



Public Health Update

Solid Waste Management Authority Hearing Officer Meeting - November 14, 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 November 14, 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. **Kanji H. Patel and Sarswati Patel Revocable Trust** – NOV #SW07-753/E0- 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 2100 South Boulder Highway, Henderson, Clark County; on or about July 17, 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 July 17, 2007; and 4) failure to comply with the Order issued by the Solid Waste Management Authority on July 19, 2007.

Hearing officer found Kanji H. Patel and Sarswati Patel Revocable Trust in violation and imposed a penalty of \$1,250 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 \$5,000 as initially sought.

2. **Fernando Silva and Miguel Angel Hernandez-Maya** – NOV #SW07-523/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 the property located beneath the power lines north of Shadow Rock Park, near the corner of Los Feliz Street and Alto Avenue, Clark County; on or about May 5, 2007.

Item continued to January 16, 2008 agenda.

3. **Melecio Trujillo-Campos** – NOV #SW07-982/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 the north side of 1671 and 1681 West Neal Avenue, Clark County; on or about August 21, 2007.

MEDIA CONTACTS

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Hearing officer found Melecio Trujillo-Campos 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.

4. **Paul Brian Ferguson** – NOV #SW07-199/A0- For placing, depositing or dumping or causing to be placed, deposited or dumped solid waste on property located on the north side of 2400 South Las Vegas Boulevard, Las Vegas, Clark County; on or about February 26, 2007.

Hearing officer found Paul Brian Ferguson in violation and imposed a penalty of \$500.

5. **Stanley Steemer International, Inc.** – NOV #SW07-1098/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 grey water upon the driveway located at 1722 East University Avenue, Clark County; on or about September 12, 2007.

Hearing officer found Stanley Steemer International, Inc. in violation and imposed a penalty of \$1,150 for 1) and a penalty of \$1,500 for 2). Corrective action to develop written procedures for proper disposal of industrial waste water and employee training is ordered. Failure to comply will result in the original penalty of \$3,150 as initially sought.

6. **Marcus Anthony Loomer** – NOV #SW07-665/74- 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 west of Southern Highlands Water Retention Basin, Clark County; on or about June 21, 2007; and 3) failure to comply with the Order issued by the Solid Waste Management Authority on August 30, 2007.

Item continued to January 16, 2008 agenda.

7. **Marcus Anthony Loomer** – NOV #SW07-730/74- 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 on property located approximately 130 yards south of the intersection of Shinnecock Hills Avenue and Jones Boulevard, Clark County; on or about July 10, 2007.

Item continued to January 16, 2008 agenda.

8. **Nick Tortu and Consolidated Construction Clean Up** – NOV #SW07-677/74- 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 on property located at 3365 East Tropicana Avenue, Clark County; on or about June 25, 2007.

Hearing officer found Nick Tortu and Consolidated Construction Clean Up in violation and imposed a penalty of \$3,000 for each of 1) and 2).

9. **Vincent Patrick Salas** – NOV #SW07-1096/47- 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 1227 Western Avenue, Las Vegas, Clark County; on or about September 13, 2007.

Hearing officer found Vincent Patrick Salas 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.

10. **Silver State Materials, LLC** – NOV #SW07-844/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 property located approximately 125 feet west of the north end of Vegas Vista Trail, Las Vegas, Clark County; on or about July 29, 2007.

Hearing officer found Silver State Materials, LLC in violation and imposed a penalty of \$1,200 for 1) and a penalty of \$1,400 for 2). Corrective action of removal and proper disposal of waste is ordered. Failure to comply will result in the original penalty of \$4,600 as initially sought.

11. **C & W Enterprises, Inc.** – NOV #SW07-937/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 upon the property located west of the intersection of North Commerce Street and Plymouth Avenue, North Las Vegas, Clark County; on or about August 16, 2007.

Hearing officer found C & W Enterprises, Inc. in violation and imposed a penalty of \$1,500 for each of 1) and 2). Correction action of removal and proper disposal of waste is ordered. A training program is ordered to communicate proper disposal steps to all staff and formalize such a training program for all employees regarding proper disposal of any dirt soils, construction debris or any other solid waste at an approved waste handling facility.

12. **Elite International Corporation** – NOV #SW07-934/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 August 20, 2007.

Item continued to January 16, 2008 agenda.

13. **Eduardo Palomo** – 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 found Eduardo Palomo in violation and imposed a penalty of \$900 for each of 1) and 2). A reimbursement of \$345 for plumbing costs is also ordered.

14. **Lalos Mexican Food and Ninfa A. Paz** – NOV #SW07-879/74- For 1) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste on property located at 5853 West Tropicana Avenue, Clark County; on or about August 13, 2007; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on August 6, 2007.

Hearing officer found Lalos Mexican Food and Ninfa A. Paz in violation and imposed a penalty of \$900 for each of 1) and 2). A corrective action of removal and proper disposal of waste is ordered.

15. **Joe Gonzalez** – NOV #SW06-1579/E0/23- For failure to comply with the Order issued by the Solid Waste Management Authority Hearing Officer on July 25, 2007.

Hearing officer found Joe Gonzalez in violation and imposed a penalty of \$2,300. Corrective action of removal and proper disposal of waste is ordered.

16. **Tabor A. Davidson** – NOV #SW07-322/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 1612 Yellow Rose Street, Las Vegas, Clark County; on or about March 26, 2007; and 3) failure to comply with the Order issued by the Solid Waste Management Authority on March 29, 2007.

Hearing officer found Tabor A. Davidson 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.

17. **Tropicana Villas Homes Association** – NOV #SW07-379/E0- For operating a disposal site without a permit issued by the solid waste management authority.

Hearing officer found Tropicana Villas Homes Association in violation and imposed a penalty of \$500. Failure to comply will result in the original penalty of \$900 as initially sought.

18. **Alkay LTD, Inc.** – NOV #SW07-949/C6- For failure to comply with the Order issued by the Solid Waste Management Authority on August 22, 2007.

Hearing officer found Alkay LTD, Inc. in violation and imposed a penalty of \$900. Corrective action of removal and proper disposal of waste is ordered.

19. **Christopher A. Tortu, Jr. dba Grimey Clean Up** – NOV #SW07-037/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 January 12, 2007.

Hearing officer found Christopher A. Tortu, Jr. dba Grimey Clean Up in violation and imposed a penalty of \$1,800 for 1) and a \$1,000 penalty for 2). Failure to comply will result in the original penalty of \$4,200 as initially sought.

20. **Jose G. Diaz dba JGD Construction Clean Up** – NOV #SW07-325/45- 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 east of Steptoe Street and south of McGill Avenue, Clark County; on or about March 22, 2007 and April 30, 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 March 22, 2007 and April 30, 2007; and 4) failure to comply with the Order issued by the Solid Waste Management Authority on March 28, 2007.

Hearing officer found Jose G. Diaz dba JGD Construction Clean Up in violation and imposed a penalty of \$2,700 for 1), a penalty of \$1,350 for 2) and a penalty of \$900 for 4). Failure to comply will result in the original penalty of \$9,000 as initially sought.

21. **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.

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.

None

- D. NOTICES OF VIOLATION – FURTHER PROCEEDINGS:

None