



Public Health Update

Solid Waste Management Authority Hearing Officer Administrative Hearing – January 12, 2017

The Solid Waste Hearing Officer, under authority granted in Nevada Revised Statute (NRS) 444.629, conducts monthly hearings to settle cases involving illegal dumping and other solid waste matters. At the January 12, 2017 hearing, the following cases were adjudicated:

I. MATTERS REQUIRING HEARING OFFICER ACTION

A. NOTICES OF VIOLATION WITH CONTESTED FACTS:

1. **Lauren M. Dehaan** – NOV #SW16-580/N7- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about July 2, 2016; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the vacant parcel located at the corner of South Durango Drive and West Cactus Avenue, Clark County, Nevada on or about July 2, 2016. (*for possible action*)

Item continued to February 9, 2017 agenda.

2. **Hoffman Southwest Corporation dba Professional Pipe Services** – NOV #SW16-342/K5- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about March 14, 2016; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the vacant parcel located west of 1060 Alper Center Drive, Henderson, Clark County, Nevada on or about March 14, 2016. (*for possible action*)

Hearing officer found Hoffman Southwest Corporation dba Professional Pipe Services in violation and imposed a penalty of \$900 for each of 1) and 2). Cease and Desist order is issued to stop operating a solid waste disposal site without a permit from the solid waste management authority at this location or any other in Clark County, Nev. A Cease and Desist order is issued to stop placing, depositing, dumping or causing to be placed, deposited or dumped solid waste upon a property other than a property designated or set aside for such purposes.

3. **Kabobalicious LLC** – NOV #SW16-849/V8- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about September 2, 2016 and September 18, 2016; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the property located at 5366 Cielo Oro Street, and flowing down the private right-of-way on Cielo

Oro Street, Clark County, Nevada on or about September 2, 2016 and September 18, 2016. *(for possible action)*

Hearing officer found Kabobalicious LLC in violation and imposed a penalty of \$1,000 for each of 1) and 2). Cease and Desist order is issued to stop operating a solid waste disposal site without a permit from the solid waste management authority at this location or any other in Clark County, Nev. Cease and Desist order is issued to stop placing, depositing, dumping or causing to be placed, deposited or dumped solid waste upon a property other than a property designated or set aside for such purposes. Submission of a standard operating procedure (SOP) is ordered including written training for all employees on proper procedures for discharging food truck waste at a permitted commissary. Failure to comply will result in the original penalty of \$3,600 as initially sought in the Notice of Violation.

4. **Elyse McAllister** - NOV #SW16-168/24- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about February 9, 2016; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the property located at 4375 Buffalo Drive, Clark County, Nevada on or about February 9, 2016. *(for possible action)*

Item continued to February 9, 2017 agenda.

5. **Captain Investments Inc. dba Purrfect Auto Service #540** - NOV #SW16-674/K5- For 1) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the property located at 693 North Valle Verde Drive, Unit 10, Henderson, Clark County, Nevada on or about July 29, 2016; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on July 29, 2016. *(for possible action)*

Hearing officer found Captain Investments Inc. dba Purrfect Auto Service #540 in violation and imposed a penalty of \$900 for each of 1) and 2). A Cease and Desist order is issued to stop placing, depositing, dumping or causing to be placed, deposited or dumped solid waste upon a property other than a property designated or set aside for such purposes. Waste management training for all employees regarding all restricted waste and solid waste generated onsite.

6. **Silvereye Sustainability, LLC** - NOV #SW16-655/G4- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about July 22, 2016; 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the property located at 3835 North Pecos Road, North Las Vegas, Clark County, Nevada and the private right-of-way along Kier Road, and the public right-of-way along North Pecos Road, North Las Vegas, Clark County, Nevada on or about July 22, 2016; and 3) failure to comply with the Order issued by the Solid Waste Management Authority on July 22, 2016. *(for possible action)*

Hearing officer found Silvereye Sustainability, LLC in violation and imposed \$1,400 for each of 1) and 3), and a penalty of \$900 for 2). A Cease and Desist order is issued to stop operating a solid waste disposal site without a permit from the solid waste management authority at this location or any other in Clark County, Nev. A Cease and Desist order is

issued to stop placing, depositing, dumping or causing to be placed, deposited or dumped solid waste upon a property other than a property designated or set aside for such purposes.

7. **Harbor Green Las Vegas, LLC** - NOV #SW16-653/X0- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about July 26, 2016 and August 12, 2016; 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the public right-of-way on Cheyenne Avenue north of 5375 East Cheyenne Avenue and the western edge of 5421 East Cheyenne Avenue, Clark County, Nevada on or about July 26, 2016 and August 12, 2016; and 3) failure to comply with the Order issued by the Solid Waste Management Authority on July 28, 2016. *(for possible action)*

Hearing officer found Harbor Green Las Vegas, LLC in violation and imposed a penalty of \$1,000 for each of 2) and 3). A Cease and Desist order is issued to stop operating a solid waste disposal site without a permit from the solid waste management authority at this location or any other in Clark County, Nev. A Cease and Desist order is issued to stop placing, depositing, dumping or causing to be placed, deposited or dumped solid waste upon a property other than a property designated or set aside for such purposes. Failure to comply will result in the original penalty of \$5,100 as initially sought in the Notice of Violation.

8. **Harbor Green Las Vegas, LLC** - NOV #SW16-527/P9- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about June 21, 2016 and August 2, 2016; 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the property located at 5325 East Cheyenne Avenue, Clark County, Nevada on or about June 21, 2016 and August 2, 2016; 3) disposing of, abandoning or dumping motor vehicle battery, motor vehicle tire or motor vehicle oil at a site which has not been issued a permit for that purpose on or about June 21, 2016; and 4) failure to comply with the Order issued by the Solid Waste Management Authority on June 23, 2016 with extensions of the Order deadline to July 25, 2016. *(for possible action)*

Hearing officer found Harbor Green Las Vegas, LLC in violation and imposed a penalty of \$1,000 for 1), a penalty of \$500 for 3), and a penalty of \$750 for 4). A Cease and Desist order is issued to stop operating a solid waste disposal site without a permit from the solid waste management authority at this location or any other in Clark County, Nev. A Cease and Desist order is issued to stop placing, depositing, dumping or causing to be placed, deposited or dumped solid waste upon a property other than a property designated or set aside for such purposes. Failure to comply will result in the original penalty of \$5,500 as initially sought in the Notice of Violation.

9. **Harbor Green Las Vegas, LLC** - NOV #SW16-528/P9- For 1) Solid Waste Management Authority Regulations (SWMAR) 3-5.01(B)(1) for receiving, storing or processing of putrescible solid waste outside of a structure with at least three sides, a concrete or asphalt paved floor, and containment for drainage controls that prevent run-on, run-off, and the accumulations of standing water on or about June 21, 2016 and July 26, 2016; and 2) failure to comply with the Order issued by the Solid Waste Management

Authority on June 23, 2016 with extensions of the Order deadline to July 25, 2016. (*for possible action*)

Hearing officer found Harbor Green Las Vegas, LLC in violation and imposed a penalty of \$1,000 for 1) and a \$750 penalty imposed for 2). Failure to comply will result in the original penalty of \$3,500 as initially sought in the Notice of Violation.

10. **JRS THE HOODPROS, LLC dba Enviroklean** – NOV #SW16-445/P9- For 1) Solid Waste Management Authority Regulations (SWMAR) 2-3.01(C) for operation of a Solid Waste Management Facility without a permit from the Solid Waste Management Authority on or about May 27, 2016 and June 24, 2016; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on June 24, 2016. (*for possible action*)

Hearing officer found IRS THE HOODPROS, LLC dba Enviroklean in violation and imposed a penalty of \$1,200 for 1) and a penalty of \$600 for 2). A Cease and Desist order is issued to stop operating a solid waste disposal site without a permit from the solid waste management authority at this location or any other in Clark County, Nev. Failure to comply will result in the original penalty of \$2,700 as initially sought in the Notice of Violation.

- 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. **Able Concrete Pumping and James E. Matthews** – NOV #SW16-716/C6- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about August 9, 2016; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the vacant parcel located southwest of Stange Avenue and North Tee Pee Lane, Clark County, Nevada on or about August 9, 2016. (*for possible action*)

Hearing officer found Able Concrete Pumping and James E. Matthews in violation of 2) and imposed a penalty of \$900. A Cease and Desist order is issued to stop placing, depositing, dumping or causing to be placed, deposited or dumped solid waste upon a property other than a property designated or set aside for such purposes. Failure to comply will result in the original penalty of \$1,800 as initially sought in the Notice of Violation.

2. **Adams Tile & Plaster of Las Vegas, Inc.** – NOV #SW16-593/K5- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about July 7, 2016; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the public right-of-way located at the corner of Cattle Ranch Place and Bounty Hunter Court, Henderson, Clark County, Nevada on or about July 7, 2016. (*for possible action*)

Hearing officer found Adams Tile & Plaster of Las Vegas, Inc. in violation of 2) and imposed a penalty of \$500. A Cease and Desist order is issued to stop placing, depositing, dumping or causing to be placed, deposited or dumped solid waste upon a property other than a property designated or set aside for such purposes.

3. **Dee-Lee, Inc. dba Marie Callender's Pie Shop 25** – NOV #SW16-625/C6- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about July 14, 2016; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the property located at 600 East Sahara Avenue, Las Vegas, Clark County, Nevada on or about July 14, 2016. *(for possible action)*

Hearing officer found Dee-Lee, Inc. dba Marie Callender's Pie Shop 25 in violation of 2) and imposed a penalty of \$900. A Cease and Desist order to stop causing or allowing to cause any sewage or accumulation of human excreta to overflow and deposit on this or any other property in Clark County, Nev.

4. **Michael S. Mitchell** – NOV #SW16-616/24- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about July 10, 2016; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the vacant parcel located east of South Durango Drive and West Hacienda Avenue, Clark County, Nevada on or about July 10, 2016. *(for possible action)*

Hearing officer found Michael S. Mitchell in violation of 2) and imposed a penalty of \$500. A Cease and Desist order is issued to stop placing, depositing, dumping or causing to be placed, deposited or dumped solid waste upon a property other than a property designated or set aside for such purposes. Failure to comply will result in the original penalty of \$1,800 as initially sought in the Notice of Violation.

C. NOTICES OF VIOLATION – FURTHER PROCEEDINGS

1. **Sean Millikan** – NOV #SW16-273/N7- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on April 6, 2016; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the vacant parcel located at the corner of West Eldorado Lane and Valencia Ridge Street, Clark County, Nevada on April 6, 2016. *(for possible action)*

Hearing officer order dated September 8, 2016 is vacated.