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

AGENDA

Southern Nevada Health District
280 South Decatur Boulevard, Las Vegas, Nevada
WebEx Hearing – Calico Hills Room
1:00 PM – Wednesday, December 9, 2020

NOTICES:

1. This meeting is being conducted consistent with the Governor's March 22, 2020; Declaration of Emergency Directive 006 as extended by the Governor's March 31, 2020 Declaration of Emergency Directive 010

- From a computer, use the **Webex Event Link:**

<https://snhd.webex.com/snhd/onstage/g.php?MTID=ecfdacea0e31645b0a0084e864e0ff789>

- To call into the meeting:

- dial (415) 655-0001 and;
 - enter Access Code: 126 418 2640

- For other governmental agencies who use video conferencing capability:

- the Video Address is 1264182640@snhd.webex.com

2. 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. **Richard Yen** – NOV #SW20-174/B5- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about August 7, 2019; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the property located at 4455 South Buffalo Drive, Clark County, Nevada on or about August 7, 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. **Sofia J. Gonzalez** – NOV #SW20-1057/B5- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about February 15, 2020; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the property located at 4610 Blue Diamond Road, Clark County, Nevada on or about February 15, 2020. **(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. **Jason Lee Malcom and Leslie Lynn Slate** – NOV #SW20-1324/24- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about April 30, 2020; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the vacant parcel southeast of mile marker 8 on Highway 165, Clark County, Nevada on or about April 30, 2020. **(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. **Rebel Land and Development, LLC** – NOV #SW20-1109/K5- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about February 25, 2020; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the property located at 901 North Buffalo Drive, Las Vegas, Clark County, Nevada on or about February 25, 2020. **(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.

- 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. **Derryke Karieth Rich** – NOV #SW20-1129/C6- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about March 5, 2020; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the vacant parcel located east of 5565 Egan Crest Drive, Clark County, Nevada on or about March 5, 2020. **(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.

2. **Nelson Fonseca-Herrera** – NOV #SW20-1263/G4- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about April 13, 2020; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the property located at Charleston Gardens Apartments at 4860 East Charleston Boulevard, Las Vegas, Clark County, Nevada on or about April 13, 2020. **(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.

3. **Oscar A. Avalos** – NOV #SW20-1261/G4- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about March 31, 2020; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the property located at Charleston Gardens Apartments at 4860 East Charleston Boulevard, Las Vegas, Clark County, Nevada on or about March 31, 2020. **(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.

4. **Rene Omar Valdez** – NOV #SW20-1283/67- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about April 19, 2020; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the property located at 3017 West Charleston Boulevard, Las Vegas, Clark County, Nevada on or about April 19, 2020. **(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) MESQUITE CITY HALL, 10 E. Mesquite Boulevard, Mesquite, NV; and 6) 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.