



Public Health Update

Solid Waste Management Authority Hearing Officer Meeting – March 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 March 21, 2007 meeting, the following cases were adjudicated:

II. MATTERS REQUIRING HEARING OFFICER ACTION

A. NOTICES OF VIOLATION WITH CONTESTED PENALTIES:

1. **Rafael Leyva-Corral** – NOV #SW07-001/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 undeveloped property located approximately 55 yards south of Charleston Boulevard and 25 yards west of Desert Foothills Drive, Clark County; on or about December 31, 2006.

Hearing officer found Rafael Leyva-Corral 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. **Caroline Malbrough** – NOV #SW06-1344/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 2326 Pariva Street, Las Vegas, Clark County; on or about September 26, 2006; and 3) failure to comply with the Order issued by the Solid Waste Management Authority on September 27, 2006.

Item continued to May 16, 2007 agenda.

3. **Moulin Rouge Development Corporation, Rod Bickerstaff, and Dale L. Scott** – NOV #SW06-1813/C0- For 1) causing or allowing sewage or accumulation of human excreta to overflow on property located at 1001 West McWilliams Avenue, Las Vegas, Clark County, on or about December 27, 2006; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on December 26, 2006.

Item continued to April 18, 2007 agenda.

4. **Moulin Rouge Development Corporation, Rod Bickerstaff, and Dale L. Scott** – NOV #SW07-002/62- For failure to comply with the Order issued by the Solid Waste Management Authority on January 2, 2007.

CONTACTS

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Item continued to April 18, 2007 agenda.

B. NOTICES OF VIOLATION WITH CONTESTED FACTS:

1. **Audio Integrations, Inc.** – NOV #SW06-1699/74- For placing, depositing or dumping or causing to be placed, deposited or dumped solid waste on property located at 3140 Polaris Avenue, Las Vegas, Clark County; on or about November 20, 2006.

Item continued to April 18, 2007 agenda.

2. **Lavance A. James** – NOV #SW06-1783/60- 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 on the north side of East Stephen Avenue, Clark County; on or about December 15, 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 December 15, 2006.

Hearing officer found Lavance A. James in violation of 2) and imposed a penalty of \$900.

3. **Beachcomber Trailers and Big-Tex Nevada, Inc.** – NOV #SW06-708/A5/21- 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 consisting of four manufactured homes upon the property located at 2909 Fremont Street, Clark County; on or about May 29, 2006; and 3) failure to comply with the Order issued by the Solid Waste Management Authority on August 17, 2006.

Hearing officer found Beachcomber Trailers and Big-Tex Nevada, Inc. in violation of 1), 2) and 3) and imposed a \$1,500 penalty for each. Corrective action of removal and proper disposal of waste is ordered.

4. **1711 Stewart, LLC** – NOV #SW06-805/89- 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 1711 East Stewart Avenue, Las Vegas, Clark County, on or about June 29, 2006.

Hearing officer found 1711 Stewart, LLC in violation of 2) and imposed a penalty of \$1,000. Reimbursement cost of \$600 for a plumber is ordered.

5. **Jeff P. Canasa** – NOV #SW06-1025/60- 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 west end of Haleh Avenue and Torrey Pines Drive, Clark County; on or about August 6, 2006.

Hearing officer found Jeff P. Canasa in violation and imposed a penalty of \$900 for each of 1) and 2).

6. **Advanced Architectural Metals, Inc.** – NOV #SW06-966/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 5335 Wynn Road, Clark County; on or about July 27, 2006, July 28, 2006, August 1, 2006 and August 7, 2006 and 3) failure to comply with the Order issued by the Solid Waste Management Authority on July 27, 2006.

Hearing officer found Advanced Architectural Metals, Inc. in violation and imposed a penalty of \$2,000 for each of 1), 2) and 3).

7. **Nicholas Tortu, Anthony Tortu and Consolidated Construction Cleanup** – NOV #SW06-1806/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 upon the property located on the east side of McLeod Drive south of the intersection of McLeod Drive and Oquendo Road between 5960 McLeod and 5990 McLeod Drive, Clark County; on or about December 21, 2006.

Hearing officer found Nicholas Tortu, Anthony Tortu and Consolidated Construction Cleanup in violation and imposed a penalty of \$2,250 for each of 1) and 2). Corrective action of removal and proper disposal of waste is ordered.

8. **Jimmy Romero, Jr.** – NOV #SW06-1215/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 vacant parcel located approximately 267 feet south of the southwest corner of Coldwater Drive and Los Feliz Street, Clark County; on or about August 19, 2006.

Hearing officer found Jimmy Romero, Jr. 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.

9. **Andrew Ryan Guillen** – NOV #SW07-006/19- 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 City of Henderson property located at 1950 Silver Springs Parkway, Henderson, Clark County; on or about December 30, 2006.

Hearing officer found Andrew Ryan Guillen in violation of 2) and imposed a penalty of \$500. Failure to comply will result in the initial penalty of \$1,800 as originally sought in November.

10. **Michael S. Agron** – NOV #SW06-1691/C0- For 2) causing or allowing sewage or accumulation of human excreta to overflow on property located at 1340 Hassell Avenue, Las Vegas, Clark County, on or about November 17, 2006; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on November 17, 2006.

Item continued to April 18, 2007 agenda.

11. **Edith Bellefleur** – NOV #SW05-1052/A5/23- For failure to comply with the Order issued by the Solid Waste Management Authority Hearing Officer on November 15, 2006.

Item continued to April 18, 2007 agenda.

12. **Curtis Excavating, LLC** – NOV #SW04-868/24/74/23- For failure to comply with the Orders issued by the Solid Waste Management Authority Hearing Officer on December 15, 2004 and May 18, 2005.

Hearing officer found Curtis Excavating, LLC in violation and imposed a penalty of \$3,500. Corrective action of removal and proper disposal of waste is ordered.

13. **Thomas D. Whittle and Olivia Whittle** – NOV #SW06-1304/23- 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 3120 East El Dorado Lane, Clark County; on or about September 14, 2006; and 3) failure to comply with the Order issued by the Solid Waste Management Authority on October 17, 2006.

Hearing officer found Thomas D. Whittle and Olivia Whittle in violation and imposed a penalty of \$500 for 2) and a penalty of \$850 for 3).

14. **Eyal Pinchassi** – NOV #SW06-1085/23- 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 August 21, 2006.

Hearing officer found Eyal Pinchassi 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.

- 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. **Golden Pond Villas, LLC** – NOV #SW06-1791/62- For causing or allowing sewage or accumulation of human excreta to overflow on property located at Tara Hills Apartments at 3233 East Desert Inn Road, Clark County, on or about December 21, 2006.

Hearing officer found Golden Pond Villas, LLC in violation and imposed a penalty of \$900. Corrective action to develop a formal training program that incorporates proper precautions and remediation procedures for a sewage spill is ordered.

2. **Martin A. Becerra and Isabel M. Becerra** – NOV #SW07-036/08- 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 215 feet south of East Carey Avenue and 185 feet east of North Camel Street, Clark County; on or about January 5, 2007.

Hearing officer found Martin A. Becerra and Isabel M. Becerra in violation and imposed a penalty of \$500 for each of 1) and 2). Corrective action of removal and proper disposal of waste is ordered.

3. **USA Mobile Concrete** – NOV #SW06-816/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 Decatur Boulevard and Severance Lane, North Las Vegas, Clark County; on or about June 30, 2006.

Hearing officer found USA Mobile Concrete in violation and imposed a penalty of \$500 for each of 1) and 2). Corrective action of removal and proper disposal of waste is ordered.

- D. *NOTICES OF VIOLATION – FURTHER PROCEEDINGS:*

1. **1711 Stewart, LLC** – NOV #SW06-805/89- 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 1711 East Stewart Avenue, Las Vegas, Nevada, Clark County, Nevada on or about June 29, 2006.

Hearing officer order of September 20, 2006 is vacated.