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Solid Waste Management Authority  
Hearing Officer Administrative Hearing

ALS

AGENDA



Southern Nevada Health District  
280 South Decatur Boulevard, Las Vegas, Nevada  
Red Rock Trail Conference Room  
9:00 AM – Thursday, July 19, 2018

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 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.

III. MATTERS REQUIRING HEARING OFFICER ACTION

A. NOTICES OF VIOLATION WITH CONTESTED FACTS:

1. **Xue Liang Chen** – NOV #SW18-173/H3- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about February 18, 2018; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the property located at 350 North Liberty Circle, Clark County, Nevada on or about February 18, 2018. **(for possible action)**

- |                     |  |
|---------------------|--|
| Proposed Penalties/ | 1) \$1,000.00  |
| Corrective Action:  | 2) \$1,000.00  |
|                     | 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. **Daniel Jared Yavitz** – NOV #SW18-369/Z3- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about April 2, 2018; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the property located at 7175 North Durango Drive, Las Vegas, Clark County, Nevada on or about April 2, 2018. **(for possible action)**

Proposed Penalties/ 1) \$1,000.00

Corrective Action: 2) \$1,000.00

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. **American Eagle Ready Mix, LLC** – NOV #SW18-324/C6- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about March 20, 2018; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the vacant parcel located at Hammer Lane and Tee Pee Lane, Clark County, Nevada on or about March 20, 2018. **(for possible action)**

Proposed Penalties/ 1) \$1,000.00

Corrective Action: 2) \$1,000.00

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.

4. **Donald Wayne Puckett** – NOV #SW18-159/H3- 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; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the vacant parcel located at the southeast corner of Placid Street and Wigwam Avenue, Clark County, Nevada on or about February 13, 2018. **(for possible action)**

Proposed Penalties/ 1. \$1,000.00

Corrective Action: 2. \$1,000.00

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.

5. **Jacob Ryan Otto** – NOV #SW18-265/V8- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about March 6, 2018; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the property located at 7460 South Rainbow Boulevard, Clark County, Nevada on or about March 6, 2018. **(for possible action)**

Proposed Penalties/ 1) \$1,000.00

Corrective Action: 2) \$1,000.00

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.

6. **Moises Cabrera-Piedra** – NOV #SW18-273/P9- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about March 8, 2018; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the vacant parcel located at Lincoln Road and Tonopah Avenue, Clark County, Nevada on or about March 8, 2018. **(for possible action)**

Proposed Penalties/ 1) \$1,000.00

Corrective Action: 2) \$1,000.00

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.

7. **Timothy Lee Jeter** – NOV #SW18-358/N7- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about April 1, 2018; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the vacant parcel located southwest of Mountains Edge Parkway and South Fort Apache Road, Clark County, Nevada on or about April 1, 2018. **(for possible action)**

Proposed Penalties/ 1) \$1,000.00

Corrective Action: 2) \$1,000.00

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.

8. **Josefina Chavez-Martin and Ernesto Vazquez Barrera** – NOV #SW18-363/C6- 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) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the property located at 1900 Allen Lane, Las Vegas, Clark County, Nevada on or about March 29, 2018. **(for possible action)**

Proposed Penalties/ 1) \$1,000.00

Corrective Action: 2) \$1,000.00

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.

9. **ATC Investment Group, LLC.** – NOV #SW18-212/C6- For 1) causing or allowing sewage or accumulation of human excreta to overflow on properties located at 3610 North Las Vegas Boulevard, Clark County, Nevada on or about February 28, 2018 and March 1, 2018; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on February 28, 2018. **(for possible action)**

Proposed Penalties/ 1) \$2,000.00

Corrective Action: 2) \$1,000.00

3) Cease and desist causing or allowing to cause any sewage or accumulation of human excreta to overflow and deposit at this property or any other property in Clark County, Nevada.

10. **Desert Garden Homeowners Association, Inc.** – NOV #SW17-1495/C6- For failure to comply with the Order issued by the Solid Waste Management Authority on November 30, 2017. **(for possible action)**

Proposed Penalties/ 1) \$1,000.00

Corrective Action: 2) Removal and proper disposal of waste.

11. **Simple Environmental Services Group Corp.** – NOV #SW18-144/K5- For 1) operating an unpermitted Solid Waste Management Facility on or about February 9, 2018 and March 16, 2018; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on February 12, 2018. **(for possible action)**

Proposed Penalties/ 1) \$2,000.00

Corrective Action: 2) \$1,000.00

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) Removal and proper disposal of waste.

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. **Frank Cuttaia** – NOV #SW18-185/C6- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about February 5, 2018; 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 Wisteria Tree Street, Las Vegas, Clark County, Nevada on or about February 5, 2018. **(for possible action)**

Penalty:

- 1) \$1,000.00
- 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. **Western Pacific Pulp & Paper, Inc.** – NOV #SW18-187/K5- For 1) failure to maintain Solid Waste Management Facility in a neat and orderly fashion on or about January 23, 2018, February 23, 2018 and March 26, 2018; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on March 1, 2018. **(for possible action)**

Penalty:

- 1) \$1,500.00
- 2) \$500.00
- 3) Develop and submit written procedures to maintain solid waste in a neat and orderly condition.

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. 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) 759-0533. 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) 759-0533.*