



Public Health Update

Solid Waste Management Authority Hearing Officer Administrative Hearing – November 9, 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 November 9, 2021 the following cases were adjudicated:

I. MATTERS REQUIRING HEARING OFFICER ACTION

A. NOTICES OF VIOLATION WITH CONTESTED FACTS:

1. **Tracy Halley** – NOV #SW21-1110/38- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about May 25, 2021; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the property located at 1551 West Sunset Road, Henderson, Clark County, Nevada on or about May 25, 2021. (*for possible action*)

Hearing officer found Tracy Halley 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. 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.

2. **Edralin Ronquillo Gandan** – NOV #SW21-1213/C6- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about June 23, 2021; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the property located at 3333 North Michael Way, Las Vegas, Clark County, Nevada on or about June 23, 2021. (*for possible action*)

Hearing officer found Edralin Ronquillo Gandan 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.

3. **Dollar Tree Stores, Inc.** – NOV #SW21-601/C6 FTC NOV- For failure to comply with the Order issued by the Solid Waste Management Authority Hearing Officer on June 10, 2021. *(for possible action)*

Hearing officer found Dollar Tree Stores, Inc. in violation and imposed a penalty of \$2,000. Corrective action of removal and proper disposal of waste is ordered.

4. **Lillie Pinho** – NOV #SW21-653/C6- For failure to comply with the Order issued by the Solid Waste Management Authority on February 19, 2021. *(for possible action)*

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

5. **The Boyd III Limited Partnership** – NOV SW21-683/C6 – NOV #SW21-683/C6- For failure to comply with the Order issued by the Solid Waste Management Authority on March 5, 2021. *(for possible action)*

Hearing officer found The Boyd III Limited Partnership in violation and imposed a penalty of \$2,000. Corrective action of removal and proper disposal of waste is ordered.

6. **Discount Dumpsters, LLC dba Western Elite** – NOV #SW21-1218/67- 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 June 23, 2021 and July 28, 2021; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on June 25, 2021. *(for possible action)*

Item continued to January 13, 2022 hearing.

7. **Desert Inn Villas Homeowners Association** – NOV #SW21-986/13- For 1) causing or allowing sewage or accumulation of human excreta to overflow on property located at 356 East Desert Inn Rd, Clark County, Nevada on or about July 21, 2021 and August 5, 2021; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on July 2, 2021. *(for possible action)*

Hearing officer found Desert Inn Villas Homeowners Association in violation and imposed a penalty of \$3,500 for each of 1) and 2). Remediation of the area affected by sewage overflow is ordered. Contract with a licensed plumber to assess sewer lines via camera and repair all deficient plumbing elements is ordered. Sewer caps are ordered. Copies of the camera assessment is ordered. A Cease and desist order is issued to stop 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, 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. **Dale McClurken** – NOV #SW21-1166/32- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about June 6,

2021; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the property located at 4860 East Charleston Boulevard, Las Vegas, Clark County, Nevada on or about June 6, 2021. *(for possible action)*

Hearing officer found Dale McClurken 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. **Christina M. Perez and Patricia R. Perez** – NOV #SW22-039/C6- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about July 13, 2021; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the property located at 265 East Centennial Parkway, North Las Vegas, Clark County, Nevada on or about July 13, 2021. *(for possible action)*

Hearing officer found Christina M. Perez and Patricia R. Perez 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.