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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 – Thursday, May 11, 2023

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. APPROVAL OF MINUTES FOR HEARING OFFICER MEETINGS

1. April 13, 2023

B. NOTICES OF VIOLATION WITH CONTESTED FACTS:

1. **King Communications LLC** – NOV #SW23-293/C6- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about September 19, 2022; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the vacant parcel located east of 10135 West Quail Avenue, Clark County, Nevada on or about September 19, 2022. **(for possible action)**

Proposed Penalties/ 1) \$1,000.00

Corrective Action: 2) \$1,000.00

3) Removal and proper disposal of waste.

4) 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.

5) 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. **Donuts of Las Vegas, L.L.C. d/b/a Subway and Winchells #1943** – NOV #SW23-514/38- For 1) causing or allowing sewage or accumulation of human excreta to overflow on property located at 830 North Rancho Drive, Las Vegas, Clark County, Nevada on or about January 23, 2023; 2) causing or allowing sewage or accumulation of human excreta to overflow on property located at 830 North Rancho Drive, Las Vegas, Clark County, Nevada on or about January 31, 2023; and 3) failure to comply with the Order issued by the Solid Waste Management Authority on January 23, 2023. **(for possible action)**

Proposed Penalties/ 1) \$1,000.00

Corrective Action: 2) \$1,000.00

3) \$1,000.00

4) Remediation of area affected by sewage overflow.

5) 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.

6) 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. **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. **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; 2) operating or authorizing the operation of a Solid Waste Management Facility without a permit from the Solid Waste Management Authority on or about December 9, 2021; 3) operating or authorizing the operation of a Solid Waste Management Facility without a permit from the Solid Waste Management Authority on or about January 6, 2022; 4) operating or authorizing the operation of a Solid Waste Management Facility without a permit from the Solid Waste Management Authority on or about January 26, 2022; 5) operating or authorizing the operation of a Solid Waste Management Facility without a permit from the Solid Waste Management Authority on or about February 4, 2022; and 6) 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. **(for possible action)**

Penalty:

- 1) \$1,000.00
- 2) \$1,000.00
- 3) \$1,000.00
- 4) \$1,000.00
- 5) \$1,000.00
- 6) \$1,000.00
- 7) 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.

2. **PMR USA, Inc.** – NOV #SW22-917/P9- For 1) operating or authorizing the operation of a Solid Waste Management Facility without the prior approval of the Solid Waste Management Authority on or about May 3, 2022; 2) operating or authorizing the operation of a Solid Waste Management Facility without the prior approval of the Solid Waste Management Authority on or about July 11, 2022; 3) operating or authorizing the operation of a Solid Waste Management Facility without the prior approval of the Solid Waste Management Authority on or about September 7, 2022; and 4) failure to comply with the Order issued by the Solid Waste Management Authority on May 10, 2022 with extensions of the Order deadline to July 6, 2022. **(for possible action)**

Penalty:

- 1) \$1,000.00
- 2) \$1,000.00
- 3) \$1,000.00
- 4) \$1,000.00

3. **Hector Zuniga-Hernandez** – NOV #SW23-426/G4- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about December 9, 2022; 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the public right-of-way on the northwest corner of East Carey Avenue and Marco Street, Clark County, Nevada on or about December 9, 2022; and 3) disposing of, abandoning or dumping a 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 9, 2022. **(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.

D. 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 Jennifer Luther at 280 S. Decatur Blvd., Las Vegas, NV 89107 or call (702) 759-0533.

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