



Public Health Update

Solid Waste Management Authority Hearing Officer Meeting – June 20, 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 June 20, 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. **Anthony M. Muratore, Sr.** – NOV #SW06-1445/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 southwest of the intersection of south Buffalo Drive and west Diablo Drive, Clark County; on or about October 23, 2006.

Hearing officer found Anthony M. Muratore, Sr. in violation of 2) and imposed a penalty of \$750.

2. **Fastrack Unlimited, Inc.** – NOV #SW07-364/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 Meisenheimer Avenue and Mustang Street, Las Vegas, Clark County; on or about March 29, 2007.

Hearing officer found Fastrack Unlimited, Inc. in violation and imposed a penalty of \$2,700 for 1) and a penalty of \$6,400 for 2). Corrective action of removal and proper disposal of waste is ordered.

CONTACTS

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3. **William R. Koch** – NOV #SW06-1811/62- 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 public right-of-way property located approximately 20 feet from Pueblo Place and 200 feet from Yuma Lane commonly known as the flood channel, Clark County; on or about December 17, 2006.

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

4. **William R. Koch** – NOV #SW06-1812/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 the west end of Warm Springs Road west of the intersection of Warm Springs Road and Lake Mead Parkway, Clark County; on or about December 17, 2006.

Hearing officer found William R. Koch 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.

5. **Victor G. Medellin** – NOV #SW07-094/62- 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 Tropicana Avenue and on the east side of Steptoe Street, Clark County; on or about January 29, 2007.

Hearing officer found Victor G. Medellin 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.

6. **T. E. Kerr a.k.a. Terri Kerr** – NOV #SW06-476/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 4876 North Miller Land and 4900 North Miller Lane, Clark County; on or about June 8, 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 June 8, 2006; and 4) failure to comply with the Order issued by the Solid Waste Management Authority on May 4, 2006.

Item continued to July 25, 2007 agenda.

7. **Gabby Reyes and Jody Williams** – NOV #SW07-321/74- For 1) causing or allowing sewage or accumulation of human excreta to overflow on property located at 7564 Village Mist Lane, Clark County, on or about March 22, 2007; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on March 17, 2007.

Hearing officer found Gabby Reyes and Jody Williams in violation and imposed a penalty of \$900 for each of 1) and 2). A \$353 cleanup cost reimbursement is ordered.

8. **Wright Brothers Tile, Inc.** – NOV #SW07-345/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 Right-of-Way located approximately 60 feet south of the center of West Patrick Lane and approximately 40 feet east of the center of Miller Road, Clark County; on or about March 26, 2007.

Hearing officer found Wright Brothers Tile, Inc. in violation and imposed a penalty of \$1,940 for each of 1) and 2).

9. **R K G Trust and Roswitha Rita Guerrero TRS** – NOV #SW06-1675/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 November 16, 2006.

Item continued to July 25, 2007 agenda.

10. **Ana R. Sanchez and Alfredo Sanchez** – NOV #SW06-853/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 1010 Griffith Avenue, Las Vegas, Clark County; on or about November 2, 2006; and 3) failure to comply with the Order issued by the Solid Waste Management Authority on October 2, 2006.

Hearing officer found Ana R. Sanchez and Alfredo Sanchez 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. **Ryan Gilbert** – NOV #SW05-572/A0/74- For failure to comply with the Order issued by the Solid Waste Management Authority Hearing Officer on August 17, 2005.

Hearing officer found Ryan Gilbert in violation and imposed a penalty of \$2,500. Corrective action of removal and proper disposal of waste is ordered. In addition, proof of proper removal and disposal of waste from the site located at 1,210 feet west of the intersection of Alta Drive and Desert Sunrise Road is required.

12. **Excavators Corp.** – NOV #SW07-125/C6- For 1) operating a disposal site without a permit issued by the solid waste management authority.

Hearing officer found Excavators Corp. in violation and imposed a penalty of \$4,000. Failure to comply will result in the original penalty of \$4,500 as initially sought in November.

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. **Excavators Corp.** – NOV #SW07-410/21- 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 south of Foxhall Road and east of Julie Road, Henderson, Clark County; on or about April 11, 2007.

Hearing officer found Excavators Corp. in violation and imposed a penalty of \$4,000 for 1) and a penalty of \$5,000 for 2). Failure to comply will result in the original penalty of \$10,500 as initially sought in November.

2. **C Construction, Inc. and SelectBuild Construction, Inc.** – NOV #SW07-346/62- 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 west of Bruce Street and north of Sur Este Avenue, Clark County; on or about March 25, 2007.

Hearing officer found C Construction, Inc. and SelectBuild Construction, Inc. in violation and imposed a penalty of \$1,500 for each of 1) and 2).

D. NOTICES OF VIOLATION – FURTHER PROCEEDINGS:

1. **Edith Bellefleur** – NOV #SW05-1052/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 the vacant lot north of 428 Hull Street in between Geneva Avenue and Harve Avenue, Henderson, Clark County; on or about September 14, 2005.

Hearing officer order of November 15, 2006 is vacated.