



## 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, January 12, 2017

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:

 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)

Proposed Penalties/

- 1) \$900.00
- Corrective Action: 2) \$900.00
  - 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) 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.

 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)

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. 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)

Proposed Penalties/

- 1) \$1,800.00
- Corrective Action:
- 2) \$1,800.00
- 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) 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) Submit standard operating procedure (SOP), including written training to all employees on the proper procedures for discharging food truck waste at a permitted commissary.
- 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)

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 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)

Proposed Penalties/ 1) \$900.00 Corrective Action:

- 2) \$900.00
  - 3) Provide proper waste management training for all restricted waste and solid waste generated onsite to all employees.
  - 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.
- 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)

Proposed Penalties/

- 1) \$1,400.00
- Corrective Action:
- 2) \$900.00
- 3) \$1,400.00
- 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. 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.

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)

Proposed Penalties/

1) \$1,800.00

Corrective Action:

2) \$1,800.00

3) \$900.00 4) \$1,000.00

5) Removal and proper disposal of waste.

6) 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.

7) 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.

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)

Proposed Penalties/ 1) \$2,000.00

Corrective Action: 2) \$1,500.00

3) Removal and proper disposal of waste.

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)

Proposed Penalties/ 1) \$1,800.00

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.

- 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. 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)

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.
- 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)

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.
- 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)

Penalty:

- 1) \$900.00
- 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.
- 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)

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.

# C. NOTICES OF VIOLATION - FURTHER PROCEEDINGS

 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)

Penalties: 1) \$900.00

2) \$900.00

Corrective Action.
Cease and desist.

Proposed Action: Vacate Hearing Officer Order dated September 8, 2016.

### 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 <a href="https://notice.nv.gov">https://notice.nv.gov</a>. This Agenda is available on the Southern Nevada Health District Internet Website at <a href="https://www.southernnevadahealthdistrict.org">https://www.southernnevadahealthdistrict.org</a>. 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.