

Public Health Update

Solid Waste Management Authority Hearing Officer Meeting – October 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 October 19, 2005 meeting, the following cases were adjudicated:

A. NON-CONTESTED NOTICES OF VIOLATION:

1. **Adan Montes** – NOV #SW05-719/27- For 1) operating a disposal site without a permit issued by the solid waste management authority; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste on property located at the east side of the street, parallel to 1895 Fairhaven Street, Clark County; on or about June 20, 2005.

The hearing officer found Adan Montes in violation of 2), ordering an administrative penalty of \$1,000. In addition the party must properly remove and dispose of the waste. Failure to comply will result in an increase in the penalty to \$4,000, as originally sought in the notice of violation.

2. **John Hardin and John Hardin Trucking, Inc.** – NOV #SW05-718/24- 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 at the vacant parcel on the northwest corner of Giles Street and Levi Avenue, Clark County; on or about June 21, 2005.

The hearing officer found John Hardin and John Hardin Trucking, Inc. in violation of 2), ordering an administrative penalty of \$500. In addition, the party must properly remove and dispose of the waste. Failure to comply will result in an increase in the penalty to \$1,800, as originally sought in the notice of violation.

3. **Donna M. Kawell and Kenneth Kawell** – NOV #SW05-673/27- For 1) operating a disposal site without a permit issued by the solid waste management authority; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste on property located at the north side of Helena Avenue between Fort Apache Avenue and Chieftain Street, Clark County; on or about June 8, 2005.

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The hearing officer found Donna M. Kawell and Kenneth Kawell 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 \$1,800, as initially sought in the notice of violation.

4. **Robert A. Sterling** - NOV #SW05-875/24- 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 5575 Chestnut Street, Las Vegas, Clark County; on or about August 4, 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 August 4, 2005.

The hearing officer found Robert A. Sterling in violation of 2) and 3), ordering an administrative penalty of \$750 per violation, for a total penalty of \$1,500. In addition, the party must properly remove and dispose of the waste. Failure to comply will result in an increase in the penalty to \$3,000, as originally sought in the notice of violation.

5. **Larry Holmes** - NOV #SW05-523/B6- For 1) operating a disposal site without a permit issued by the solid waste management authority on property identified as Clark County Assessor's Parcel #140-31-304-001, Clark County on or about April 25, 2005; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on May 5, 2005.

The hearing officer found Larry Holmes in violation of 2), ordering an administrative penalty of \$500. In addition, the party must properly remove and dispose of the waste, and provide a means of limiting public access to the property. Failure to comply will result in an increase in the penalty to \$1,800, as originally sought in the notice of violation.

B. NOTICES OF VIOLATION WITH CONTESTED PENALTIES:

None

C. NOTICES OF VIOLATION WITH CONTESTED FACTS:

1. **Ruben Lopez** - NOV #SW05-624/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 to be placed, deposited or dumped solid waste on property located in the 7-11 store parking lot at 7650 West Charleston Boulevard, Clark County; on or about May 25, 2005.

The hearing officer found Ruben Lopez in violation, ordering an administrative penalty of \$900 per violation, for a total penalty of \$1,800.

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2. **Greystone Park Inc.** - NOV #SW05-947/A8- For failure to comply with the Order issued by the Solid Waste Management Authority on August 22, 2005.

The hearing officer found Greystone Park Inc. in violation, ordering an administrative penalty of \$1,000. In addition, the company must remediate the area affected by the sewage overflow.

3. **Dave H. Meehan, Jr.** - NOV #SW04-606/45/74- For failure to comply with the Order issued by the Solid Waste Management Authority Hearing Officer on October 20, 2004.

The hearing officer found Dave H. Meehan, Jr. in violation, ordering an administrative penalty of \$2,500. In addition, the party must properly remove and dispose of the waste.

4. **Aremando Zurita** - NOV #SW04-1080/A0/74- For failure to comply with the Order issued by the Solid Waste Management Authority Hearing Officer on February 16, 2005.

The hearing officer found Aremando Zurita in violation, ordering an administrative penalty of \$2,500. In addition, the party is required to provide proof of removal and proper disposal of the waste.

5. **Doloresa M. Renkiewicz** - NOV #SW05-625/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 3720 Antigua Avenue, Las Vegas, Clark County; on or about May 26, 2005; and 3) failure to comply with the Order issued by the Solid Waste Management Authority on May 27, 2005.

The hearing officer found Doloresa M. Renkiewicz in violation, ordering an administrative penalty of \$900 per violation, for a total penalty of \$2,700. In addition, the party is required to properly remove and dispose of the waste, and properly dispose of the stagnant pool water by draining to the sanitary sewer system or treat the stagnant water to eliminate the algae and mosquito larvae.

6. **Las Meadows Partners** - NOV #SW04-680/12/21- For 1) operating a disposal site without a permit issued by the solid waste management authority on property located at North Las Vegas Land Division 183-81, Lot 2, and identified as Clark County Assessor's Parcel #123-27-301-007, Clark County on or about July 9, 2004; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on July 26, 2004.

The hearing officer found Las Meadows Partners in violation of 2), ordering an administrative penalty of \$900. In addition, the party is required to properly remove and dispose of the waste. Failure to comply will result in an

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increase in the penalty to \$1,800, as originally sought in the notice of violation.

7. **New Vegas Partners** - NOV #SW04-689/12/21- For 1) operating a disposal site without a permit issued by the solid waste management authority on property located at North Las Vegas Land Division 15-79, Lot 3 and PT LOT 4, and identified as Clark County Assessor's Parcel #123-27-201-011, Clark County on or about July 9, 2004; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on July 26, 2004.

The hearing officer found New Vegas Partners is violation of 2), ordering an administrative penalty of \$900. In addition, the party must properly remove and dispose of the waste. Failure to comply will result in an increase in the penalty to \$1,800, as originally sought in the notice of violation.

8. **Silver State Partners** - NOV #SW04-690/12/21- For 1) operating a disposal site without a permit issued by the solid waste management authority on property located at North Las Vegas Land Division 10-85, Lot 1, and identified as Clark County Assessor's Parcel #123-27-701-001, Clark County on or about July 9, 2004; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on July 26, 2004.

The hearing officer found Silver State Partners in violation of 2), ordering an administrative penalty of \$900. In addition, the party must properly remove and dispose of the waste. Failure to comply will result in an increase in the penalty to \$1,800, as originally sought in the notice of violation.

9. **Indy Partners** - NOV #SW04-917/12/21- For 1) operating a disposal site without a permit issued by the solid waste management authority on property located at North Las Vegas Land Division 10-85, Lot 3, and identified as Clark County Assessor's Parcel #123-27-301-003, Clark County on or about August 30, 2004; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on September 15, 2004.

The hearing officer found Indy Partners in violation of 2), ordering an administrative penalty of \$900. In addition, the party must properly remove and dispose of the waste. Failure to comply will result in an increase in the penalty to \$1,800, as originally sought in the notice of violation.

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