



## Public Health Update

Solid Waste Management Authority Hearing Officer Meeting – June 18, 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 June 18, 2008 meeting, the following cases were adjudicated:

### II. MATTERS REQUIRING HEARING OFFICER ACTION

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

1. **Maria Teresa Alvarez** – NOV #SW07-1565/08- 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 Public Right-of-Way located on the west side of North Linn Lane, Clark County; on or about December 17, 2007.

Item withdrawn by the Southern Nevada Health District.

2. **Salvatore Bonfessuto** – NOV #SW08-412/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 southeast corner of Durango Drive and Log Cabin Way, Clark County; on or about March 30, 2007, March 31, 2007 and April 1, 2007.

Item continued to July 30, 2008 agenda.

3. **Tiffany Decorating Company** – NOV #SW08-570/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 upon the property located at 4640 South Arville Street, Clark County; on or about March 17, 2008; and 3) failure to comply with the Order issued by the Solid Waste Management Authority on March 19, 2008.

Hearing officer found Tiffany Decorating Company in violation and imposed a penalty of \$900 for each of 1) and 2). Corrective action to develop and implement a plan to instruct all employees on the proper disposal of all products used by Tiffany Decorating Company is ordered.

4. **Christian Andrew Pitre and John L. Counseller** – NOV #SW08-533/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 property located at 3949 Monthill Avenue, Clark County; on or about March 10, 2008.

Hearing officer found Christian Andrew Pitre and John L. Counseller in violation and imposed a penalty of \$1,500 for each of 1) and 2).

5. **Dragan Rnic and Magic Consulting, LLC** – NOV #SW08-551/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 two parcels, one located south of Serene Avenue and the other located north of Silverado Ranch Boulevard, Clark County; on or about March 8, 2008.

Hearing officer found Dragan Rnic and Magic Consulting, LLC in violation and imposed a penalty of \$1,800 for each of 1) and 2).

6. **Sergio Arellano** – NOV #SW07-1318/D8- For 1) causing or allowing sewage or accumulation of human excreta to overflow on properties located at 1394 North Nellis Boulevard, Clark County, Nevada and 1374 North Nellis Boulevard, Clark County, on or about November 1, 2007; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on November 1, 2007.

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

7. **Massi Family Spendthrift Trust, Albert D. Massi and Eileen F. Massi Trustees** – NOV #SW08-422/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 February 20, 2008.

Item continued to July 30, 2008 agenda.

8. **Nato Fund, Inc.** – NOV #SW08-004/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 2, 2008.

Hearing officer found Nato Fund, Inc. in violation of 2) and imposed a penalty of \$900.

9. **Fermanali Family Trust 31 and Robindale/Arville, LLC 69** – NOV #SW07-1597/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 Fermanali Family Trust 31 and Robindale/Arville, LLC 69 in violation of 2) and imposed a penalty of \$500.

10. **Nellis Farm & Feed, LLC** – NOV #SW08-544/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 March 12, 2008; and 3) failure to comply with the Order issued by the Solid Waste Management Authority on March 13, 2008.

Hearing officer found Nellis Farm & Feed, LLC in violation and imposed a penalty of \$900 for each of 1), 2) and 3). Corrective action of removal and proper disposal of waste is ordered.

11. **Marvin Gardens, Inc.** – NOV #SW07-1593/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 February 1, 2008.

Hearing officer found Marvin Gardens, Inc. 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.

12. **Bank Deutsche National Trust Co.** – NOV #SW08-423/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 20, 2008.

Hearing officer found Bank Deutsche National Trust Co. 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.

- 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. **Darryl Johnson** – NOV #SW08-554/60- For placing, depositing or dumping or causing to be placed, deposited or dumped solid waste on property located in the Public Right of Way, Las Vegas, Clark County; on or about March 7, 2008.

Hearing officer found Darryl Johnson in violation and imposed a penalty of \$700. Failure to comply will result in the original penalty of \$900 as initially sought in November.

2. **Jackie Lynn Ramos** – NOV #SW08-283/08- 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 between the commercial property located at 2451 North Jones Boulevard and the vacant lot located about 500 feet northwest of North Jones Boulevard and Smoke Ranch Road, Las Vegas, Clark County; on or about January 28, 2008.

Hearing officer found Jackie Lynn Ramos 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. **H.A.T. Development L.L.C. and Sergei Kuraka** – NOV #SW08-523/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 west of Fort Apache Road between Le Baron Avenue and Mountain Edge Avenue, Clark County; on or about March 7, 2008.

Hearing officer found H.A.T. Development L.L.C. and Sergei Kuraka in violation of 2) and imposed a penalty of \$500.

C. NOTICES OF VIOLATION – FURTHER PROCEEDINGS:

None