



Public Health Update

Solid Waste Management Authority Hearing Officer Administrative Hearing – February 11, 2021

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 February 11, 2021, the following cases were adjudicated:

I. MATTERS REQUIRING HEARING OFFICER ACTION

A. NOTICES OF VIOLATION WITH CONTESTED FACTS:

1. **Alisson Ribeiro Santos** – NOV #SW20-1257/13- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about April 9, 2020; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the vacant parcel located approximately 2,560 feet south of the intersection of South Durango Drive and West Cactus Avenue, Clark County, Nevada on or about April 9, 2020. (*for possible action*)

Hearing officer found no violation.

2. **Jose Severino Conejo** – NOV #SW21-314/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 5, 2020; 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste inside the dumpster located at 1212 North Jones Boulevard, Las Vegas, Clark County, Nevada on or about September 5, 2020; 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 September 5, 2020. (*for possible action*)

Hearing officer found Jose Severino Conejo in violation and imposed a penalty of \$1,000 for each of 1), 2) and 3). 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.

3. **Sarah Monteleone Trust** – NOV #SW20-1148/C6- For failure to comply with the Order issued by the Solid Waste Management Authority on March 16, 2020. (*for possible action*)

Hearing officer found Sarah Monteleone Trust in violation and imposed a penalty of \$2,000. Corrective action of removal and proper disposal of waste is ordered.

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. **GYBB Recycling, LLC dba BB Recycling** – NOV #SW20-1064/K5- For 1) operating or authorizing the operation of a Solid Waste Management facility outside of the approved conditions of the Solid Waste Management Permit issued by the Solid Waste Management Authority on or about February 20, 2020; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on February 21, 2020. *(for possible action)*

Hearing officer found GYBB Recycling, LLC dba BB Recycling in violation and imposed a penalty of \$1,000 for 1) and a penalty of \$500 for 2). An order to maintain operations in compliance with plans approved for design and operation of the permit issued and most recently modified (February 15, 2018). Failure to comply will result in the original penalty of \$3,000 as initially sought in the Notice of Violation.

2. **Lunas Construction Clean Up, Inc.** – NOV #SW20-1363/K5- For failure to maintain adequate financial assurance on or about January 1, 2020.

Hearing officer found Lunas Construction Clean Up, Inc. in violation and imposed a penalty of \$500. Maintenance of a financial assurance mechanism as outlined in SWMAR 2-7.01(A) is ordered. Failure to comply will result in the original penalty of \$1,000 as initially sought in the Notice of Violation.

3. **Cynthia Bruening** – NOV #SW21-198/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 16, 2020; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the vacant parcel located on the west side of Lindell Road, south of West Russell Road, Clark County, Nevada on or about August 16, 2020. *(for possible action)*

Hearing officer found Cynthia Bruening in violation of 2) and imposed a penalty of \$500. Failure to comply will result in the original penalty of \$2,000 as initially sought in the Notice of Violation.

4. **Timmy Lee Fleming** – NOV #SW21-121/38- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about July 30, 2020; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the vacant parcel located approximately near the intersection of Old Vegas Trail and East Paradise Hills Drive, Henderson, Clark County, Nevada on or about July 30, 2020. *(for possible action)*

Hearing officer found Timmy Lee Fleming in violation of 2) and imposed a penalty of \$500. 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. 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.