



Public Health Update

Solid Waste Management Authority Hearing Officer Administrative Hearing – December 9, 2020

The Solid Waste Hearing Officer, under authority granted in Nevada Revised Statute (NRS) 444.629, conducts monthly hearings to settle cases involving illegal dumping and other solid waste matters. At the December 9, 2020 hearing, the following cases were adjudicated:

I. MATTERS REQUIRING HEARING OFFICER ACTION

A. NOTICES OF VIOLATION WITH CONTESTED FACTS:

1. **Richard Yen** – NOV #SW20-174/B5- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about August 7, 2019; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the property located at 4455 South Buffalo Drive, Clark County, Nevada on or about August 7, 2019. (*for possible action*)

Hearing officer found Richard Yen in violation and imposed a penalty of \$500 for each of 1) and 2). A Cease and Desist order is issued to stop placing, depositing, dumping or causing to be placed, deposited or dumped solid waste upon a property other than a property designated or set aside for such purpose is ordered. A Cease and Desist order is issued to stop 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, Nev.

2. **Sofia J. Gonzalez** – NOV #SW20-1057/B5- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about February 15, 2020; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the property located at 4610 Blue Diamond Road, Clark County, Nevada on or about February 15, 2020. (*for possible action*)

Item continued to January 19, 2021 WebEx agenda.

3. **Jason Lee Malcom and Leslie Lynn Slate** – NOV #SW20-1324/24- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about April 30, 2020; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the vacant parcel southeast of mile marker 8 on Highway 165, Clark County, Nevada on or about April 30, 2020. (*for possible action*)

Hearing officer found no violation.

4. **Rebel Land and Development, LLC** – NOV #SW20-1109/K5- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or

about February 25, 2020; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the property located at 901 North Buffalo Drive, Las Vegas, Clark County, Nevada on or about February 25, 2020. *(for possible action)*

Hearing officer found Rebel Land and Development, LLC in violation and imposed a penalty of \$750 for each of 1) and 2). A Cease and Desist order is issued to stop placing, depositing, dumping or causing to be placed, deposited or dumped solid waste upon a property other than a property designated or set aside for such purpose is ordered. A Cease and Desist order is issued to stop 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, Nev.

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. **Derryke Karieth Rich** – NOV #SW20-1129/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 5, 2020; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the vacant parcel located east of 5565 Egan Crest Drive, Clark County, Nevada on or about March 5, 2020. *(for possible action)*

Hearing officer found Derryke Karieth Rich in violation of 2) and imposed a penalty of \$500. A Cease and Desist order is issued to stop placing, depositing, dumping or causing to be placed, deposited or dumped solid waste upon a property other than a property designated or set aside for such purpose is ordered. Failure to comply will result in the original penalty of \$2,000 as initially sought in the Notice of Violation.

2. **Nelson Fonseca-Herrera** – NOV #SW20-1263/G4- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about April 13, 2020; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the property located at Charleston Gardens Apartments at 4860 East Charleston Boulevard, Las Vegas, Clark County, Nevada on or about April 13, 2020. *(for possible action)*

Hearing officer found Nelson Fonseca-Herrera in violation of 2) and imposed a penalty of \$500. A Cease and Desist order is issued to stop placing, depositing, dumping or causing to be placed, deposited or dumped solid waste upon a property other than a property designated or set aside for such purpose is ordered. Failure to comply will result in the original penalty of \$2,000 as initially sought in the Notice of Violation.

3. **Oscar A. Avalos** – NOV #SW20-1261/G4- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about March 31, 2020; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the property located at Charleston Gardens Apartments at 4860 East Charleston Boulevard, Las Vegas, Clark County, Nevada on or about March 31, 2020. *(for possible action)*

Hearing officer found Oscar A. Avalos in violation of 2) and imposed a penalty of \$500. A Cease and Desist order is issued to stop placing, depositing, dumping or causing to be placed, deposited or dumped solid waste upon a property other than a property designated or set aside for such purpose is ordered. Failure to comply will result in the original penalty of \$2,000 as initially sought in the Notice of Violation.

4. **Rene Omar Valdez** – NOV #SW20-1283/67- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about April 19, 2020; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the property located at 3017 West Charleston Boulevard, Las Vegas, Clark County, Nevada on or about April 19, 2020. *(for possible action)*

Hearing officer found Rene Omar Valdez in violation of 2) and imposed a penalty of \$500. A Cease and Desist order is issued to stop placing, depositing, dumping or causing to be placed, deposited or dumped solid waste upon a property other than a property designated or set aside for such purpose is ordered. Failure to comply will result in the original penalty of \$2,000 as initially sought in the Notice of Violation.

C. NOTICES OF VIOLATION – FURTHER PROCEEDINGS:

None.