



Public Health Update

Solid Waste Management Authority Hearing Officer Administrative Hearing – February 11, 2016

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 February 11, 2016 hearing, the following cases were adjudicated:

I. MATTERS REQUIRING HEARING OFFICER ACTION

A. NOTICES OF VIOLATION WITH CONTESTED FACTS:

1. **Bryan Knudsen** – NOV #SW14-1513/H3- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about December 24, 2014; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on January 15, 2015. (*for possible action*)

Item continued to April 14, 2016 agenda.

2. **Ryan B. Adams** – NOV #SW15-1237/C6- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about October 21, 2015; 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the property located at 1770 North Buffalo Drive, Las Vegas, Clark County, Nevada on or about October 21, 2015; and 3) disposing of, abandoning or dumping 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 October 21, 2015. (*for possible action*)

Hearing officer found Ryan B. Adams in violation and imposed a penalty of \$900 for each of 1), 2) and 3). A Cease and Desist order is issued to stop operating a solid waste disposal site without a permit from the solid waste management authority at this location or any other in Clark County, Nev.

3. **Tanner Berkabile** – NOV #SW15-778/C6- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about June 30, 2015; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste inside trash containers upon the vacant parcels located at 12105 Hermesa Colina Avenue and 12106 Hermesa Colina Avenue, Las Vegas, Clark County, Nevada on or about June 30, 2015. (*for possible action*)

Hearing officer found Tanner Berkabile in violation of 2) and imposed a penalty of \$500. A Cease and Desist order is issued to stop operating a solid waste disposal site without a permit from the solid waste management authority at this location or any other in Clark County, Nev. Failure to comply will result in the original penalty of \$1,800 as initially sought in the Notice of Violation.

4. **Michael D. Mich'l** – NOV #SW15-1088/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 3, 2015; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the vacant parcel located northwest of North El Capitan Way and West Log Cabin Way, Las Vegas, Clark County, Nevada on or about September 3, 2015. *(for possible action)*

Hearing officer found Michael D. Mich'l in violation of 2) and imposed a penalty of \$500. A Cease and Desist order is issued to stop operating a solid waste disposal site without a permit from the solid waste management authority at this location or any other in Clark County, Nev. Failure to comply will result in the original penalty of \$1,800 as initially sought in the Notice of Violation.

5. **Jose Aguirre Hernandez dba Jack's Mobile Car Wash** – NOV #SW15-728/H3- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about June 9, 2015; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste consisting of waste water from a mobile car wash operation flowing into the storm gutter in the Public Right-of-Way at the corner of East Tropicana Avenue and continuing to the storm drain inlet at the corner of East Tropicana Avenue and Titanium Avenue, Clark County, Nevada on or about June 9, 2015. *(for possible action)*

Item continued to April 14, 2016 agenda.

6. **Darryl Watts and Elaine Thomson** – NOV #SW15-229/N7- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about February 18, 2015; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the property located at 8696 West Wigwam Avenue, Clark County, Nevada on or about February 18, 2015. *(for possible action)*

Hearing officer found Darryl Watts and Elaine Thomson in violation and imposed a penalty of \$900 for each of 1) and 2). A Cease and Desist order is issued to stop operating a solid waste disposal site without a permit from the solid waste management authority at this location or any other in Clark County, Nev.

7. **Bahareh Moradi and Borhan Moradi** – NOV #SW15-1197/C6- For 1) causing or allowing sewage or accumulation of human excreta to overflow on property located at 250 Vista Mar Drive, Las Vegas, Clark County, Nevada on or about October 7, 2015; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on October 7, 2015. *(for possible action)*

Item withdrawn by the Southern Nevada Health District.

8. **Whiteford Grading and Paving, Inc.** – NOV #SW15-480/C6/C6- For failure to comply with the Order issued by the Solid Waste Management Authority Hearing Officer on September 10, 2015. *(for possible action)*

Item continued to April 14, 2016 agenda.

- 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. **Wilbert A. Martinez, Jr.** – NOV #SW15-807/C6- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about July 6, 2015; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the vacant parcel located south of 6485 Lantana Falls Court, Las Vegas, Clark County, Nevada on or about July 6, 2015. *(for possible action)*

Hearing officer found Wilbert A. Martinez, Jr. in violation of 2) and imposed a penalty of \$500. A Cease and Desist order is issued to stop operating a solid waste disposal site without a permit from the solid waste management authority at this location or any other in Clark County, Nev. Failure to comply will result in the original penalty of \$1,800 as initially sought in the Notice of Violation.

2. **Arturo Ozuna-Almanza** – NOV #SW15-1316/G4- 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, 2015; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the vacant parcel located on the northeast corner of North Walnut Road and North Las Vegas Boulevard, Clark County, Nevada on or about November 10, 2015. *(for possible action)*

Hearing officer found Arturo Ozuna-Almanza in violation of 2) and imposed a penalty of \$500. A Cease and Desist order is issued to stop operating a solid waste disposal site without a permit from the solid waste management authority at this location or any other in Clark County, Nev. Failure to comply will result in the original penalty of \$1,800 as initially sought in the Notice of Violation.

- C. NOTICES OF VIOLATION – FURTHER PROCEEDINGS

None.