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**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, October 13, 2022

NOTICES:

1. 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. **Las Vegas Recycling, Inc.** – NOV #SW22-879/67- For operating or authorizing the operation of a Solid Waste Management Facility outside of the approved conditions of the Solid Waste Management Permit issued by the Solid Waste Management Authority on or about April 18, 2022. **(for possible action)**

Proposed Penalties/ 1) \$1,000.00

Corrective Action: 2) Immediately cease and desist operating outside of the plans approved for the design and operation of the permit issued on April 5, 2022.

2. **American Eagle Ready Mix, LLC** – NOV #SW22-083/K5- For 1) operating or authorizing the operation of a Solid Waste Management Facility outside of the approved conditions of the Solid Waste Management Permit issued by the Solid Waste Management Authority on or about February 8, 2021; 2) operating or authorizing the operation of a Solid Waste Management Facility outside of the approved conditions of the Solid Waste Management Permit issued by the Solid Waste Management Authority on or about July 21, 2021; 3) operating or authorizing the operation of a Solid Waste Management Facility outside of the approved conditions of the Solid Waste Management Permit issued by the Solid Waste Management Authority on or about September 28, 2021; 4) operating or authorizing the operation of a Solid Waste Management Facility outside of the approved conditions of the Solid Waste Management Permit issued by the Solid Waste Management Authority on or about February 4, 2022; and 5) failure to comply with the Order issued by the Solid Waste Management Authority on July 28, 2021 with an extension of the Order deadline to September 25, 2021. **(for possible action)**

Proposed Penalties/	1) \$1,000.00
Corrective Action:	2) \$1,000.00
	3) \$1,000.00
	4) \$1,000.00
	5) \$1,000.00
	6) Immediately cease and desist operating outside of the plans approved for the design and operation of the permit issued on July 28, 2015.

3. **SA Recycling, LLC** – NOV #SW22-623/K5- For 1) operating or authorizing the operation of a Solid Waste Management Facility outside of the approved conditions of the Solid Waste Management Permit issued by the Solid Waste Management Authority on or about January 25, 2022; 2) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about January 25, 2022; 3) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about January 26, 2022; 4) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the public right-of-way located south adjacent to 5850 North Nellis Boulevard, North Las Vegas, Clark County, Nevada on or about January 25, 2022; 5) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the public right-of-way located south adjacent to 5850 North Nellis Boulevard, North Las Vegas, Clark County, Nevada on or about January 26, 2022; and 6) failure to comply with the Order issued by the Solid Waste Management Authority on January 26, 2022 with extensions of the Order deadline to March 4, 2022, April 18, 2022, April 29, 2022, and May 30, 2022. **(for possible action)**

Proposed Penalties/	1) \$2,000.00
Corrective Action:	2) \$2,000.00
	3) \$2,000.00
	4) \$2,000.00
	5) \$2,000.00
	6) \$1,000.00
	7) Maintain operations at the Solid Waste Management Facility located at 5850 North Nellis Boulevard, North Las Vegas, Clark County, Nevada according to plans approved for the design and operation outlined in permit PR0037710 issued to SA Recycling, LLC, and most recently modified on June 7, 2022.

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. **Chavez Construction Clean-Up Co.** – NOV #SW22-976/K5- For 1) operating or authorizing the operation of a Solid Waste Management Facility outside of the approved conditions of the Solid Waste Management Permit issued by the Solid Waste Management Authority (SWMAR 2-3.01(A)) on or about February 25, 2022. **(for possible action)**

Penalty:

- 1) \$1,000.00
- 2) 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.

2. **Nelson Family Trust** – NOV #SW22-456/C6- For failure to comply with the Order issued by the Solid Waste Management Authority on January 6, 2022 with extensions of the Order to April 16, 2022. **(for possible action)**

Penalty:

- 1) \$500.00
- 2) Removal and proper disposal of waste.

3. **Endurance Environmental Solutions, LLC** – NOV #SW22-945/67- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about May 12, 2022; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the properties located at and adjacent to the I-15 Public Right-of-Way northbound between Craig Road and West I-215/Tropical Parkway, North Las Vegas, Clark County, Nevada on or about May 12, 2022. **(for possible action)**

Penalty:

- 1) \$1,000.00
- 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.
- 5) Provide proof of training to minimize future occurrences.

4. **Petersen Cleaning, LLC** – NOV #SW22-829/C6- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about April 4, 2022; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the vacant parcel located south of 9025 West Cactus Avenue, Clark County, Nevada on or about April 4, 2022. **(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 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.