

Public Health Update

Solid Waste Management Authority Hearing Officer Meeting – January 2006

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 18, 2006 meeting, the following cases were adjudicated:

A. NON-CONTESTED NOTICES OF VIOLATION:

1. **Wendell Lamarr Wells** – NOV #SW05-1228/B6- 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 across the street from 1495 Morning Sun Way, Clark County; on or about November 1, 2005.

The hearing officer found Wendell Lamarr Wells in violation, 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.

2. **Pipe Maintenance Service, Inc.** – NOV #SW05-1179/21- For placing, depositing or dumping or causing to be placed, deposited or dumped solid waste on property located at the public right of way located at the intersection of 215 Westbound going to I-15 Northbound exit ramp, Clark County; on or about October 14, 2005.

The hearing officer found Pipe Maintenance Service, Inc. in violation, ordering an administrative penalty of \$1,250.

3. **Nicolas Ledesma** – NOV #SW05-1143/A8- 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 the south side of Pebble Road, between Cimarron Road and Tomsik Street, Clark County; on or about October 7, 2005.

The hearing officer found Nicolas Ledesma 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.

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B. NOTICES OF VIOLATION WITH CONTESTED PENALTIES:

None

C. NOTICES OF VIOLATION WITH CONTESTED FACTS:

1. **Spectrum Surveying and Engineering, Inc. and Christopher Wener** - NOV #SW05-727/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 3689 Backstage Boulevard, Clark County; on or about June 18, 2005; and 3) failure to comply with the Order issued by the Solid Waste Management Authority on July 19, 2005.

The hearing officer found Spectrum Surveying and Engineering, Inc. and Christopher Wener in violation of 2), ordering an administrative penalty of \$900.

2. **Darrell Silvis** - NOV #SW05-1142/89- For 1) operating a disposal site without a permit issued by the solid waste management authority; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste on property located at the northwest corner of Durango Drive and Brent Lane, Clark County; on or about October 6, 2005.

The hearing officer found Darrell Silvis in violation of 2), ordering an administrative penalty in the amount 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. **Glenn West** - NOV #SW05-1146/89- For 1) operating a disposal site without a permit issued by the solid waste management authority; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste on property located at the northwest corner of Torrey Pines Drive and Farm Road, Clark County; on or about October 9, 2005.

The hearing officer found Glenn West in violation of 2), ordering an administrative penalty in the amount 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.

4. **Greeley Wright** - NOV #SW05-804/24- 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

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dumped solid waste on property located at the southwest vacant parcel on Mesa Verde Lane and Pond Creek Street, Las Vegas, Clark County; on or about July 10, 2005.

The hearing officer found Greeley Wright in violation of 2), ordering an administrative penalty in the amount 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.

5. **Antonio Renteria** - NOV #SW05-990/23- 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 at the east end of improved East Charleston Boulevard, Clark County; on or about September 1, 2005.

The hearing officer found Antonio Renteria in violation, ordering an administrative penalty of \$900 per violation, for a total penalty of \$1,800. In addition, the party must properly remove and dispose of the waste.

6. **Desert Portable Storage** - NOV #SW05-639/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 on the north side of 6384 West Sahara Avenue, Clark County; on or about May 27, 2005.

The hearing officer found Desert Portable Storage in violation, ordering an administrative penalty of \$500. Failure to comply will result in an increase in the penalty to \$2,000, as originally sought in the notice of violation.

7. **Nevada Ready Mix Corporation** - NOV #SW05-1265/24- 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 northwest parcel on Valley View Boulevard and Blue Diamond Road, Clark County; on or about November 10, 2005.

The hearing officer found Nevada Ready Mix Corporation in violation of 2), ordering an administrative penalty of \$2,250. Failure to comply will result in an increase in the penalty to \$4,500, as originally sought in the notice of violation.

8. **Flaviano Trujillo and Olivia Trujillo** - NOV #SW05-148/21- 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 5343 East Lake Mead Boulevard, Las Vegas, Clark County; on or about January 27, 2005; 3) disposing of, abandoning or dumping a motor vehicle battery, motor

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vehicle tire or motor oil at a site which has not been issued a permit for the purpose on or about January 27, 2005; and 4) failure to comply with the Order issued by the Solid Waste Management Authority on March 24, 2005.

The hearing officer found Flaviano Trujillo and Olivia Trujillo in violation of 1) and 2), ordering an administrative penalty of \$1,125 per violation, for a total penalty of \$2,250. 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 \$4,500, as originally sought in the notice of violation.

9. **Philip C. Smith, and Ft. Apache and Cherokee, LLC** - NOV #SW05-976/23- For 1) operating a disposal site without a permit issued by the solid waste management authority; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on September 16, 2005.

The hearing officer found Philip C. Smith, and Ft. Apache and Cherokee, LLC in violation, ordering an administrative penalty of \$1,000 per violation, for a total penalty of \$2,000. In addition, the party is required to properly remove and dispose of the waste.

10. **Pedro Leyva and Guadalupe Leyva** - NOV #SW05-1102/23- 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 6034 Golden Nectar Way, Clark County; on or about October 12, 2005; and 3) failure to comply with the Order issued by the Solid Waste Management Authority on October 17, 2005.

The hearing officer found Pedro Leyva and Guadalupe Leyva 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.

11. **David Youn** - NOV #SW05-1025/23- 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 3648 Kolendo Court, Clark County; on or about September 12, 2005; and 3) failure to comply with the Order issued by the Solid Waste Management Authority on September 16, 2005.

The hearing officer found David Youn 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.

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