



**Solid Waste Management Authority
Hearing Officer Administrative Hearing**

AGENDA

Southern Nevada Health District
280 South Decatur Boulevard, Las Vegas, Nevada
Red Rock Trail Conference Room
9:00 AM – Thursday, September 12, 2019

NOTICE: Nevada Revised Statutes (NRS) 241.020 requires that written notice of all hearings of the Southern Nevada Health District Board of Health's Solid Waste Management Authority Hearing Officer be given at least three working days before the hearings. The notice shall include the time, place, location, and agenda of the hearing. Individuals may request notice, but a request for notice lapses six months after it is made. The Southern Nevada District Board of Health informs each requestor of this fact by this notation on the copy of the notice mailed to them.

NOTE:

- **Agenda items may be taken out of order at the discretion of the Hearing Officer.**
- **The Hearing Officer may combine two or more agenda items for consideration.**
- **The Hearing Officer may remove an item from the agenda or delay discussion relating to an item on the agenda at any time.**

I. CALL TO ORDER

- II. PUBLIC COMMENT:** A period devoted to comments by the general public about those items appearing on the agenda. Comments will be limited to five (5) minutes per speaker. Please step up to the speaker's podium, clearly state your name and address, and spell your last name for the record. The comment period may be lengthened at the discretion of the Hearing Officer.

III. MATTERS REQUIRING HEARING OFFICER ACTION

A. NOTICES OF VIOLATION WITH CONTESTED FACTS:

- 1. Clemente Armando Rodriguez Gomez – NOV #SW19-1409/Z3-** For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about May 9, 2019; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the property located at 3224 North Michael Way, Las Vegas, Clark County, Nevada on or about May 9, 2019. **(for possible action)**

Proposed Penalties/ 1) \$1,000.00

Corrective Action: 2) \$1,000.00

3) Cease and desist operating a solid waste disposal site without a permit issued by the solid waste management authority at this location or anywhere else in Clark County, Nevada.

4) Cease and desist placing, depositing, or dumping or causing to be placed, deposited or dumped solid waste upon property other than property designated or set aside for such purpose.

2. **McKinlay Excavating, Inc.** – NOV #SW19-1631/P9- For placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the property located at 2711 Rimbe Street, Clark County, Nevada on or about June 12, 2019. *(for possible action)*

Proposed Penalties/ 1) \$2,000.00

Corrective Action: 2) Cease and desist placing, depositing, or dumping or causing to be placed, deposited or dumped solid waste upon property other than property designated or set aside for such purpose.

3. **Doretha Green, Demetrius Green and Joshua Green** – NOV #SW19-1393/P9- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about May 2, 2019; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the vacant parcel located at East Rome Boulevard and Statz Street, North Las Vegas, Clark County, Nevada on or about May 2, 2019. *(for possible action)*

Proposed Penalties/ 1) \$1,000.00

Corrective Action: 2) \$1,000.00

3) Cease and desist placing, depositing, or dumping or causing to be placed, deposited or dumped solid waste upon property other than property designated or set aside for such purpose.

4. **Lisa Duran** – NOV #SW19-1521/P9- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about May 23, 2019; 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the vacant parcel located at the northeast corner of Sweet Woodruff Drive and West Haleh Avenue, Clark County, Nevada on or about May 23, 2019; and 3) disposing of, abandoning or dumping motor vehicle battery, motor vehicle tire or motor vehicle oil at a site which has not been issued a permit for that purpose on or about May 23, 2019. *(for possible action)*

Proposed Penalties/ 1) \$1,000.00

Corrective Action: 2) \$1,000.00

3) \$1,000.00

4) Removal and proper disposal of waste.

5) Cease and desist operating a solid waste disposal site without a permit issued by the solid waste management authority at this location or anywhere else in Clark County, Nevada.

6) Cease and desist placing, depositing, or dumping or causing to be placed, deposited or dumped solid waste upon property other than property designated or set aside for such purpose.

5. **US National Bank Association Trustee** – NOV #SW19-1355/C6- For failure to comply with the Order issued by the Solid Waste Management Authority on May 1, 2019. *(for possible action)*

Proposed Penalties/ 1) \$1,000.00

Corrective Action: 2) Removal and proper disposal of waste.

6. **475 Centennial LLC dba AA Auto Care #1100** – NOV #SW19-1212/C6- For 1) failure to comply with the Order issued by the Solid Waste Management Authority on March 27, 2019; and 2) failure to provide proper removal of all solid waste accumulated at the business's premise on March 27, 2019. **(for possible action)**

Proposed Penalties/ 1) \$1,000.00
Corrective Action: 2) \$1,000.00
3) Removal and proper disposal of waste.

7. **Avalon Retail Partners, LLC** – NOV #SW19-758/N7- For failure to comply with the Order issued by the Solid Waste Management Authority on January 15, 2019 with extensions of the Order deadline to May 6, 2019. **(for possible action)**

Proposed Penalties/ 1) \$1,000.00
Corrective Action: 2) Removal and proper disposal of waste.

8. **Mer-Car Corp.** – NOV #SW19-982/24- For failure to comply with the Order issued by the Solid Waste Management Authority on February 22, 2019 with extensions of the Order to May 10, 2019. **(for possible action)**

Proposed Penalties/ 1) \$1,000.00
Corrective Action: 2) Removal and proper disposal of waste.
3) Cease and desist operating a solid waste disposal site without a permit issued by the solid waste management authority at this location or anywhere else in Clark County, Nevada.

9. **Paramount Fibers, LLC** – NOV #SW19-1447/K5- For 1) operating or authorizing the operation of a Solid Waste Management Facility without the prior approval of the Solid Waste management Authority on May 16, 2019 and June 4, 2019; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on May 17, 2019. **(for possible action)**

Proposed Penalties/ 1) \$2,000.00
Corrective Action: 2) \$1,000.00
3) Remediation of area affected by sewage overflow.
4) Cease and desist operating a solid waste disposal facility without a permit issued by the solid waste management authority at this location or anywhere else in Clark County, Nevada.

B. **NON-CONTESTED NOTICES OF VIOLATION:** *The Hearing Officer may approve or disapprove the agreed resolution. Upon disapproval of the agreed resolution, the Hearing Officer will set a date for the hearing of any such Notice of Violations.*

1. **Ashford Apartments, LLC – NOV #SW19-1664/Z3-** For 1) causing or allowing sewage or accumulation of human excreta to overflow on property located at 6212 Camino De Rosa Drive, Las Vegas, Clark County, Nevada on or about June 19, 2019; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on June 19, 2019. **(for possible action)**

Penalty:

- 1) \$1,000.00
- 2) \$1,000.00
- 3) Cease and desist causing or allowing to cause any sewage or accumulation of human excreta to overflow and deposit at this property or any other property in Clark County, Nevada.

C. **NOTICES OF VIOLATION – FURTHER PROCEEDINGS:**

None

IV. REPORT TO HEARING OFFICER

None.

- V. **PUBLIC COMMENT:** A period devoted to comments by the general public, if any, and discussion of those comments, about matters relevant to the Solid Waste Management Authority, Hearing Officer's jurisdiction will be held. No action may be taken upon a matter raised under this item of this Agenda until the matter itself has been specifically included on an agenda as an item upon which action may be taken pursuant to NRS 241.020. Comments will be limited to five (5) minutes per speaker. Please step up to the speaker's podium, clearly state your name and address, and spell your last name for the record. The comment period may be lengthened at the discretion of the Hearing Officer.

VI. ADJOURNMENT

- VII. **THIS AGENDA HAS BEEN POSTED IN THE MAIN LOBBY OF THE FOLLOWING LOCATIONS:** 1) **CLARK COUNTY GOVERNMENT CENTER, 500 S. Grand Central Parkway, Las Vegas, NV;** 2) **LAS VEGAS CITY HALL, 495 S. Main Street, Las Vegas, NV;** 3) **NORTH LAS VEGAS CITY HALL, 2250 N. Las Vegas Boulevard, North Las Vegas, NV;** 4) **HENDERSON CITY HALL, 200 Water Street, Henderson, NV;** 5) **BOULDER CITY, CITY HALL, 401 California Avenue, Boulder City, NV;** 6) **MESQUITE CITY HALL, 10 E. Mesquite Boulevard, Mesquite, NV;** and 7) **SOUTHERN NEVADA HEALTH DISTRICT, 280 S. Decatur Boulevard, Las Vegas, NV.** This Agenda is also available on the Southern Nevada Health District Internet Website at <http://www.southernnevadahealthdistrict.org> and on the Nevada Public Notice website at <https://notice.nv.gov>. For copies of agenda material, please contact Amy Vega at (702) 759-0533. In addition, handouts will be available at each hearing date and time.

NOTE: Disabled members of the public who require special accommodations or assistance at the hearing are requested to notify Amy Vega at the Southern Nevada Health District by calling (702) 759-0533.