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Solid Waste Management Authority
Hearing Officer Administrative Hearing

AGENDA

Southern Nevada Health District
280 South Decatur Boulevard, Las Vegas, Nevada
Red Rock Trail Conference Room
9:00 AM – Tuesday, November 9, 2021

NOTICES:

1. Nevada Revised Statutes (NRS) 241.020 requires that written notice of all hearings of the Southern Nevada Health District Board of Health’s Solid Waste Management Authority Hearing Officer be given at least three working days before the hearings. The notice shall include the time, place, location, and agenda of the hearing. Individuals may request notice, but a request for notice lapses six months after it is made. The Southern Nevada District Board of Health informs each requestor of this fact by this notation on the copy of the notice mailed to them.

NOTE:

- **Agenda items may be taken out of order at the discretion of the Hearing Officer.**
- **The Hearing Officer may combine two or more agenda items for consideration.**
- **The Hearing Officer may remove an item from the agenda or delay discussion relating to an item on the agenda at any time.**

I. CALL TO ORDER

II. PUBLIC COMMENT: A period devoted to comments by the general public about those items appearing on the agenda. Comments will be limited to five (5) minutes per speaker. Please step up to the speaker’s podium, clearly state your name and address, and spell your last name for the record. The comment period may be lengthened at the discretion of the Hearing Officer.

III. MATTERS REQUIRING HEARING OFFICER ACTION

A. NOTICES OF VIOLATION WITH CONTESTED FACTS:

1. **Derek Anthony Hardin** – 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)**

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|---------------------|--|
| Proposed Penalties/ | 1) \$1,000.00 |
| Corrective Action: | 2) \$1,000.00 |
| | 3) Cease and desist 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. |
| | 4) Cease and desist placing, depositing, or dumping or causing to be placed, deposited or dumped solid waste upon property other than property designated or set aside for such purpose. |

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)**

Proposed Penalties/ 1) \$1,000.00
Corrective Action: 2) \$1,000.00
3) Cease and desist 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.
4) Cease and desist placing, depositing, or dumping or causing to be placed, deposited or dumped solid waste upon property other than property designated or set aside for such purpose.

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

Proposed Penalties/ 1) \$1,000.00
Corrective Action: 2) Removal and proper disposal of waste.

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)**

Proposed Penalties/ 1) \$1,000.00
Corrective Action: 2) Removal and proper disposal of waste.

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)**

Proposed Penalties/ 1) \$1,000.00
Corrective Action: 2) Removal and proper disposal of waste.

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)**

Proposed Penalties/ 1) \$3,800.00
Corrective Action: 2) \$1,900.00
3) Immediately cease and desist operating outside of the plans approved for the design and operation of the permit.
4) Cease and desist operating a solid waste disposal site outside of the conditions approved in the permit issued by the Solid Waste Management Authority at this location or anywhere else in Clark County, Nevada.

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)**

Proposed Penalties/ 1) \$2,000.00
Corrective Action: 2) \$2,000.00
3) Remediation of area affected by sewage overflow.
4) Contract with a licensed plumber to assess the sewer lines via camera and repair all deficient plumbing elements.
5) Provide a secure, fitted cap for all unsecure sewer cleanouts.
6) Submit copies of the camera assessment of the sewer lines and invoices from any and all plumbing work/repair.
7) Cease and desist 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.

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)**

Penalty: 1) \$1,000.00
2) Cease and desist placing, depositing, or dumping or causing to be placed, deposited or dumped solid waste upon property other than property designated or set aside for such purpose.

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)**

Penalty: 1) \$500.00
2) Cease and desist placing, depositing, or dumping or causing to be placed, deposited or dumped solid waste upon property other than property designated or set aside for such purpose.

C. NOTICES OF VIOLATION – FURTHER PROCEEDINGS:

None.

IV. REPORT TO HEARING OFFICER

None.

- V. PUBLIC COMMENT: A period devoted to comments by the general public, if any, and discussion of those comments, about matters relevant to the Solid Waste Management Authority, Hearing Officer's jurisdiction will be held. No action may be taken upon a matter raised under this item of this Agenda until the matter itself has been specifically included on an agenda as an item upon which action may be taken pursuant to NRS 241.020. Comments will be limited to five (5) minutes per speaker. Please step up to the speaker's podium, clearly state your name and address, and spell your last name for the record. The comment period may be lengthened at the discretion of the Hearing Officer.

VI. ADJOURNMENT

- VII. **THIS AGENDA HAS BEEN PUBLICLY NOTICED** on the Southern Nevada Health District's Website at <https://www.snhd.info/meetings>, <https://www.snhd.info/publicnotices> and the Nevada Public Notice website at <https://notice.nv.gov>, and a copy will be provided to any person who has requested one via U.S mail or electronic mail. All meeting notices include the time of the meeting, access instructions, and the meeting agenda. For copies of agenda backup material, please contact Amy Vega or Jennifer Luther at 280 S. Decatur Blvd., Las Vegas, NV 89107 or calling (702) 759-0533.

NOTE: Disabled members of the public who require special accommodations or assistance at the hearing are requested to notify Amy Vega at the Southern Nevada Health District by calling (702) 759-0533.