



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, November 10, 2016

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.
 - 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 three (3) 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. James Robert Clinger and Karen Lee Russell NOV #SW16-425/H3- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about May 17, 2016; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the property located at 11155 South Eastern Avenue, Henderson, Clark County, Nevada on or about May 17, 2016. (for possible action)

Proposed Penalties/

1) \$900.00

Corrective Action:

- 2) \$900.00
- 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.

Luiz Vianna dba Eco Friend Carpet Care - NOV #SW16-450/C6- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about May 26, 2016; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the vacant parcel located east of 7516 Mulgrave Court, Clark County, Nevada on or about May 26, 2016. (for possible action)

Proposed Penalties/ 1) \$900.00

- Corrective Action:
- 2) \$900.00
- 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. Paul Eric White NOV #SW16-469/24- 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, 2016; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the vacant parcel located northeast of West Cactus Avenue and South Durango Drive, Clark County, Nevada on or about June 1, 2016. (for possible action)

Proposed Penalties/ 1) \$900.00

- Corrective Action:
- 2) \$900.00
- 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.
- 4. Omar Urena NOV #SW16-562/K5- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about June 25, 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 northwest corner of Hinson Street and West Robindale Road, Clark County, Nevada on or about June 25, 2016. (for possible action)

Proposed Penalties/ 1) \$900.00

- Corrective Action:
- 2) \$900.00
- 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.

5. 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)

Proposed Penalties/ 1) \$1,800.00

Corrective Action:

2) \$1,800.00

3) \$1,500.00

4) Removal and proper disposal of waste.

- 5) 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.
- 6) 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.
- 6. Harbor Green Las Vegas, LLC NOV #SW16-727/32- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about August 15, 2016 and August 22, 2016; 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the public right-of-way located north of 5375 East Cheyenne Avenue, Clark County, Nevada on or about August 15, 2016 and August 22, 2016; and 3) failure to comply with the Order issued by the Solid Waste Management Authority on August 15, 2016. (for possible action)

Proposed Penalties/ 1) \$1,800.00

Corrective Action:

- 2) \$1,800.00
- 3) \$900.00
- 4) 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.
- 5) 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.
- 7. Apostolic Behavioral Health Inc NOV #SW15-1317/C6- For failure to comply with the Order issued by the Solid Waste Management Authority on December 9, 2015 with extensions of the Order deadline to July 1, 2016. (for possible action)

Proposed Penalties/ 1) \$900.00

Corrective Action:

2) Removal and proper disposal of waste.

- B. <u>NON-CONTESTED NOTICES OF VIOLATION</u>: 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. **420 Vegas Apts LLC dba Hampton Court Apartments and 707 Property Management, LLC** NOV #SW16-394/V8- For 1) causing or allowing sewage or accumulation of human excreta to overflow on the properties located at 3955 Swenson Street, and into the public right-of-way and the Las Vegas Flamingo Wash, Clark County, Nevada on or about May 10, 2016 and May 12, 2016; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on May 10, 2016. *(for possible action)*

Penalty:

- 1) \$1,000.00
- 2) Cease and desist causing or allowing to cause any sewage or accumulation of human excreta to overflow and deposit on this property or any other property in Clark County, Nevada.
- 2. **Martin Hernandez** NOV #SW16-200/N7- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about March 9, 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 Patrick Lane and Lindell road, Clark County, Nevada on or about March 9, 2016. *(for possible action)*

Penalty:

- 1) \$900.00
- 2) \$900.00
- 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. Levon Williams NOV #SW16-532/G4- 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 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the public right-of-way located on the east side of North Feliz Street, north of East Bonanza Road, Clark County, Nevada on or about June 21, 2016. (for possible action)

Penalty:

- 1) \$900.00
- 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.

4. Walter H. Hess – NOV #SW15-1338/32- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about January 5, 2016; 2) 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 January 5, 2016; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on March 3, 2016, with extensions of the Order deadline extended to July 6. 2016. (for possible action)

Penalty:

- 1) \$500.00
- 2) \$500.00
- 3) Removal and proper disposal of waste.
- 4) 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.
- 5. **Arizona Pipeline Company** NOV #SW16-750/G4- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about August 19, 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 North 22nd Street and East McWilliams Avenue, Las Vegas, Clark County, Nevada on or about August 19, 2016. (*for possible action*)

Penalty:

- 1) \$900.00
- 2) \$900.00
- 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.
- 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 three (3) 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

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 Las Vegas Blvd North, 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) MESQUITE CITY HALL, 10 E. Mesquite Boulevard, Mesquite, NV; SOUTHERN NEVADA HEALTH DISTRICT, 280 S. Decatur Boulevard, Las Vegas, NV 89107 and on the Nevada Public Notice website at https://notice.nv.gov. This Agenda is available on the Southern Nevada Health District Internet Website at http://www.southernnevadahealthdistrict.org. For copies of agenda backup material, please contact Amy Vega at (702) 759-0600, option 5. In addition, handouts are available at the date and time of the hearing at 280 S. Decatur Blvd, Las Vegas, Nevada.

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) 759-0600, option 5.