



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 11, 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.**
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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. **Gilbert Gene Heavener** – NOV #SW17-1226/Z3- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about September 22, 2017; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the public right-of-way located west of Horse Drive and North Torrey Pines Drive, Clark County, Nevada on or about September 22, 2017. **(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.

2. **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.

3. **Capriati Construction Corp., Inc.** – NOV #SW17-734/K5- For 1) Solid Waste Management Authority Regulations governing financial assurance compliance of Solid Waste Management Facilities on or about June 1, 2017; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on June 15, 2017, with extensions of the Order deadline to September 11, 2017. **(for possible action)**

Proposed Penalties/ 1) \$1,000.00

Corrective Action: 2) \$1,000.00

3) Submit proof of an approved financial assurance mechanism to cover the cost of closure for the solid waste management facility.

4. **WWS, LLC** – NOV #SW17-749/K5- For 1) Solid Waste Management Authority Regulations governing financial assurance compliance of Solid Waste Management Facilities on or about June 1, 2017; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on July 21, 2017, with extensions of the Order deadline to August 25, 2017. **(for possible action)**

Proposed Penalties/ 1) \$1,000.00

Corrective Action: 2) \$1,000.00

3) Submit proof of an approved financial assurance mechanism to cover the cost of closure for the solid waste management facility.

- 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. **Lito Carbajal** – NOV #SW17-1097/Z3- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about August 17, 2017; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the public right-of-way located southwest of Leon Avenue and Severance Lane, Las Vegas, Clark County, Nevada on or about August 17, 2017. **(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.

2. **Ryder Truck Rental, Inc.** – NOV #SW17-1167/N7- For failure to comply with the Order issued by the Solid Waste Management Authority on September 12, 2017. **(for possible action)**

Penalty: 1) \$1,000.00
 2) Removal and proper disposal of waste.

3. **Golden-PT's Pub Stewart-Nellis 2, LLC dba PT's Place** – NOV #SW17-824/G4- For 1) causing or allowing sewage or accumulation of human excreta to overflow 347 North Nellis Boulevard, Las Vegas, Clark County, Nevada on or about June 29, 2017; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on June 29, 2017. **(for possible action)**

Penalty: 1) \$1,000.00
 2) Complete repairs to all deficient and/or disconnected sanitary sewer line(s) by a certified, licensed plumber or plumbing company.
 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. **Carol Hadlock-Anselmo** – NOV #SW17-1093/N7- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about August 16, 2017; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the properties located at 2646 Lynwood Street and 2666 Lynwood Street, Clark County, Nevada on or about August 16, 2017. **(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.

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.