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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, October 10, 2024

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. September 12, 2024 SWMA Hearing

B. NOTICES OF VIOLATION WITH CONTESTED FACTS:

1. **Osmani Perez** – NOV #SW24-702/Z3- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the Solid Waste Management Authority on or about March 24, 2024; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the vacant parcel located between West Regena Avenue and West Azure Drive at Egan Crest Drive, Las Vegas, Clark County, Nevada on or about March 24, 2024. **(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. **David Hermanson** – NOV #SW24-935/56- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the Solid Waste Management Authority on or about June 16, 2024; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the property located at 5008 Cecile Avenue, Clark County, Nevada on or about June 16, 2024. **(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. **Nicholas Enri Miles-Wash** – NOV #SW24-949/A0- 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, 2024; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the property located at 3100 Sirius Avenue and 3120 Sirius Avenue, Clark County, Nevada on or about June 23, 2024. **(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.

4. **Marjen Enterprises, LLC dba Las Vegas Dumpster Rental** – NOV #SW24-697/B2- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the Solid Waste Management Authority on or about March 28, 2024 and May 7, 2024; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on April 10, 2024. **(for possible action)**

Proposed Penalties/ 1) \$1,000.00
Corrective Action: 2) \$1,000.00
3) \$1,000.00
4) Submit proof of proper disposal for all solid waste on property.
5) 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.
6) Removal and proper disposal of waste.

5. **Nava Trust and Gonzalez Christian Trust** – NOV #SW24-342/T8- For 1) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the property located at 10675 Haven Street, Clark County, Nevada on or about November 22, 2023; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on November 22, 2023 with extensions of the Order deadline to December 15, 2023. **(for possible action)**

Proposed Penalties/ 1) \$1,000.00
Corrective Action: 2) \$1,000.00
3) Removal and proper disposal of waste.
4) Connect all buildings on the property to a properly installed and approved sewage disposal system within nine (9) months. Approval and connection must be completed within nine (9) months. Provide proof of approval and connection to SNHD within ninety (90) days of completion. Provide a progress and status report to SNHD no later than ninety (90) days after the issuance of the Hearing Officer's Order.
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.

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. **Discount Dumpsters, LLC dba Western Elite** – NOV #SW24-733/C4- 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 March 28, 2024; 2) failure to comply with the approved operating plan for a Solid Waste Management Facility including, without limitations, the list of the anticipated quantities and sources of solid waste to be received at the facility on or about March 28, 2024; and 3) causing or allowing sewage or accumulation of human excreta to overflow on property located southeast of the intersection of Alto Avenue and North Lamont Street, Clark County, Nevada on or about March 28, 2024. **(for possible action)**

Penalty:

- 1) \$2,500.00
- 2) \$1,500.00
- 3) \$1,500.00
- 4) Maintain operations at the Solid Waste Management Facility located at 2745 North Nellis Boulevard, Clark County, Nevada according to plans approved for the design and operation outlined in permit PR0099567 issued to Discount Dumpsters, LLC, and most recently modified on April 18, 2023.
- 5) Retain a Certified Environmental Manager (CEM) as ordered.

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) 759-0584. 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.