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Public Health Update

Solid Waste Management Authority Hearing Officer Meeting – June 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 June 21, 2006 meeting, the following cases were adjudicated:

II. MATTERS REQUIRING HEARING OFFICER ACTION

A. NON-CONTESTED NOTICES OF VIOLATION:

1. **J & J Restaurant, Inc.** – NOV #SW05-995/23/74- For failure to comply with the Order issued by the Solid Waste Management Authority Hearing Officer on November 16, 2005.

The hearing officer found J&J Restaurant in violation imposing a penalty of \$750.00.

2. **Stanley Steemer International, Inc.** – NOV #SW06-415/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 near 1613 Diamond Oaks Court, Las Vegas, Clark County; on or about April 1, 2006.

The hearing officer found Stanley Steemer International in violation of 1) imposing a penalty of \$900 and in violation of 2) imposing a penalty of \$1,250.

3. **Michael Guenot and Antoinette D'Angelo** – NOV #SW05-1094/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 vacant property located on the south side of Eldora Avenue between Durango Drive and Cimarron Road, Clark County; on or about September 23, 2005.

The hearing officer found Michael Guenot and Antoinette D'Angelo in violation of 2), \$600 penalty imposed. Corrective action ordered. Failure results in original penalty of \$2,000 as initially sought in November.

4. **Belmont-Lone Pine MPH LLC** – NOV #SW05-1031/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 4537 East Lake Mead Boulevard, Clark County; on or about October 5, 2005.

The hearing officer found Belmont-Lone Pine MPH LLC in violation of 2), a \$1,250 penalty imposed.

B. NOTICES OF VIOLATION WITH CONTESTED PENALTIES:

1. **Arnold Loel** – NOV #SW06-135/A8- 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 February 1, 2006.

Arnold Loel case continued to July 26, 2006 agenda.

C. NOTICES OF VIOLATION WITH CONTESTED FACTS:

1. **Price Less Furniture, Incorporated** – NOV #SW06-385/23- 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 on the west side of the property wall at 5415 Bridgette Way, Clark County; on or about March 16, 2006.

The hearing officer found Price Less Furniture, Incorporated in violation. A \$600 penalty imposed for each of 1) and 2)

2. **Clark County Carpet Cleaning, Inc.** – NOV #SW06-469/27- 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 1758 University Avenue, Clark County; on or about April 18, 2006.

The hearing officer found Clark County Carpet Cleaning, Inc. in violation of 2) and a \$900 penalty imposed. Corrective action ordered.

3. **Tropicana Custom Pools and Landscaping** – NOV #SW06-100/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 approximately 1,000 feet south of Charleston Boulevard and spread approximately 40 yards to 100 yards west of Desert Foothills Drive, Clark County; on or about January 26, 2006; and 3) failure to comply with the Order issued by the Solid Waste Management Authority on January 26, 2006.

The hearing officer found Tropicana Custom Pools and Landscaping in violation and imposed \$900 penalty for each of 1), 2) and 3). Corrective action ordered.

4. **602 Royal Crest Circle, LLC** – NOV #SW06-494/24- For 1) operating a disposal site without a permit issued by the solid waste management authority; and 2) causing or allowing sewage or accumulation of human excreta to overflow on property located at 725 Sierra Vista Drive, Clark County, on or about April 22, 2006, April 23, 2006, April 24, 2006 and April 25, 2006.

The hearing officer found 602 Royal Crest Circle, LLC in violation of 2). A \$1,350 penalty imposed.

5. **Jainendra Prasad** – NOV #SW06-439/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 approximately one mile east of Aliante Parkway and forty feet south of Interstate 215, North Las Vegas, Clark County; on or about April 11, 2006.

Case withdrawn by the Southern Nevada Health District.

6. **Ozell Rashaan Austin** – NOV #SW06-279/21- For 1) operating a disposal site without a permit issued by the solid waste management authority; 2) causing or allowing sewage or accumulation of human excreta to overflow on property located at 321 North 16th Street, Las Vegas, Clark County, on or about March 6, 2006; and 3) failure to comply with the Order issued by the Solid Waste Management Authority on March 6, 2006.

Ozell Rashaan Austin case continued to August 16, 2006 agenda.

7. **Mist Systems International, Inc.** – NOV #SW06-082/21- 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 north of Centennial Parkway and east of Walnut Road, North Las Vegas, Clark County; on or about January 19, 2006.

Mist Systems International, Inc. case continued to July 26, 2006 agenda.

8. **Jose Bran** – NOV #SW06-462/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 Calico Basin Road, Clark County; on or about April 16, 2006.

The hearing officer found Jose Bran in violation and imposed \$900 penalty for each of 1) and 2). Corrective action ordered.

9. **Two M, Inc. and Alan Jeskey Builders, Inc.** – NOV #SW05-1138/A5- 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 vacant lot on the east end of Emerald Avenue, Clark County; on or about October 6, 2005; and 3) failure to comply with the Order issued by the Solid Waste Management Authority on October 7, 2005.

The hearing officer found Two M., Inc. and Alan Jeskey Builders, Inc. in violation of 2) and imposed a penalty of \$2,500.

10. **Johnathan E. Reyes** – NOV #SW05-1292/27- 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 area on Grand Canyon Drive, just north of Grand Teton Drive, where the pavement ends, Las Vegas, Clark County; on or about November 17, 2005.

Case withdrawn by the Southern Nevada Health District.

11. **Valley Trax, Inc.** – NOV #SW04-1143B/B6/74- For failure to comply with the Order issued by the Solid Waste Management Authority Hearing Officer on June 15, 2005.

The hearing officer found Valley Trax, Inc. in violation. A \$2,500 penalty is imposed and corrective action is ordered.

12. **Daisy Villanueva** – NOV #SW06-326/21- For 1) operating a disposal site without a permit issued by the solid waste management authority; and 2) causing or allowing sewage or accumulation of human excreta to overflow on property and public right of ways located at 2329 Exeter Drive, Clark County, on or about March 14, 2006.

The hearing officer found Daisy Villanueva in violation and a fine of \$900 imposed for each of 1) and 2). A \$1,200 plumber reimbursement ordered and remediation of area affected by sewage overflow is ordered.

13. **Brian Kaiserman, Sr.** – NOV #SW06-428/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 8451 Boseck Drive, Las Vegas, Clark County; on or about March 13, 2006.

Brian Kaiserman, Sr. case continued to August 16, 2006 agenda.

14. **Randy Harris** – NOV #SW06-259/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 6320 North Rainbow Boulevard, Las Vegas, Clark County; on or about February 28, 2006.

The hearing officer found no violation.

15. **Justin Glen Neckels and Sarah Neckels** – NOV #SW06-160/24- 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 southwest corner of Sunset Road and Grand Canyon Drive, Clark County; on or about February 6, 2006.

Hearing officer found Justin Glen Neckels and Sarah Neckels in violation. A \$900 penalty is imposed for each of 1) and 2). Corrective action is ordered.

16. **ECT Holding, LLC** – NOV #SW06-489/27- 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 3060 Fremont Street, Clark County; on or about April 25, 2006; 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 April 25, 2006.

The hearing officer found ECT Holding, LLC in violation and imposed \$700 penalty for each of 2) and 3). Corrective action is ordered. Failure to comply will result in original penalty of \$2,700, as initially sought in November.

17. **Warm Springs Jones A G A, et. al** – NOV #SW06-150/24- 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 February 10, 2006.

The hearing officer found Warm Springs Jones A G A, et. al in violation of 2) and imposed a \$1,500 penalty. Corrective action is ordered. Failure will result in original penalty of \$3,000 as initially sought in November.

18. **KB Home Nevada Inc.** – NOV #SW06-151/24- 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 February 10, 2006.

The hearing officer found KB Home Nevada, Inc. in violation of 2) and imposed a \$900 penalty. Corrective action is ordered. Failure will result in a penalty of \$1,800, as initially sought in November.

19. **Moises Ivan Camarena and Enriqueta Camarena** – NOV #SW06-493/23- For 1) operating a disposal site without a permit issued by the solid waste management authority; 2) not providing adequate containers for the safe and sanitary storage of solid waste accumulated at 6060 Boulder Highway, Clark County, Nevada; and 3) failure to comply with the Order issued by the Solid Waste Management Authority on March 8, 2006.

The hearing officer found Moises Ivan Camarena and Enriqueta Camarena in violation and imposed \$500 fine for each of 2) and 3). Provide adequate containers for garbage removal is ordered.

20. **China Olive, Inc.** – NOV #SW06-240/21- 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 cooking grease waste on property located at 151 North Nellis Boulevard, Las Vegas, Clark County; on or about February 27, 2006; and 3) failure to comply with the Order issued by the Solid Waste Management Authority on January 20, 2005.

The hearing officer found China Olive, Inc. in violation and imposed a \$900 penalty for 2) and an \$1,800 penalty imposed for 3). Corrective action is ordered. Failure to comply will result in original penalty of \$3,600 as initially sought in November.

21. **Eric Brown** – NOV #SW06-067/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 southwest corner of Rush Avenue and Schirlls Street, Clark County; on or about January 12, 2006.

The hearing officer found Eric Brown in violation of 2) and imposed a penalty of \$900.

22. **Cesar Lemus** – NOV #SW06-030/B6- For 1) operating a disposal site without a permit issued by the solid waste management authority; 2) causing or allowing sewage or accumulation of human excreta to overflow on property located at 1013 June Avenue, Clark County, on or about January 10, 2006, January 26, 2006 and March 1, 2006; and 3) failure to comply with the Order issued by the Solid Waste Management Authority on January 10, 2006.

The hearing officer found Cesar Lemus in violation and imposed a \$3,500 penalty for each of 1), 2) and 3). Remediation of area affected by sewage overflow is ordered.

23. **Pedro Leyva and Guadalupe Leyva** – NOV #SW05-1102/23/74- For failure to comply with the Order issued by the Solid Waste Management Authority Hearing Officer on January 18, 2006.

Case withdrawn by the Southern Nevada Health District.

24. **Gregory Mathis** – NOV #SW05-367/A5/74- For failure to comply with the Order issued by the Solid Waste Management Authority Hearing Officer on December 21, 2005.

Hearing officer found Gregory Mathis in violation and imposed a \$1,000 penalty. Corrective action is ordered.

25. **Brandon Collins, Kimberlee Collins and Sunset Oasis Landscaping** – NOV #SW05-894/27/74- For failure to comply with the Order issued by the Solid Waste Management Authority Hearing Officer on February 22, 2006.

The hearing officer found Brandon Collins, Kimberlee Collins and Sunset Oasis Landscaping in violation and imposed a \$2,500 penalty. Corrective action is ordered.