



Solid Waste Management Authority
Hearing Officer Administrative Hearing
MEETING MINUTES

Southern Nevada Health District
280 South Decatur Boulevard, Las Vegas, Nevada 89107
Red Rock Trail Conference Room
9:00 AM – Thursday, April 13, 2023

SNHD STAFF PRESENT:

Donna Houston, Sr. EH Specialist
Lynn Cintron, Sr. Admin Assistant
Edward Wynder, Associate General Counsel
Itchel Santos-Perez, EH Specialist
Linly Hazlett, Sr. EH Specialist
Jason Garcia, EH Specialist

Andy Chaney, EH Supervisor
Jennifer Luther, Sr. Admin Assistant
Raine Harris, EH Specialist
Bruno Stephani, EH Supervisor
Michelle Clarke, EH Specialist

PUBLIC PRESENT:

Eleazar Barran (SW23-140/32)
Geronimo Alva (SW23-140/32)

I. CALL TO ORDER:

The Hearing Officer, Annette Bradley, called the meeting to order at 9:02 a.m.

II. PUBLIC COMMENT:

III. MATTERS REQUIRING HEARING OFFICER ACTION:

A. APPROVAL OF MINUTES FOR HEARING OFFICER MEETINGS

1. March 9, 2023 SWMA Hearing – *MINUTES APPROVED*

B. NOTICES OF VIOLATION WITH CONTESTED FACTS:

1. **Anabel Alonso** – NOV #SW23-094/42/13 - For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the Solid Waste Management Authority on or about August 8, 2022; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the property located at 3032 Candelaria Drive, Henderson, Clark County, Nevada on or about August 8, 2022.

SNHD and the respondent reached a compromised settlement of the case. The details of the agreement were stated on the record and approved and ordered by Hearing Officer Bradley. Hearing officer found Anabel Alonso in violation of 1) and 2) and imposed a penalty of \$500 for each violation. 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, or dumping or causing to be placed, deposited or dumped solid waste upon property other than 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.

2. **Alba and Sons LLC d/b/a Birrieria Los Rojos 702** – NOV #SW23-140/32 - For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the Solid Waste Management Authority on or about August 21, 2022; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the storm sewer inlet located upon the public right-of-way at the northwest corner of East Lake Mead Boulevard and Webster Street, North Las Vegas, Clark County, Nevada on or about August 21, 2022.

Case called. Geronimo Alva appeared for respondent and was sworn in. SNHD called Michelle Clarke who testified that she received a complaint of a food truck dumping kitchen grease and waste water into a storm sewer inlet. She discusses and verifies video, photos, and voluntary statement received from witness. EH Clarke explains how she responded to complaint, ran a DMV search on the food truck's license plate, and performed a joint site visit with EH Food Operations Specialist Jacob Billings. She issued a field order to cease and desist illicit discharges and to dispose of waste properly. Respondent testified that he accepts responsibility and explains a temporary employee did not follow their protocol. Respondent cleaned the affected area and has contracted with two commissaries for his food trucks. Citizen witness called and sworn in. He verifies photos, statement, and the course of events. Respondent apologizes to the witness. Field order, photos, witness statement, NOV were submitted as exhibits with no objections. SNHD rested. After summation, Hearing Officer rendered decision. Hearing Officer found Alba and Sons LLC d/b/a Birrieria Los Rojos 702 in violation of 1) and 2) and imposed a penalty of \$1,000 for each violation. 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, 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. **Rene David Galaz and Grecia Armida Solis** – NOV #SW22-416/K5- For 1) operating or authorizing the operation of a Solid Waste Management Facility without a permit from the Solid Waste Management Authority on or about November 3, 2021, December 9, 2021, January 6, 2022, January 26, 2022, and February 4, 2022; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on November 12, 2021 with extensions of the Order deadline to January 26, 2022, and February 4, 2022.

The case was continued to the May 11, 2023, Hearing.

C. NON-CONTESTED NOTICES OF VIOLATION:

1. **Family Dollar, Inc.** – NOV #SW23-346/C6 - For 1) failure to comply with the Order issued by the Solid Waste Management Authority on November 7, 2022, with extension

of the Order to January 14, 2023; and 2) failure to provide proper removal of all solid waste accumulated at the premises on or about January 18, 2023.

SNHD and the respondent reached a compromised settlement of the case. The details of the agreement were stated on the record and approved and ordered by Hearing Officer Bradley. Hearing officer found Family Dollar, Inc. in violation of 1) and imposed a penalty of \$750. Corrective action of removal and proper disposal of waste is ordered. Failure to comply will result in the original penalty of \$2,000 as initially sought in the Notice of Violation.

2. **Adaven Homes, LLC** – NOV #SW23-397/C6- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about November 28, 2022 and December 13, 2022; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the vacant parcel located at 9853 South Fort Apache Road, Clark County, Nevada on or about November 28, 2022 and December 13, 2022.

SNHD and the respondent reached a compromised settlement of the case. The details of the agreement were stated on the record and approved and ordered by Hearing Officer Bradley. Hearing officer found Adaven Homes, LLC in violation of 1) and 2) and imposed a penalty of \$1,500 for each violation. 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, or dumping or causing to be placed, deposited or dumped solid waste upon property other than property designated or set aside for such purpose. Failure to comply will result in the original penalty of \$6,000 as initially sought in the Notice of Violation.

D. NOTICES OF VIOLATION – FURTHER PROCEEDINGS:

None

IV. REPORT TO HEARING OFFICER

None

V. Public Comment:

VI. ADJOURNMENT – *ADJOURNED BY THE HEARING OFFICER AT 10:07 A.M.*