



## Public Health Update

### Solid Waste Management Authority Hearing Officer Administrative Hearing – September 13, 2018

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 September 13, 2018 hearing, the following cases were adjudicated:

#### I. MATTERS REQUIRING HEARING OFFICER ACTION

##### A. NOTICES OF VIOLATION WITH CONTESTED FACTS:

1. **Gordon R. Dotimas** – NOV #SW18-489/C6- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about April 16, 2018; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the property located at 841 Rock Springs Drive, Las Vegas, Clark County, Nevada on or about April 16, 2018. (*for possible action*)

Item continued to October 11, 2018 agenda.

3. **David J. McClennan and Lisa M. McClennan** – NOV #SW17-1259/24- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about October 2, 2017; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on October 3, 2017 with extensions of the Order to December 8, 2017. (*for possible action*)

Hearing officer found David J. McClennan and Lisa M. McClennan in violation and imposed a penalty of \$1,000 for each of 1) and 2). Corrective action of removal and proper disposal of waste is ordered. A Cease and Desist order is issued to stop 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, Nev.

4. **Bryan Cabble** – NOV #SW18-158/P9- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about February 13, 2018; 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the vacant parcel located at 355 North 16<sup>th</sup> Street, Las Vegas, Clark County, Nevada on or about February 13, 2018; and 3) failure to comply with the Order issued by the Solid Waste Management Authority on March 5, 2018. (*for possible action*)

Hearing officer found Bryan Cabble in violation and imposed a penalty of \$1,000 for each of 1), 2), and 3). Corrective action of removal and proper disposal of waste is ordered. 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 purpose.

5. **La Falen Corp.** – NOV #SW18-323/Z3- For failure to comply with the Order issued by the Solid Waste Management Authority on March 23, 2018. *(for possible action)*

Hearing officer found La Falen Corp. in violation and imposed a penalty of \$500.

6. **Desert Inn Partners, LLC** – NOV #SW18-336/H3- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about March 29, 2018; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on March 30, 2018, and the order reminder on May 8, 2018. *(for possible action)*

Item continued to October 11, 2018 agenda.

7. **Smith's Food and Drug Centers, Inc.** – NOV #SW18-218/C6- For failure to comply with the Order issued by the Solid Waste Management Authority on March 6, 2018 with extension of the Order deadline to May 12, 2018. *(for possible action)*

Hearing officer found Smith's Food and Drug Centers, Inc. in violation and imposed a penalty of \$1,000.

- 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. **Commerce Auto Body & Sales, Inc.** – NOV #SW18-584/C6- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about June 1, 2018; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the property located at 1316 South Casino Center Boulevard, Las Vegas, Clark County, Nevada on or about June 1, 2018. *(for possible action)*

Hearing officer found Commerce Auto Body & Sales, 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 purpose

2. **Thomas J. Miller and Judith E. Miller** – NOV #SW18-442/Z3- For 1) causing or allowing sewage or accumulation of human excreta to overflow on property located at 980 North Nellis Boulevard, Clark County, Nevada on or about April 25, 2018; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on April 25, 2018. *(for possible action)*

Hearing officer found Thomas J. Miller and Judith E. Miller in violation of 2) and imposed a penalty of \$1,000. A Cease and Desist order is issued.

C. NOTICES OF VIOLATION - FURTHER PROCEEDINGS:

None.