



## Public Health Update

### Solid Waste Management Authority Hearing Officer Meeting – April 15, 2009

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 April 15, 2009, the following cases were adjudicated:

#### II. MATTERS REQUIRING HEARING OFFICER ACTION

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

1. **Thomas R. Nacos and Damian Jorgensen** – NOV #SW08-1623/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 vacant parcel located at the northeast end of Linden Avenue, Clark County; on or about September 28, 2008.

Hearing officer found no violation

2. **Norma Mejia and Manuel Mejia** – NOV #SW08-1493/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 south side of Lake Mead Boulevard approximately 1.4 miles east of the Lake Mead Boulevard and Los Feliz intersection, Clark County; on or about September 4, 2008.

Hearing officer found Norma Mejia and Manuel Mejia in violation and imposed a penalty of \$500 for each of 1) and 2).

3. **James Bradley Bailey** – NOV #SW08-886/G9- 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 5040 Mesa Verde Lane, Clark County; on or about March 31, 2008 through April 30, 2008; 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 March 31, 2008 through April 30, 2008.

Hearing officer found James Bradley Bailey in violation and imposed a penalty of \$3,500 for 1) and a penalty of \$750 for each of 2) and 3).

4. **Freily Giovanni Cardoza** – NOV #SW09-018/47- 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 on property located at 564 East Silverado Ranch Road, Clark County; on or about January 3, 2009.

Hearing officer found Freily Giovanni Cardoza in violation and imposed a penalty of \$900 for each of 1) and 2).

5. **Jose Alberto Rodriguez-Ramos** – NOV #SW08-1607/08- 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 property at 2929 Stewart Avenue, Las Vegas, Clark County; on or about October 3, 2008.

Hearing officer found Jose Alberto Rodriguez-Ramos in violation and imposed a penalty of \$900 for each of 1) and 2).

6. **Nellis & Hollywood 006-007, LLC** – NOV #SW08-1300/08- 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 4, 2008.

Hearing officer found Nellis & Hollywood 006-007, LLC in violation and imposed a penalty of \$900 for each of 1) and 2).

7. **Charley Ray Marble, Jr. a.k.a. Charley Marble** – NOV #SW08-476/47/C6- For failure to comply with the Order issued by the Solid Waste Management Authority Hearing Officer on August 20, 2008.

Hearing officer found Charley Ray Marble, Jr. a.k.a. Charley Marble in violation and imposed a penalty of \$5,000. Corrective action of removal and proper disposal of waste is ordered.

8. **Tropicana Villas Homes Association** – NOV #SW09-194/C6- For 1) causing or allowing sewage or accumulation of human excreta to overflow upon the common area located on the east side of 3521 Villa Knolls South Drive, Clark County, on or about February 2, 2009; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on February 2, 2009.

Hearing officer found Tropicana Villas Homes Association in violation and imposed a penalty of \$1,000 for each of 1) and 2). A written action plan is ordered to include the remediation steps to be communicated to all staff to ensure any raw sewage overflow is responded to in a responsive manner. The written plan should be incorporated into a training program that addresses precaution and the remediation procedures.

9. **Joaquin Chevez-Jouel** – NOV #SW08-1558/G9- 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 6325 Horizon Ridge Court, Clark County; on or about September 19, 2008; and 3) failure to comply with the Order issued by the Solid Waste Management Authority on September 25, 2008.

Hearing officer found Joaquin Chevez-Jouel 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.

10. **Kyle Acquisition Group, LLC** – NOV #SW08-1057/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 four properties located south of the intersection of Oso Blanca Road and Kyle Canyon Road, Las Vegas, Clark County; on or about June 13, 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 November 16, 2008; and 4) failure to comply with the Order issued by the Solid Waste Management Authority on July 16, 2008.

Item continued to June 17, 2009 agenda.

11. **Juan Pena and Maria Zubia** – NOV #SW08-1720/C0- 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 5990 Lindell Road, Clark County; on or about November 10, 2008; and 3) failure to comply with the Order issued by the Solid Waste Management Authority on November 12, 2008.

Hearing officer found Juan Pena and Maria Zubia 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.

12. **Karen Andrade, Robson Andrade and Andrade's Cleaning Company** – NOV #SW08-725/45/G7/G7- For 1) failure to comply with the Order issued by the Solid Waste Management Authority Hearing Officer on September 24, 2008; and 2) operating a disposal site without a permit issued by the solid waste management authority.

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. **Teresa Brown and Walter Brown** – NOV #SW08-639/E0- 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 be placed, deposited upon the property located at 4104 East Patrick Lane, Clark County, on or about November 1, 2007; and 3) failure to comply with the Order issued by the Solid Waste Management Authority on November 1, 2007.

Hearing officer found Teresa Brown and Walter Brown in violation and imposed a penalty of \$500 for each of 1) and 2). Correction action is ordered to obtain a permit for an approved septic system by application with the individual Sewage Disposal System section of the Southern Nevada Health District to include replacement of absorption field and tank. Failure to comply will result in the original penalty of \$2,700 as initially sought in the Notice of Violation.

2. **Minerva Hernandez** – NOV #SW08-1910/08- 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 at 1851 North Walnut Road, Clark County; on or about December 18, 2008.

Hearing officer found Minerva Hernandez in violation of 2) and imposed a penalty of \$750. Failure to comply will result in the original penalty of \$1,800 as initially sought in the Notice of Violation.

3. **Bruce L. Vazzana and Suzanne Vazzana dba Vazzana Underground Construction** – NOV #SW09-162/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 wastewater upon the property located on the northeast corner of San Salvador Avenue and Rose Quartz Road, Henderson, Clark County; on or about January 27, 2009.

Hearing officer found Bruce L. Vazzana and Suzanne Vazzana dba Vazzana Underground Construction in violation of 2) and imposed a penalty of \$750. Failure to comply will result in the original penalty of \$1,800 as initially sought in the Notice of Violation.

C. NOTICES OF VIOLATION – FURTHER PROCEEDINGS:

None