



Public Health Update

Solid Waste Management Authority Hearing Officer Meeting - August 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 August 16, 2006 meeting, the following cases were adjudicated:

II. MATTERS REQUIRING HEARING OFFICER ACTION

A. NON-CONTESTED NOTICES OF VIOLATION:

1. **Miguel Huezo-Benavides** – NOV #SW06-482/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 southeast corner of Hammer Lane and Juliano Road, Clark County; on or about April 22, 2006.

The hearing officer found Miguel Huezo-Benavides in violation of 2) and imposed a \$900 penalty. Failure to comply will result in the original penalty of \$1,800 as initially sought in November.

2. **Marisa Deresz** – NOV #SW05-1178/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 278 South Decatur Boulevard, Las Vegas, Clark County; on or about October 11, 2005.

The hearing officer found Marisa Deresz in violation of 2) and imposed a penalty of \$500. Failure to comply will result in the original penalty of \$1,800 as initially sought in November.

3. **American Tang Shou Tao Association** – NOV #SW06-601/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 1000 North Nellis Boulevard, Clark County; on or about May 11, 2006.

The hearing officer found American Tang Shou Tao Association in violation of 1) and 2) and imposed a \$900 penalty for each.

4. **John Walker** – NOV #SW06-537/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 7540 (or more specifically 7514) Westcliff Drive, Las Vegas, Clark County; on or about May 2, 2006.

The hearing officer found John Walker in violation of 2) and imposed a penalty of \$500. Failure to comply will result in a penalty of \$1,800 as initially sought in November.

5. **Bruno G. Scarrone** – NOV #SW06-034/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 2572 McLaurine Avenue, Clark County; on or about January 3, 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 3, 2006; and 4) failure to comply with the Order issued by the Solid Waste Management Authority on January 13, 2006.

The hearing officer found Bruno G. Scarrone in violation of 4) and imposed a \$900 penalty. Failure to comply will result in a \$3,600 penalty as originally sought in November.

B. NOTICES OF VIOLATION WITH CONTESTED PENALTIES:

1. **Knipp Brothers Industries, LLC** – NOV #SW06-268/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 west of Shinnecock Hills Street and Jones Boulevard, Clark County; on or about March 1, 2006.

The hearing officer found Knipp Brothers Industries, LLC in violation of 2) and imposed a penalty of \$1,800. Corrective action of removal and proper disposal of waste is ordered. Failure to comply will result in a penalty of \$3,600 as initially sought in November.

2. **Majestic Palm, LLC** – NOV #SW06-595/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 1000 North Nellis Boulevard, Clark County; on or about May 11, 2006.

The hearing officer found Majestic Palm, LLC in violation of 2) and imposed a penalty of \$900. Failure to comply will result in the original penalty of \$1,800 as initially sought in November.

3. **Leticia Sanabria and B C Construction** – NOV #SW06-448/19- 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 rear of 3060 North Nellis Boulevard, Clark County; on or about April 10, 2006.

The hearing officer found Leticia Sanabria and B C Construction in violation of 1) and imposed a penalty of \$750. Corrective action of removal and proper disposal of waste under the supervision of a Certified Environmental Manager (CEM) is ordered. Failure to comply will result in a penalty of \$1,800 as initially sought in November.

C. NOTICES OF VIOLATION WITH CONTESTED FACTS:

1. **Las Vegas Concrete Pumping, Inc. DBA Pools By Grube** – NOV #SW06-605/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 east of the intersection of Whispering Sands Drive and Decatur Boulevard, North Las Vegas, Clark County; on or about May 16, 2006.

The hearing officer found Las Vegas Concrete Pumping, Inc., DBA Pools By Grube in violation of 2) and imposed a penalty of \$900. Corrective action of removal and proper disposal of waste is ordered. Failure to comply will result in the original penalty of \$1,800 as initially sought in November.

2. **Daniel C. Byers** – NOV #SW06-049/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 northwest corner of Coley Avenue and Tioga Way, Clark County; on or about January 8, 2006.

The hearing officer found Daniel C. Byers in violation of 2) and imposed a penalty of \$900. Corrective action of removal and proper disposal of waste is ordered.

3. **Lawrence B. Bingham** – NOV #SW06-735/89- 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 southeast corner of Russell Road and Palm Street, Clark County; on or about June 2, 2006 through June 5, 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 June 2, 2006 through June 5, 2006.

The hearing officer found Lawrence B. Bingham in violation of 1) and imposed a penalty of \$500; in violation of 2) and imposed a penalty of \$850. Corrective action of removal and proper disposal of waste is ordered. Failure to comply will result in the original penalty of \$2,700 as initially sought in November.

4. **Prohab, LLC** – NOV #SW06-718/60- 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 6448 Eldon Street, Clark County; on or about June 9, 2006.

The case is withdrawn by the Southern Nevada Health District.

5. **Anthony D. Tafoya** – NOV #SW06-751/89- 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, and on the undeveloped public Right-of-Way on East Emerald Avenue approximately 25 yards past 6055 Emerald Avenue and the two vehicle barricades, Clark County; on or about June 16, 2006.

The hearing officer found Anthony D. Tafoya in violation of 1) and 2) and imposed a penalty of \$900 for each.

6. **MSI Landscaping, Inc.** – NOV #SW06-386/24- 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 the vacant parcel located on the northwest corner of Quail Avenue and Conquistador Street, Clark County; on or about March 27, 2006.

The hearing officer found MSI Landscaping, Inc. in violation of 1) and 2) and imposed a penalty of \$1,500 for each. Corrective action of removal and proper disposal of waste is ordered.

7. **Pro Star Drop Boxes LLC** – NOV #SW06-517/24- 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 4180 West Desert Inn Road, Clark County; on or about April 27, 2006.

The hearing officer found Pro Star Drop Boxes LLC in violation of 2) and imposed a penalty of \$1,500. Failure to comply will result in a penalty of \$6,000 as initially sought in November.

8. **Ryan Anderson** – NOV #SW06-319B/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 the northwest corner of Fort Apache Road and Log Cabin Way, Las Vegas, Clark County; on or about March 13, 2006.

The hearing officer found Ryan Anderson in violation of 1) and 2) and imposed a penalty of \$900 for each.

9. **Nevada Water Sweep, Inc.** – NOV #SW06-252/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 vacant parcel approximately 850 yards south on Desert Foothills Drive from Charleston Boulevard and approximately 15 yards west of the west cement curb of Desert Foothills Drive, Clark County; on or about February 27, 2006.

The hearing officer found Nevada Water Sweep, Inc. in violation of 2) and imposed a penalty of \$750. Corrective action of removal and proper disposal of waste is ordered. Failure to comply will result in a penalty of \$1,800 as initially sought in November.

10. **Jamie Avila** – NOV #SW06-093/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 on the east side of Los Feliz Street near Mountridge Drive, Clark County; on or about January 21, 2006.

The hearing officer found Jamie Avila in violation of 2) and imposed a penalty of \$500.

11. **Javier Jesus Castellon and Chuy's Landscape** – NOV #SW06-047/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 at a power easement between Sloan Lane and Desert Solitude Street approximately 250 north of Washington Avenue, Clark County; on or about January 8, 2006.

The hearing officer found Javier Jesus Castellon and Chuy's Landscape in violation of 1) and 2) and imposed a penalty of \$900 for each. Corrective action of removal and proper disposal of waste is ordered.

12. **Juan Carlos Cardona Vasquez** – NOV #SW06-655/21- 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 the vacant parcel property located north of 4863 East St. Louis, Clark County; on or about May 29, 2006.

The hearing officer found Juan Carlos Cardona Vasquez in violation of 2) and imposed a \$500 penalty. Corrective action of removal and proper disposal of waste is ordered. Failure to comply will result in a penalty of \$1,800 as initially sought in November.

13. **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.

The hearing officer continued the case to September 20, 2006.

14. **Ruben L. Sibal and Jessica M. Sibal** – NOV #SW06-566/21- 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 located at 375 North 15th Street, Las Vegas, Clark County, on or about May 9, 2006.

The hearing officer found Ruben L. Sibal and Jessica M. Sibal in violation of 2) and imposed a penalty of \$900. Plumber cost reimbursement of \$1,825 is ordered and a remediation cost reimbursement of \$11,230 is ordered.

15. **G & S Investors Lake Mead, LLC** – NOV #SW06-313/21- 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 2068 North Nellis Boulevard on southeast side of building one, 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 13, 2006.

The hearing officer found G & S Investors Lake Mead, LLC in violation of 1) and 3) and imposed a penalty of \$500 for each. Remediation of area affected by sewage overflow is ordered.

16. **Corrigan Investments Inc., Corrigan 2000 Trust ETAL and Michael Corrigan F. CO-TRS ETAL, Sean P. Corrigan and F.M. Corrigan** – NOV #SW06-116/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 1430 East Desert Inn Road, 1304 East Desert Inn Road, 1374 East Desert Inn Road, 1388 East Desert Inn Road, 1486 East Desert Inn Road, 1339 Sombrero Drive, 1367 Sombrero Drive, 1388 Sombrero Drive, 1427 Silver Mesa Circle, 1428 Silver Mesa Circle, 1414 Silver Mesa Circle, 3245 Vaquero Way, 1332 Serape Circle, and 1372 Serape Circle, 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 Corrigan Investments Inc., Corrigan 2000 Trust ETAL and Michael Corrigan F. CO-TRS ETAL, Sean P. Corrigan and F.M. Corrigan in violation of 1) and 2) and imposed a \$6,300 penalty for each. In addition, the hearing officer imposed a penalty of \$2,250 for 3). Failure to comply will result in a penalty of \$29,700 as initially sought in November.

17. **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.

The hearing officer found Brian Kaiserman, Sr. in violation of 2) and imposed a penalty of \$900. Corrective action of removal and proper disposal of waste is ordered.

18. **Centennial Rainbow Limited Partnership** – NOV #SW06-232/A8- For 1) operating a disposal site without a permit issued by the solid waste management authority on or about February 28, 2006, and April 3, 2006; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on March 3, 2006.

The hearing officer found Centennial Rainbow Limited Partnership in violation and imposed a penalty of \$900 for 1) and \$1,000 for 2). Corrective action of removal and proper disposal of waste is ordered.

19. **Joseph Sacco, Jr.** – NOV #SW06-691/A8- For 1) operating a disposal site without a permit issued by the solid waste management authority on or about June 9, 2006, and June 27, 2006; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on June 12, 2006.

The case is continued until September 20, 2006.

20. **Lisa L. Hoops and Harry G. Hoops** – NOV #SW06-636/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 unpaved portion of Bradley Road approximately 1,250 feet north of Iron Mountain Road, Las Vegas, Clark County; on or about May 24, 2006.

The case is continued until September 20, 2006.

21. **Mailboxes & More** – NOV #SW06-596/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 1000 North Nellis Boulevard, Clark County; on or about May 11, 2006.

The hearing officer found Mailboxes & More is not in violation.

22. **A A Tools Professional** – NOV #SW06-598/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 1000 North Nellis Boulevard, Clark County; on or about May 11, 2006.

Case withdrawn by the Southern Nevada Health District.

23. **Lynesse The Joy of Hair And Nails** – NOV #SW06-599/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 1000 North Nellis Boulevard, Clark County; on or about May 11, 2006.

Case withdrawn by the Southern Nevada Health District.

24. **Game Repair, Inc.** – NOV #SW06-600/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 1000 North Nellis Boulevard, Clark County; on or about May 11, 2006.

Case withdrawn by the Southern Nevada Health District.

25. **Jr. Tile** – NOV #SW06-617/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 1000 North Nellis Boulevard, Clark County; on or about May 11, 2006.

Case withdrawn by the Southern Nevada Health District.

26. **Roberto Culajay** – NOV #SW06-618/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 1000 North Nellis Boulevard, Clark County; on or about May 11, 2006.

Case withdrawn by the Southern Nevada Health District.

27. **Johnny Lee Henderson** – NOV #SW06-702/60- 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 2,300 feet south on Town Center Drive from Tropicana Avenue and approximately 5,200 feet west of Town Center Drive, Clark County; on or about June 6, 2006.

Case withdrawn by the Southern Nevada Health District.

28. **Jeffrey K. Leung** – NOV #SW06-134/A8- For 1) operating a disposal site without a permit issued by the solid waste management authority on or about January 17, 2006 and March 1, 2006; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on February 1, 2006.

The hearing officer found Jeffrey K. Leung in violation of 2) and imposed a \$900 penalty. Corrective action of removal and proper disposal of waste is ordered. Failure to comply will result in a penalty of \$2,700 as initially sought in November.

29. **Blanca Rosa Orellana and Manuel Orellana** – NOV #SW06-521/A8- For 1) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste on property located at 1524 South Main Street, Las Vegas, Clark County; on or about May 2, 2006; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on May 3, 2006.

Case continued until September 20, 2006.

30. **James Weigl** – NOV #SW06-722/19- 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 7151 Linden Avenue, Clark County; on or about June 7, 2006.

Case continued until September 20, 2006.

31. **Paul Rotterdam** – NOV #SW05-1023/89/74- For failure to comply with the Order issued by the Solid Waste Management Authority Hearing Officer on March 15, 2006.

The hearing officer found Paul Rotterdam in violation and imposed a penalty of \$1,000. Corrective action to provide proof of removal and proper disposal of waste is ordered.

32. **Tracy Snider also known as Tracy Vaccaro and El Dorado Equestrian Center** – NOV #SW05-723/24/74- For failure to comply with the Order issued by the Solid Waste Management Authority Hearing Officer on March 15, 2006.

The hearing officer found Tracy Snider also known as Tracy Vaccaro and El Dorado Equestrian Center in violation and imposed a penalty of \$2,500. Corrective action of removal and proper disposal of waste is ordered.