



## Public Health Update

Solid Waste Management Authority Hearing Officer Meeting - December 17, 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 December 17, 2008, the following cases were adjudicated:

### II. MATTERS REQUIRING HEARING OFFICER ACTION

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

1. **A M S Equity Ventures Trust** – NOV #SW08-578/C6/C6- For failure to comply with the Order issued by the Solid Waste Management Authority Hearing Officer on August 20, 2008.

Item continued to January 21, 2009 agenda.

2. **Lunas Construction Clean Up, Inc.** – NOV #SW08-986/45/G7- 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 July 25, 2008.

Hearing officer found Lunas Construction Clean Up, Inc. in violation of 1) and imposed a penalty of \$4,250. Failure to comply will result in the original penalty of \$11,000 as initially sought in the Notice of Violation.

3. **Amazon Landscape Maintenance, Inc. dba Green Tree Landscape & Maintenance** – NOV #SW08-1541/G9- 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 southeast corner of Azure Avenue and Novak Street, Clark County; on or about August 19, 2008.

Hearing officer found Amazon Landscape Maintenance, Inc. dba Green Tree Landscape & Maintenance 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 \$10,000 as initially sought in the Notice of Violation.

4. **Jose Martinez-Guzman** – NOV #SW08-1539/08- 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 Abels Lane, Clark County; on or about September 16, 2008.

Hearing officer found Jose Martinez-Guzman in violation of 2) and imposed a penalty of \$500.

5. **Dianne Stevenson aka Aleta Dianne Turner** – NOV #SW08-1162/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 450 Eastgate Road, southwest of 560 Cape Horn Drive, Henderson, Clark County; on or about July 4, 2008.

Hearing officer found Dianne Stevenson aka Aleta Dianne Turner in violation and imposed a penalty of \$900 for each of 1) and 2).

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 withdrawn by the Southern Nevada Health District.

7. **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 January 21, 2009 agenda.

8. **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.

Hearing officer found Thoroughbred Management, Inc. in violation and imposed a penalty of \$1,800. A Plan of Action is ordered to develop and implement a program to insure future overflow of raw sewage will not occur in the Desert Inn Master Plan subdivision.

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

10. **Yamin Family 1999 L P** – NOV #SW08-294/23/C6- For failure to comply with the Order issued by the Solid Waste Management Authority Hearing Officer on July 30, 2008.

Item continued to January 21, 2009 agenda.

11. **Raul Herrera-Delarosa** – NOV #SW08-903/45- 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 July 1, 2008.

Hearing officer found Raul Herrera-Delarosa in violation and imposed a penalty of \$1,500 for 1) and a penalty of \$500 for 2). Corrective action to provide proof of proper disposal of waste is ordered. Failure to comply will result in the original penalty of \$3,600 as initially sought in the Notice of Violation.

12. **Doloresa-Marie R. Renkiewicz** – NOV #SW08-997/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 May 28, 2008.

Hearing officer found Doloresa-Marie R. Renkiewicz in violation and imposed a penalty of \$1,900 for each of 1) and 2). Corrective action of removal and proper disposal of waste is ordered.

13. **Golden Legacy Las Vegas LLC** – NOV #SW07-1563/E0/23/23- For failure to comply with the Order issued by the Solid Waste Management Authority Hearing Officer on July 30, 2008.

Hearing officer found Golden Legacy Las Vegas LLC in violation and imposed a penalty of \$2,900. Corrective action of removal and proper disposal of waste is ordered.

14. **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 January 21, 2009 agenda.

15. **Willie B. Jaquess and Shirley J. Ayo** – NOV #SW08-030/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 1368 Pyramid Drive, Las Vegas, Clark County; on or about January 9, 2008; 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 January 9, 2008; and 4) failure to comply with the Order issued by the Solid Waste Management Authority on January 25, 2008.

Item continued to January 21, 2009 agenda.

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. **Las Vegas Pipeline LLC** – NOV #SW08-1375/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 at 8120 Westwind Road, Clark County; on or about August 13, 2008.

Hearing officer found Las Vegas Pipeline LLC in violation and imposed a penalty of \$900 for each of 1) and 2). Correction action of removal and proper disposal of waste is ordered. In addition, the implementation of a training program to address the proper disposal of any solid waste from job sites is also ordered. This program should include locations where operators are to dispose of waste and how the disposal must be done to protect the environment and prevent illegal dumping. A written plan of the program is to be submitted.

2. **AutoZone, Inc.** – NOV #SW08-1543/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 September 17, 2008; and 3) failure to comply with the Order issued by the Solid Waste Management Authority on September 17, 2008.

Hearing officer found AutoZone, Inc. in violation and imposed a penalty of \$900 for each of 1) and 2), and a penalty of \$1,400 for 3).

C. NOTICES OF VIOLATION – FURTHER PROCEEDINGS:

1. **Rentex Charitable Services Division, Inc.** – NOV #SW04-873/45- For 1) 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 August 17, 2004; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on August 25, 2004.

Hearing officer order dated May 18, 2005 is amended to strike the names of Aadvantage Appraisers and David Van Hatten.

2. **Platinum Real Estate Services, Lisa Kim and Dennis Green** – NOV #SW08-094/E0- For failure to comply with the Order issued by the Solid Waste Management Authority on January 22, 2008.

Hearing officer order dated April 16, 2008 is vacated.