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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, December 14, 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. October 12, 2023 SWMA Hearing

B. NOTICES OF VIOLATION WITH CONTESTED FACTS:

1. **Dean Tyler Bush** – NOV #SW24-160/38- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about August 31, 2023; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the property located at 7035 West Ann Road, Suite 110, Las Vegas, Clark County, Nevada on or about August 31, 2023. **(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.

2. **The Home Depot U.S.A., Inc. d/b/a The Home Depot #3316** – NOV #SW24-113/T8- For 1) causing or allowing sewage or accumulation of human excreta to overflow on property located at 6025 South Pecos Road, Clark County, Nevada on or about August 14, 2023 and August 15, 2023; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on August 15, 2023, August 16, 2023, August 17, 2023, and August 18, 2023. **(for possible action)**

Proposed Penalties/ 1) \$1,000.00

Corrective Action: 2) \$1,000.00

3) \$1,000.00

4) \$1,000.00

5) \$1,000.00

6) \$1,000.00

7) 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. **Insomniac Holdings, LLC dba (EDC) Electric Daisy Carnival Camp** – NOV #SW23-795/A0- For 1) causing or allowing sewage or accumulation of human excreta to overflow on property located at 7065 Speedway Boulevard, also referred to as 7000 North Las Vegas Boulevard, Clark County, Nevada on or about May 19, 2023, May 20, 2023, May 21, 2023, May 22, 2023, and May 23, 2023; and 2) failure to comply with the Orders issued by the Solid Waste Management Authority on May 19, 2023, May 20, 2023, May 21, 2023, May 22, 2023, and May 23, 2023. **(for possible action)**

Penalty:

- 1) \$1,500.00
- 2) \$1,500.00
- 3) \$1,500.00
- 4) \$1,500.00
- 5) \$1,500.00
- 6) \$1,500.00
- 7) \$1,500.00
- 8) \$1,500.00
- 9) \$1,500.00
- 10) \$1,500.00

11) Provide written training policies and procedures for employees, contractors, and sub-contractors on the proper identification, response, removal, and remediation of sewage and grease spills associated with temporary events that utilize temporary sanitation equipment that incorporates the sewage spill remediation steps.

12) 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.

2. **Sportsman's Royal Manor, LLC** – NOV #SW24-009/H3- For 1) causing or allowing sewage or accumulation of human excreta to overflow on property located at 5600 Boulder Highway, and the Boulder Highway public right-of-way east of 5600 Boulder Highway, Clark County, Nevada on or about July 6, 2023; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on July 6, 2023. **(for possible action)**

Penalty:

- 1) \$500.00
- 2) \$500.00

3) 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.

3. **Western States Contracting, Inc.** – NOV #SW24-016/H3- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the Solid Waste Management Authority on or about July 8, 2023; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the 9.06 acre vacant parcel located east of 7175 East Russell Road, Henderson, Clark County, Nevada on or about July 8, 2023. **(for possible action)**

Penalty:

- 1) \$1,000.00
- 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.

4. **Invitation Homes Realty, LLC** – NOV #SW24-187/38- For 1) causing or allowing sewage or accumulation of human excreta to overflow on property located at 9520 Cabot Falls Avenue, Las Vegas, Clark County, Nevada on or about September 11, 2023, September 12, 2023, and September 13, 2023; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on September 11, 2023. **(for possible action)**

Penalty:

- 1) \$1,000.00
- 2) \$1,000.00
- 3) \$1,000.00
- 4) \$1,000.00
- 5) Remediation of area affected by sewage overflow.
- 6) 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.

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>, as well as posted in the main lobby of the Southern Nevada Health District at 280 S. Decatur Boulevard, Las Vegas, Nevada. 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) 759-2584. In addition, handouts will be available at each hearing date and time.

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) 759-0584.