

de RW



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, November 8, 2018

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. **Neptune Mobile Wash, LLC – NOV #SW19-002/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 1, 2018 and July 2, 2018; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the properties located at 2874 Marco Street, 2862 Marco Street, 2866 Marco Street, Clark County, Nevada, and the public right of way on Lamont Street, Clark County, Nevada on or about July 2, 2018. **(for possible action)**

- | | |
|---------------------|--|
| Proposed Penalties/ | 1) \$4,000.00 |
| Corrective Action: | 2) \$4,000.00 |
| | 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. **American Eagle Ready Mix, LLC** – NOV #SW19-029/V8- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about July 9, 2018; and 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 South Warbonnet Way and West Sunset Road, Clark County, Nevada on or about July 9, 2018. **(for possible action)**

Proposed Penalties/ 1) \$1,000.00
Corrective Action: 2) \$2,000.00
3) Removal and proper disposal of waste.
4) 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.
5) 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. **Jab Construction, Inc.** – NOV #SW19-030/V8- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about July 9, 2018; and 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 South Warbonnet Way and West Sunset Road, Clark County, Nevada on or about July 9, 2018. **(for possible action)**

Proposed Penalties/ 1) \$1,000.00
Corrective Action: 2) \$1,000.00
3) Removal and proper disposal of waste.
4) 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.
5) 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. **Yoel Davidowicz** – NOV #SW19-013/24- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about June 30, 2018; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the property located at 6000 South Eastern Avenue, Clark County, Nevada on or about June 30, 2018. **(for possible action)**

Proposed Penalties/ 1) \$1,000.00
Corrective Action: 2) \$1,000.00
3) Removal and proper disposal of waste.
4) 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.
5) 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. **Arturo Herrera-Ontiveros** – NOV #SW18-524/G4- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about May 16, 2018; 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the properties located at 2200 and 2412 Sunrise Avenue, Las Vegas, Clark County, Nevada on or about May 16, 2018; 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 16, 2018. **(for possible action)**

Proposed Penalties/ 1) \$1,000.00
Corrective Action: 2) \$1,000.00
3) \$1,000.00
4) 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.
5) 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.

6. **Shauna Martinez** – NOV #SW19-045/V8- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about July 13, 2018; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the vacant parcel located north of 8601 South Grand Canyon Drive, Clark County, Nevada on or about July 13, 2018. **(for possible action)**

Proposed Penalties/ 1) \$1,000.00
Corrective Action: 2) \$1,000.00
3) Removal and proper disposal of waste.
4) 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.
5) 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.

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. **Danielle Nicole Seymore** – NOV #SW19-251/A0- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about August 21, 2018; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the property located on the west side of 280 South Decatur Boulevard, Las Vegas, Clark County, Nevada on or about August 21, 2018. ***(for possible action)***

Penalty: 1) \$1,000.00
 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.

2. **Calvin Lenor Hicks** – NOV #SW19-156/C6- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about July 15, 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 July 15, 2018. ***(for possible action)***

Penalty: 1) \$1,000.00
 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.

3. **John Ralph Toigo** – NOV #SW19-120/71- 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 property located in the alley south of Silver Whisper Avenue, east of Spencer Street, Clark County, Nevada on or about July 31, 2018. ***(for possible action)***

Penalty: 1) \$1,000.00
 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:

1. **Josefina Chavez-Martin and Ernesto Vazquez Barrera** – NOV #SW18-363/C6- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on March 29, 2018; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the property located at 1900 Allen Lane, Las Vegas, Clark County, Nevada on March 29, 2018. **(for possible action)**

Penalties:

1. \$1,000.00
2. \$1,000.00
3. Cease and Desist.

Proposed Action: Vacate Hearing Officer Order dated July 19, 2018

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; 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.