



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, January 11, 2024

SNHD STAFF PRESENT:

Donna Houston, Sr. EH Specialist
Jennifer Luther, Sr. Admin Assistant
Edward Wynder, Associate General Counsel
Lynn Cintron, Sr. Admin Assistant
Taliba Abdul-Wahid, Law Clerk

Andy Chaney, EH Supervisor
Bruno Stephani, EH Supervisor
Rebecca Dunne, EH Specialist
Nick Bieser, EH Specialist

PUBLIC PRESENT:

Donna DiMaggio – SW23-122/K5

I. **CALL TO ORDER:**

The Hearing Officer, Henry Melton, called the meeting to order at 9:00 a.m.

II. **PUBLIC COMMENT:** None

III. **MATTERS REQUIRING HEARING OFFICER ACTION:**

A. APPROVAL OF MINUTES FOR HEARING OFFICER MEETINGS

1. December 14, 2023 SWMA Hearing – *MINUTES APPROVED*

B. NOTICES OF VIOLATION WITH CONTESTED FACTS:

1. **Las Brisas Apartment Homes Community Association** – NOV #SW23-875/T8 - For 1) causing or allowing sewage or accumulation of human excreta to overflow on property located at 1420 East Vegas Valley Drive, Clark County, Nevada on or about June 21, 2023; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on June 21, 2023.

The case was continued to the April 11, 2024 Hearing.

C. NON-CONTESTED NOTICES OF VIOLATION:

1. **M.M.C., Inc., d/b/a Industrial and Environmental Services** – NOV #SW23-122/K5- 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 6, 2022, August 17, 2022, December 8, 2022, March 22, 2023, and June 14, 2023; 2) failure to comply with the Order issued by the Solid Waste Management Authority on March 22, 2023, and June

14, 2023; and 3) placing, depositing, or dumping or causing to be placed, deposited or dumped solid waste upon the public right-of-way located south adjacent to 5850 North Nellis Boulevard, North Las Vegas, Clark County, Nevada on or about December 8, 2022, and March 22, 2023.

The respondent did not contest the Notice of Violation, agreeing to the facts alleged and accepting the proposed penalty. Hearing Officer Melton found M.M.C., Inc. d/b/a Industrial and Environmental Services in violation of 1), 2), 3), 4), 5), 6), 7) 8), and 9), and imposed an administrative penalty of \$1,000 for each violation for a total administrative penalty of \$9,000. Respondent is further ordered to maintain solid waste operations at the solid waste management facility located at 13350 Grand Valley Parkway, North Las Vegas, Clark County, Nevada in a neat and orderly condition. A Cease and Desist order is issued to stop 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.

2. **San Gennaro Feast Inc.** – NOV #SW24-220/38- For 1) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the property located at 12300 South Las Vegas Boulevard, Henderson, Clark County, Nevada on or about September 25, 2023; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on September 25, 2023.

The respondent did not contest the Notice of Violation, agreeing to the facts alleged and accepting the proposed penalty. Hearing Officer Melton found San Gennaro Feast Inc. in violation of 1) and 2), and imposed an administrative penalty of \$1,000 for each violation for a total administrative penalty of \$2,000. A Cease and Desist order is issued to stop causing or allowing to cause any food grease, food particles, wastewater and/or waste liquid spill to overflow and deposit on this property or any other property in Clark County, Nevada.

3. **Laurice De Shawn McCurdy** – NOV #SW24-039/R4- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about July 14, 2023; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the property located at 9155 South Las Vegas Boulevard, Suite 222, Clark County, Nevada on or about July 14, 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 Melton. Hearing officer found Laurice De Shawn McCurdy in violation of 1) and 2), and imposed an administrative penalty of \$500 for each violation for a total administrative 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, 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.

D. NOTICES OF VIOLATION – FURTHER PROCEEDINGS:

None.

IV. REPORT TO HEARING OFFICER

None

V. Public Comment: None

VI. ADJOURNMENT – *ADJOURNED BY THE HEARING OFFICER AT 9:11 A.M.*