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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, February 9, 2023

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. APPROVAL OF MINUTES FOR HEARING OFFICER MEETINGS

1. January 12, 2023

B. NOTICES OF VIOLATION WITH CONTESTED FACTS:

1. **Benjamin Kolodaro, Nily Kolodaro, and Gary Kolodaro** – NOV #SW22-354/32 FTC NOV-
For failure to comply with the Order issued by the Solid Waste Management Authority Hearing
Officer on June 9, 2022. **(for possible action)**

Proposed Penalties/ 1) \$1,500.00

Corrective Action: 2) Removal and proper disposal of waste.

2. **San Gennaro Feast, Inc.** – NOV #SW23-231/13 - For 1) causing or allowing sewage or accumulation of human excreta to overflow on the property located at 12300 South Las Vegas Boulevard and the property located east of 12300 South Las Vegas Boulevard, Henderson, Clark County, Nevada on or about September 24, 2022; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on September 23, 2023. **(for possible action)**

Proposed Penalties/ 1) \$1,000.00

Corrective Action: 2) \$1,000.00

3) Cease and desist causing or allowing to cause any sewage or accumulation of human excreta to overflow and deposit at this property or any other property in Clark County, Nevada.

- C. **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. **Republic Dumpco, Inc., dba Apex Regional Landfill** – NOV #SW23-018/K5- For 1) failure to maintain a Solid Waste Management Facility in a neat and orderly fashion on or about March 8, 2022; 2) failure to maintain a Solid Waste Management Facility in a neat and orderly fashion on or about May 17, 2022; and 3) failure to maintain a Solid Waste Management Facility in a neat and orderly fashion on or about July 11, 2022. **(for possible action)**

Penalty: 1) \$1,000.00

2) \$1,000.00

3) \$1,000.00

4) Maintain solid waste operations at the solid waste management facility operated by Republic Dumpco, Inc. dba Apex Regional Landfill and located at 13550 North Highway 93, Clark County, Nevada in a neat and orderly fashion.

2. **A Track-Out Solution, LLC** – NOV #SW23-136/67- For 1) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the properties located at and adjacent to the North Las Vegas Boulevard Public Right-of-Way beginning at North Sloan Road and extending north to the I-15 North onramp, Clark County and North Las Vegas, Clark County, Nevada on or about August 22, 2022. **(for possible action)**

Penalty: 1) \$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. **Elevation Auto Core, LLC** – NOV #SW23-178/K5- For 1) failure to prepare and provide the annual updated cost of closure to the Solid Waste Management Authority on or about June 1, 2022. **(for possible action)**

Penalty: 1) \$750.00

4. **Juan Carlos Mejia-Lopez** – NOV #SW23-210/G4- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the Solid Waste Management Authority on or about September 17, 2022; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the property located at 2777 North Lamb Boulevard, Clark County, Nevada on or about September 17, 2022. ***(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.

D. 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 call (702) 759-0533.

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) 759-0533.