

Public Health Update

Solid Waste Management Authority Hearing Officer Meeting – January 2005

January 31, 2005

The Solid Waste Hearing Officer, under authority granted in Nevada Revised Statute (NRS) 44.629, conducts monthly hearings to settle cases involving illegal dumping and other solid waste matters. At the January 20, 2005 meeting, the following cases were adjudicated:

A. NON-CONTESTED NOTICES OF VIOLATION (NOV):

1. **Jasen Joseph Sanchez** – NOV #SW04-914/A0- For 1) operating a disposal site without a permit issued by the solid waste management authority; and 2) placing, depositing or dumping or causing or allowing to be placed, deposited or dumped solid waste on property located on the vacant “U” shaped lot at the north end of Van Allen Street north of Edna Avenue, Clark County; on or about September 2, 2004.

The hearing officer found Jasen Joseph Sanchez in violation, ordering an administrative penalty of \$750 per violation, for a total penalty of \$1,500.

2. **John Patrick Cassedy and Mary Marshall Cassedy** – NOV #SW04-962/A5- For 1) operating a disposal site without a permit issued by the solid waste management authority; and 2) placing, depositing or dumping or causing or allowing to be placed, deposited or dumped solid waste on property located at Steptoe Street and Greyhound Lane, Clark County; on or about September 14, 2004.

The hearing officer found John Patrick Cassedy and Mary Marshall Cassedy in violation of 2), ordering an administrative penalty of \$500. In addition, the party is required to properly remove and dispose of the waste. Failure to comply will result in an increase in the penalty to \$1,500.

3. **Maverick Spartacus and Susan Spartacus** – NOV #SW04-481/89- For 1) operating a disposal site without a permit issued by the solid waste management authority; and 2) placing, depositing or dumping or causing or allowing to be placed, deposited or dumped solid waste on property located at 625 Shadow Lane, Las Vegas, Clark County; on or about May 26, 2004.

The hearing officer found Maverick Spartacus and Susan Spartacus in violation, ordering an administrative penalty of \$500.

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B. NOTICES OF VIOLATION WITH CONTESTED PENALTIES:

1. **Jose Magana and Magana's Auto Repair** – NOV #HW04-043/45- For 1) operating a disposal site without a permit issued by the solid waste management authority; 2) placing, depositing or dumping or causing or allowing to be placed, deposited or dumped solid waste on property located at 2596 Meadows Avenue #4, Clark County; and 3) disposing of, abandoning or dumping a motor vehicle battery, motor vehicle tire or motor oil at a site which has not been issued a permit for the purpose on or about October 12, 2004.

The hearing officer found Jose Magana and Magana's Auto Repair in violation of 2), ordering an administrative penalty of \$1,625. In addition, the party is required to properly remove and dispose of the waste. Failure to comply will result in an increase in the penalty to \$3,250.

2. **Anytime Plumbing Inc.** – NOV #SW04-1005/A5 - For placing, depositing or dumping or causing or allowing to be placed, deposited or dumped solid waste on property located at East Desert Inn Road, Clark County; on or about September 28, 2004.

The hearing officer found Anytime Plumbing Inc. in violation, ordering an administrative penalty of \$750. In addition, the party must develop a program to educate employees on proper waste disposal.

C. NOTICES OF VIOLATION WITH CONTESTED FACTS:

1. **Juan Torres** – NOV #SW04-951/27- For 1) operating a disposal site without a permit issued by the solid waste management authority; and 2) placing, depositing or dumping or causing or allowing to be placed, deposited or dumped solid waste on property located at the northeast corner of Durango and Grand Teton, Clark County; on or about September 13, 2004.

The hearing officer found Juan Torres in violation of 2), ordering an administrative penalty of \$600.

2. **Beazer Homes Holdings Corporation** – NOV #SW04-004/23/19- For failure to comply with the Order issued by the Solid Waste Management Authority Hearing Officer on April 21, 2004.

The hearing officer found Beazer Homes Holdings Corporation in violation, ordering an administrative penalty of \$1,500. In addition, the party is required to properly remove and dispose of the waste.

3. **Glacier Vintage, Inc.** – NOV #SW04-928/A0 - For 1) causing or allowing sewage or accumulation of human excreta to overflow on south end of the property located at 8321 W Sahara Avenue, Spring Valley, Clark County, on or about September 4, 2004; 2) causing or allowing sewage or accumulation of

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human excreta to overflow on south end of the property located at 8321 W Sahara Avenue, Spring Valley, Clark County, on or about September 7, 2004; and 3) failure to comply with the Order issued by the Solid Waste Management Authority on August 13, 2004.

The hearing officer found Glacier Vintage, Inc. in violation of 1), ordering an administrative penalty of \$1,750. In addition, the party is required to install an auto-dialer alarm system on the lift station until completion of connection to the Clark County sanitary sewer main. Further, the party is required to remediate the area affected by the sewage overflow.

4. **Kennedy Family Trust, Joseph A. Kennedy and Melinda M. Kennedy, Trustees** – NOV #SW04-840/12- For 1) placing, depositing or dumping or causing or allowing to be placed, deposited or dumped solid waste on property known as Assessor's Parcel #191-03-101-001, Henderson, Clark County on or about July 27, 2004; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on August 27, 2004.

The hearing officer found Kennedy Family Trust, Joseph A. Kennedy and Melinda M. Kennedy, Trustees in violation of 1), ordering an administrative penalty of \$750. In addition, the party is required to properly remove and dispose of the waste. Failure to comply will result in an increase in the penalty to \$1,500.

5. **Stanley Steemer International, Inc.** – NOV #HW04-041/45- For 1) operating a disposal site without a permit issued by the solid waste management authority; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste on property located at 1722 E University Avenue, Clark County; on or about October 8 and 12, 2004.

The hearing officer found Stanley Steemer International, Inc. in violation of 2), ordering an administrative penalty of \$1,500. In addition, the company is required to create an action plan to avoid future occurrences.

6. **Nevada Ready Mix Corporation** – NOV #SW04-881/27- For 1) operating a disposal site without a permit issued by the solid waste management authority; and 2) placing, depositing or dumping or causing or allowing to be placed, deposited or dumped solid waste on property located at the southwest corner of Valley Drive and Deer Springs Way, North Las Vegas, Clark County; on or about August 21, 2004.

The hearing officer found Nevada ready mix corporation in violation of 2), ordering an administrative penalty of \$3,500. In addition, the company is required to properly remove and dispose of the waste.

7. **John David Crumley** – NOV #SW04-1079/24- For 1) operating a disposal site without a permit issued by the solid waste management authority; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste on property located on a public right of way west of

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railroad tracks and south of I-215 Decatur Exit Ramp, Clark County; on or about October 21, 2004.

The hearing officer found John David Crumley in violation, ordering an administrative penalty of \$750 per violation, for a total penalty of \$1,500. In addition, the party is required to properly remove and dispose of the waste.

8. **Clarence Williams and Rebecca Williams** – NOV #SW04-977/27- For 1) operating a disposal site without a permit issued by the solid waste management authority; and 2) placing, depositing or dumping or causing or allowing to be placed, deposited or dumped solid waste on property located at the empty lot directly west of 1715 N Decatur Boulevard, Las Vegas, Clark County; on or about September 14, 2004.

The hearing officer found Clarence Williams and Rebecca Williams in violation of 2), ordering an administrative penalty of \$750. In addition, the party is required to properly remove and dispose of the waste.

9. **Fernando Gutierrez Estrada and Maria L. Estrada** – NOV #SW04-1019/45- For 1) operating a disposal site without a permit issued by the solid waste management authority; and 2) placing, depositing or dumping or causing or allowing to be placed, deposited or dumped solid waste on property located along E Charleston Boulevard and west of North Los Feliz Street, Clark County; on or about September 30, 2004.

The hearing officer found Fernando Gutierrez Estrada and Maria L. Estrada in violation, ordering an administrative penalty of \$750 per violation, for a total penalty of \$1,500. In addition, the party is required to properly remove and dispose of the waste.

10. **Maria Y. Ayala and Jose M. Portillo** – NOV #SW04-1018/45- For 1) operating a disposal site without a permit issued by the solid waste management authority; and 2) placing, depositing or dumping or causing or allowing to be placed, deposited or dumped solid waste on property along the public right-of-way located on E Charleston Boulevard, Clark County; on or about September 30, 2004.

The hearing officer found Maria Y. Ayala and Jose M. Portillo in violation, ordering an administrative penalty of \$750 per violation, for a total penalty of \$1,500. In addition, the party is required to properly remove and dispose of the waste.