Revised Statutes (NRS) Chapter 439; has jurisdiction over all public health matters in the health district; and

WHEREAS, the Southern Nevada District Board of Health (Board) is the governing body of the SNHD, and is authorized to adopt regulations to regulate sanitation and sanitary practices in the interest of the public health, and to protect and promote the public health and safety in the geographical area subject to the jurisdiction of the health district; and

WHEREAS, the Board finds that the sanitation and safety of used mattresses, mattress equivalent, bedding, and upholstered furniture and the sanitation facilities for these articles does affect the public health, and finds that it is necessary to adopt the Regulations Governing the Sanitation and Safety of Used Mattresses, Bedding, and Upholstered Furniture to promote and regulate the safety and sanitary condition of those articles and the facilities in which they are handled, sanitized, refurbished, and stored; and

WHEREAS, the Board finds that the following Regulations are designed to protect and promote the public health and safety, it does therefore publish, promulgate and order compliance within Clark County, Nevada with the substantive and procedural requirements hereinafter set forth.

INTENT AND SCOPE

Intent The purpose of these Regulations is to protect and promote the public health, safety, and environment through preventive measures and timely correction of public health and environmental issues relating to used mattresses, mattress equivalent, bedding, and upholstered furniture and the facilities for receipt, disassembly, sanitation, refurbishment, storage, and/or distribution of such articles.

Scope These Regulations establish definitions; set standards for the location, design, construction, operation, and maintenance of facilities for the receipt, disassembly, sanitation, refurbishment, storage, and/or distribution of used mattresses, mattress equivalent, bedding, and upholstered furniture; list items prohibited from reuse or refurbishment; clarify approved sanitation processes; list acceptable materials for rebuilding used articles; identify rules for the operation and maintenance of vehicles transporting the articles; outline record keeping and reporting requirements; provide for the issuance, modification, suspension, and revocation of Permits, including a system of approved reciprocity for articles processed in jurisdictions with comparable regulatory requirements; and provide for enforcement.

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Section 1

GENERAL PROVISIONS

Summary of acronyms and abbreviations of terms used in these Regulations

Board	Southern Nevada District Board of Health
EPA	United States Environmental Protection Agency
°F	Degrees Fahrenheit
LLC	Limited Liability Company
NRS	Nevada Revised Statutes
Ppm	parts per million
SNHD	Southern Nevada Health District

Definitions. As used in these Regulations, unless the context otherwise requires, the following words and terms defined have the meanings ascribed to them in this document as they pertain to used mattresses, mattress equivalent, bedding, and upholstered furniture. These definitions also apply to facilities for receipt, disassembly, sanitation, refurbishment, storage and/or distribution for such articles, which may hereinafter be referred to as “bedding renovation facilities,” “sanitization facilities,” and/or “facilities.”

1.1 “Agency of jurisdiction” defined. The **agency of jurisdiction** is the political entity; local planning, zoning, and/or building department; air quality authority; flood control and/or storm water authority; safety authority; fire marshal; business licensing; police; federal regulatory agency; department of agriculture; or other federal, state, or local health agency other than the Health Authority, having jurisdiction concerning location, construction, operation, maintenance, and public safety of a facility.

1.2 “Bed bug(s)” defined. Bed bug(s) means either the common bed bug (*Cimex lectularius*) or the tropical bed bug (*Cimex hemipterus*).

1.3 “Bed bug infestation” defined. Bed bug infestation means the presence or harborage of bed bugs and/or bed bug eggs in used mattresses, bedding or upholstered furniture or in a building. A bed bug infestation is considered to be a public nuisance.

1.4 “Bedding” defined. **Bedding** includes any quilted pad, packing pad, mattress pad, hammock pad, mattress, comforter, quilt, blanket, sheet, spread, sleeping bag, box spring, studio couch, pillow or cushion made of leather, cloth, or any other material, which is or can be stuffed or filled in whole or in part with any concealed substance or material, which can be used by any human being for sleeping or reclining purposes.

1.5 “Bedding renovation facility” defined. A **bedding renovation facility** is a facility that rebuilds, repairs, makes over, recovers, restores, renovates, or in any way renews bedding.

1.6 “Biocide” defined. A **biocide** is a chemical agent capable of killing living organisms.

1.7 “Cease and Desist Order” defined. A **Cease and Desist Order** is a written Order issued by the Health Authority which directs the responsible person to stop causing or allowing a

violation of these or any other applicable Regulations at a facility. As specified in the **Cease and Desist Order**, a timeframe to achieve compliance with the Order may be included.

- 1.8 “Charitable organization” defined.** A **charitable organization** is any benevolent, philanthropic, patriotic, nonprofit, religious, or eleemosynary group, association, or corporation duly filed and registered as required by state law, which solicits and collects funds for charitable purposes and is classified in one of the categories defined in Section 501 of the United States Internal Revenue Code.
- 1.9 “Chemical sanitizer” defined.** Chemical sanitizer means an EPA registered biocide effective in eliminating live bed bugs and pathogenic microorganisms of public health concern and approved by the manufacturer for direct application on the surface(s) of mattresses, mattress equivalent, bedding and upholstered furniture.
- 1.10 “Clean” defined.** **Clean** means free of visible dirt, dust, sludge, foam, slime (including algae and fungi), rust, scale, mineral deposits, accumulation of impurities, and/or other foreign material.
- 1.11 “Communicable disease” defined.** A **communicable disease** is a disease which is caused by a specific infectious agent or its toxic products, and which can be transmitted, either directly or indirectly, from a reservoir of infectious agents to a susceptible host organism.
- 1.12 “Control” defined.** Control means in the context of these Regulations, steps to prevent and eliminate bed bug infestation.
- 1.13 “Custom upholsterer” defined.** A **custom upholsterer** is a person who, either by himself or herself or through employees or agents, repairs, reupholsters, re-covers, restores, or renews upholstered furniture, or who makes to order and specification of the user any article of upholstered furniture, using either new materials or owner’s materials.
- 1.14 “Disinfectant” defined.** A **disinfectant** is an EPA-registered antimicrobial agent, such as a chemical, that destroys, neutralizes, or inhibits the growth of pathogenic microorganisms. All chemical disinfectants must provide a strength equivalent to at least 50 ppm of free available chlorine at a pH of 7.0 to 7.6 in their normal use concentration or a concentration as recommended on the manufacturer’s label.
- 1.15 “Disinfection” defined.** **Disinfection** is a process that reduces the number of pathogenic microorganisms, but not necessarily bacterial spores, from inanimate objects or skin, to a level which is not harmful to health.
- 1.16 “Disposal site” defined.** A **disposal site** is any place at which solid waste is dumped, abandoned, or accepted or disposed of by incineration, land filling, composting or any other method. The term includes a municipal solid waste landfill.
- 1.17 “EPA-registered” defined.** **EPA-registered** means any chemical or substance, including sanitizers, sterilizers, biocides, pesticides, or other substances, which is registered with the United States EPA under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) prior to its distribution and use by industry and consumers.

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Deleted: <#>“Disinfect” defined. Disinfect means to carry out a process that kills most or significantly reduces pathogenic microorganisms.¶

1.18 "Filling material" defined. Filling material is cotton, wool, kapok, feathers, downs, hair, liquid, or any other material, substance, or any combination thereof, loose or in batting, pads, or any other prefabricated form, concealed or not concealed to be used or that could be used in articles of bedding, mattress equivalent or upholstered furniture.

1.19 "Foot-candle" defined. Foot-candle is a unit of measure of the intensity of light falling upon a surface, equal to one lumen per square foot and originally defined with reference to a standardized candle burning at one foot from a given surface.

1.20 "Furniture" defined. Furniture consists of the movable articles that make a space fit for living or working. Furniture includes but is not limited to, tables, chairs, bed headboards, bed frames, box frames, sofas, carpets, curtains, pictures, vases, mirrors, televisions and other electrical equipment, and appliances. Items defined as bedding are not considered furniture.

1.21 "Garbage" defined. Garbage is putrescible animal and/or vegetable wastes resulting from the handling, storage, sale, preparation, cooking, and serving of food.

1.22 "Harborages" defined. Harborages means places where bed bugs hide.

1.23 "Hazardous waste" defined. Hazardous waste is a waste with properties that make it dangerous or potentially harmful to human health or the environment. In regulatory terms, a Resource Conservation and Recovery Act hazardous waste is a waste that appears on one of the four hazardous wastes lists (F-list, K-list, P-list, or U-list), or exhibits at least one of four characteristics—ignitability, corrosively, reactivity, or toxicity.

1.24 "Health Authority" defined. Health Authority means the employees, officers, and agents of the Board.

1.25 "Importer" defined. An importer is a person who manufactures or wholesales, through employees or agents, any article of mattress equivalent, upholstered furniture, bedding, or filling material manufactured outside of the United States for the purpose of sale or resale in Nevada.

1.26 "Integrated Pest Management Plan (IPM)" defined. Integrated Pest Management means a multidisciplinary approach to pest management with the aim to maximize the control of insect infestations by the use of multiple methods. IPM is based on the proper identification of the pest, knowledge of the pest's ecology, non-chemical means of control, and the judicious use of insecticides.

1.27 "Letter of Approval for Reciprocity" defined. A Letter of Approval for Reciprocity is granted by the Health Authority when a bedding renovation and/or sanitization facility operated outside the jurisdiction of the Health Authority applies for permission through reciprocity to distribute used mattresses, mattress equivalent, bedding or upholstered furniture within the jurisdiction of the Health Authority. The facility must successfully undergo an application evaluation and inspection of the physical premises of their operation in which it is demonstrated that the facility meets or exceeds the standards required in these Regulations.

1.28 "Mattress Equivalent" defined. Mattress Equivalent means, and is limited to, mattresses or other parts of furniture used primarily for sleeping.

1.29 "Manufacturer" defined. A **manufacturer** is a person who makes any article of upholstered furniture, mattress equivalent, or bedding in whole or in part, or who does the upholstery or covering of any unit thereof, using either new or used material. **"Manufacturer"** does not, however, include a **"custom upholsterer,"** who can renovate privately-owned articles.

Deleted: secondhand

1.30 "Nuisance" defined. A **nuisance** is anything which is injurious to health, offensive to the senses, or an obstruction to the free use of property, and thus interferes with the comfortable enjoyment of life or property.

1.31 "Operator" defined. An **Operator** is the person responsible for the operation of a bedding renovation and/or sanitization facility. An operator may also be an owner.

1.32 "Owner" defined (as applies to facility). The **Owner** is the person who owns a bedding renovation and/or sanitization facility. An owner may also be an operator.

1.33 "Owner's material" defined. (as applied to individual person). The **owner's material**, which, in this usage, applies to a private owner or individual, is any article or material belonging to a person for his or her own use that is sent to any manufacturer, bedding renovator, or custom upholsterer to be repaired or renovated, or used in repairing or renovating.

1.34 "Pathogenic" defined. **Pathogenic** means the ability to produce disease.

1.35 "Permit" defined. A **Permit** is the initial written approval by the Health Authority to design, construct, and operate a facility under the provisions of these Regulations, and is separate from any other licensing and/or permitting requirements of other agencies of jurisdiction that may exist within political subdivisions where the facility is located.

1.36 "Permit revocation" defined. **Permit revocation** occurs when the Health Authority revokes all permission to operate a facility due to the presence of significant health, safety, and environmental hazards; and/or repeated failure to comply with applicable laws and regulations. Upon receipt of the revocation Order, the facility must cease immediately all operations at all work sites operated under the Permit. Revocations are intended to result in permanent closure of the facility. The facility may seek relief through the appeal process outlined in these Regulations.

1.37 "Permit suspension" defined. **Permit suspension** occurs when the Health Authority suspends all permission to operate a facility due to the presence of significant health, safety, environmental hazards, and/or failure to comply with applicable laws and regulations that are facility wide or are of such severity as to cause an imminent hazard to the health and safety of the public and employees. Suspensions may lead to eventual Permit Revocation. The facility may seek relief through the appeal process outlined in these Regulations.

1.38 "Person" defined. **Person** includes any state or federal agency, natural person, business or other corporate entity conducting business in Clark County, Nevada.

Deleted: any state, including the State of Nevada; a political subdivision of any state; an interstate agency or organization; any firm, partnership, corporation, or Limited Liability Company (LLC) meeting all legal requirements of the State of

1.39 "Putrescible" defined. **Putrescible** means capable of being decomposed by microorganisms with sufficient rapidity as to cause nuisances from odors or gases.

Deleted: Nevada; or a natural person.

1.40 **“Refurbish” defined.** **“Refurbish”** means to make clean or useable again; to restore to an earlier state by repairing, renovating, reupholstering, or remodeling.

1.41 **“Responsible person” defined.** A **responsible person** is the person or persons, who own(s), operates, manage(s), lease(s), or act(s) as the primary point of contact or otherwise controls the construction, remodeling, operation or maintenance of a bedding renovation and/or sanitization facility.

1.42 **“Retailer” defined.** A **retailer** is a person who sells any article of upholstered furniture or mattress equivalent or bedding or filling materials to a consumer or user of the article as purchased.

1.43 **“Sanitary” defined.** **Sanitary** means a condition that is free from infestation, pathogens, filth, and/or contamination and does not pose a threat to public health and safety.

1.44 **“Sanitization facility” defined.** A **sanitization facility** is a location where articles of bedding, upholstery furniture, mattress equivalent, or filling materials, and similar items are sanitized.

1.45 **“Sanitized” defined.** **Sanitized** means the treatment of surfaces using a process which, approved by the Health Authority as being effective in destroying microbiological agents and/or pathogenic microorganisms to a level not injurious to health.

1.46 **“Sell” defined.** **Sell** or any of its variants, includes any of, or any combination of, the following: **Sell**, offer or expose for sale, barter, trade, deliver, give away, rent, consign, lease, possess with an intent to sell or dispose of in any other commercial manner.

1.47 **“Solid waste” defined.** **Solid waste** is all putrescible and nonputrescible refuse in solid, semisolid, or liquid form, including, but not limited to, garbage; rubbish; junk vehicles; ashes or incinerator residue, street refuse; dead animals; demolition waste; construction waste; and solid, semisolid, or liquid commercial and industrial waste. The term does not include **hazardous waste** as defined in these Regulations.

1.48 **“Standardized training” defined.** **Standardized training** means the consistent process of training personnel to meet a minimum standard of knowledge and skill by instruction and practice.

1.49 **“Supply Dealer” defined.** A **supply dealer** is a person who manufactures, processes, or sells any felt, batting, pads, woven or plastic fabrics, or loose material in bags or containers, concealed or not concealed, to be used or that could be used in articles of mattress equivalent, upholstered furniture or bedding.

1.50 **“Upholstered furniture” defined.** **Upholstered furniture** is any furniture, including children’s furniture, movable or stationary, which is made or sold with cushions or pillows, loose or attached, or is itself stuffed or filled in whole or in part with any material, is or can be stuffed or filled in whole or in part with any substance or material, hidden or concealed by fabric or any other covering, including cushions or pillows belonging to or forming a part thereof, together with the structural units, the filling material and its container and its covering which can be used as a support for the body of a human being, or his or her limbs and feet

Deleted: Mattress refurbishment uses an inner spring assembly from a used mattress wherein the inner spring assembly has been stripped of its outer covering of ticking and some or all of the padding material and covered with new ticking and had any missing padding material replaced. Prior to refurbishment and heat or other approved sanitization treatment, the used inner spring assembly has any bent or missing border wires and connecting wires straightened or replaced, displaced components returned to their proper position, and any damaged components replaced with good quality new or used replacement components resulting in a similar inner spring assembly structure as to when the assembly was new.

Deleted: The responsible person may be the owner or operator.

Deleted: upholstery

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Deleted: “Secondhand” defined. **Secondhand** means any materials or articles used in the construction of bedding, mattress equivalent or upholstered furniture that have been previously owned, used or redistributed for any purpose, and shall include “sweepings” which are wastes recovered from gins, furniture and bedding factories, textile plants, or establishments using fibers or other materials. Manufacturing processes shall not be considered previous use, and new materials that are free from dirt or other contamination shall not be classified as sweepings. Any article of upholstered furniture or bedding is secondhand if it contains any secondhand material in whole or in part.¶

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“Unsanitary” defined. **Unsanitary** means being in state this is not sanitary

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when sitting or resting in an upright or reclining position. This does not include furniture used exclusively for the purpose of physical fitness and exercise.

1.51 "Used" defined. As used in these Regulations, Used and secondhand are used interchangeably and mean those materials and articles that have been previously owned or used by another individual; and includes anything used in the construction of bedding, mattresses, mattress equivalent or upholstered furniture that have been previously owned, used or redistributed for any purpose. This term also includes "sweepings" which are wastes recovered from gins, furniture and bedding factories, textile plants, or establishments using fibers or other materials. Manufacturing processes shall not be considered previous use, and new materials that are free from dirt or other contamination shall not be classified as sweepings. Any article of upholstered furniture or bedding is used if it contains any secondhand material in whole or in part.

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1.52 "Used bedding" defined. **Used bedding** is any quilted pad, packing pad, mattress pad, hammock pad, mattress, box spring, cot, futon, studio couch, sleeping bag, blanket, spread, comforter, quilt, dust ruffle, pillow, pillow case, cushion, or sheet made of leather, cloth, or other material which is used in the filling of any of the above or similar articles, that has been previously used.

1.53 "Vector" defined. A **vector** is a living insect or other arthropod or animal (not human) capable of carrying infectious disease from one person or animal to another.

1.54 "Wholesaler" defined. A **wholesaler** is a person who, on his or her own account, sells any article of upholstered furniture or bedding or filling materials to another for the purpose of resale, but shall not include an affiliate or a subsidiary where the ownership and name are identical, and that is the exclusive sales outlet of a manufacturer.

Section 2

SUBSTANTIAL HAZARDS TO PUBLIC HEALTH AND SAFETY

Substantial Hazards to Public Health and Safety include, but are not limited to:

- 2.1 Substantial damage to the facility caused by earthquake, wind, fire, rain, or flood.
- 2.2 Sewage that is not disposed of in an approved and sanitary manner.
- 2.3 Lack of properly installed toilet and/or hand washing facilities.
- 2.4 An infestation, harborage, or propagation of vermin.
- 2.5 The presence of uncontrolled toxic or noxious gases, vapors, fumes, mists, or particulates in concentrations immediately dangerous to life or health, or in concentrations sufficient to cause an environmental disease or a public nuisance.
- 2.6 The presence of any unapproved pesticide residues in the interior building areas of a facility, the presence of excessive restricted-use pesticides in any outdoor area of a facility; or any evidence of the indiscriminate use of a pesticide or herbicide which may be injurious to the health of humans.
- 2.7 An employee infected with a communicable disease which represents an immediate hazard to staff or the public.
- 2.8 Equipment that by condition, design, construction or use poses an immediate risk of entrapment, fall, puncture, pinch, crush, trip, or other cause of injury.
- 2.9 Environmental surfaces, furniture, beds, mattresses, [mattress equivalent](#), pillows, blankets, linens, towels, chairs, assembly materials, or other items that are stained with blood or bodily fluids, soiled, or infested with vermin; or are in an otherwise unsanitary condition.
- 2.10 Inability of the heating and cooling equipment to maintain the temperature between 60 degrees Fahrenheit (°F) and 90°F by thermostatic control in work areas.
- 2.11 The presence of uncontrolled waste within the facility, on the facility grounds, or within waste accumulation and disposal areas in quantity and duration as to create a nuisance.
- 2.12 All illegal clandestine drug laboratories and related activities.
- 2.13 All substantial health hazards listed in Section 2 that are not mitigated within the required timeframes listed in these Regulations must be reported to the Health Authority via telephone. Contact information for the Health Authority is provided in Appendix A.

Section 3

APPROVALS FOR OPERATION

- 3.1** A bedding renovation and/or sanitization facility must comply with the plans for design and operation as submitted in the application required by this Regulation in accordance with Section 5, and as approved by the Health Authority. Each facility location and category shall require a separate application in accordance with these Regulations. *An example of the application and application guide can be found in Appendix B.*
- 3.2** The location, design, and construction of the facility must comply with all relevant laws, regulations, codes, and ordinances from all applicable federal, state, and local agencies of jurisdiction. When requirements from more than one agency of jurisdiction are used, then the most restrictive rule applies.
- 3.3** A facility within Clark County, Nevada shall not begin operation until the site location has been approved by all relevant agencies of jurisdiction and an initial Permit has been approved and issued by the Health Authority.
- 3.4** Secondhand bedding, filling, or covering materials which may be used in bedding and originating from outside of Nevada shall comply with all the sanitization provisions of these Regulations before it is accepted, sold or delivered, either directly or indirectly, into the jurisdiction of the Health Authority.
- 3.5** A facility shall not distribute in any manner mattresses, [mattress equivalent](#), bedding, or upholstered furniture which have been refurbished or otherwise treated or sanitized outside of Nevada into Clark County without first applying for and being issued a valid Letter of Approval for Reciprocity under the reciprocity provisions of these Regulations.
- 3.6** These Regulations do not govern upholstered furniture or bedding manufactured and sold at wholesale in Nevada for delivery outside the state.
- 3.7** Charitable organizations are exempt from the provisions of these Regulations.
- 3.8** Initial and operational Permits and Letters of Approval for Reciprocity issued for a specific facility pursuant to these Regulations are not transferable from location to location. A new application must be submitted prior to:
- 3.8.1** A change in locations for a facility Permitted in Clark County or
 - 3.8.2** Commencing interstate distribution of used mattresses and bedding into Clark County from a facility which has not been previously approved for reciprocity. This applies even if other facilities owned or operated by the same person carry Letters of Approval for Reciprocity. Each physical location must carry its own Permit or Letter of Approval for Reciprocity.
- 3.9** A Permit or Letter of Approval for Reciprocity is not transferable to another person for operations at the same site without review and determination by the Health Authority that all requirements imposed by law, including these Regulations, are satisfied. When a transfer of the Permitted facility has been approved by the Health Authority, a new Permit will be issued to

the operator of the facility. Transfer of more than 50 percent of the outstanding shares of stock of any corporation or LLC that has been issued a facility Permit or Letter of Approval for Reciprocity is considered a transfer of ownership requiring the review and determination specified by this paragraph.

3.10 The transfer of the initial and/or operational Permit or Letter of Approval for Reciprocity is subject to the appropriate fees established by the Board.

3.11 An existing facility must submit an initial Permit or request for a Letter of Approval for Reciprocity application, application revision, or application modification, if applicable, for approval by the Health Authority not later than 30 days after the adoption of these Regulations to bring the facility into compliance with these Regulations. The Permit or Letter of Approval for Reciprocity application revision or modification documents shall address the requirements found in Section 4.

3.12 Businesses subject to these Regulations may request a variance by submitting an application to the Health Authority pursuant to NAC 439.260.

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Section 4

APPLICATION FOR PERMIT TO OPERATE OR LETTER OF APPROVAL FOR RECIPROCITY

4.1 Application for initial Permit to operate a bedding renovation and/or sanitization facility or to request a Letter of Approval for Reciprocity

4.1.1 Prior to commencing the operation of any facility which refurbishes, treats or sanitizes used mattresses, mattress equivalent, bedding, or upholstered furniture, or requesting reciprocity to engage in interstate commerce for such facilities, the owner or operator, responsible person or persons, business entity, or agent must make written application for an initial Permit or Letter of Approval for Reciprocity on forms provided by the Health Authority, pay all applicable fees, and receive written approval from the Health Authority to operate or provide items for distribution within Clark County, Nevada.

4.1.2 An application for the Permit or Letter of Approval for Reciprocity should be submitted at least 90 days before the anticipated start of construction or commencement of interstate commerce to allow sufficient time for the review and issuance of the initial Permit or Letter of Approval for Reciprocity.

4.1.3 When making application for an initial Permit to operate a facility which refurbishes, treats or sanitizes used mattresses, mattress equivalent, bedding, or upholstered furniture, or to request a Letter of Approval for Reciprocity to engage in interstate commerce for such facilities, the following information and items must be brought to the Health Authority for review and approval. Two (2) copies of the application, including all associated enclosures, attachments, plans, and drawings must be submitted. Any subsequent changes to the application must also be submitted in duplicate. The application must include:

4.1.3.1 The name, location, phone number, and mailing address of:

4.1.3.1.1 The physical location and operator of the facility,

4.1.3.1.2 The business owner of the facility,

4.1.3.1.3 The property owner of the facility, if different,

4.1.3.1.4 The authorized agent of the owner, if applicable.

4.1.3.2 A statement indicating whether the applicant is a natural person, firm or corporation, and:

4.1.3.2.1 If the applicant is a natural person, the name and mailing address shall be provided.

4.1.3.2.2 If the applicant is a firm or partnership, the name(s) and mailing address(es) of the managing partner(s) shall be provided.

4.1.3.2.3 If the applicant is a corporation, the names and mailing addresses of the corporate officers shall be provided.

4.1.3.2.4 If the applicant is a LLC, the name(s) and mailing address(es) of the manager(s) shall be provided.

4.1.3.3 A signature on the application;

4.1.3.4 Evidence of ownership or a lease agreement for the land on which the facility is or will be located;

4.1.3.5 Documentation showing the Land Use Permit(s) issued by the agency of jurisdiction for the facility. These documents must be presented and preliminarily reviewed prior to the acceptance of the remaining application package.

4.1.3.6 Documentation showing Business License(s) have been applied for or issued for the facility from the agency of jurisdiction. These documents must be presented and preliminarily reviewed prior to the acceptance of the remaining application package.

4.1.3.7 Documentation showing any other Permits necessitated by the design or operating plans for the facility issued by agencies of jurisdiction, as applicable; i.e., air quality, fire, flood control (Storm Water Pollution Prevention Plan), building department, etc.

4.1.3.8 A Report of Design and Operation, including a complete set of floor plans, operating standards, and operating records as specified in Section 5.

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4.1.3.9 Any other information required by the Health Authority.

4.2 Submission of certain documents for a Letter of Approval for Reciprocity

4.2.1 If the facility is located outside of Clark County, Nevada, and is applying for a Letter of Approval for Reciprocity, then items listed in Sections 4.1.3.4, 4.1.3.5, and 4.1.3.7 are optional; however, the additional information, if submitted, will be considered when reviewing the application.

4.2.2 In addition to the required documentation shown in Sections 4.1.3.1 through 4.1.3.3, 4.1.3.6, and 4.1.3.8 through 4.1.3.9, the applicant requesting a Letter of Approval for Reciprocity shall submit:

4.2.2.1 Two (2) copies of the current health permit for the facility,

4.2.2.2 Two (2) copies of the most recent inspections (the current and previous inspection reports) from the health agency of jurisdiction for the area in which the physical refurbishment and sanitization processes take place, and

4.2.2.3 A copy of the rules and regulations governing the health permit(s) issued to the facilities or a reference to where they can be located on the Internet or another easily accessible means.

4.2.2.4 A letter stating that the facility understands that in order to secure reciprocity for distribution of their product(s) within Clark County, Nevada, they must sanitize used bedding using the dry heat processing methods described in these Regulations, unless the facility has applied for and been specifically approved to distribute products sanitized by other method for which competent use has been demonstrated as outlined in Section 6.1.1 of these Regulations. The letter must also acknowledge that the Letter of Approval for Reciprocity is subject to continued compliance with all requirements of these Regulations.

4.3 Evaluation of application

- 4.3.1** The Health Authority shall, within 30 days after receiving an application for an initial Permit to operate a facility which refurbishes, treats or sanitizes used mattresses, mattress equivalent, bedding, or upholstered furniture, or to begin interstate commerce for such a facility through reciprocity, notify the applicant as to whether the application is complete or deficient in content.
- 4.3.2** A determination of completeness must be based on whether the application contains all specified documents and supporting information required by this Regulation, as applicable.
- 4.3.3** The Health Authority may require the submittal of any such additional documents or information as it deems necessary and may specify the period within which the documents or information must be submitted.
- 4.3.4** The Health Authority may, at its sole discretion, require an unannounced site visit to the processing facility, including facilities outside of its physical jurisdiction, prior to making a determination regarding what additional documents or information are needed to complete the application package.

4.4 Notice concerning completeness of application and compliance

If the Health Authority determines that an application is complete, then it shall evaluate the merits of the application to determine if the application is in compliance with all applicable statutes and regulations. If the Health Authority determines that the application does not comply with all applicable statutes and regulations, it shall provide a written notice to the applicant. The notice must specify:

- 4.4.1** Each statute or regulation with which the applicant has failed to comply;
- 4.4.2** Any documents or other information which the applicant is required to submit to the Health Authority; and
- 4.4.3** The period within which the applicant is required to submit to the Health Authority the documents or other information requested.

4.5 Duties of Health Authority to issue, deny, modify, or place conditions on Permit to operate or Letter of Approval for Reciprocity

Once all pertinent documents, as requested, are submitted to the Health Authority for review and any required site visits are completed, the Health Authority shall approve or deny issuance of the Permit to operate a facility which refurbishes, treats or sanitizes used mattresses, mattress equivalent, bedding, or upholstered furniture or a Letter of Approval for Reciprocity.

4.5.1 If the application is approved, the Health Authority shall issue a Permit to operate a facility or a Letter of Approval for Reciprocity to begin transporting articles for distribution within Clark County, Nevada. If conditions are added, the Permit to operate such a facility or the Letter of Approval for Reciprocity to begin distribution will be issued within 30 days of receipt of proof of compliance with all specified conditions, or

4.5.2 If the application is denied, the Health Authority shall subsequently send written notice to the applicant which details the reasons why the application is being denied. The written notice must set forth the time and procedure by which the applicant may appeal the decision of the Health Authority.

4.5.3 The Health Authority may modify or place conditions on a Permit or Letter of Approval for Reciprocity issued pursuant to this Section based on input by the public, recommendations by Health Authority staff, and/or Board motion, received concerning the Permit.

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4.6 Permit or Letter of Approval for Reciprocity issuance, revocation, or suspension, or transfer to subsequent owner/operator

A Permit to operate a facility which refurbishes, treats or sanitizes used mattresses, bedding, or upholstered furniture or a Letter of Approval for Reciprocity:

4.6.1 Must not be issued for a period longer than one (1) year as per Nevada Administrative Code 444.003(3). A determination regarding Permit or Letter of Approval for Reciprocity renewal shall take place following annual reinspections for facilities operating in Clark County, Nevada and/or compliance assessments for approvals issued by reciprocity.

4.6.2 May be modified by the Health Authority if the statutes or regulations upon which the issuance of the Permit is based change, or if a modification is otherwise necessary to protect public health and safety and the environment;

4.6.3 May be revoked or suspended at any time without notice if the facility is not carrying out the disinfection process in accordance with the spirit and purpose of the law or does not remain in compliance with all applicable statutes and regulations; and

4.6.4 Must be issued to a specific operator or owner. A Permit or Letter of Approval for Reciprocity may be issued to a subsequent owner or operator only if the Health Authority approves the transaction following the submission of an application by those who wish to acquire the business. The prospective owner or operator must meet all federal, state, and local laws and regulations applicable to the operation of a facility.

4.7 Request for modification of a facility, change of conditions applicable to Permit or Letter of Approval for Reciprocity

4.7.1 A Permit or Letter of Approval for Reciprocity may be modified to reflect changes at a facility or to its operations upon the request of the owner or operator of the facility and approval of the Health Authority. A proposal to modify a Permit or Letter of Approval for Reciprocity may be subject to a review process if the proposed modification includes:

- 4.7.1.1** An increase in the amount or change in type of articles processed at the facility which is inconsistent with the existing, permitted design or operational plans for the facility;
- 4.7.1.2** A change in the manner of processing at the facility which renders it inconsistent with the existing, permitted design or operational plans of the location, (e.g., facility designed for heat treatment wants to switch to chemical processing methods);
- 4.7.1.3** A substantive change to the physical layout of the facility;
- 4.7.1.4** Any other change which is deemed by the Health Authority to require reassessment.

4.7.2 An application to modify a facility must be submitted on a form prescribed by the Health Authority and shall be signed by the applicant. The application should be received at the SNHD prior to starting any modifications.

4.8 Permit fee schedule

4.8.1 Pursuant to NRS 439.360(5) and NRS 439.366(1), the Board adopts by reference the current SNHD Environmental Health Permit Fee Schedule as [it may be amended from time to time](#). The types of Permits and/or fees specified include:

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- 4.8.1.1** Preliminary Plan Review. This is a review of the facility application, upon request of the applicant, by the Health Authority prior to the application's formal submission to the Health Authority.
- 4.8.1.2** Preliminary Site Inspection-within Clark County. This is a review of the facility site by the Health Authority prior to the application's formal submission.
- 4.8.1.3** Preliminary Site Inspection-outside Clark County. This is a review of the facility site by the Health Authority prior to the application's formal submission. This fee includes the costs associated with travel.
- 4.8.1.4** Application Fee. This fee is assessed at the time of the formal submission of the application.
- 4.8.1.5** Annual Permit. This is the Permit issued annually to show facility compliance with all applicable laws, rules, and regulations. Annual Permits are not automatically renewed.

Section 5

FACILITY DESIGN AND OPERATION

These standards for design and operation are minimum requirements. The applicant must meet all relevant standards of the appropriate agency or agencies of jurisdiction. A facility must be designed and constructed with the following areas and/or criteria:

5.1 Exterior areas

- 5.1.1 The outside of the facility must be esthetically compatible with its environs.
- 5.1.2 All-weather asphalt or concrete paved road(s) and parking areas must be available to access the facility. Roads and parking areas with public right-of-way are preferred.
- 5.1.3 Barriers and appurtenances, if necessary, should be used to control unauthorized access to the facility and solid waste storage areas.
- 5.1.4 Fencing, walls, and/or other appurtenances shall be used wherever necessary to prevent the scattering of materials and other lightweight debris.

5.2 Facility layout

Each sanitization and refurbishing facility must be designed with separate areas to accommodate three (3) or four (4) distinct operations required for the sanitization and refurbishment of used mattresses, mattress equivalent, bedding, and upholstered furniture, depending on the level of refurbishment and sanitization processes conducted at the facility.

- 5.2.1 The first area shall be designated as a receiving area for the used articles and for the removal of the outer covering and inner padding. None of the materials removed in this first phase of the operation may enter the other three (3) areas and must be disposed of through the receiving door.
- 5.2.2 The second area or room shall be used for the replacement of the padding over the coil spring system from which it was removed and the addition of the new covering of outer material which includes the flame retardant material that meets federal statutes which took effect on July 1, 2007.
- 5.2.3 The third area or room shall be used for dry heat sanitization or any other sanitation process specifically approved by the Health Authority, drying (if needed), and overwrapping with clear plastic.
- 5.2.4 The fourth area or room shall be used for the storage of articles which have completed the sanitization and refurbishment process.
- 5.2.5 These areas or rooms shall be clearly marked by signage that designates the function of each space with prohibitions regarding the commingling of articles from each of the areas or rooms.

5.3 Floors

- 5.3.1** The floors in areas where sanitization or refurbishment activities take place must be constructed of smooth, durable, nonabsorbent and easily cleanable material and be kept clean and in good repair.
- 5.3.2** Storage and manipulation of product for refurbishment and sanitization on dirt floors is prohibited.
- 5.3.3** Carpeting in these areas is specifically prohibited.
- 5.3.4** All floors must be covered at the junctures between the floor and the walls. All material used to cove the junctures must be fitted snugly to the floor and the walls so there are no openings large enough to permit the entrance of vermin.

5.4 Walls, ceilings, and closures

- 5.4.1** All walls, ceilings, doors, windows, skylights, other closures, and fixtures must be smooth and easily cleanable and must be kept clean and in good repair.
- 5.4.2** The materials used in constructing the walls and ceilings must be joined along their edges so as to leave no open spaces or cracks.
- 5.4.3** Studs, joists, rafters and beams must not be left exposed in areas where mists and/or vapors are generated unless these structural members are suitably finished and be kept clean and in good repair.

5.5 Work surfaces

Work surfaces throughout the facility where materials are stripped and/or new material assembly takes place must be:

- 5.5.1** Nonabsorbent and/or properly sealed,
- 5.5.2** Smooth and easily cleanable, and
- 5.5.3** In good repair.

5.6 Lighting

- 5.6.1** At least 50 foot-candles of light must be provided in each area for incoming inspection and destruction of used items, sanitization, refurbishment, and outgoing inspection.
- 5.6.2** At least 20 foot-candles of light at a distance of 30 inches from the floor must be provided in the restroom.
- 5.6.3** At least 15 foot-candles of light at a distance of 30 inches from the floor must be provided in the warehouses and storage areas for used items, materials, and refurbished or sanitized articles.

5.7 Smoke alarms

Each work area must be equipped with at least one working smoke alarm, which is installed, maintained, and tested according to existing fire codes issued by the fire safety agency of jurisdiction. The smoke alarm must be free of foreign matter such as tape or paint that could impair its proper function.

5.8 Chemical safety

5.8.1 Chemicals found in the facility must be stored and used in accordance with manufacturers' instructions.

5.8.2 Material Safety Data Sheets must be readily available for each chemical present.

5.8.3 Employees must be trained in the proper use and selection of personal protective equipment (PPE) recommended by each manufacturer for each chemical and the PPE must be accessible for each employee's use.

5.8.4 Areas where chemicals are processed or mixed shall have a sink supplied with hot and cold running water and dispenser-fed liquid soap and disposable towels.

5.9 Electrical safety

Electrical cords, plugs, outlets, switches, wall plates, fixtures, and tools must be maintained in good working condition, free of hazards. Items used in sanitization and refurbishment areas which generate moisture or use wet processes must have appropriate grounding features, including connection to a ground fault circuit interrupter.

5.10 Heating and ventilating systems

5.10.1 All restrooms and work areas, including dry heat chambers, where there are mists, gases, fumes and vapors generated must be adequately ventilated so that excessive moisture and mists, gases, fumes and vapors are removed from the room and fresh air can be brought into the room.

5.10.2 Should there be any mists, gases, fumes and vapors generated that are not approved for discharge into the environment, all appropriate filtration systems must be put into place. The requirements of the air quality agency of jurisdiction where the facility is located shall be followed to ensure compliance.

5.10.3 Each system for heating, cooling or ventilation must be properly maintained and operational at all times that the facility is in operation.

5.11 Water supply

5.11.1 The potable water supply for each facility must be from a source approved by the State of Nevada Division of Environmental Protection, Bureau of Safe Drinking Water and must meet all NRS Chapter 445A requirements. If the facility is outside of Nevada, then the water supply must be from a source approved by the agency of jurisdiction for water issues in the area where the facility is located.

5.11.2 Each facility must be supplied with a hot and cold potable water supply that meets all sanitary purposes, including water for restrooms, sanitization and refurbishment operations, facility clean-up and laundering.

5.12 Plumbing

5.12.1 The potable water system must be installed and maintained in such a manner that there is no cross connection between it and any other system.

5.12.2 Every area with wet processes and/or laundry facilities must have a drain in the floor of the room. The floor must be sloped to provide proper drainage.

5.12.3 Each washing machine or sink used for washing and sanitizing used bedding and laundry such as cleaning cloths, and all ice machines (if any are present), must drain through an approved air gap to a floor sink.

5.12.4 A device used to prevent backflow or back siphonage that is installed on a potable water system must comply with the standards for the construction, installation, maintenance, inspection, and testing of the Plumbing Code for that specific application and type of device, including the Southern Nevada [2006, or subsequently amended version](#), Plumbing Code Amendments, unless a more stringent code is adopted by the agency of jurisdiction.

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5.12.5 The written results of annual backflow prevention device testing must be made available at the facility for Health Authority review.

5.13 Restrooms

5.13.1 Each facility shall provide an easily accessible restroom for employee use, or public use at the facility's discretion.

5.13.2 All restrooms must be kept in sanitary condition and good repair. Floors and all surfaces of toilets, urinals, and other fixtures which may come in contact with a person's body must be cleaned and sanitized at least daily. Any other surfaces must be maintained in a clean condition.

5.13.3 All restrooms must be stocked with a sufficient supply of toilet paper, disposable paper towels, pump-dispensed liquid soap, and a covered waste receptacle.

5.14 Storage and transportation

5.14.1 All articles for or materials used in sanitization or refurbishment must be protected from contamination by dust or filth. Articles pending processing shall not be commingled in storage with new materials for refurbishment or articles which have already been sanitized or refurbished.

5.14.2 All new materials for use in refurbishment must be stored at least six (6) inches above the floor or otherwise protected from contamination. If the articles come wrapped, leave them in their protective wrappers until needed.

5.14.3 All articles, once sanitized and/or refurbished, must be stored in a manner that protects them from recontamination. The following methods are acceptable:

5.14.3.1 Wrapping in tear-resistant plastic.

5.14.3.2 Storage at least six (6) inches above the floor.

5.14.4 Clean articles or materials must not be stored or transported in bags, carts or other containers which have been used for soiled articles or solid wastes unless the operator of the facility demonstrates to the Health Authority that the containers are properly cleaned and their surfaces sanitized between uses. Each transportation bag, cart, or container shall be maintained in good working condition.

5.15 Pest control

The responsible person operating a facility shall prevent or control populations of disease vectors at the facility for the protection of public health and safety and the environment and to prevent contamination of the articles being processed. Appropriate techniques must be instituted by a State of Nevada Certified Applicator whenever required by the Health Authority to minimize the transmission of disease. If the facility is not located within the jurisdiction of the Health Authority, then the facility shall be directed to follow the rules and regulations of the agency of jurisdiction until pest control is achieved and maintained.

5.16 Solid waste disposal

Each facility must have a clearly designated area for solid waste storage prior to pickup for disposal or recycling. This area shall have:

5.16.1 Waste storage bins or containers having a combined capacity to hold the types and quantities of solid waste and recyclable or recovered materials that the facility generates as part of its destruction and refurbishment operation. Materials that are being disposed of must be protected from scavenging. Storage of solid waste outside of waste storage bins, trucks, trailers, and/or containers is prohibited.

5.16.2 Waste storage bins or containers that are constructed of durable, watertight materials with a lid or screen on top that prevents access by disease vectors and scavengers and the loss of materials during storage and transport.

5.16.3 An equipment storage, maintenance, and wash-down area. Any water generated during wash-down processes must be properly disposed of to sanitary sewer.

5.17 Report of Design and Operation documentation requirements

5.17.1 The Report of Design and Operation shall be submitted at the time initial application is made for a Permit to operate a bedding renovation and/or sanitization facility within the jurisdiction of the Health Authority or for a Letter of Approval for Reciprocity to distribute used mattresses, mattress equivalent, bedding, or upholstered furniture within Clark County, Nevada. The responsible person or designee, such as a Professional Engineer, must sign or initial the Report of Design and Operation.

5.17.2 The report of the design and operation of a facility must include:

5.17.2.1 A complete narrative statement and process diagram giving a detailed description of each distinct activity and any method to be employed for refurbishment and/or disinfection and its location within the facility. Activities may include the following and can be combined in the diagram as long as they are clearly addressed:

5.17.2.1.1 The receipt of incoming articles for refurbishment and/or disinfection,

5.17.2.1.2 The storage of articles prior to refurbishment and/or disinfection,

5.17.2.1.3 The evaluation of the article for reusable materials/parts,

5.17.2.1.4 The stripping of waste materials such as the used cover or padding,

5.17.2.1.5 The placement in waste bins of such used materials,

5.17.2.1.6 The sanitization and/or replacement of new padding and covers,

5.17.2.1.7 The storage of such articles while drying following sanitization (if a drying step is needed),

5.17.2.1.8 Methods and designs for labeling articles,

5.17.2.1.9 The storage of articles following processing and wrapping,

5.17.2.1.10 The shipment of such articles for distribution,

5.17.2.1.11 Equipment storage, vehicle maintenance, and wash-down,

5.17.2.1.12 Provisions for employee hygiene and the prevention of cross-contamination from work station to work station, and

5.17.2.1.13 Prevention of a public nuisance through solid waste generation or the creation of airborne or liquid wastes.

5.17.2.2 Plans and specifications of the facility in sufficient detail to support compliance with the design and operation standards. Any available construction drawings of the facility and grounds, utilities, and engineered drawings of buildings or structures should be included.

The plans must:

5.17.2.2.1 Be drawn to scale, giving the scale of the drawing and showing details of the installation of work areas and equipment;

5.17.2.2.2 Bear a title indicating clearly where the installation is to be made;

5.17.2.2.3 Be signed by the applicant.

5.17.2.3 Provisions for the control of unauthorized access to the facility.

5.17.2.4 The proposed hours and days of operation.

5.17.2.5 The position titles and the number of employees who will be on duty at the facility during operating hours.

5.17.2.6 A list of the equipment and machinery that will be used at the facility for sanitization and refurbishment. The equipment and machinery must identified by type, brand, model number, capacity (if applicable), and identifying serial number. Provide a plan for obtaining substitute equipment in the event of equipment break down.

5.17.2.7 Provisions for planned facility servicing and inspections.

5.18 Operating records for all permitted facilities

5.18.1 A Permit to operate a facility or a Letter of Approval for Reciprocity issued by the Health Authority for a facility shall be posted in a conspicuous place in the main office or primary place of business.

5.18.2 The operator of a facility shall maintain accurate operating records at the facility or business office. All records must be kept for a minimum of 2 years. The records must be furnished upon request to the Health Authority or made available for inspection by the Health Authority during the regular business hours of the facility or business office. The records must include a daily record of:

5.18.2.1 The date of sanitization or refurbishment.

5.18.2.2 The identifying letter, number, or combination thereof of the dry heat sanitizing chamber or any other type of sanitization room, area or chamber, if applicable.

5.18.2.3 One example of each type of label shall be placed in the log book, including any label(s) accepted by the agency of jurisdiction or required for distribution to or within Clark County, Nevada. Damaged labels shall be entered into the bound log book as "Damaged" and maintained for inspection.

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<#>The quantity of used articles received for sanitization and/or refurbishment .¶
¶
<#>The location from which the articles originated.¶

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<#>The condition of the used articles upon receipt.¶

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<#>The number of used articles disposed of prior to sanitization and/or refurbishment due to unacceptable conditions upon receipt.¶
¶
The quantity and type of articles refurbished and/or sanitized.¶

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The quantity, type, and serial and lot numbers in consecutive order, of labels applied to the articles prior to wrapping and transportation to receiving business or insti

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Transportation information for outgoing shipments to include:¶
¶
The types of articles shipped,¶
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The quantity of articles shipped,¶
¶
The series of serial numbers for the articles shipped,¶
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The name, address, and phone number of the business, institution, or individual for which the items were refurbished or sanitized and/or to whom the articles were shipped.

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5.18.3 A portion of the logbook shall be designated for recording any inadvertent receipt or rejection of unacceptable used articles or emergencies.

5.18.4 The Health Authority shall be notified in a timely manner of any emergencies occurring at the facility.

5.19. Operating records for Refurbishers

In addition to compliance with subsection 5.18.2, Refurbisher's records must include:

5.19.1 The quantity of used articles received for sanitization and/or refurbishment.

5.19.2 The quantity, type, and serial and lot numbers in consecutive order, of labels applied to the articles prior to wrapping and transportation to receiving business or institution.

5.19.2.1 Transportation information for outgoing shipments to include:

5.19.2.1.1 The types of articles shipped.

5.19.2.1.2 The quantity of articles shipped.

5.19.2.1.3 The series of serial numbers for the articles shipped.

5.19.2.1.4 The name, address, and phone number of the business, institution, or individual for which the items were refurbished or sanitized and/or to whom the articles were shipped.

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<#>Any inadvertent receipt or rejection of unacceptable used articles.¶

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Any emergencies or unusual events.

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Section 6

REFURBISHMENT SANITIZATION METHODS AND REQUIREMENTS

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6.1 Methods of sanitization

6.1.1 Any method of sanitization not provided for herein shall be submitted to the Health Authority for consultation and testing before adoption or use. The Health Authority will consider other methods of sanitization based on the information provided by the applicant.

6.1.2 Applicant(s) wishing to apply an alternate method not specifically allowed for in these Regulations shall submit an application in the manner described in Section 4, "Application for Permit to Operate or Letter of Approval for Reciprocity." The provided information shall include the facility design plans, operational plans, techniques to be used, and other documentation required by Section 5.17, "Report of Design and Operation documentation requirements." Applicant(s) shall demonstrate in their application that the proposed method can be consistently applied in a competent and measurable manner to achieve adequate sanitization.

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Deleted: provide complete and adequate sanitation to destroy microbial contamination and pests of public health concern.

6.1.3 Unless otherwise specifically provided for, the Health Authority shall determine the method to be employed in the sanitization of any article or material subject to these Regulations. Facilities that wish to sanitize and/or refurbish articles for distribution to or within Clark County, Nevada shall employ a Health Authority approved method to provide adequate sanitization.

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6.1.4 Secondhand (used) fabrics shall not contain any of the following adulterants:

6.1.4.1 Visible soiling or stains,

6.1.4.2 Extraneous materials,

6.1.4.3 Sludge, oil, grease, and/or fat,

6.1.4.4 Filth,

6.1.4.5 Excreta, urine, and/or feces,

6.1.4.6 Skin and/or epidermis,

6.1.4.7 Disagreeable odors,

6.1.4.8 Other contamination which renders the article, in the opinion of the agent(s) of the Health Authority, to be adulterated and beyond the point where it can be properly sanitized and/or refurbished.

6.1.5 No used bedding may be recovered from any landfill, dump, dumpster or other waste disposal, junkyard, or hospital for the purpose of reuse, recycling, sanitization, or refurbishment whatsoever.

6.1.6 Secondhand (used) materials which are contaminated with the adulterants listed in Section 6.1.4 shall be sanitized as set forth in Section 6.2 or Section 9 of these Regulations.

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6.1.7 Mattresses, box springs, or similar items containing a porous material or fabric with evidence of bed bug infestation shall be sanitized by using the dry heat method in Section 6.2.

6.1.8 Except as provided in 6.1.7 herein, mattress or mattress equivalents may be sanitized using as set forth in Section 6.2 or Section 9 of these Regulations.

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6.1.9 Newly manufactured or repaired articles of bedding that contain any secondhand filling materials shall have either the filling or the article sanitized before they are offered for sale or distributed.

6.1.10 Baled filling materials shall not be sanitized while still in the bale.

6.1.11 Detachable mattresses and pads within sleeper sofas shall be removed from such articles for sanitization.

6.2 Heat Treatment-Dry Heat Method

6.2.1 The dry heat method may be used to sanitize mattresses, box springs, or similar items covered in whole by a porous material or fabric.

6.2.2 Prior to the first use of any used equipment for dry heat sanitization, the equipment must be tested for its ability to consistently reach and maintain the desired temperatures for treatment. The testing process must either be observed by an agent or agents of the Health Authority or a qualified third-party approved by the Health Authority. Following the test, a written report must be submitted. No articles or materials shall be sanitized by the subject equipment until the Health Authority reviews and approves the test results.

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6.2.3 In sanitizing by the dry heat method, a temperature of 125° F plus or minus 5° F for a minimum of one (1) hour and fifteen (15) minutes, followed by the Chemical Disinfection Method pursuant to Section 9.3.3 to destroy pathogens.

Deleted: 230°F plus or minus 5° shall be maintained in all parts of an approved chamber for such a period of time as may be necessary for sanitization, which shall in no case be less than (1) hour, fifteen (15) minutes. 6.2.3.1 A dry heat sanitization temperature of

6.2.4 All heat chambers shall be equipped with racks and/or devices that allow the complete circulation of heat and gases around every article being sanitized.

6.2.5 All chambers shall be insulated sufficiently to ensure maintenance of temperature and shall be tightly sealed to prevent any leakage of gases. A thermostat shall be connected with the heating device to provide and maintain a reasonably uniform temperature at 125°F plus or minus 5°F.

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6.2.6 A suitable recording device such as a data logger which provides a written record, approved by the Health Authority, shall be installed and maintained to record the time and temperature prevailing in the sanitization chamber during the entire operation.

Deleted: <#>The sanitization conditions of 230°F for not less than one (1) hour, fifteen (15) minutes may be changed to conditions of 205°F for not less than one (1) hour, thirty (30) minutes for foam products which suffer physical degradation at the 230°F temperature.¶

6.2.7 Each chamber in which the dry heat method of sanitization is performed shall be equipped with a fresh air inlet and an exhaust fan and duct discharging to the outside air.

6.2.8 To clear the chamber of gases, vapors, and fumes upon completion of the sanitization cycle, the fresh air inlet to the chamber shall be opened and the exhaust fan operated until temperature drops to a safe working level.

6.2.9 All sanitized articles may be removed after the temperature has returned to safe levels.

6.2.10 When more than one (1) sanitization chamber is operated at a time at any given facility, then each chamber shall be clearly marked with distinguishing identification numbers and/or letters.

6.2.11 Periodic tests and inspections of the dry heat sanitization equipment shall be made by agents of the Health Authority to determine whether or not the equipment and procedures used continue to comply with the sanitization requirements of these Regulations.

6.2.12 Detailed records, logs of the names of staff using the equipment, chamber identification number, treatment dates and times, including time duration of treatment cycles, and article(s) treated must be maintained for a minimum of 2 calendar years and furnished upon request to the Health Authority or made available for inspection by the Health Authority during the regular business hours of the facility or business office.

Deleted: for thirty (30) minutes or until all gases, vapors, and fumes have been exhausted through the discharge duct and/or filtration system.

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6.3 Lot

6.3.1 A "lot" consists of all of the articles sanitized in one (1) heat treatment chamber during one (1) operation cycle of the chamber.

6.3.2 Lots shall be numbered consecutively.

6.4 Materials

6.4.1 All filling materials shall be reasonably clean and free from trash, pith, pulp, extraneous materials, sludge, oil, grease, fat, filth, excreta, skin, epidermis, disagreeable odors, and contamination.

6.4.2 Fabric used to recover refurbished mattresses or materials used as padding must be new or subjected to the dry heat method of sanitization outlined in Section 6.2 or another method specifically approved by the Health Authority.

6.4.3 When mattresses, box springs and similar articles are refurbished in a manner that includes the replacement of the outer covering, the outer covering fabric shall meet the following criteria:

6.4.3.1 The fabric shall be light in color to facilitate the identification of stains and other contaminants such as bodily fluids.

6.4.3.2 The fabric shall be non-reflective to facilitate the use of ultraviolet light to identify bodily fluid contamination.

6.4.3.3 The fabric shall have no pattern, such as flowers, that impedes the ability to identify areas that have been contaminated. Patterns, if any are on the fabric, shall be geometrically consistent, such as stripes.

6.4.4 The kinds and types of filling or covering materials shall be stated on the Official Law Label described in Section 6.5. Any kinds or types of filling materials which are not expressly named or defined in these Regulations will be categorized for labeling purposes based on samples of the materials submitted to the Health Authority for evaluation.

6.5 Labeling

6.5.1 A person shall not, in the jurisdiction of the Health Authority, at wholesale, retail, or otherwise, directly or indirectly, make, rebuild, repair, renovate, process, prepare, sell, offer for sale, display, or deliver any article of upholstered furniture, mattress equivalent, or bedding, or any filling materials in prefabricated form or loose in bags or containers, unless the article or material is plainly and indelibly labeled.

6.5.2 The form and size of labels, the fabric of which they are made, the methods by which they are attached to the articles, and the wording and statements thereon necessary to carry out the provisions of these Regulations, shall be approved by the Health Authority. Such labels shall be referred to as "official law labels," "law labels," or "labels." Examples of the appropriate labeling for each type of article or material are found in **ARTICLE 1**.

Note: **ARTICLES**, as opposed to Appendices, are requirements within these Regulations.

6.5.3 Used bedding or other items which have been sanitized or refurbished in a facility approved by the Health Authority or transported from another jurisdiction for sale in Clark County, Nevada must be labeled with an official law label securely and permanently affixed on each completed article in an area where it is easily visible to view.

6.5.4 Official law labels shall be constructed of material that is waterproof and not easily torn or defaced. "Sanitization" labels shall be constructed of erasure-proof paper and shall be of a grade that will not change color on application of adhesive.

6.5.5 The law labels shall be affixed to the article either by sewing directly to the facing fabric or seams of refurbished articles or to the facing fabric of sanitized articles by the use of an approved adhesive, such as silicate of soda, which has been demonstrated to be effective for such use, or any other type of adhesive approved by the Health Authority.

6.5.6 Labels are not to be concealed or obstructed from view in any manner.

6.5.7 The repairer or renovator of any secondhand upholstered furniture, mattress, mattress equivalent, or bedding which is subsequently sold shall affix the "Used Material" label.

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6.5.8 Any facility sanitizing used mattresses, mattress equivalents, bedding, or upholstered furniture shall affix the "Sanitization" label.

6.5.9 The required information shall be printed on one side of the label only.

6.5.10 *Color of label and color of ink*

6.5.10.1 A white law label printed in black ink shall be used for new materials.

6.5.10.2 A red law label printed in black ink shall be used for materials which are whole or in part secondhand (used).

6.5.10.3 A green label printed in black ink shall be used for “owner’s material.”

6.5.10.4 A yellow label printed in black ink shall be used for articles which have undergone an approved method of sanitization.

6.5.11 *Statements and headings to be shown on official law labels*

6.5.11.1 The statement, “UNDER PENALTY OF LAW THIS TAG NOT TO BE REMOVED EXCEPT BY THE CONSUMER,” shall appear at the top of each label.

6.5.11.2 Headings shall read:

6.5.11.2.1 “ALL NEW MATERIAL consisting of” when the material is entirely new;

6.5.11.2.2 “SECONDHAND (USED) MATERIAL consisting of” when the material is in whole or in part secondhand or used.

6.5.11.3 The law label shall have a description of any new or secondhand (used) filling material. Filling and covering materials are described in Section 6.3, “Materials.” A listing of filling materials is not required on the sanitization label for articles that have been sanitized only and not refurbished.

6.5.11.4 The name, address, and Health Permit and/or registry number of the originating facility shall be marked on all label(s). For articles sanitized or refurbished outside of the jurisdiction of the Health Authority, the article shall have both the facility’s registry number from its jurisdiction of origin imprinted as part of both the “Used, Material” and “Sanitization” law label(s) and the Letter of Approval for Reciprocity number issued to the facility by the Health Authority stamped on the article’s labels in erasure-proof black ink.

6.5.11.5 For commercial remanufacturers or refurbishers, specifically, the label(s) shall have:

6.5.11.5.1 An implicit statement, “THIS ARTICLE MEETS THE STANDARDS OF THE SOUTHERN NEVADA HEALTH DISTRICT,” either applied in indelible ink to the existing law label or printed on a separate label permanently affixed to the article, when the item is intended for distribution in the area governed by the Health Authority, and

6.5.11.5.2 “CERTIFICATION IS MADE BY THE MANUFACTURER THAT THE MATERIALS IN THIS ARTICLE ARE DESCRIBED IN ACCORDANCE WITH LAW.”

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6.5.11.5.3 The finished size of articles of bedding such as sleeping bags, mattresses, comforters, mattress pads, pads, box springs, pillows, and similar articles, showing the width and length expressed in inches. Decorator pillows need not show size.

6.5.11.5.4 The net weight of filling materials in articles of bedding such as sleeping bags, mattresses, box springs, pads, and similar items, stated in pounds and ounces.

6.5.11.5.5 The date when the article was refurbished or the date of delivery.

6.5.11.5.6 The lot number from which refurbished article originated, if applicable.

6.5.11.6 For commercial sanitizers, specifically, the label(s) shall have:

6.5.11.6.1 The statement, "Certification is made that this secondhand article has been sanitized by a process approved pursuant to the requirements of the Southern Nevada Health District," if the article has undergone sanitization within and is intended for distribution in Clark County, Nevada. If the article originates in another state and has a pre-printed statement on the label that meets that state's requirements, then an additional stamp made from indelible ink may be added to the article's law label that states, "THIS ARTICLE MEETS THE STANDARDS OF THE SOUTHERN NEVADA HEALTH DISTRICT,"

6.5.11.6.2 The lot number in which the article was sanitized,

6.5.11.6.3 The assigned sanitization label serial number by which the article can be traced. Every label shall be numbered, the numbers shall run consecutively, and no duplicate numbers shall be used;

6.5.11.6.4 The name or type of article or filling material sanitized,

6.5.11.6.5 The method of sanitization, and

6.5.11.6.6 The date of sanitization.

6.5.12 *Size of official law labels and type of printing*

6.5.12.1 The minimum size of labels shall be two (2) by three (3) inches. Labels shall be larger when the required size of type and statements make it necessary for all information to fit in a readable typeface.

6.5.12.2 The minimum size of type shall be one-eighth ($\frac{1}{8}$) inch in height, in capital letters.

6.5.12.3 All printing shall be in English.

- 6.5.13** Importers, wholesalers, and retailers shall obtain labels from the manufacturer of those articles and shall affix the labels before offering any finished mattress equivalent, upholstered furniture or bedding for sale.
- 6.5.14** Labels shall contain no advertising, images, or phrases that detract, or are likely to detract from the required legal statements.
- 6.5.15** It is unlawful to use, in the description of filling material, or in the statement on any label, any misleading term or designation or any term or designation likely to mislead.
- 6.5.16** No mark, tag, sticker or any other device shall be placed upon labels by anyone except a non-commercial consumer in such a way as to cover the required statements.
- 6.5.17** It is unlawful for any person, except the non-commercial purchaser for his own use, to attempt to, or to remove, deface, alter or cause to be removed, defaced or altered, the label or any mark or statement thereon, placed upon any article of mattress equivalent, upholstered furniture, bedding, or filling material under the provisions of these Regulations.
- 6.5.18** Sanitization official law labels shall be sold only to facilities with valid Health Permits or Letters of Approval for Reciprocity issued by the Health Authority. Illegal possession of such labels is a violation of these Regulations. Void, damaged, mutilated, or otherwise unusable labels shall be noted in the facility logbook and retained in a special file until reviewed by an agent of the Health Authority. Once verified by the agent of the Health Authority, they may be discarded.
- 6.5.19** The Health Authority reserves the right to establish grades, specifications and tolerances for the kinds and qualities of materials which are used or intended to be used in the remanufacture, repair or renovation of mattress equivalent, upholstered furniture, bedding or filling materials, and may approve or adopt designations and rules which are not in conflict with any provisions of these Regulations, for the labeling of articles filled with these materials.
- 6.5.20** All bedding with liquid filling material or nonflame retardant cellular foam and each component part of such bedding shall be clearly labeled in a manner approved by the Health Authority.

6.6 Protection from contamination

- 6.6.1** Once article(s) have undergone all refurbishment, treatment, or sanitization processes and had the appropriate labeling applied, they must be protected from recontamination by dirt, dust, filth, pests or any other contaminants.
- 6.6.2** Best available practices to prevent contamination shall be employed such as wrapping and sealing the articles in tear-resistant plastic sheeting or bags. Other control methods may be used, as determined by the Health Authority, if the facility can demonstrate that

they are effective in preventing contamination of the refurbished or sanitized items during storage and transport.

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Section 7 INSPECTIONS AND ENFORCEMENT

7.1 Inspections

- 7.1.1 An owner or operator of a facility shall allow the agent or agents of the Health Authority entry to the facility during operating hours in order to conduct an inspection of all structures, equipment, operations, and records. The purpose of the inspection is to ensure compliance with the provisions of the Permit or Letter of Approval for Reciprocity issued by the Health Authority, these Regulations, and all applicable federal, state, and/or local, laws, regulations, ordinances, and codes.
- 7.1.2 Inspections, surveys, and visits may be made as often as the Health Authority determines is necessary to ensure compliance with all applicable laws, regulations, ordinances, and codes. Copies of records, diagrams, and other documents shall be provided upon request and photographs shall be taken of the site, equipment, and operations, as deemed necessary, by the Health Authority during the inspection.
- 7.1.3 The agent or agents of the Health Authority shall properly identify themselves with a photo-identification card/badge upon entry on the facility.
- 7.1.4 It is unlawful for any person to interfere with the agent or agents of the Health Authority in the performance of their duties, pursuant to NRS 199.300.
- 7.1.5 A copy of the inspection report will be left with the responsible person on site at the time of the inspection or other field visit. A written report of inspection findings and required corrective actions, if indicated, will be sent to the owner or operator within 60 days of the inspection date. All violations shall be corrected within the timeframe specified in the inspection report.
- 7.1.6 Should an article or group of items be found by an agent or agents of the Health Authority in an unsanitary condition and unsuitable for sale or other public use, the agent may place upon the article or items a "Withhold from Sale" tag or other means of marking the article or items to prevent their distribution or sale within Clark County, Nevada. A "Withhold from Sale" tag or other marking made by agents of the Health Authority shall not be concealed or obstructed from view in any manner. The facility shall not sell or distribute the item(s) in question or remove or allow the removal of the "withhold from sale" tag without the express approval of the Health Authority. Nothing within this section prohibits an owner or operator of a facility from disposing of unsanitary items pursuant to Section 9.2. or sanitizing the unsanitary items pursuant to these Regulations.
- 7.1.7 Aiding, abetting, or knowingly combining or conspiring with an unpermitted or unapproved person or facility engaged in a business controlled by these Regulations, with the intent to evade the provisions of these Regulations, or allowing one's Permit number or Letter of Approval for Reciprocity number to be used by an unpermitted person or facility to evade the provisions of these Regulations is unlawful and in violation of these Regulations.

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7.1.8 A Cease and Desist Order and/or Notice of Violation may be issued for violations of all Regulations and other Health Authority matters for which a hearing is provided for by law.

7.2 Enforcement

7.2.1 The Health Authority may suspend or revoke its approval to operate a facility or to distribute used mattresses, mattress equivalent, bedding, or upholstered furniture within Clark County, Nevada if the owner or operator of the facility fails to comply with the provisions of the Permit and/or Letter of Approval for Reciprocity, the design or operating plans for the facility, these Regulations, or applicable federal, state, and/or local laws, regulations, ordinances, and codes.

7.2.2 Whenever the Health Authority finds a condition in the operation of a facility, which, in the judgment of the Health Authority, constitutes a substantial hazard to public health and/or the environment, the Health Authority may, without warning, notice or hearing, issue a written Order to the owner or operator citing the condition, specifying the corrective action to be taken, and specifying the time within which the action must be taken. The Order may state that the Permit or Letter of Approval for Reciprocity is immediately suspended and all operations shall be immediately discontinued. Any person to whom such an Order is issued shall comply with it immediately. Upon written request to the Health Authority, the person shall be afforded a hearing within 30 days of the date said request is received by the Health Authority to contest the terms of the Order or suspension of the Permit or Letter of Approval for Reciprocity.

7.2.3 For substantial hazards to public health or the environment, repeated violations of any of the requirements of these Regulations, or for interference with the agent or agents of the Health Authority in the performance of their duties, the Permit or Letter of Approval for Reciprocity may be permanently revoked after an opportunity for a hearing has been provided by the Health Authority received within five (5) business days following service of the Order. Before taking such an action, the Health Authority shall notify the owner in writing, stating the reasons for which the Permit or Letter of Approval for Reciprocity may be suspended for cause, pending its revocation or a hearing relative thereto.

7.2.4 The Health Authority may permanently revoke a facility Permit or Letter of Approval for Reciprocity after five (5) days following service of the notice unless a written request for a hearing is filed with the Health Authority by the owner or operator within five (5) business days.

7.2.5 The hearings provided for in this Section shall be conducted by a Health Authority Hearing Officer at a time and place designated in writing. Based upon the record of the hearing, the Health Authority Hearing Officer shall make a finding and may sustain, modify or rescind any official notice or order considered in the hearing. A written Order specifying the Hearing Officer's decision shall be furnished to the owner or operator by the Health Authority.

Section 8 MISCELLANEOUS

8.1 Severability clause

Should any Section, paragraph, sentence, phrase, or provision of these Regulations be held invalid for any reason, the remainder of these Regulations shall not be affected.

8.2 Effective date

These Regulations are effective upon approval by the [Nevada State Board of Health](#),

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Section 9
Rental and/or Reuse of Used Mattresses, Mattress Equivalent, Bedding and Upholstered Furniture

9.1 RECEIPT OF USED MATTRESSES, MATTRESS EQUIVALENT, BEDDING AND UPHOLSTERED FURNITURE BY A BUSINESS

9.1.0 Notwithstanding any general provision of these Regulations, any person who shall rent, reuse, or otherwise redistribute any mattress, mattress equivalent, bedding, or upholstered furniture in connection with a rental or retail sale shall ensure that such redistributed items be sanitized and/or treated pursuant to a Health Authority approved plan of operation for cleaning and/or sanitizing as set forth in Section 9 of these Regulations prior to redistribution.

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9.1.1 Efforts shall be made to inspect all merchandise received by a business subject to this Section. During inspection, close attention must be paid to the seams, under buttons, handles, labels, corner protectors of the mattress, the base of the mattress, the material underneath the mattress base, headboards, nightstand drawers and other fabric surfaces; all for the presence of bed bugs and/or unsanitary conditions.

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9.1.2 The fabric surfaces of used mattresses, mattress equivalent, bedding and upholstered furniture shall not contain any of the adulterants specified in Section 6.1.3 inclusive or any other contamination that can be seen by an ultraviolet (black) light. Articles found to contain adulterants must either be sanitized or disposed of as provided in these Regulations.

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9.2 UNSANITARY USED MATTRESSES, MATTRESS EQUIVALENT, BEDDING AND UPHOLSTERED FURNITURE

9.2.1 Used mattresses, mattress equivalent, bedding or upholstered furniture containing evidence of a bed bug infestation or declared to be unsanitary and determined to be beyond the point where it can be properly sanitized and/or refurbished, must be immediately wrapped and sealed in plastic, labeled with a legible and conspicuous label declaring the bed bug infested/unsanitary contents, and have the infested/unsanitary contents taken to a Health Authority approved disposal facility. Disposal receipts shall be kept for a minimum of 2 calendar years and must be furnished upon request to the Health Authority or made available for inspection by the Health Authority during the regular business hours of the facility or business office.

9.2.2 A business shall not introduce any unsanitary used mattress, mattress equivalent, bedding or upholstered furniture which has visible blood, urine, fecal matter or other proteinaceous material which can be determined by the use of scientific devices such as ultraviolet (black) light, into its warehouse facility's inventory or transferred to a charitable organization unless such mattress, mattress equivalent, bedding and upholstered furniture has been treated with a Health Authority approved method of sanitization.

9.2.3 Any bed bug infested mattress, mattress equivalent, bedding and upholstered furniture must be reported to the Health Authority within 24 hours of discovery. The report must include a description of the infested mattress, mattress equivalent, bedding and upholstered furniture, and the zip code where the infested mattress, mattress equivalent, bedding and upholstered furniture was located, the date the infestation was discovered, and whether the item will be sanitized or disposed. Disposal shall be consistent with Section 9.2.1.

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9.3 Cleaning/Sanitization Protocol for Rental or Reuse of Bedding, Mattress Equivalent and Furniture

All redistributed mattresses, mattress equivalent, bedding, and furniture shall undergo a Health Authority approved method of cleaning and/or sanitization prior to redistribution. The following methods are approved for inclusion in a plan of operation by the Health Authority and the Health Authority may, in its discretion, approve other methods of sanitization.

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9.3.1 Vacuuming

9.3.1.1 The vacuum equipment utilized for vacuuming used mattresses, mattress equivalent, bedding and upholstered furniture shall be of the canister type, with a replaceable filter bag and with a high efficiency particulate air (HEPA) trap.

9.3.1.2 The vacuum cleaner bag must be replaced at appropriate intervals to maintain the vacuum's maximum efficiency. The vacuum canister and area where the filter bag is attached must be sanitized with a chemical sanitizer whenever the filter bag is replaced.

9.3.1.3 If there is a suspicion that a bed bug infested mattress, mattress equivalent, bedding, or upholstered furniture has been vacuumed, the vacuum must be sanitized with a chemical sanitizer immediately with the following procedure:

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9.3.1.3.1 The filter bag and HEPA filter must be removed and disposed of in an air tight plastic bag, labeled with a legible and conspicuous label declaring the bed bug infested contents, and taken to a Health Authority approved disposal facility.

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9.3.1.3.2 The vacuum hoses must be thoroughly cleaned with hot soapy water, and with hot water running through the hoses, and the vacuum canister where the filter bag is located must be sanitized with a chemical sanitizer.

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9.3.2 Steam Cleaning/Treatment

9.3.2.1 The steam equipment used for sanitizing used mattresses, mattress equivalent, bedding and upholstered furniture must be properly maintained and the operating temperatures must be regularly checked with the use of an infrared thermometer.

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9.3.2.2 The quality of the steam from the steam generating machine must be less than 5% humidity, at least 201° F, and applied at high pressure.

9.3.2.3 Immediately after steam treatment, the treated mattress, mattress equivalent, bedding, or upholstered furniture should have a surface temperature of at least 158° F.

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9.3.3 Chemical Disinfection Method

9.3.3.1 Only biocides approved by the EPA and listed in the Nevada Department of Agriculture's Pesticide Registry and specified for use on mattresses and/or bedding shall be used. The biocide must be applied according to the manufacturer's instructions for use in disinfecting mattresses, mattress equivalent, bedding, and/or upholstered furniture.

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9.3.3.2 Mattress equivalent with impervious covering(s), such as leather, plastic or vinyl, may be sanitized by damp cleaning with a chemical disinfectant registered with the EPA and listed in the Nevada Department of Agriculture Pesticide Registry and specified for use as a disinfectant on the surface(s) of mattress equivalents.

9.3.4 Bed Bug Detection Dogs

9.3.4.1 Bed bug infestations may be detected by the use of a trained bed bug detection dog with a certified handler. Dogs must be trained at a facility accredited with the National Entomology Scent Detection Canine Association or equivalent. A quality control system must be used daily as part of the process to assess the accuracy of detection by the bed bug detection dog(s).

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9.3.5 Mattress Encasements

9.3.5.1 White seamless mattress covers with specialized anti-bed bug encasement may be utilized on mattresses to minimize potential harborage areas. The white mattress cover allows for easier detection of the presence of bed bugs. Because mattress encasements are not guaranteed to stop bed bug infestations, if there is evidence of bed bug infestation, an additional method of sanitization should be used pursuant to these Regulations.

Deleted: 9.3.4.2 Bed bug detection dogs may be utilized for detecting small infestations that are not always obvious during an inspection by humans. Detection dogs may also be useful to check the success of a bed bug infestation control program. It should be noted that bed bug detection dogs are not always accurate and harborage areas where dogs cannot access must be inspected using the alternate procedures.

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9.3.5.2 The mattress encasements should include: small zipper teeth that prevent juvenile bed bugs from passing through, few seams and tightly stitched joints, an in-built bite-proof membrane, end zipper stops that prevent bed bug escape or entry, and anti-removal devices.

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9.3.5.3 Customers purchasing a mattress encasement should be educated on the proper removal and replacement for laundering. Customers should be advised that if a mattress encasement is removed, it is recommended that the mattress encasement be immediately replaced on the mattress after laundering (hot washed and hot dried).

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9.4 CLEANING / SANITIZATION OF VEHICLES/DOCKS USED FOR FURNITURE AND MATTRESS EQUIVALENT RETURNS

9.4.1 Areas where used furniture is inspected or sanitized must be kept in a clean and sanitary condition, including daily sweeping or vacuuming and removal of packing materials and debris after all the inspection activities are completed for the day.

9.4.2 A signed cleaning/sanitization log must be maintained for a minimum of 1 calendar year for the inspection area and the delivery vehicles.

9.4.3 If there is evidence of bed bug infestation in any upholstered furniture and/or mattress equivalent delivery vehicle or storage area, a licensed pest control operator who is knowledgeable and experienced in managing bed bug infestations should be contacted. The proposed work must follow an integrated pest management plan.

9.5 STANDARDIZED TRAINING OF USED FURNITURE AND MATTRESS EQUIVALENT PERSONNEL

9.5.1 Personnel involved directly in the transportation, sanitization and cleaning of used merchandise must receive standardized training on bed bug control practice and techniques.

9.5.2 The record of the standardized training method(s) and assessment(s) must be included in the furniture and mattress equivalent business' facility's plan of operation as required in Section 9.7.

9.5.3 Personnel involved directly in the transportation, sanitization and cleaning of used mattresses, mattress equivalent, bedding and upholstered furniture must receive standardized training on bed bug control practices and techniques. This training shall be conducted as part of the new hire orientation process and repeated at a minimum of annually for all employees who are directly involved.

Standardized training shall include, without limitation, training on the following:

- (a) Recognizing and identifying bed bugs and infestations;
- (b) Proper methods of inspection;
- (c) Proper methods of cleaning / sanitizing;
- (d) Procedure to report a suspected bed bug infestation; and
- (e) Disposal procedures if furniture and/or mattress equivalent is found to be bed bug infested or unsanitary.

9.5.4 Training records must be maintained for a minimum of 2 calendar years.

9.6 COMMERCIAL SANITIZATION LAW LABELS

9.6.1 In addition to the commercial sanitization labeling requirements outlined in Section 6 of these Regulations, each business subject to these Regulations engaging in the cleaning/sanitization of secondhand (used) mattresses, mattress equivalent, bedding and upholstered furniture may replace an existing Health Authority approved sanitization label with a new Health Authority approved sanitization label after each cleaning/sanitization process in accordance with Section 9.3.3 of these Regulations.

9.7 PLAN OF OPERATION

9.7.1 Each business subject to these Regulations shall submit a plan of operation with their application for approval by the Health Authority.

9.7.2 The plan of operation shall outline cleaning/sanitizing procedures for secondhand (used) mattresses, mattress equivalent, bedding, and upholstered furniture, and a bed bug control program consistent with these Regulations.

9.7.3 The plan of operation must be approved by the Health Authority prior to its implementation.

9.7.4 Any modification to an approved plan of operation must be resubmitted for approval to the Health Authority prior to its implementation.

9.8 HEALTH PERMIT

9.8.1 All businesses subject to these Regulations must apply for and obtain a health permit according to the requirements set forth in these Regulations.