



Public Health Update

Solid Waste Management Authority Hearing Officer Meeting – March 19, 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 March 19, 2008 meeting, the following cases were adjudicated:

II. MATTERS REQUIRING HEARING OFFICER ACTION

A. NOTICES OF VIOLATION WITH CONTESTED FACTS:

1. **Maynard D. Garcia and Priscilla L. Garcia** – NOV #SW07-1180/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 5, 2007.

Item continued to April 16, 2008 agenda.

2. **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.

Item continued to April 16, 2008 agenda.

3. **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.

Hearing officer found Legacy Construction in violation of 3) and imposed a penalty of \$500.

4. **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.

Item continued to April 16, 2008 agenda.

5. **Darren Cinat** – NOV #SW07-1586/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 3695 South Fort Apache Road, Clark County; on or about July 19, 2007.

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

6. **Kelvin Macher** – NOV #SW07-1261/D6- 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 east side of the property located at 4840 South Eastern Avenue, Clark County; on or about October 15, 2007.

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

7. **Clear Choice Development Group, Inc.** – NOV #SW07-1549/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 two vacant parcels, the first located southwest of the intersection of South Bronco Street and West Russell Road and the second located north of the intersection of South Bronco Street and West Quail Avenue, Clark County; on or about December 13, 2007.

Hearing officer found Clear Choice Development Group, 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.

8. **FSP Stallion 26, LLC** – NOV #SW07-1178/C6- For failure to comply with the Order issued by the Solid Waste Management Authority on October 5, 2007.

Hearing officer found FSP Stallion 26, LLC in violation and imposed a penalty of \$500. Failure to comply will result in the original penalty of \$900 as initially sought in November.

9. **Gildardo R. Gollas and Maria Gollas** – NOV #SW07-1122/C0- For 1) causing or allowing sewage or accumulation of human excreta to overflow on property located at 1212 Chapman Drive, Las Vegas, Clark County, on or about September 19, 2007; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on September 19, 2007.

Hearing officer found Gildardo R. Gollas and Maria Gollas in violation of 2) and imposed a penalty of \$1,000. Remediation of area affected by sewage overflow is ordered. Failure to comply will result in original penalty of \$2,700 as initially sought in November.

10. **R.M. Silverado Ranch LLC and Rafel Mirchou** – NOV #SW07-908/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 13, 2007.

Item withdrawn by the Southern Nevada Health District.

11. **Navid Kausar** – NOV #SW07-1337/E0- 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 7, 2007.

Hearing officer found Navid Kausar in violation and imposed a penalty of \$700 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.

12. **Justino Padilla** – NOV #SW07-489/E0/23- For failure to comply with the Order issued by the Solid Waste Management Authority Hearing Officer on August 15, 2007.

Hearing officer found Justino Padilla in violation and imposed a penalty of \$1,000.

13. **Dario Pini, LLC** – NOV #SW07-1467/47- For 1) causing or allowing sewage or accumulation of human excreta to overflow upon the property located at 707 Fremont Street, Las Vegas, Clark County, on or about December 4, 2007; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on December 4, 2007.

Hearing officer found Dario Pini, LLC in violation and imposed a penalty of \$4,500 for 1) and a penalty of \$5,000 for 2). Remediation of area affected by sewage overflow is ordered.

14. **Rebel Oil Company, Inc.** – NOV #SW07-1396/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 November 16, 2007.

Hearing officer found Rebel Oil Company, Inc. in violation of 2) and imposed a penalty of \$1,000. Failure to comply will result in the original penalty of \$2,700 as initially sought in November.

15. **Shane Demirjian** – NOV #SW07-1380/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 November 15, 2007.

Hearing officer found Shane Demirjian in violation and imposed a penalty of \$1,800 for 1) and a penalty of \$900 for 2). Corrective action of removal and proper disposal of waste is ordered.

16. **C & W Enterprises, Inc.** – NOV #SW07-937/C0/23- For failure to comply with the Order issued by the Solid Waste Management Authority Hearing Officer on November 14, 2007.

Item continued to April 16, 2008 agenda.

17. **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 May 21, 2008 agenda.

18. **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 May 21, 2008 agenda.

19. **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.

Hearing officer found no violation.

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

- B. **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. **Lawn Co., Inc.** – NOV #SW07-946/74- 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 the northwest corner of Coley Avenue and Tioga Way, Clark County; on or about August 20, 2007.

Hearing officer found Lawn Co., 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.

2. **Golden Legacy Las Vegas LLC** – NOV #SW07-1563/E0- 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, 2007.

Hearing officer found Golden Legacy Las Vegas LLC in violation and imposed a penalty of \$1,000 for 1) and a penalty of \$900 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.

3. **Castellina Corp.** – NOV #SW07-1595/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 December 27, 2007.

Hearing officer found Castellina Corp. 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.

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

None