

AC #165



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 9, 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:

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)*

- 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.

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)**

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. **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.

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)**

Penalty: 1) \$1,800.00

2) \$900.00

3) 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) 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)*

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. **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)*

Penalty:

- 1) \$500.00
- 2) 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.

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.*