



Solid Waste Management Authority  
Hearing Officer On-Line Administrative Hearing  
***MEETING MINUTES***

**Southern Nevada Health District**  
280 South Decatur Boulevard, Las Vegas, Nevada 89107  
WebEx Hearing – Calico Hills Conference Room  
1:00 PM – Tuesday, September 20, 2022

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**SNHD STAFF PRESENT:**

Donna Houston, Sr. EH Specialist  
William Thompson, EH Specialist  
Edward Wynder, General Counsel

Erik Anderson, Sr. EH Specialist  
Jennifer Luther, Sr. Admin Assistant

**FACILITY OWNERS/REPRESENTATIVES PRESENT:**

None

**PUBLIC PRESENT:**

None

**I. CALL TO ORDER:**

The Hearing Officer, Christine Smith, called the meeting to order at 1:00 p.m.

**II. PUBLIC COMMENT:**

**III. MATTERS REQUIRING HEARING OFFICER ACTION:**

**A. NOTICES OF VIOLATION WITH CONTESTED FACTS:**

1. **K&M Diversified, Inc.** – NOV #SW22-804/P9- For 1) operating a disposal site in Clark County, Nevada, outside of the conditions approved in the permit issued by the solid waste management authority on February 2, 2022; and 2) operating a disposal site in Clark County, Nevada, outside of the conditions approved in the permit issued by the solid waste management authority on March 8, 2022.

Hearing officer found K&M Diversified, Inc. in violation and imposed a penalty of \$500 for 1) and a penalty of \$500 for 2). A Cease and Desist order is issued to stop operating outside of the plans approved for the design and operation of the permit issued on May 20, 2021. Failure to comply will result in the original penalty of \$2,000 as initially sought in the Notice of Violation.

SNHD and the respondent reached a compromise settlement of the case. The details of the agreement were stated on the record and approved and ordered by Hearing Officer Smith.

2. **Apex Materials, LLC** – NOV #SW21-730/P9- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on February 8, 2021; 2) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on March 23, 2021, 3) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on March 7, 2022, and 4) failure to comply with the Order issued by the Solid Waste Management Authority on February 12, 2021.

Hearing officer found Apex Materials, LLC in violation and imposed a penalty of \$1,500 for 1), a penalty of \$1,500 for 2), a penalty of \$1,500 for 3), and a penalty of \$1,500 for 4). Respondent is ordered to complete permitting efforts with Solid Waste Plan Review by October 20, 2022. Corrective action as requested in NOV is ordered to be completed within 30 days from hearing. 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 of anywhere else in Clark County, Nevada. Failure to comply will result in the original penalty of \$8,000 as initially sought in the Notice of Violation.

SNHD and the respondent reached a compromise settlement of the case. The details of the agreement were stated on the record and approved and ordered by Hearing Officer Smith.

3. **Apex Materials, LLC** – NOV #SW21-854/P9- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on May 7, 2021; 2) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on January 6, 2022, 3) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on February 24, 2022, and 4) failure to comply with the Order issued by the Solid Waste Management Authority on May 14, 2021.

Hearing officer found Apex Materials, LLC in violation and imposed a penalty of \$1,500 for 1), a penalty of \$1,500 for 2), a penalty of \$1,500 for 3), and a penalty of \$1,500 for 4). Respondent is ordered to complete permitting efforts with Solid Waste Plan Review by October 20, 2022. Corrective action as requested in NOV is ordered to be completed within 30 days from hearing. 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 of anywhere else in Clark County, Nevada. Failure to comply will result in the original penalty of \$8,000 as initially sought in the Notice of Violation.

SNHD and the respondent reached a compromise settlement of the case. The details of the agreement were stated on the record and approved and ordered by Hearing Officer Smith.

4. **Apex Materials, LLC** – NOV #SW21-871/67- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on March 23, 2021; and 2) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on January 20, 2022.

Hearing officer found Apex Materials, LLC in violation and imposed a penalty of \$1,000 for 1) and a penalty of \$1,000 for 2). 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 of anywhere else in Clark County, Nevada. Failure to comply will result in the original penalty of \$4,000 as initially sought in the Notice of Violation.

SNHD and the respondent reached a compromise settlement of the case. The details of the agreement were stated on the record and approved and ordered by Hearing Officer Smith.

B. NON-CONTESTED NOTICES OF VIOLATION:

None

C. NOTICES OF VIOLATION – FURTHER PROCEEDINGS:

None

IV. REPORT TO HEARING OFFICER

None

V. Public Comment:

VI. ADJOURNMENT – *ADJOURNED BY THE HEARING OFFICER AT 1:14 P.M.*