

de H/S



**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, April 13, 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. March 9, 2023

B. NOTICES OF VIOLATION WITH CONTESTED FACTS:

1. **Anabel Alonso** – NOV #SW23-094/42/13- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the Solid Waste Management Authority on or about August 8, 2022; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the property located at 3032 Candelaria Drive, Henderson, Clark County, Nevada on or about August 8, 2022. **(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. **Alba and Sons LLC d/b/a Birrieria Los Rojos 702** – NOV #SW23-140/32- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the Solid Waste Management Authority on or about August 21, 2022; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the storm sewer inlet located upon the public right-of-way at the northwest corner of East Lake Mead Boulevard and Webster Street, North Las Vegas, Clark County, Nevada on or about August 21, 2022. **(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. **Rene David Galaz and Grecia Armida Solis** – NOV #SW22-416/K5- For 1) operating or authorizing the operation of a Solid Waste Management Facility without a permit from the Solid Waste Management Authority on or about November 3, 2021, December 9, 2021, January 6, 2022, January 26, 2022, and February 4, 2022; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on November 12, 2021 with extensions of the Order deadline to January 26, 2022, and February 4, 2022. **(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) \$1,000.00
7) 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.

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. **Family Dollar, Inc.** – NOV #SW23-346/C6- For 1) failure to comply with the Order issued by the Solid Waste Management Authority on November 7, 2022, with extension of the Order to January 14, 2023; and 2) failure to provide proper removal of all solid waste accumulated at the premises on or about January 18, 2023. **(for possible action)**

Penalty: 1) \$750.00
2) Removal and proper disposal of waste.

2. **Adaven Homes, LLC** – NOV #SW23-397/C6- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about November 28, 2022 and December 13, 2022; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the vacant parcel located at 9853 South Fort Apache Road, Clark County, Nevada on or about November 28, 2022 and December 13, 2022. **(for possible action)**

Penalty: 1) \$1,500.00
2) \$1,500.00
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.

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.