



Public Health Update

Solid Waste Management Authority Hearing Officer Administrative Hearing – November 10, 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 November 10, 2016 hearing, the following cases were adjudicated:

I. MATTERS REQUIRING HEARING OFFICER ACTION

A. NOTICES OF VIOLATION WITH CONTESTED FACTS:

1. **James Robert Clinger** – NOV #SW16-425/H3- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about May 17, 2016; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the property located at 11155 South Eastern Avenue, Henderson, Clark County, Nevada on or about May 17, 2016. (*for possible action*)

Hearing officer found James Robert Clinger in violation of 2) and imposed a penalty of \$500. 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.

2. **Luiz Vianna dba Eco Friend Carpet Care** – NOV #SW16-450/C6- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about May 26, 2016; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the vacant parcel located east of 7516 Mulgrave Court, Clark County, Nevada on or about May 26, 2016. (*for possible action*)

Hearing officer found Luiz Vianna dba Eco Friend Carpet Care in violation of 2) and imposed a penalty of \$900. 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.

3. **Paul Eric White** – NOV #SW16-469/24- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about

June 1, 2016; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the vacant parcel located northeast of West Cactus Avenue and South Durango Drive, Clark County, Nevada on or about June 1, 2016. *(for possible action)*

Hearing officer found Paul Eric White in violation of 2) and imposed a penalty of \$900. 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. **Omar Urena** – NOV #SW16-562/K5- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about June 25, 2016; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the public right-of-way located at the northwest corner of Hinson Street and West Robindale Road, Clark County, Nevada on or about June 25, 2016. *(for possible action)*

Hearing officer found Omar Urena in violation of 2) and imposed a penalty of \$900. 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. **Harbor Green Las Vegas, LLC** – NOV #SW16-653/X0- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about July 26, 2016 and August 12, 2016; 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the public right-of-way on Cheyenne Avenue north of 5375 East Cheyenne Avenue and the western edge of 5421 East Cheyenne Avenue, Clark County, Nevada on or about July 26, 2016 and August 12, 2016; and 3) failure to comply with the Order issued by the Solid Waste Management Authority on July 28, 2016. *(for possible action)*

Item continued to January 12, 2017 agenda.

6. **Harbor Green Las Vegas, LLC** – NOV #SW16-727/32- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about August 15, 2016 and August 22, 2016; 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the public right-of-way located north of 5375 East Cheyenne Avenue, Clark County, Nevada on or about August 15, 2016 and August 22, 2016; and 3) failure to comply with the Order issued by the Solid Waste Management Authority on August 15, 2016. *(for possible action)*

Hearing officer found Harbor Green Las Vegas, LLC in violation and imposed a penalty of \$1,800 for each of 1) and 2). 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. Standard operating procedures are ordered. Failure to comply will result in the original penalty of \$4,500 as initially sought in the Notice of Violation.

7. **Apostolic Behavioral Health Inc** - NOV #SW15-1317/C6- For failure to comply with the Order issued by the Solid Waste Management Authority on December 9, 2015 with extensions of the Order deadline to July 1, 2016. *(for possible action)*

Item continued to January 12, 2017 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. **420 Vegas Apts LLC dba Hampton Court Apartments and 707 Property Management, LLC** - NOV #SW16-394/V8- For 1) causing or allowing sewage or accumulation of human excreta to overflow on the properties located at 3955 Swenson Street, and into the public right-of-way and the Las Vegas Flamingo Wash, Clark County, Nevada on or about May 10, 2016 and May 12, 2016; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on May 10, 2016. *(for possible action)*

Hearing officer found 420 Vegas Apts LLC dba Hampton Court Apartments and 707 Property Management LLC in violation of 1) and imposed a penalty fo \$1,000. 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 \$2,700 as initially sought in the Notice of Violation.

2. **Martin Hernandez** - NOV #SW16-200/N7- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about March 9, 2016; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the vacant parcel located at the corner of West Patrick Lane and Lindell road, Clark County, Nevada on or about March 9, 2016. *(for possible action)*

Hearing officer found Martin Hernandez in violation and imposed a penalty of \$900 for each of 1) and 2). 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. **Levon Williams** - NOV #SW16-532/G4- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about June 21, 2016; 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 east side of North Feliz Street, north of East Bonanza Road, Clark County, Nevada on or about June 21, 2016. *(for possible action)*

Hearing officer found Levon Williams in violation of 2). 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. **Walter H. Hess** – NOV #SW15-1338/32- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about January 5, 2016; 2) 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 January 5, 2016; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on March 3, 2016, with extensions of the Order deadline extended to July 6. 2016. (*for possible action*)

Hearing officer found Walter H. Hess in violation and imposed a penalty of \$500 for 1) and 3). Corrective action of removal and proper disposal of waste is ordered. 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 \$2,700 as initially sought in the Notice of Violation.

5. **Arizona Pipeline Company** – NOV #SW16-750/G4- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about August 19, 2016; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the public right-of-way located at North 22nd Street and East McWilliams Avenue, Las Vegas, Clark County, Nevada on or about August 19, 2016. (*for possible action*)

Hearing officer found Arizona Pipeline Company in violation and imposed a penalty of \$900 for each of 1) and 2). 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.

C. NOTICES OF VIOLATION – FURTHER PROCEEDINGS

None.