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**Solid Waste Management Authority
Hearing Officer On-Line Administrative Hearing**

AGENDA

Southern Nevada Health District
280 South Decatur Boulevard, Las Vegas, Nevada
WebEx Hearing – Calico Hills Room
1:00 PM – Tuesday, September 20, 2022

NOTICES:

From a computer, use the Webex Event Link:

<https://snhd.webex.com/snhd/onstage/g.php?MTID=e9a9c14fea802e55b76e085ebf0fc8f25>

Event Password: PehNpQ8T9z3

To call into the meeting dial 1-415-655-0001 and enter Access Code: 2553 977 5107

For other governmental agencies who use video conferencing capability the Video Address is:

25539775107@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. **K&M Diversified, Inc.** – NOV #SW22-804/P9- For 1) operating or authorizing the operation of a Solid Waste Management Facility without the prior approval of the Solid Waste Management Authority on or about February 2, 2022 and March 8, 2022. **(for possible action)**

Proposed Penalties/ 1) \$1,000.00

Corrective Action: 2) \$1,000.00

3) Immediately cease and desist operating outside of the plans approved for the design and operation of the permit issued on May 20, 2021.

2. **Apex Materials, LLC** – NOV #SW21-730/P9- For 1) operating or authorizing the operation of a Solid Waste Management Facility without the prior approval of the Solid Waste Management Authority on or about February 8, 2021, March 23, 2021, and March 7, 2022; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on February 12, 2021. **(for possible action)**

Proposed Penalties/ 1) \$2,000.00

Corrective Action: 2) \$2,000.00

3) \$2,000.00

4) \$2,000.00

5) Removal and proper disposal of waste.

6) 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.

3. **Apex Materials, LLC** – NOV #SW21-854/P9- For 1) operating or authorizing the operation of a Solid Waste Management Facility without the prior approval of the Solid Waste Management Authority on or about May 7, 2021, January 6, 2022, and February 24, 2022; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on May 14, 2021. **(for possible action)**

Proposed Penalties/ 1) \$2,000.00

Corrective Action: 2) \$2,000.00

3) \$2,000.00

4) \$2,000.00

5) Removal and proper disposal of waste.

6) 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. **Apex Materials, LLC** – NOV #SW21-871/67- For 1) operating or authorizing the operation of a Solid Waste Management Facility without the prior approval of the Solid Waste Management Authority on or about March 23, 2021 and January 20, 2022. **(for possible action)**

Proposed Penalties/ 1) \$2,000.00

Corrective Action: 2) \$2,000.00

- 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.*

None.

- 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 PUBLICLY NOTICED** on the Southern Nevada Health District's Website at <https://www.snhd.info/meetings>, <https://www.snhd.info/publicnotices> and the Nevada Public Notice website at <https://notice.nv.gov>, and a copy will be provided to any person who has requested one via U.S mail or electronic mail. All meeting notices include the time of the meeting, access instructions, and the meeting agenda. For copies of agenda backup material, please contact Jennifer Luther at 280 S. Decatur Blvd., Las Vegas, NV 89107 or by calling (702) 759-0584.

NOTE: Disabled members of the public who require special accommodations or assistance at the hearing are requested to notify Jennifer Luther at the Southern Nevada Health District by calling (702) 759-0584.