



Solid Waste Management Authority
Hearing Officer Administrative Hearing
MEETING MINUTES

Southern Nevada Health District
280 South Decatur Boulevard, Las Vegas, Nevada 89107
Red Rock Trail Conference Room
9:00 AM – Thursday, October 13, 2022

SNHD STAFF PRESENT:

Donna Houston, Sr. EH Specialist
Erik Anderson, Sr. EH Specialist
Edward Wynder, Associate General Counsel

Andy Chaney, EH Supervisor
Jennifer Luther, Sr. Admin Assistant

FACILITY OWNERS/REPRESENTATIVES PRESENT:

None

PUBLIC PRESENT:

None

I. CALL TO ORDER:

The Hearing Officer, Henry Melton, called the meeting to order at 9:04 a.m.

II. PUBLIC COMMENT:

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.

Hearing officer found Las Vegas Recycling, Inc. in violation and imposed a penalty of \$1000. A Cease and Desist order is issued to stop operating outside of the plans approved for the design and operation of the permit issued on April 5, 2022.

The respondent did not contest the Notice of Violation, agreeing to the facts alleged and accepting the proposed penalty.

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.

Hearing officer found American Eagle Ready Mix, LLC in violation and imposed a penalty of \$500 for 1), a penalty of \$500 for 2), a penalty of \$500 for 3), a penalty of \$500 for 4), and a penalty of \$1,000 for 5). A Cease and Desist order is issued to stop operating outside of the plans approved for the design and operation of the permit issued on July 28, 2015. Failure to comply will result in the original penalty of \$5,000 as initially sought in the Notice of Violation.

SNHD and the respondent reached a compromise settlement of the case. The details of the agreement were stated on the record and approved and ordered by Hearing Officer Melton.

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 25, 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.

Hearing officer found SA Recycling, LLC in violation of 1), 2), 3), 4), and 5) and imposed a penalty of \$2,000 for 1), a penalty of \$2,000 for 2), a penalty of \$500 for 3), a penalty of \$2,000 for 4), and a penalty of \$500 for 5). SNHD withdraws 6). Respondent is ordered 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. Failure to comply will result in the original penalty of \$11,000 as initially sought in the Notice of Violation.

SNHD and the respondent reached a compromise settlement of the case. The details of the agreement were stated on the record and approved and ordered by Hearing Officer Melton.

B. **NON-CONTESTED NOTICES OF VIOLATION:**

1. **Chavez Construction Clean-Up Co.** – NOV #SW22-976/K5 – 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 (SWMAR 2-3.01 (A)) on or about February 25, 2022.

Hearing officer found Chavez Construction Clean-Up Co. in violation and imposed a penalty of \$1,000. A Cease and Desist order is issued to stop 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. Failure to comply will result in the original penalty of \$1,500 as initially sought in the Notice of Violation.

SNHD and the respondent reached a compromise settlement of the case. The details of the agreement were stated on the record and approved and ordered by Hearing Officer Melton.

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.

Hearing officer found Nelson Family Trust in violation and imposed a penalty of \$500. Corrective action of removal and proper disposal of waste is ordered. Failure to comply will result in the original penalty of \$1,000 as initially sought in the Notice of Violation.

SNHD and the respondent reached a compromise settlement of the case. The details of the agreement were stated on the record and approved and ordered by Hearing Officer Melton.

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.

Hearing officer found Endurance Environmental Solutions, LLC in violation and imposed a penalty of \$1,000 for 1), and a penalty of \$1,000 for 2). A Cease and Desist order is issued to stop 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. A Cease and Desist order is issued to stop 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. Respondent is ordered to provide proof of training to minimize future occurrences.

The respondent did not contest the Notice of Violation, agreeing to the facts alleged and accepting the proposed penalty.

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.

Hearing officer found Petersen Cleaning, LLC in violation of 2) and imposed a penalty of \$500. A Cease and Desist order is issued to stop 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. Failure to comply will result in the original penalty of \$2,000 as initially sought in the Notice of Violation.

SNHD and the respondent reached a compromise settlement of the case. The details of the agreement were stated on the record and approved and ordered by Hearing Officer Melton.

C. NOTICES OF VIOLATION – FURTHER PROCEEDINGS:

None

IV. REPORT TO HEARING OFFICER

None

V. Public Comment:

VI. ADJOURNMENT – *ADJOURNED BY THE HEARING OFFICER AT 9:26 A.M.*