



Public Health Update

Solid Waste Management Authority Hearing Officer Administrative Hearing – April 11, 2019

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 April 11, 2019 hearing, the following cases were adjudicated:

I. MATTERS REQUIRING HEARING OFFICER ACTION

A. NOTICES OF VIOLATION WITH CONTESTED FACTS:

1. **Fastrack Construction, Inc.** – NOV #SW19-863/32- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about January 18, 2019; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the vacant parcel located northwest of North Skye Canyon Park Drive and Log Cabin Way, Clark County, Nevada on or about January 18. *(for possible action)*

Item continued to May 9, 2019 agenda.

2. **Las Vegas Restaurant Systems LLC dba Sammy's Doghouse** – NOV #SW19-138/N7- For 1) failure to comply with the Order issued by the Solid Waste Management Authority on August 7, 2018; and 2) for failure to provide proper removal of all solid waste accumulated at the premises on or about September 11, 2018. *(for possible action)*

Hearing officer found Las Vegas Restaurant Systems LLC dba Sammy's Doghouse in violation and imposed a penalty of \$1,000 for each of 1) and 2). Corrective action of removal and proper disposal of waste is ordered. Proof of trash disposal service is ordered. A supervisory conference is ordered. 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.

3. **Christina Howard and Melody Nicole Fein** – NOV #SW19-781/C6- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about December 27, 2018; 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the vacant parcel located southwest of West Craig Road and North Riley Street, Clark County, Nevada on or about December 27, 2018; 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 December 27, 2018. *(for possible action)*

Hearing officer found Christina Howard and Melody Nicole Fein 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 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. 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.

4. **Chavez Construction Clean-Up Co LLC** – NOV #SW19-403/K5- For operating or authorizing the operations 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 August 23, 2018, October 2, 2018, December 18, 2018 and January 8, 2019; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on October 9, 2018 with extensions of the Order deadline to January 7, 2019. *(for possible action)*

Hearing officer found Chavez Construction Clean-Up Co LLC in violation and imposed a penalty of \$2,000 for 1), and a penalty of \$500 imposed 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 22, 2018. A modification must be submitted. Failure to comply will result in the original penalty of \$5,000 as initially sought in the Notice of Violation.

- 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. **Xiaoyu Kong** – NOV #SW19-717/A0- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about December 17, 2018; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the property located at Red Ridge Park, 7027 South El Capitan Way, Clark County, Nevada on or about December 17, 2018. *(for possible action)*

Hearing officer found Xiaoyu Kong in violation 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. 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.