



## Public Health Update

### Solid Waste Management Authority Hearing Officer Administrative Hearing – March 12, 2020

The Solid Waste Hearing Officer, under authority granted in Nevada Revised Statute (NRS) 444.629, conducts monthly hearings to settle cases involving illegal dumping and other solid waste matters. At the March 12, 2020 hearing, the following cases were adjudicated:

#### I. MATTERS REQUIRING HEARING OFFICER ACTION

##### A. NOTICES OF VIOLATION WITH CONTESTED FACTS:

1. **Yohannes Alemayehu** – NOV #SW20-294/P9- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about August 26, 2019; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the property located at the southeast corner of Pioneer Avenue and Hauck Street, which contains 5191 Pioneer Avenue, Clark County, Nevada on or about August 26, 2019. *(for possible action)*

Hearing officer found Yohannes Alemayehu in violation of 2) and imposed a penalty of \$500. A Cease and Desist order is issued to stop placing, depositing, dumping or causing to be placed, deposited or dumped solid waste upon a property other than a property designated or set aside for such purpose. 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. Failure to comply will result in the original penalty of \$2,000 as initially sought in the Notice of Violation.

2. **Joseph Anthony Spencer, Jr.** – NOV #SW20-588/P9- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about November 10, 2019; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the property located at 7770 Duneville Street, Clark County, Nevada, which contains 7780 Duneville Street #2, Clark County, Nevada on or about November 10, 2019. *(for possible action)*

Hearing officer found Joseph Anthony Spencer, Jr. in violation of 1) and imposed a penalty of \$500. A Cease and Desist order is issued to stop placing, depositing, dumping or causing to be placed, deposited or dumped solid waste upon a property other than a property designated or set aside for such purpose. 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.

3. **George Alexander Kerhulas** – NOV #SW20-723/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 7, 2019; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the public right of way located on the northeast corner of North Los Feliz Street and Mountridge Drive, Las Vegas, Clark County, Nevada on or about December 7, 2019. *(for possible action)*

Hearing officer found George Alexander Kerhulas in violation and imposed a penalty of \$1,000 for each of 1) and 2). A Cease and Desist order is issued to stop placing, depositing, dumping or causing to be placed, deposited or dumped solid waste upon a property other than a property designated or set aside for such purpose. 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.

4. **Johnny Tsui** – NOV #SW19-1686/B5- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about June 27, 2019; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the vacant parcel located south of Mistral Avenue, east of Altamont Ridge Street, Clark County, Nevada on or about June 27, 2019. *(for possible action)*

Item withdrawn by the Southern Nevada Health District.

5. **Skyrise Properties LLC Series IV** – NOV #SW19-1341/B5- For failure to comply with the Order issued by the Solid Waste Management Authority on May 8, 2019 with extensions of the Order to July 15, 2019. *(for possible action)*

Hearing officer found Skyrise Properties LLC Series IV in violation and imposed a penalty of \$500. Failure to comply will result in the original penalty of \$1,000 as initially sought in the Notice of Violation.

6. **Fort Apache Reno LLC** – NOV #SW20-247/13- For failure to comply with the Order issued by the Solid Waste Management Authority on September 30, 2019. *(for possible action)*

Item continued to May 12, 2020 hearing.

- B. 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. **Miguel Vargas Vargas** – NOV #SW20-589/H3- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about November 9, 2019; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the vacant parcel located at 6705 Vegas Valley Drive, Clark County, Nevada on or about November 9, 2019. *(for possible action)*

Hearing officer Miguel Vargas Vargas in violation of 2) and imposed a penalty of \$1,000. Corrective action of removal and proper disposal of waste is ordered. A Cease and Desist order is issued to stop placing, depositing, dumping or causing to be placed, deposited or dumped solid waste upon a property other than a 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.

- C. NOTICES OF VIOLATION – FURTHER PROCEEDINGS:

None.