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## Public Health Update

### Solid Waste Management Authority Hearing Officer Meeting - January 2007

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 17, 2007 meeting, the following cases were adjudicated:

#### II. MATTERS REQUIRING HEARING OFFICER ACTION

##### A. NOTICES OF VIOLATION WITH CONTESTED PENALTIES:

None

##### B. NOTICES OF VIOLATION WITH CONTESTED FACTS:

1. **Ashton Place Maintenance Corporation** – NOV #SW06-729/60- 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 June 19, 2006.

Hearing officer found Ashton Place Maintenance Corporation in violation of 2) and imposed a penalty of \$2,500. Corrective action to provide a maintenance plan for all dumpster containment areas on the property is ordered. Failure to comply will result in the original penalty of \$6,000 as initially sought in November.

2. **Ford Contracting, Inc.** – NOV #SW06-480/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 southwest corner of Russell Road and Buffalo Drive, Clark County; on or about April 20, 2006.

Item withdrawn by the Southern Nevada Health District.

3. **Las Vegas Concrete Pumping, Inc. DBA Pools By Grube** – NOV #SW06-1537/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 the undeveloped portion of Alta Drive, west of the undeveloped portion of Fox Hill Road, Clark County; on or about October 26, 2006.

Hearing officer found Las Vegas Concrete Pumping, Inc. DBA Pools By Grube in violation and imposed a penalty of \$2,000 for 1) and a penalty of \$3,000 for 2). Corrective action of

removal and proper disposal of waste is ordered and submission of a plan/program for lawful disposal is ordered.

4. **Parkway Landscape and Dennis Parker** – NOV #SW06-1228/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 upon the undeveloped portion of the property located on the north side of Alta Drive and west of Fox Hill Road, Clark County; on or about August 28, 2006.

Hearing officer found Parkway Landscape and Dennis Parker in violation and imposed a \$1,250 penalty for each of 1) and 2). Corrective action is ordered.

5. **Amazon Construction Corporation and Chad Norton** – NOV #SW06-1535/E0- 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 2410 South Lamb Boulevard, Las Vegas, Clark County; in the month of August, 2006.

Item withdrawn by the Southern Nevada Health District.

6. **Lucia Bernal** – NOV #SW06-1383/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 on Assessor's parcel #141-00-002-001, located approximately 9,000 feet east of Los Feliz Street and approximately 170 feet south of Lake Mead Boulevard, and on Assessor's parcel #140-24-001-001, located approximately 7,700 feet east of Los Feliz Street and approximately 175 feet south of Lake Mead Boulevard, Clark County; on or about October 7, 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 October 7, 2006.

Hearing officer found Lucia Bernal in violation and imposed a penalty of \$1,440 for each of 1) and 2) and a \$500 penalty imposed for 3). Corrective action of removal and proper disposal of waste is ordered.

7. **Ronald Colin James and Dee Lane James** – NOV #SW06-1364/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 in the vacant area just south of 380 Vista Valley Street, Clark County; on or about October 2, 2006.

Hearing officer found Ronald Colin James and Dee Lane James in violation of 2) and imposed a penalty of \$900.

8. **Independent Landscape Services, LLC** – NOV #SW06-1676/60- 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 upon the vacant parcel located approximately one half to three quarters of a mile south of Mountain Edge Parkway on the east side of El Capitan Way, Clark County, on or about November 4, 2006.

Hearing officer found Independent Landscape Services, LLC in violation and imposed a penalty of \$900 for 1), and a \$1,500 penalty for 2). Corrective action of removal and proper disposal of waste is ordered.

9. **Brigido Duque Solis and Carolyn Arafiles Solis** – NOV #SW06-084/24/74/74- For failure to comply with the Order issued by the Solid Waste Management Authority Hearing Officer on July 26, 2006.

Item is pending hearing officer decision.

10. **George E. Starcovic and Nina Starcovic** – NOV #SW06-1331/60- 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 5105 Hayward Avenue, Clark County; on or about November 7, 2006; and 3) failure to comply with the Order issued by the Solid Waste Management Authority on September 27, 2006.

Hearing officer found George E. Starcovic and Nina Starcovic in violation and imposed a penalty of \$900 for each of 1), 2) and 3). Corrective action of removal and proper disposal of waste is ordered.

11. **Michael Vancleef** – NOV #SW06-1525/62- 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 2744 Quebec Court, Clark County; on or about October 30, 2006; and 3) failure to comply with the Order issued by the Solid Waste Management Authority on October 30, 2006.

Item continued to February 21, 2007 agenda.

12. **Arvis C. Forrest Charitable Fund, LLC** – NOV #SW06-1560/B6- 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 14, 2006.

Hearing officer found Arvis C. Forrest Charitable Fund, LLC in violation and imposed a penalty of \$900 for each of 1) and 2). Corrective action of removal and proper disposal of waste is ordered.

13. **Rosa Velazquez** – NOV #SW06-1439/C0- 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 upon the property located at 3921 West Oakey Boulevard, Las Vegas, Clark County; on or about October 20, 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 October 20, 2006; and 4) failure to comply with the Order issued by the Solid Waste Management Authority on October 23, 2006.

Item withdrawn by the Southern Nevada Health District.

- C. **NON-CONTESTED NOTICES OF VIOLATION:** The Hearing Officer may approve or disapprove the agreed resolution. Upon disapproval of the agreed resolution, the Hearing Officer will set a date for the hearing of any such Notice of Violations.

1. **Christopher McConnell** – NOV #SW06-1722/60- 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 the northeast corner of Mesa Vista Avenue and Timber Creek Street, Clark County; on or about November 15, 2006.

Hearing officer found Christopher McConnell in violation and imposed a penalty of \$900 for each of 1) and 2). Corrective action of removal and proper disposal of waste is ordered.

2. **John S. Wehrman** – NOV #SW06-1682/60- 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 the vacant lot located at the northwest corner of Mesa Vista Avenue and Timber Creek Street, Clark County; on or about November 15, 2006.

Hearing officer found John S. Wehrman in violation and imposed a penalty of \$900 for each of 1) and 2). Corrective action of removal and proper disposal of waste is ordered.

3. **Victor Page, Laverta Page and Vincent Page** – NOV #SW06-1408/23- 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 October 18, 2006.

Hearing officer found Victor Page, Laverta Page and Vincent Page in violation and imposed a penalty of \$900 for 1). 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.

4. **Jose Martinez and Ana Martinez** – NOV #SW06-1202/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 the five acre parcel located on the south side of Windmill Lane approximately 500 feet west of Warbonnet Way, Clark County; on or about August 21, 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 August 21, 2006.

Hearing officer found Jose Martinez and Ana Martinez in violation and imposed a penalty of \$750 for each of 1) and 2). Failure to comply will result in the original penalty of \$2,700 as initially sought in November.

5. **Nevada Building and Development and Golden West Land Corporation** – NOV #SW06-420/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 the 3.72 acre parcel located on the southeast side of 4079 North Rancho Drive, Clark County; on or about April 3, 2006 and April 5, 2006.

Hearing officer found Nevada Building and Development and Golden West Land Corporation in violation and imposed a penalty of \$900 for 1) and a penalty of \$1,800 for 2). Corrective action of removal and proper disposal of waste is ordered.

D. *NOTICES OF VIOLATION – FURTHER PROCEEDINGS:*

1. **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 the vacant property located on northwest corner of Quail Avenue and Conquistador Street, Clark County; on or about March 27, 2006.

Hearing officer order of August 16, 2006 is vacated.

