



Public Health Update

Solid Waste Management Authority Hearing Officer Administrative Hearing – February 9, 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 February 9, 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 April 20, 2017 agenda.

2. **Armando Hernandez-Martinez** – NOV #SW16-962/C6- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about September 28, 2016; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the property located at 1990 Village Center Circle, Las Vegas, Clark County, Nevada on or about September 28, 2016. (*for possible action*)

Hearing officer found Armando Hernandez-Martinez in violation of 2) and imposed a penalty of \$900. 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 \$1,800 as initially sought in the Notice of Violation.

3. **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Item withdrawn by the Southern Nevada Health District.

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. **Sam's West, Inc. dba Sam's Club #4983** – NOV #SW16-879/V8- For 1) causing or allowing sewage or accumulation of human excreta to overflow on property located at 7100 Arroyo Crossing Parkway, Clark County, Nevada on or about September 26, 2016 and September 27, 2016; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on September 26, 2016 and September 27, 2016. *(for possible action)*

Hearing officer found Sam's West, Inc. dba Sam's Club #4983 in violation and imposed a penalty of \$1,800 for 1), and a penalty of \$900 for 2). A Cease and Desist Order is issued to desist causing or allowing to cause any sewage or accumulation of human excreta to overflow and deposit on this property or any other in Clark County, Nev. An order to submit a standard operating procedure (SOP) for the routine maintenance of the food grease interceptors throughout the facility.

2. **Bret James Utter dba Cacti Landscape Services** – NOV #SW16-914/A0- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about October 3, 2016; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the property located at 2604 Woolly Rose Avenue, and the private right-of-way on Woolly Rose Avenue, Las Vegas, Clark County, Nevada on or about October 3, 2016. *(for possible action)*

Hearing officer found Bret James Utter dba Cacti Landscape 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. **Rogelio Carillo-Mendoza** – NOV #SW16-1055/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 4, 2016; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the property located at 310 Jackson Avenue, Las Vegas, Clark County, Nevada on or about November 4, 2016. *(for possible action)*

Hearing officer found Rogelio Carillo-Mendoza in violation of 1) and imposed a penalty of \$500. 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 \$1,800 as initially sought in the Notice of Violation.

C. NOTICES OF VIOLATION - FURTHER PROCEEDINGS

None.