



Public Health Update

Solid Waste Management Authority Hearing Officer Meeting – May 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 May 17, 2006 meeting, the following cases were adjudicated:

II. MATTERS REQUIRING HEARING OFFICER ACTION

A. NON-CONTESTED NOTICES OF VIOLATION:

1. **Christopher Yanke** – NOV #SW06-376/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 at 8960 West Cheyenne Avenue, Las Vegas, Clark County; on or about March 27, 2006.

The hearing officer found Christopher Yanke in violation of 2), imposing an administrative penalty of \$500. Failure to comply will result in an increase in the penalty to \$1,800, as originally sought in the notice of violation.

2. **Robert Jacques, Jr.** – NOV #SW06-297/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 2529 Rialto Road, Las Vegas, Clark County; on or about March 13, 2006; and 3) failure to comply with the Order issued by the Solid Waste Management Authority on March 14, 2006.

The hearing officer found Robert Jacques, Jr. in violation of 1), imposing an administrative penalty of \$900.

3. **Auto Specialists, Inc.** – NOV #SW05-862/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 to be placed, deposited or dumped solid waste on property located at 705 Juniper Way, Boulder City, Clark County; on or about August 8, 2005.

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The hearing officer found Auto Specialists, Inc. in violation of 2), imposing an administrative penalty of \$750. Failure to comply will result in an increase in the penalty to \$3,000, as originally sought in the notice of violation.

4. **Francisco Miramontes-Torres** - NOV #SW05-1369/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 on the east side of Los Felis Street between Washington Avenue and Mountridge Drive, Clark County; on or about December 4, 2005.

The hearing officer found Francisco Miramontes-Torres in violation of 2), ordering an administrative penalty of \$900. In addition, the party must remove and properly 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. **Leslie Diane** - NOV #HW05-037/23- For 1) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste on property located at 1817 Poplar Avenue, Las Vegas, Clark County; on or about September 14, 2005; and 2) 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 September 14, 2005.

The hearing officer found Leslie Diane in violation of 2), ordering an administrative penalty of \$500.

6. **Divine Carpet, Inc.** - NOV #SW06-345/23- 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 intersection of Wagonwheel Avenue and Oxbow Street, Clark County; on or about March 20, 2006.

The hearing officer found Divine Carpet, Inc. in violation of 2). The company is required to develop written procedures for proper disposal of industrial waste water and employee training.

7. **Duane Forte and Laguna Pool & Spa, Inc.** - NOV #SW06-188/27- 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 end of Farm Road on the east side of Decatur Boulevard, North Las Vegas, Clark County; on or about January 24, 2006.

The hearing officer found Duane Forte and Laguna Pool & Spa, Inc. in violation of 2), ordering an administrative penalty of \$2,250.

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8. **Samantha Graham** – NOV #SW06-155/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 northeast vacant lot of Racel Street and Rainbow Boulevard, Clark County; on or about February 7, 2006.

The hearing officer found Samantha Graham in violation of 2), ordering an administrative penalty of \$900. Failure to comply will result in an increase in the penalty to \$1,800, as originally sought in the notice of violation.

9. **Mario Quintana** – NOV #SW06-012/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 at the southeast corner of Tropicana Avenue and Conquistador Street, Clark County; on or about January 4, 2006.

The hearing officer found Mario Quintana in violation, ordering an administrative penalty of \$1,000 for each of 1) and 2), for a total penalty of \$2,000. In addition, the party must properly remove and dispose of the waste.

B. NOTICES OF VIOLATION WITH CONTESTED PENALTIES:

1. **William H. Lavigne and Stephanie A. Lavigne** – NOV #SW06-097/27- 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 public right of way located on the north shoulder of Buckskin Avenue bordering the south perimeter of 3411 North Tioga Way, Clark County; on or about January 23, 2006.

The hearing officer found William H. Lavigne and Stephanie A. Lavigne in violation in violation, ordering an administrative penalty of \$750. Failure to comply will result in an increase in the penalty to \$1,800, as originally sought in the notice of violation.

C. NOTICES OF VIOLATION WITH CONTESTED FACTS:

1. **Lance Stewart Powell** – NOV #SW05-1053/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 northwest side of 8750 West Charleston Boulevard and on the north side of 8740 West Charleston Boulevard, Las Vegas, Clark County; on or about September 15, 2005.

The hearing officer found Lance Stewart Powell in violation of 2), ordering an administrative penalty of \$500. 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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2. **Michael A. Hazim** - NOV #SW06-214/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 at the southwest corner of Desert Foothills Drive and Charleston Boulevard, Clark County; on or about February 10, 2006.

The hearing officer found Michael A. Hazim in violation of 1) and 2), ordering an administrative penalty of \$1,000 per violation, for a total penalty of \$2,000.

3. **Fastrack Unlimited, Inc.** - NOV #SW06-233/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 south side of Granite Ridge Drive approximately 800 feet southeast of Marble Ridge Drive, Clark County; on or about February 23, 2006.

The hearing officer found Fastrack Unlimited, Inc. 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.

4. **Excavators Corp.** - NOV #SW06-002/27- 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 Clark County Assessor's Office parcel #125-35-702-003, Las Vegas, Clark County; on or about January 3, 2006; and 3) failure to comply with the Order issued by the Solid Waste Management Authority on January 17, 2006.

The hearing officer found Excavators Corp. in violation of 2) and 3), ordering an administrative penalty of \$4,500 for 2) and \$900 for 3), for a total penalty of \$5,400. Failure to comply will result in an increase in the penalty to \$9,900, as originally sought in the notice of violation.

5. **James R. Sparks and Tiffany L. Wallace-Sparks** - NOV #SW06-295/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 at the north end of Marco Street north of Cecile Avenue, Clark County; on or about March 9, 2006.

The hearing officer found James R. Sparks and Tiffany L. Wallace-Sparks in violation, imposing a \$1,000 penalty for each of 1) and 2), for a total penalty of \$2,000. In addition, the parties must properly remove and dispose of the waste.

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- A. **Image Pallets, LLC and Image Pallets, Inc.** – NOV #SW05-1398/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 southeast of the intersection of Park Street and Dalhart Avenue, Clark County; on or about December 13, 2005.

The hearing officer found no violation.

6. **Brent Jones and Lori Jones** – NOV #SW06-331/23- 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 898 Dianne Drive, Boulder City, Clark County; on or about March 3, 2006.

The hearing officer found Brent Jones and Lori Jones in violation, of 2), ordering an administrative penalty of \$900. Failure to comply will result in an increase in the penalty to \$1,800, as originally sought in the notice of violation.

7. **Mario Caruso and A 1999 Family Trust** – NOV #SW05-887/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 to be placed, deposited or dumped solid waste on property located at 1501 Nevada Highway, Boulder City, Clark County; on or about August 8, 2005.

The hearing officer found Mario Caruso and A 1999 Family Trust in violation of 1), ordering an administrative penalty of \$500. In addition, the parties must ensure all sewer lines are fitted properly, secured properly and retrofitted with correct piping materials. Plus, the parties must devise and implement a plan of action for proper remediation of any future sewage spills, based on Southern Nevada Health District sewage spill recommendations.

8. **Amstar Homes, Inc.** – NOV #SW06-351/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 at the northwest intersection of Log Cabin Way and Fort Apache Road, Las Vegas, Clark County; on or about March 17, 2006.

The hearing officer found Amstar Homes, Inc. in violation of 2), ordering an administrative penalty of \$900. In addition, the company 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. **David Youn** – NOV #SW06-089/23- For failure to comply with the Order issued by the Solid Waste Management Authority on January 25, 2006.

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The hearing officer found David Youn in violation, ordering an administrative penalty of \$700. Failure to comply will result in an increase in the penalty to \$1,400, as originally sought in the notice of violation.

10. **American Engine Installations** – NOV #SW06-021/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 1731 South Mojave Road, Clark County; on or about January 9, 2006; 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 9, 2006; and 4) failure to comply with the Order issued by the Solid Waste Management Authority on February 28, 2006.

The hearing officer found American Engine Installations in violation, ordering an administrative penalty of \$900 per violation, for a total penalty of \$3,600. In addition, the company must properly remove and dispose of the waste.

11. **Kenneth Williams, Jr.** – NOV #SW06-073/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 516 ½ North 7th Street, Las Vegas, Clark County; on or about January 23, 2006; 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 23, 2006; and 4) failure to comply with the Order issued by the Solid Waste Management Authority on January 24, 2006.

The hearing officer found Kenneth Williams, Jr. in violation, ordering an administrative penalty of \$900 per violation, for a total penalty of \$3,600. In addition, the party must properly remove and dispose of the waste.

12. **Ann Marie Romano** – NOV #SW06-285/A0- 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 6245 Fargo Avenue, Las Vegas, Clark County; on or about March 8, 2006; and 3) failure to comply with the Order issued by the Solid Waste Management Authority on March 9, 2006.

The hearing officer found Ann Marie Romano in violation, ordering an administrative penalty of \$900 per violation, for a total penalty of \$2,700. In addition, the party must properly remove and dispose of the waste.

13. **Kevin Golshan, et. al.** – NOV #SW06-033/24- 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

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waste on property located at 9457 South Las Vegas Boulevard, Clark County; on or about January 10, 2006; 3) failure to comply with the Order issued by the Solid Waste Management Authority on January 17, 2006; and 4) failure to comply with the Order issued by the Solid Waste Management Authority on January 17, 2006.

The hearing officer found Kevin Golshan, et. al., in violation, ordering an administrative penalty of \$900 per violation, for a total penalty of \$3,600. In addition, the parties must properly remove and dispose of the waste.

14. **Doloresa-Marie Renkiewicz** - NOV #SW05-1287/24- 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 December 10, 2005.

The hearing officer found Doloresa-Marie Renkiewicz in violation, ordering an administrative penalty of \$1,400 for each of 1) and 2), for a total penalty of \$2,800. In addition, the party must properly remove and dispose of the waste.

15. **Cleofas Agustin Simon** - NOV #SW05-1166B/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 near the southwest corner of Serene Avenue and Valley View Boulevard, Las Vegas, Clark County; on or about October 7, 2005.

The hearing officer found Cleofas Agustin Simon in violation of 2), ordering an administrative penalty of \$900. In addition, the party must properly remove and dispose of the waste.

16. **Philip C. Smith and Fort Apache and Cherokee, LLC** - NOV #SW05-976/23/74- For failure to comply with the Order issued by the Solid Waste Management Authority Hearing Officer on January 18, 2006.

The hearing officer found Philip C. Smith and Fort Apache and Cherokee, LLC in violation, ordering an administrative penalty of \$1,000. In addition, the parties must provide proof of proper removal and disposal of the waste.

17. **Greeley Wright** - NOV #SW05-804/24/74- For failure to comply with the Order issued by the Solid Waste Management Authority Hearing Officer on January 18, 2006.

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

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18. **Dave H. Meehan, Jr.** - NOV #SW04-606/45/74/74- For failure to comply with the Order issued by the Solid Waste Management Authority Hearing Officer on October 19, 2005.

The hearing officer found Dave H. Meehan, Jr. in violation, ordering an administrative penalty of \$5,000. In addition, the party must properly remove and dispose of the waste.

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