



Public Health Update

Solid Waste Management Authority Hearing Officer Administrative Hearing – September 12, 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 September 12, 2019 hearing, the following cases were adjudicated:

I. MATTERS REQUIRING HEARING OFFICER ACTION

A. NOTICES OF VIOLATION WITH CONTESTED FACTS:

1. **Clemente Armando Rodriguez Gomez** – NOV #SW19-1409/Z3- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about May 9, 2019; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the property located at 3224 North Michael Way, Las Vegas, Clark County, Nevada on or about May 9, 2019. (*for possible action*)

Item continued to October 10, 2019 agenda.

2. **McKinlay Excavating, Inc.** – NOV #SW19-1631/P9- For placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the property located at 2711 Rimbey Street, Clark County, Nevada on or about June 12, 2019. (*for possible action*)

Hearing officer found McKinlay Excavating, Inc. in violation and imposed a penalty of \$1,000. 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. **Doretha Green** – NOV #SW19-1393/P9- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about May 2, 2019; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the vacant parcel located at East Rome Boulevard and Statz Street, North Las Vegas, Clark County, Nevada on or about May 2, 2019. (*for possible action*)

Hearing officer found Doretha Green 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. Failure to comply will result in the original penalty of \$2,000 as initially sought in the Notice of Violation.

4. **Lisa Duran** – NOV #SW19-1521/P9- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about May 23, 2019; 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the vacant parcel located at the northeast corner of Sweet Woodruff Drive and West Haleh Avenue, Clark County, Nevada on or about May 23, 2019; 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 May 23, 2019. (*for possible action*)

Hearing officer found Lisa Duran in violation of 2) and imposed a penalty of \$1,000. 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, Nevada. 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 \$3,000 as initially sought in the Notice of Violation.

5. **US National Bank Association Trustee** – NOV #SW19-1355/C6- For failure to comply with the Order issued by the Solid Waste Management Authority on May 1, 2019. (*for possible action*)

Hearing officer found US. National Bank Association Trustee in violation and imposed a penalty of \$5,000. Corrective action of removal and proper disposal of waste is ordered.

6. **475 Centennial LLC dba AA Auto Care #1100** – NOV #SW19-1212/C6- For 1) failure to comply with the Order issued by the Solid Waste Management Authority on March 27, 2019; and 2) failure to provide proper removal of all solid waste accumulated at the business's premise on March 27, 2019. (*for possible action*)

Hearing officer found 475 Centennial LLC dba A A Auto Care #1100 in violation of 1) 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.

7. **Avalon Retail Partners, LLC** – NOV #SW19-758/N7- For failure to comply with the Order issued by the Solid Waste Management Authority on January 15, 2019 with extensions of the Order deadline to May 6, 2019. (*for possible action*)

Hearing officer found Avalon Retail Partners, LLC in violation and imposed a penalty of \$500.

8. **Mer-Car Corp.** – NOV #SW19-982/24- For failure to comply with the Order issued by the Solid Waste Management Authority on February 22, 2019 with extensions of the Order to May 10, 2019. (*for possible action*)

Hearing officer found Mer-Car Corp. in violation and imposed a penalty of \$500. Corrective action of removal and proper disposal of waste 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, Nevada. Failure to comply will result in the original penalty of \$1,000 as initially sought in the Notice of Violation.

9. **Paramount Fibers, LLC** – NOV #SW19-1447/K5- For 1) operating or authorizing the operation of a Solid Waste Management Facility without the prior approval of the Solid Waste management Authority on May 16, 2019 and June 4, 2019; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on May 17, 2019. (*for possible action*)

Hearing officer found Paramount Fibers, LLC in violation and imposed a penalty of \$1,000 for 1) and a penalty of \$500 for 2). Corrective action of removal and proper disposal of waste 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, Nevada. Failure to comply will result in the original penalty of \$3,000 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. **Ashford Apartments, LLC** – NOV #SW19-1664/Z3- For 1) causing or allowing sewage or accumulation of human excreta to overflow on property located at 6212 Camino De Rosa Drive, Las Vegas, Clark County, Nevada on or about June 19, 2019; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on June 19, 2019. (*for possible action*)

Hearing officer found Ashford Apartments, LLC in violation and imposed a penalty of \$1,000 for each of 1) and 2). 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, Nevada.

- C. NOTICES OF VIOLATION – FURTHER PROCEEDINGS:

None