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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, November 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.

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 five (5) minutes per speaker.

III. MATTERS REQUIRING HEARING OFFICER ACTION

A. NOTICES OF VIOLATION WITH CONTESTED FACTS:

- 1. Armando Herrera and Minerva Valerio – NOV #SW17-757/Z3- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about June 12, 2017; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the shared dumpster dock located between 2213 West Washington Avenue and 2212 Carter Circle, Las Vegas, Clark County, Nevada on or about June 12, 2017. (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.

2. **Franklin Allison** – NOV #SW17-525/Z3- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about May 12, 2017; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the shared dumpster dock located between 2213 West Washington Avenue and 2212 Carter Circle, Las Vegas, Clark County, Nevada on or about May 12, 2017. **(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. **Mario Pierre Davis** – NOV #SW17-550/24- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about May 18, 2017; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the property located at 4702 East Flamingo Road, Clark County, Nevada on or about May 18, 2017. **(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. **Jason Puckett** – NOV #SW17-454/V8- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about April 27, 2017; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on April 27, 2017 with extensions of the Order deadline to July 11, 2017. **(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. **Lakewood Cove Apartments, Inc.** – NOV #SW17-210/H3- For 1) causing or allowing sewage or accumulation of human excreta to overflow on property located at 1100 Center Street, Henderson, Clark County, Nevada on or about March 1, 2017; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on March 1, 2017. **(for possible action)**

Proposed Penalties/ 1) \$900.00

Corrective Action: 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.

6. **Razuki Investments LLC** – NOV #SW17-354/32- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about March 16, 2017; 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 March 16, 2017; and 3) failure to comply with the Order issued by the Solid Waste Management Authority on April 7, 2017 with extensions of the Order deadline to June 19, 2017. **(for possible action)**

Proposed Penalties/ 1) \$900.00

Corrective Action: 2) \$900.00

3) \$900.00

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) Retain a Certified Environmental Manager (CEM) as ordered.

7. **USA Car Care Inc. dba USA Auto Service #1** – NOV #SW17-446/C6- For 1) 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 April 24, 2017; 2) failure to comply with the Order issued by the Solid Waste Management Authority on April 26, 2017; and 3) violation of Solid Waste Management Authority Regulations (SWMAR) governing Restricted Waste Sections 4-3.02 (A-F) on April 24, 2017. **(for possible action)**

Proposed Penalties/ 1) \$900.00

Corrective Action: 2) \$900.00

3) \$900.00

4) Removal and proper disposal of waste.

5) Properly segregate used coolant from solid waste and store in a manner consistent with the requirements of SWMAR.

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. **Interstate Haulers Inc.** – NOV #SW16-1154/A0- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about December 3, 2016 and December 4, 2016; 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the property located on the north side of East Mayflower Avenue, east of Brooks Park Drive, North Las Vegas, Clark County, Nevada on or about December 3, 2016 and December 4, 2016; and 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 December 3, 2016 and December 4, 2016. **(for possible action)**

Penalty:                    1) \$900.00  
                                  2) Cease and desist 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.

2. **David Hernandez** – NOV #SW17-830/N7- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about June 18, 2017; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the property located at 8070 West Russell Road, Clark County, Nevada on or about June 18, 2017. **(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.

3. **You Dirty Dog LLC** – NOV #SW17-1108/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 11, 2017; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the private right-of-way located at South Santolina Drive, Las Vegas, Clark County, Nevada on or about August 11, 2017. **(for possible action)**

Penalty:                    1) \$500.00  
                                  2) Training documentation to all staff of You Dirty Dog LLC regarding proper disposal methods of liquid waste.  
                                  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.

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; 6) MESQUITE CITY HALL, 10 E. Mesquite Boulevard, Mesquite, NV; 7) SOUTHERN NEVADA HEALTH DISTRICT, 280 S. Decatur Boulevard, Las Vegas, NV; and 8) CLARK COUNTY COMMUNITY RESOURCE CENTER, 55 Civic Way, Laughlin, 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) 759-0584. 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) 759-0600, option 5.*