

Public Health Update

Solid Waste Management Authority Hearing Officer Meeting – June 2005

June 30, 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 June 15, 2005 meeting, the following cases were adjudicated:

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

1. **Jose J. Jau** – NOV #SW05-368/24- 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 vacant parcel south of Maule Avenue and Bear Creek Ranch Street, Clark County; on or about April 1, 2005.

The hearing officer found Jose J. Jau in violation, 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 \$1,800.

B. NOTICES OF VIOLATION WITH CONTESTED PENALTIES:

None

C. NOTICES OF VIOLATION WITH CONTESTED FACTS:

1. **Trevor Tyson Mead** – NOV #SW05-296/23- 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 west of Cimarron Road between Desert Inn Road and Spring Mountain Road, Clark County; on or about March 13, 2005.

The hearing officer found Trevor Tyson Mead in violation of both 1) and 2), 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.

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2. **Thomas E. Protz** - NOV #HW05-010/24- For 1) operating a disposal site without a permit issued by the solid waste management authority; 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste on property located at the southwest corner of Gold Dust Avenue and Escondido Street, Clark County; on or about March 31, 2005; 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 March 31, 2005.

The hearing officer found Thomas E. Protz in violation of 2), ordering an administrative penalty of \$900. In addition, the party is required to properly remove and dispose of the waste.

3. **Gerardo Rodriguez and Alfredo Estrada** - NOV #SW05-125/24- For 1) operating a disposal site without a permit issued by the solid waste management authority; 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste on property located on a vacant parcel south of Badura Avenue and west of Cameron Street, Clark County; on or about January 31, 2005; 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 January 31, 2005; and 4) failure to comply with the Order issued by the Solid Waste Management Authority on February 14, 2005.

The hearing officer found Gerardo Rodriguez and Alfredo Estrada in violation of 4), ordering an administrative penalty of \$500. In addition, the pair must properly remove and dispose of the waste. Failure to comply will result in an increase in the penalty to \$3,600.

4. **Esequiel Anaya** - NOV #SW05-046/A8- For failure to comply with the Order issued by the Solid Waste Management Authority on January 28, 2005.

The hearing officer found Esequiel Anaya in violation, ordering an administrative penalty of \$500. In addition, pursuant to the earlier order, the party is required to properly remove and dispose of the waste, and provide proof of current trash disposal service. Failure to comply will result in an increase in the penalty to \$900.

5. **Valley Trax, Inc.** - NOV #SW04-1143B/B6- For 1) operating a disposal site without a permit issued by the solid waste management authority on property commonly known as Assessor's Parcel #162-19-702-013 in Clark County, and commonly known as the vacant lot across from 4640 South Valley View Boulevard, on or about December 7, 2004; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on December 9, 2004.

The hearing officer found Valley Trax Inc. in violation of 1) and 2), ordering an administrative penalty of \$2,500 per violation, for a total penalty of \$5,000. In addition, the company is required to properly dispose of the waste.

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6. **California 18 LLC** - NOV #SW05-077/A8- For 1) operating a disposal site without a permit issued by the solid waste management authority; 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste on property located at 3802 Royal Crest Street and 3812 Royal Crest Street, Paradise Township, Clark County; on or about January 13, 2005; and 3) failure to comply with the Order issued by the Solid Waste Management Authority on January 25, 2005.

The hearing officer found California 18 LLC in violation of 3), ordering an administrative penalty of \$1,500. In addition, the company is required to properly remove and dispose of the waste. Failure to comply will result in an increase in the penalty to \$3,000.

7. **Hector Camacho** - NOV #HW05-007/B6- For 1) operating a disposal site without a permit issued by the solid waste management authority; 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste on property located at 1335 Ringe Lane, Clark County; on or about March 11, 2005; and 3) failure to comply with the Order issued by the Solid Waste Management Authority on March 14/, 2005.

The hearing officer found Hector Camacho in violation of all counts, ordering an administrative penalty of \$900 per violation, for a total penalty of \$2,700. In addition, the party must pay \$875 in laboratory cost reimbursement. Further, the party must remediate the affected soil, and install and sand/oil/water separator by the end of 2005.

8. **Phebe Huntsman** - NOV #SW04-1078/45/74- For failure to comply with the Order issued by the Solid Waste Management Authority Hearing Officer on February 16, 2005.

The hearing officer found Phebe Huntsman in violation, ordering an administrative penalty of \$5,000. In addition, the party must properly dispose of the waste.

9. **Eddie Walkup** - NOV #SW04-1158/23/74- For failure to comply with the Order issued by the Solid Waste Management Authority Hearing Officer on February 16, 2005.

The hearing officer found Eddie Walkup in violation , ordering an administrative penalty of \$2,500. In addition, pursuant to the previous order, the party must properly remove and dispose of the waste.

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