



## Public Health Update

### Solid Waste Management Authority Hearing Officer Administrative Hearing – April 20, 2017

The Solid Waste Hearing Officer, under authority granted in Nevada Revised Statute (NRS) 444.629, conducts monthly hearings to settle cases involving illegal dumping and other solid waste matters. At the April 20, 2017 hearing, the following cases were adjudicated:

#### I. MATTERS REQUIRING HEARING OFFICER ACTION

##### A. NOTICES OF VIOLATION WITH CONTESTED FACTS:

1. **Lauren M. Dehaan** – NOV #SW16-580/N7- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about July 2, 2016; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the vacant parcel located at the corner of South Durango Drive and West Cactus Avenue, Clark County, Nevada on or about July 2, 2016. (*for possible action*)

Hearing officer found Lauren M. Dehaan in violation and imposed a penalty of \$900 for 2). Corrective action of removal and proper disposal of waste is ordered. Cease and Desist order is issued to stop operating a solid waste disposal site without a permit from the solid waste management authority at this location or any other in Clark County, Nev. A Cease and Desist order is issued to stop placing, depositing, dumping or causing to be placed, deposited or dumped solid waste upon a property other than a property designated or set aside for such purposes. Failure to comply will result in the original penalty of \$1,800 as initially sought in the Notice of Violation.

2. **Silvereye Sustainability L.L.C.** – NOV #SW16-022/P9/P9- For failure to comply with the Order issued by the Solid Waste Management Authority Hearing Officer on September 8, 2016. (*for possible action*)

Item continued to May 11, 2017 agenda.

- ##### 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. **C&D Construction Services Inc. dba Liberty Salvage Materials** – NOV #SW16-764/P9- For 1) violation of Solid Waste Management Authority Regulations (SWMAR) 2-3.01(A)

for sorting, processing and storage of solid waste and recyclables in areas outside of the areas approved in the Solid Waste Management Facility permit for the facility located at 130 West Owens Avenue, North Las Vegas, Clark County, on July 15, 2016 and September 9, 2016; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on August 25, 2016. *(for possible action)*

Hearing officer found C&D Construction Services Inc. dba Liberty Salvage Materials in violation and imposed a penalty of \$1,000 for 1), and a penalty of \$500 for 2). Corrective action of removal and proper disposal of waste is ordered. Failure to comply will result in the original penalty of \$2,700 as initially sought in the Notice of Violation.

2. **FC Income Properties LLC** - NOV #SW16-618/N7- For failure to comply with the Order issued by the Solid Waste Management Authority on July 13, 2016, with extensions of the Order deadline to October 10, 2016. *(for possible action)*

Hearing officer found FC Income Properties LLC in violation and imposed a penalty of \$900.

3. **Zachary S. Montgomery** - NOV #SW17-035/C6- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about January 10, 2017; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste inside the dumpster located at 9530 Corbett Avenue, Clark County, Nevada on or about January 10, 2017. *(for possible action)*

Hearing officer found Zachary S. Montgomery in violation and imposed a penalty of \$900 for 2). A Cease and Desist order is issued to stop placing, depositing, dumping or causing to be placed, deposited or dumped solid waste upon a property other than a property designated or set aside for such purposes. Failure to comply will result in the original penalty of \$1,800 as initially sought in the Notice of Violation.

4. **Clayton Carter and Nicole Carter** - NOV #SW16-1046/N7- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about October 13, 2016; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the vacant parcel located at South Durango Drive and West Cactus Avenue, Clark County, Nevada on or about October 13, 2016. *(for possible action)*

Hearing officer found Clayton Carter and Nicole Carter in violation and imposed a penalty of \$500 for 2). Corrective action of removal and proper disposal of waste is ordered. A Cease and Desist order is issued to stop placing, depositing, dumping or causing to be placed, deposited or dumped solid waste upon a property other than a property designated or set aside for such purposes. Failure to comply will result in the original penalty of \$1,800 as initially sought in the Notice of Violation.

C. NOTICES OF VIOLATION - FURTHER PROCEEDINGS

None.

