



## Public Health Update

Solid Waste Management Authority Hearing Officer Meeting – January 16, 2008

The Solid Waste Hearing Officer, under authority granted in Nevada Revised Statute (NRS) 444.629, conducts monthly hearings to settle cases involving illegal dumping and other solid waste matters. At the January 16, 2008 meeting, the following cases were adjudicated:

### II. MATTERS REQUIRING HEARING OFFICER ACTION

#### A. NOTICES OF VIOLATION WITH CONTESTED PENALTIES:

1. **Henry Sanchez and Shirley A. Sanchez** – NOV #SW07-909/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 23, 2007.

Item continued to March 19, 2008 agenda.

#### B. NOTICES OF VIOLATION WITH CONTESTED FACTS:

1. **Henry W. Sanchez and Shirley A. Sanchez and Frederick M. Sanchez Trust** – NOV #SW06-909/19- 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 April 6, 2006 and July 3, 2007; and 3) failure to comply with the Order issued by the Solid Waste Management Authority on July 21, 2006.

Item continued to March 19, 2008 agenda.

2. **Cassaro Enterprises, Incorporated** – NOV #SW07-1203/23- 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 northwest corner of unimproved Ponderosa Way and Santa Margarita Street, Clark County; throughout 2006 and into 2007.

Item withdrawn by the Southern Nevada Health District.

3. **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.

#### MEDIA CONTACTS

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Item continued to February 21, 2008 agenda.

4. **Charles O'Neill and A Shade Better** – NOV #SW07-1118/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 at the end of Saddle Avenue, approximately 300 feet east of El Capitan Way, Clark County; on or about September 18, 2007.

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5. **Fastrack Unlimited, Inc.** – NOV #SW07-443/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 properties located on the east side of the flood channel between Florine Avenue and Hickam Avenue west of Durango Drive, Clark County; on or about April 3, 2007.

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6. **Tina Marie Looza and Diego Rodriguez** – NOV #SW07-907/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 at the southwest corner of Rimbey Street and Melvin Street, Clark County; on or about August 13, 2007.

Hearing officer found Tina Marie Looza in violation of 2) and imposed a penalty of \$500. Hearing officer found Diego Rodriguez in violation and imposed a penalty of \$900 for each of 1) and 2).

7. **Mohamed Oudaoud** – NOV #SW07-1414/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 upon the property located at 4375 South Buffalo Drive, Clark County; on or about November 16, 2007.

Hearing officer found Mohamed Oudaoud in violation and imposed a penalty of \$500 for each of 1) and 2).

8. **Gary Emil Stavinsky** – NOV #SW07-1349/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 upon the property located on Red Rock Street between Coley Avenue and Palmyra Avenue, Clark County; on or about November 1, 2007.

Hearing officer found Gary Emil Stavinsky in violation and imposed a penalty of \$500 for each of 1) and 2).

9. **American Jetting Services** – NOV #SW07-1237/23- 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 728 Desert Lane, Las Vegas, Clark County; on or about October 17, 2007.

Hearing officer found American Jetting Services in violation and imposed a penalty of \$900 for each of 1) and 2).

10. **Donovan Brothers Trucking, Inc.** – NOV #SW07-1149/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 including approximately 22 piles of dirt spoils upon the property located on East Charleston Boulevard, between May Avenue and June Avenue, Clark County; on or about September 15, 2007.

Item continued to February 21, 2008 agenda.

11. **SE Rachmani Living Trust, Eli Rachmani and Sharona Rachmani Trust** – NOV #SW07-923/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 16, 2007.

Hearing officer found SE Rachmani Living Trust, Eli Rachmani and Sharona Rachmani Trust in violation and imposed a penalty of \$1,800 for each of 1) and 2). Corrective action of removal and proper disposal of waste is ordered.

12. **Raymond D. Ansotegui** – NOV #SW07-688/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 properties located approximately 443 feet west of Okemo Street and 40 feet south of Peaceful Dawn Avenue; and approximately 225 feet west of Okemo Street and 80 feet south of Peaceful Dawn Avenue, Clark County; on or about June 27, 2007.

Item continued to February 21, 2008 agenda.

13. **Russell Duneville Villas Development LLC** – NOV #SW07-1050/E0- For failure to comply with the Order issued by the Solid Waste Management Authority on September 13, 2007.

Hearing officer found Russell Duneville Villas Development LLC in violation and imposed a penalty of \$750.

14. **Richmar Commercial, LLC** – NOV #SW07-1220/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 October 15, 2007.

Hearing officer found Richmar Commercial, LLC in violation and imposed a penalty of \$750 for each of 1) and 2). Corrective action of removal and proper disposal of waste and an action plan are ordered.

15. **Royal Festivals, Inc.** – NOV #SW07-1104/C0- For 1) operating a disposal site without a permit issued by the solid waste management authority; 2) causing or allowing sewage or accumulation of human excreta to overflow on property located at 4245 South Grand Canyon Drive, Las Vegas, Clark County, on or about September 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 September 17, 2007; and 4) failure to comply with the Order issued by the Solid Waste Management Authority on September 17, 2007.

Hearing officer found Royal Festivals, Inc. in violation and imposed a penalty of \$900 for 1), and a penalty of \$1,200 for 2). A resource recovery program is ordered.

16. **Efrain Piedra and Yolanda Piedra** – NOV #SW07-470/C0/23- For failure to comply with the Order issued by the Solid Waste Management Authority Hearing Officer on September 19, 2007.

Item withdrawn by the Southern Nevada Health District.

17. **Galtar, LLC** – NOV #SW07-847/47- 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, 2007.

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18. **Legacy Construction** – NOV #SW07-1171/47- For 1) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste on property located northeast of 3640 North Las Vegas Boulevard, Clark County; on or about July 31, 2007; 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 31, 2007; and 3) failure to comply with the Order issued by the Solid Waste Management Authority on October 9, 2007.

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19. **James B. Bailey** – NOV #SW07-1049/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 September 10, 2007.

Hearing officer found James B. Bailey in violation and imposed a penalty of \$3,000. Corrective action of removal and proper disposal of waste is ordered.

20. **Michael Roy Burrill** – NOV #SW07-983/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 September 6, 2007.

Hearing officer found Michael Roy Burrill 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.

21. **Basic Environmental Company LLC** – NOV #SW07-1115/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 September 19, 2007.

Hearing officer found Basic Environmental Company LLC in violation and imposed a penalty of \$1,800 for 1) and a penalty of \$1,400 for 2). Corrective action of removal and proper disposal of waste is ordered.

22. **Esteban Torres Jr. Vasquez** – NOV #SW07-1152/C6- 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 November 5, 2007; and 3) failure to comply with the Order issued by the Solid Waste Management Authority on October 2, 2007.

Hearing officer found Esteban Torres Jr. Vasquez in violation and imposed a penalty of \$1,800 for each of 1) and 2), and a \$900 penalty for 3). Corrective action of removal and proper disposal of waste is ordered.

23. **SLK Development LLC** – NOV #SW07-684/23/23- For failure to comply with the Order issued by the Solid Waste Management Authority Hearing Officer on October 17, 2007.

Hearing officer found SLK Development LLC in violation and imposed a penalty of \$5,000. Corrective action of removal and proper disposal of waste is ordered.

24. **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 withdrawn by the Southern Nevada Health District.

25. **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 withdrawn by the Southern Nevada Health District.

26. **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 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.

1. **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.

Corrective action of removal and proper disposal of waste is ordered.

2. **Juan R. Munoz** – NOV #SW07-1297/47- 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 upon the vacant property located west of the intersection of Iron Mountain Road and Thom Boulevard, Clark County; on or about October 28, 2007.

Hearing officer found Juan R. Munoz in violation and imposed a penalty of \$750 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.

3. **Mac Landscaping, Inc.** – NOV #SW07-873/08- 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 consisting of dirt spoils and solid waste upon the vacant lot located 200 feet east of Louise Street and 100 feet south of Cincinnati Avenue, Clark County; on or about July 9, 2007.

Hearing officer found Mac Landscaping, Inc. 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.

4. **Ready Mix, Inc.** – NOV #SW07-1101/08- 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 on the north side of Dunn Avenue, approximately 250 feet east of the northeast corner of Skyline Street and Dunn Avenue, Clark County; on or about September 14, 2007.

Hearing officer found Ready Mix, Inc. in violation of 2) and imposed a penalty of \$1,000.

5. **Jesus Chacon and Sandra A. LaFrieda** – NOV #SW07-543/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 64 feet east of Los Feliz Street and approximately 30 feet north of Coldwater Driver, Clark County; on or about May 5, 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 5, 2007.

Hearing officer found Jesus Chacon and Sandra A. LaFrieda in violation and imposed a penalty of \$500 for each of 1), 2) and 3). Corrective action of removal and proper disposal of waste is ordered. Failure to comply will result in the original penalty of \$2,800 as initially sought in November.

D. NOTICES OF VIOLATION – FURTHER PROCEEDINGS:

None.