



Public Health Update

Solid Waste Management Authority Hearing Officer Meeting – July 25, 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 July 25, 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. **Pasco Excavation and Demolition Corporation** – NOV #SW07-414/60- 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 1800 Fremont Street, Las Vegas, Clark County; on or about April 12, 2007.

Hearing officer found Pasco Excavation and Demolition Corporation 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.

2. **Boston Morse** – NOV #SW07-513/23- 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 the north side of the property located approximately 665 feet east of Buffalo Drive between West Russell Road and West Dewey Drive, Clark County; on or about April 27, 2007.

Hearing officer found Boston Morse 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. **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 Lane 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.

CONTACTS

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Hearing officer found T. E. Kerr a.k.a. Terri Kerr in violation and imposed a penalty of \$900 for each of 1), 2), 3) and 4).

4. **Francisco Mejia** – NOV #SW07-554/60- 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, consisting of four piles of dirt spoils, upon the vacant property located on the north side of Holt Avenue, Clark County; on or about April 11, 2007.

Item withdrawn by the Southern Nevada Health District.

5. **Moonlight Trucking, Inc. and Jose Aburto-Martinez** – NOV #SW07-409/60- 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, consisting of four piles of dirt spoils, upon the vacant property located on the north side of Holt Avenue, Clark County; on or about April 12, 2007.

Hearing officer found Moonlight Trucking, Inc. and Jose Aburto-Martinez 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. Failure to comply will result in the original penalty of \$1,800 as initially sought in November.

6. **Joe Gonzalez** – NOV #SW06-1579/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 on the north side of the intersection of Palm Street and Oquendo Road, Clark County; on or about November 7, 2006.

Hearing officer found Joe Gonzalez 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.

7. **James Gordon** – NOV #SW07-070/C0- For 1) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste on property located at 901 West McWilliams Avenue, Las Vegas, Clark County; on or about January 23, 2007; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on January 23, 2007.

Hearing officer found James Gordon in violation and imposed a penalty of \$900 for each of 1) and 2).

8. **Jose Martinez** – NOV #SW07-435/74- 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 including dirt spoils and miscellaneous trash upon the property located near the northwest corner of Russell Road and Durango Drive, Clark County; on or about April 20, 2007.

Hearing officer found Jose Martinez 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. **Paramount Investments Co.** – NOV #SW06-950/45- For 1) operating a disposal site without a permit issued by the solid waste management authority; 2) 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 July 24, 2006; and 3) failure to comply with the Order issued by the Solid Waste Management Authority on July 28, 2006.

Hearing officer found Paramount Investments Co. in violation of 1) and imposed a penalty of \$1,500.

10. **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 of 2) and imposed a penalty of \$1,940.

11. **Harris Drop Box LLC** – NOV #SW06-1230/45- 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 2929 Ringe Lane, Clark County; on or about August 22, 2006; and 3) failure to comply with the Order issued by the Solid Waste Management Authority on September 6, 2006.

Hearing officer found Harris Drop Box LLC in violation and imposed a penalty of \$900 for each of 1) and 2), and a penalty of \$1,800 for 3). Corrective action to submit proof of removal and proper disposal of waste is ordered.

12. **Golden Street Properties, LLC and Quantum Properties, LLC** – NOV #SW07-499/E0- For 1) causing or allowing sewage or accumulation of human excreta to overflow on property located at 2619 Sherwood Street, Clark County, on or about May 3, 2007; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on May 1, 2007.

Item continued to August 15, 2007 agenda.

13. **Rose Garden Housing Limited Partnership** – NOV #SW07-186/C0- For 1) causing or allowing sewage or accumulation of human excreta to overflow on property located at 28 East Webb Avenue, North Las Vegas, Clark County, on or about February 23, 2007; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on February 22, 2007.

Item continued to August 15, 2007 agenda.

14. **Westland Group, LLC** – NOV #SW06-520/B6/23- For failure to comply with the Order issued by the Solid Waste Management Authority Hearing Officer on November 15, 2006.

Hearing officer found Westland Group, LLC in violation and imposed a penalty of \$500. 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. **Christopher Del Velvin** – NOV #SW07-518/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 5075 Spyglass Hill Drive, Clark County; on or about April 24, 2007.

Hearing officer found Christopher Del Velvin in violation of 2) and imposed a penalty of \$750.

2. **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.

Hearing officer found R K G Trust and Roswitha Rita Guerrero TRS in violation of 2) and imposed a penalty of \$500. 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.

3. **Aaron Pierro dba Pierro's Landscape & Lawn Maintenance** – NOV #SW07-259/C6- 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 March 21, 2007.

Hearing officer found Aaron Pierro dba Pierro's Landscape & Lawn Maintenance 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.

4. **M. C. Versailles, LLC** – NOV #SW07-328/08- For causing or allowing sewage or accumulation of human excreta to overflow onto the public right-of-ways on the southeast corner of the property located at 346 Sturgeon Lane, Clark County, on or about March 22, 2007.

Hearing officer found M. C. Versailles, LLC in violation and imposed a penalty of \$750.

5. **Galtar, LLC** – NOV #SW07-402/A0- 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 December 18, 2006.

Hearing officer found Galtar, LLC in violation and imposed a penalty of \$750 for 1) and a penalty of \$1,500 for 2). 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.

D. NOTICES OF VIOLATION – FURTHER PROCEEDINGS:

1. **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 order of June 20, 2007 is vacated.