



Public Health Update

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

II. MATTERS REQUIRING HEARING OFFICER ACTION

A. NOTICES OF VIOLATION WITH CONTESTED FACTS:

1. **Jose Sanchez** – NOV #SW08-838/08- 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 1.7 miles east of North Los Feliz Street and East Lake Mead Boulevard, specifically 350 feet south of East Lake Mead Boulevard, Clark County; on or about April 27, 2008.

Item withdrawn by the Southern Nevada Health District.

2. **Amazon Landscape Maintenance, Inc.** – NOV #SW08-1480/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 on the northeast corner of Iron Mountain Road and Bradley Road, Las Vegas, Clark County; on or about August 26, 2008.

Hearing officer found Amazon Landscape Maintenance, Inc. in violation of 2) and imposed a penalty of \$750. 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 the Notice of Violation.

3. **Paul Butta** – NOV #SW08-642/08- 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, specifically 1,000 feet east of East Linden Avenue and North Los Feliz Street, which is located at the east terminus of Linden Avenue, Clark County; on or about March 28, 2008.

Item withdrawn by the Southern Nevada Health District.

4. **FC Income Properties, LLC** – NOV #SW08-956/G9- 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 9, 2008.

Item withdrawn by the Southern Nevada Health District.

5. **Regency Meadows Nevada, LLC** – NOV #SW08-1498/C6- For 1) causing or allowing sewage or accumulation of human excreta to overflow upon property located at 2101 Sandy Lane, Clark County, on or about September 9, 2008; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on September 8, 2008.

Hearing officer found Regency Meadows Nevada, LLC in violation of 2) and imposed a penalty of \$1,000. Failure to comply will result in the original penalty of \$3,600 as initially sought in the Notice of Violation.

6. **Los Compadres Meat Market** – NOV #SW08-1239/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 4545 East Tropicana Avenue, Clark County; on or about July 16, 2008; and 3) failure to comply with the Order issued by the Solid Waste Management Authority on July 25, 2008.

Hearing officer found Los Compadres Meat Market in violation and imposed a penalty of \$900 for 1), a penalty of \$1,800 for 2), and a penalty of \$2,700 for 3). Correction action is ordered to develop and implement a plan of action and employee training procedures to assure the timely removal of all solid waste, proper containment of all solid waste inside a dumpster, and a clean and odor-free dumpster dock containment area.

7. **R. C. Farms, Inc.** – NOV #SW08-865/45- For 1) operating a disposal site without a permit issued by the solid waste management authority and Solid Waste Management Authority Regulations Governing Recycling Centers; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on May 2, 2008.

Hearing officer found R.C. Farms, 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 as well as the retention of a Certified Environmental Manager (CEM).

8. **JMB Management, Inc.** – NOV #SW08-1424/C6- For failure to comply with the Order issued by the Solid Waste Management Authority on August 21, 2008.

Hearing officer found JMB Management, Inc. in violation and imposed a penalty of \$1,000. Failure to comply will result in the original penalty of \$1,800 as initially sought in the Notice of Violation.

9. **Avalon at Seven Hills Nevada, LLC** – NOV #SW08-1135/C6- For failure to comply with the Order issued by the Solid Waste Management Authority on June 30, 2008.

Hearing officer found Avalon at Seven Hills Nevada, LLC in violation and imposed a penalty of \$1,000. Failure to comply will result in the original penalty of \$1,800 as initially sought in the Notice of Violation.

10. **Willie B. Jaquess and Shirley J. Ayo** – NOV #SW08-029/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 1400 Pyramid Drive, Las Vegas, Clark County; on or about January 9, 2008; and 3) failure to comply with the Order issued by the Solid Waste Management Authority on January 25, 2008.

Item continued to December 17, 2008 agenda.

11. **Platinum Community Services, LLC** – NOV #SW08-1612/E0- For failure to comply with the Order issued by the Solid Waste Management Authority on January 22, 2008.

Item continued to December 17, 2008 agenda.

12. **Boulder Manor Suites, LLC dba Siegel Suites Boulder** – NOV #SW08-1143/C6- For failure to comply with the Order issued by the Solid Waste Management Authority on June 30, 2008.

Hearing officer found Boulder Manor Suites, LLC dba Siegel Suites Boulder in violation and imposed a penalty of \$500. Failure to comply will result in the original penalty of \$900 as initially sought in the Notice of Violation.

13. **A1 Organics Nevada, LLC** – NOV #SW07-356/D8- For 1) operating a disposal site without a permit issued by the solid waste management authority; 2) failure to comply with the Order issued by the Solid Waste Management Authority on March 29, 2007; and 3) failure to maintain a buffer zone of at least five hundred (500) feet from the adjoining property and one thousand (1,000) feet from any public road, as required for a compost plant that accepts municipal solid waste and is not fully enclosed within a building on or about June 2, 2008.

Hearing officer found A1 Organics Nevada, LLC in violation and imposed a penalty of \$2,250 for 1), a penalty of \$4,500 for 2), and a penalty of \$750 for 3). A Cease and Desist order is in place and corrective action of removal and proper disposal of waste is also ordered. Failure to comply will result in the original penalty of \$17,100 as initially sought in the Notice of Violation.

14. **Diana Soria-Lozano** – NOV #SW08-032/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 10, 2008.

Item continued to December 17, 2008 agenda.

15. **G. Clell Jacobs** – NOV #SW07-1550/08/23- For failure to comply with the Order issued by the Solid Waste Management Authority Hearing Officer on April 16, 2008.

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

16. **John Stuart and Celebrate/Legends LLC** – NOV #SW07-1394/C6/23- For failure to comply with the Order issued by the Solid Waste Management Authority Hearing Officer on April 16, 2008.

Item continued to December 17, 2008 agenda.

17. **Thoroughbred Management, Inc.** – NOV #SW08-953/E0- For failure to comply with the Order issued by the Solid Waste Management Authority on May 16, 2008.

Item continued to December 17, 2008 agenda.

18. **Irasema Gamino** – NOV #SW08-518/E0- For failure to comply with the Order issued by the Solid Waste Management Authority on March 17, 2008.

Hearing officer found Irasema Gamino in violation and imposed a penalty of \$900. 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. **Universal Carpet Care, Inc.** – NOV #SW08-1538/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 at 2120 Ramrod Avenue, specifically the northeast corner of the parking lot, Henderson, Clark County; on or about September 12, 2008.

Hearing officer found Universal Carpet Care, Inc. in violation of 1) and imposed a penalty of \$900. Failure to comply will result in the original penalty of \$2,800 as initially sought in the Notice of Violation.

- C. NOTICES OF VIOLATION – FURTHER PROCEEDINGS:

None