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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 13, 2020**

NOTICE: 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.**
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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. NOTICES OF VIOLATION WITH CONTESTED FACTS:

- 1. Hugo Ramirez-Garcia – NOV #SW20-628/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 5, 2019 and November 10, 2019; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the wash located in public right of way east of 3300 North Tenaya Way, Las Vegas, Clark County, Nevada on or about November 5, 2019 and November 10, 2019. ***(for possible action)***

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| Proposed Penalties/ | 1) \$2,000.00 |
| Corrective Action: | 2) \$2,000.00 |
| | 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. **Abel Demha-Cruz** – NOV #SW20-532/Z3- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about October 16, 2019; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the property located at 2219 North Rancho Drive, Las Vegas, Clark County, Nevada on or about October 16, 2019. *(for possible action)*

Proposed Penalties/ 1) \$1,000.00

Corrective Action: 2) \$1,000.00

3) 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. **Kevin Patrick Wilmot** – NOV #SW20-293/Z3- For placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the property located at 1360 North Jones Boulevard, Las Vegas, Clark County, Nevada on or about August 17, 2019. *(for possible action)*

Proposed Penalties/ 1) \$1,000.00

Corrective Action: 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) Contract with a licensed residential waste hauler for routine trash service.

4. **MCR BP LLC** – NOV #SW19-1408/24- For failure to comply with the Order issued by the Solid Waste Management Authority on May 24, 2019. *(for possible action)*

Proposed Penalties/ 1) \$1,000.00

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

5. **Flourishing Enterprises L.L.C. dba Vegas Best Auto Collision and Repair** – NOV #SW20-226/C6- For failure to comply with the Order issued by the Solid Waste Management Authority on August 14, 2019. *(for possible action)*

Proposed Penalties/ 1) \$1,000.00

Corrective Action: 2) Characterize paint booth filters, properly segregate and store paint booth filters according to Restricted Waste Storage requirements. Label all restricted waste storage containers. Submit documentation.

6. **Kimber Lamoyan Luciano – NOV #SW20-530/C6-** For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about October 28, 2019; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the alley way located east of 300 North Torrey Pines Drive, Las Vegas, Clark County, Nevada on or about October 28, 2019. **(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.

- 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. **Anthony Calvin Jackson and Trina Renee Jackson – NOV #SW20-164/Z3-** For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about August 2, 2019; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the right of way located south of West Alexander Road and Broadriver Drive, Las Vegas, Clark County, Nevada on or about August 2, 2019. **(for possible action)**

Penalty: 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.

2. **David Trinidad Garcia – NOV #SW20-384/71-** For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about September 19, 2019; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste into the dumpster south of CVS Pharmacy located at 1551 West Sunset Road, Henderson, Clark County, Nevada on or about September 19, 2019. **(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.

- C. **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 POSTED IN THE MAIN LOBBY OF THE FOLLOWING LOCATIONS: 1) CLARK COUNTY GOVERNMENT CENTER, 500 S. Grand Central Parkway, Las Vegas, NV; 2) LAS VEGAS CITY HALL, 495 S. Main Street, Las Vegas, NV; 3) NORTH LAS VEGAS CITY HALL, 2250 N. Las Vegas Boulevard, North Las Vegas, NV; 4) HENDERSON CITY HALL, 200 Water Street, Henderson, NV; 5) BOULDER CITY, CITY HALL, 401 California Avenue, Boulder City, NV; and 6) SOUTHERN NEVADA HEALTH DISTRICT, 280 S. Decatur Boulevard, Las Vegas, NV. This Agenda is also available on the Southern Nevada Health District Internet Website at <http://www.southernnevadahealthdistrict.org> and on the Nevada Public Notice website at <https://notice.nv.gov>. For copies of agenda material, please contact Amy Vega at (702) 759-0533. In addition, handouts will be available at each hearing date and time.**

NOTE: Disabled members of the public who require special accommodations or assistance at the hearing are requested to notify Amy Vega at the Southern Nevada Health District by calling (702) 759-0533.