



Public Health Update

Solid Waste Management Authority Hearing Officer Meeting – October 17, 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 October 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. **Las Vegas Golf and Country Club** – NOV #SW06-1716/45- 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 February 28, 2007.

Item continued to December 19, 2007 agenda.

2. **Feliciano Rossal and Onelia Rossal** – NOV #SW06-1224/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 including dirt spoils, wooden planter boxes, cardboard debris, paper debris, automotive vehicle tires and plastic debris upon the property located at 3000 Ringe Lane, Clark County; on or about August 25, 2006 and May 15, 2007; 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 25, 2006; and 4) failure to comply with the Order issued by the Solid Waste Management Authority on May 21, 2007.

Hearing officer found Feliciano Rossal and Onelia Rossal in violation and imposed a penalty of \$1,800 for 1) and a penalty of \$900 for 2). Failure to comply will result in the initially penalty of \$5,400 as initially sought in November.

3. **Woodside Homes of Nevada, Inc.** – NOV #SW07-481/23- 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 upon the property located north of the block wall of the Boulder Creek subdivision west of Weeks Bay River Road, Henderson, Clark County; on or about July, 2006; and 3) failure to comply with the Order issued by the Solid Waste Management Authority on May 15, 2007.

MEDIA CONTACTS

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Item continued to November 14, 2007 agenda.

4. **Trugreen Landcare of Nevada, L.L.C.** – NOV #SW07-799/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 the vacant lot on the south side of East Windmill Lane, approximately 400 feet east of Tamarus Street, Clark County; on or about July 20, 2007.

Item withdrawn by the Southern Nevada Health District.

5. **FBN Construction, Inc.** – NOV #SW07-567/23- 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 property located at the northwest corner of unimproved Ponderosa Way and Santa Margarita Street, Clark County; on or about May 17, 2007.

Item continued to December 19, 2007 agenda.

6. **Harshman Excavating Corp.** – NOV #SW07-583/C0- 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 southeast of the intersection of Mustang Street and Meisenheimer Avenue, Las Vegas, Clark County; on or about May 17, 2007.

Item continued to December 19, 2007 agenda.

7. **Harshman Excavating Corp.** – NOV #SW07-667/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 vacant parcel located on the south side of West Pebble Road between South Decatur Boulevard and Arville Street, Clark County; on or about May 15, 2007.

Item continued to December 19, 2007 agenda.

8. **Jesus Torres Vazquez** – NOV #SW07-947/C6- 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 south side of Mesa Verde Lane and west of Arville Street, Clark County; on or about August 20, 2007.

Hearing officer found Jesus Torres Vazquez 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.

9. **Joe Gober** – NOV #SW07-599/C0- 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 alleyway behind 5600 West Charleston Boulevard, Las Vegas, Clark County; on or about May 29, 2007.

Hearing officer found Joe Gober in violation and imposed a penalty of \$2,500 for each of 1) and 2). Corrective action is ordered to formalize a training program to be communicated to all staff to ensure that any future occurrences are avoided and that waste is properly disposed at an approved waste collection facility.

10. **Salvador Navarro** – NOV #SW07-852/47- 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 3475 North Moapa Valley Boulevard, Clark County; on or about July 31, 2007.

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

11. **Emerald Bay Apartments Nevada, LLC** – NOV #SW07-596/E0- For failure to comply with the Order issued by the Solid Waste Management Authority on May 29, 2007.

Item withdrawn by the Southern Nevada Health District.

12. **Reshma Zaidi** – NOV #SW07-598/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 consisting of parts of a Jacuzzi, PVC pipe debris, wood debris, vinyl Jacuzzi cover, ice chest, carpet remnant and speaker boxes upon the undeveloped property located approximately 400 feet south of Owens Avenue and 35 feet east of Radwick Avenue, Clark County; on or about May 27, 2007; 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 May 27, 2007.

Hearing officer found no violation.

13. **Speedway Hospitality Development LLC** – NOV #SW06-1396/A0- 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 September 26, 2006; and 3) failure to comply with the Order issued by the Solid Waste Management Authority on October 24, 2006.

Hearing officer found Speedway Hospitality Development LLC in violation of 3) and imposed a penalty of \$900. Corrective action of removal and proper disposal of waste is ordered.

14. **Countrywide Home Loans** – NOV #SW07-731/E0- For failure to comply with the Order issued by the Solid Waste Management Authority on July 17, 2007.

Hearing officer found Countrywide Home Loans in violation and imposed a penalty of \$900. Corrective action of removal and proper disposal of waste is ordered.

15. **SLK Development LLC** – NOV #SW07-684/23- 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 June 22, 2007.

Hearing officer found SLK Development 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.

16. **Javier Jesus Castellon and Chuy's Landscape** – NOV #SW06-047/B6/74/23/23- For failure to comply with the Order issued by the Solid Waste Management Authority Hearing Officer on May 16, 2007.

Hearing officer found Javier Jesus Castellon and Chuy's Landscape in violation and imposed a penalty of \$3,000. Corrective action of removal and proper disposal of waste is ordered.

17. **Victor G. Medellin** – NOV #SW07-094/62/23- For failure to comply with the Order issued by the Solid Waste Management Authority Hearing Officer on June 20, 2007.

Hearing officer found Victor G. Medellin in violation and imposed a penalty of \$2,300. 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. **Brandon Adams** – NOV #SW07-359/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 upon the property located approximately 580 feet west of Alexander and approximately 1160 feet north, Clark County; on or about March 28, 2007; 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 March 28, 2007.

Hearing officer found Brandon Adams in violation and imposed a penalty of \$675 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 \$2,700 as initially sought in November.

2. **Vincent O. Fuentes** – NOV #SW07-575/C0- For 1) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste on property located at 4885 East Charleston Boulevard, Clark County; on or about May 21, 2007; and 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 May 21, 2007.

Hearing officer found Vincent O. Fuentes in violation and imposed a penalty of \$500 for each of 1) and 2).

3. **Portico Emerald, LLC** – NOV #SW07-817/C6- For failure to comply with the Order issued by the Solid Waste Management Authority on July 25, 2007.

Hearing officer found Portico Emerald, LLC in violation and imposed a penalty of \$900.

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

1. **J-M Ferrera Family Trust, Joseph Ferrera and Marly Ferrera Trust** – NOV #SW06-813/89- For failure to comply with the Order issued by the Solid Waste Management Authority on July 19, 2006.

Hearing officer order of September 19, 2007 is vacated.

2. **Eduardo Palermo** – NOV #SW07-305/74- 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 7564 Village Mist Lane, Clark County, on or about March 21, 2007.

Hearing officer order of September 19, 2007 is vacated.