



**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, January 19, 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. **Gerardo Angulo-Preciado** – NOV #SW19-008/Z3- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about June 28, 2018; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the property located at 2219 North Rancho Drive, Las Vegas, Clark County, Nevada on or about June 28, 2018. **(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. **Jason Mata** – NOV #SW19-129/P9- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about July 31, 2018; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the vacant residential parcel located one lot east of Whitewind Lane on East Charleston Boulevard, Clark County, Nevada on or about July 31, 2018. **(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.

3. **Omar Alejandro Sotelo and Erika Frances Dolores Ortiz** – NOV #SW19-357/C6- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about September 16, 2018; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the public right of way located at West Horse Drive and North Torrey Pines Drive, Clark County, Nevada on or about September 16, 2018. **(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.

4. **Desert Garden Homeowners Association, Inc.** – NOV #SW17-1495/C6/C6- For failure to comply with the Order issued by the Solid Waste Management Authority Hearing Officer on July 19, 2018. **(for possible action)**

Proposed Penalties/ 1) \$1,000.00

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

3) Provide a written plan how to prevent future illegal dumping.

5. **Sarah Monteleone Trust** – NOV #SW18-589/C6- For failure to comply with the Order issued by the Solid Waste Management Authority on June 7, 2018 with extension of the Order deadline to August 12, 2018. **(for possible action)**

Proposed Penalties/ 1) \$1,000.00

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

3) Secure sewer pipes connections to the risers.

6. **Mervyn Dukatt** – NOV #SW18-382/24- For failure to comply with the Order issued by the Solid Waste Management Authority on April 9, 2018 with extension of the Order to June 17, 2018. **(for possible action)**

Proposed Penalties/ 1) \$1,000.00

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

7. **Veronica Orozco Valencia** – NOV #SW19-374/V8- For causing or allowing sewage or accumulation of human excreta to overflow on property located at 411 Madison Avenue, Las Vegas, Clark County, Nevada on or about September 26, 2018, September 27, 2018 and September 28, 2018. **(for possible action)**

Proposed Penalties/ 1) \$1,000.00

Corrective Action: 2) \$550.00 for plumbing cost reimbursement.

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.

8. **Rose Lucas Miera and Yauncay J. Lucas-Malone** – NOV #SW18-432/H3- For failure to comply with the Order issued by the Solid Waste Management Authority on May 10, 2018. **(for possible action)**

Proposed Penalties/ 1) \$1,000.00

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

9. **City Auto Pick-A-Part, Inc. dba Las Vegas Recycling** – NOV #SW18-658/K5- For 1) failure to provide the annual updated plan for cost of closure for Solid Waste Management Facility; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on June 27, 2018 with extensions of the order deadline to September 18, 2018. **(for possible action)**

Proposed Penalties/ 1) \$1,000.00

Corrective Action: 2) \$1,000.00

3) Submit an approved cost of closure estimate.

4) If approved cost of closure estimate is greater than the current financial assurance, submit new financial assurance mechanism.

10. **Western Pacific Pulp & Paper Inc.** – NOV #SW18-673/K5- For 1) failure to provide the annual updated plan for cost of closure for a Solid Waste Management Facility on or about June 1, 2018; 2) failure to provide the annual financial assurance documentation for a Solid Waste Management Facility on or about June 1, 2018; and 3) failure to comply with the Order issued by the Solid Waste Management Authority on June 28, 2018 with extensions of the Order deadline to September 30, 2018. **(for possible action)**

Proposed Penalties/ 1) \$1,000.00
Corrective Action: 2) \$1,000.00
3) \$1,500.00
4) Submit an approved cost of closure estimate.
5) Submit an approved financial assurance mechanism to cover the cost of closure for the solid waste management facility.

11. **WWS, LLC** – NOV #SW18-674/K5- For 1) failure to provide the annual updated plan for cost of closure for a Solid Waste Management Facility on or about June 1, 2018; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on June 28, 2018 with extensions of the Order deadline to August 31, 2018. **(for possible action)**

Proposed Penalties/ 1) \$1,000.00
Corrective Action: 2) \$1,500.00
3) Submit an approved cost of closure estimate.
4) If approved cost of closure estimate is greater than the current financial assurance, submit new financial assurance mechanism.

- 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. **Southwest Corporate Campus LLC** – NOV #SW18-574/N7- For failure to comply with the Order issued by the Solid Waste Management Authority on July 17, 2018. **(for possible action)**

Penalty: 1) \$1,000.00

2. **Salvador Ernesto Pacheco** – NOV #SW19-224/P9- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about August 15, 2018; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the vacant parcel located at northwest corner of Park Avenue and Lailani Street, Clark County, Nevada on or about August 15, 2018. **(for possible action)**

Penalty: 1) \$500.00
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.

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.