



Public Health Update

Solid Waste Management Authority Hearing Officer Meeting - January 13, 2011

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 January 13, 2011 the following cases were adjudicated:

I. MATTERS REQUIRING HEARING OFFICER ACTION

A. NOTICES OF VIOLATION WITH CONTESTED FACTS:

1. **Paul Milko** - NOV #SW10-1366/A0- For 1) operating a disposal site in Clark County, Nevada, 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 east of Juliano Road and south of Monarchy Court, Clark County, Nevada on or about August 7, 2010 and August 8, 2010.

Hearing officer found Paul Milko in violation and imposed a penalty of \$1,800 for each of 1) and 2). Corrective action of removal and proper disposal of waste is ordered. Cease and Desist order is issued to stop operating a solid waste disposal site without a permit from the solid waste management authority at this location or any other in Clark County, Nev.

2. **Shawn Frederick James Milton** - NOV #SW10-1190/47- For 1) operating a disposal site in Clark County, Nevada, 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 southeast corner of the vacant parcel located northeast of Edna Avenue and Van Allen Street, Clark County, Nevada on or about June 14, 2010.

Hearing officer found Shawn Frederick James Milton 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. Cease and Desist order is issued to stop operating a solid waste disposal site without a permit from the solid waste management authority at this location or any other in Clark County, Nev.

3. **Walter H. Hess** - NOV #SW10-122/08- For 1) operating a disposal site in Clark County, Nevada, 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 25, 2010.

Item continued to March 10, 2011 docket.

4. **Jerriman Xavier Robinson** – NOV #SW10-1383/32- For 1) operating a disposal site in Clark County, Nevada, 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 south side of Erie Avenue between Torrey Pines Drive and Jones Boulevard, Clark County, Nevada on or about August 18, 2010.

Item continued to March 10, 2011 docket.

5. **Greg Charles Martin and Jaclyn J. Martin** – NOV #SW10-458/E0- For 1) operating a disposal site in Clark County, Nevada, 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 5330 Solar Avenue, Las Vegas, Clark County, Nevada on or about April 20, 2010; and 3) failure to comply with the Order issued by the Solid Waste Management Authority on April 23, 2010.

Hearing officer found Greg Charles Martin and Jaclyn J. Martin in violation of 2) and imposed a penalty of \$750.

6. **Cal-Neve Network Corporation** – NOV #SW10-911/E0- For failure to comply with the Order issued by the Solid Waste Management Authority on June 14, 2010.

Hearing officer found Cal-Neve Network Corporation in violation and imposed a penalty of \$900. Corrective action of removal and proper disposal of waste is ordered.

7. **Liwanag S. Beltran** – NOV #SW10-889/E0- For failure to comply with the Order issued by the Solid Waste Management Authority on June 11, 2010.

Hearing officer found Liwanag S. Beltran in violation and imposed a penalty of \$900. Corrective action of removal and proper disposal of waste is ordered.

8. **Los Cuñados Produce and Jesus Andrade** – NOV #SW10-1310/G9- For 1) failure to comply with the Order issued by the Solid Waste Management Authority on August 23, 2010; and 2) the improper storage of putrescible waste or refuse in containers that are not tightly covered, leak proof, durable and easily cleanable construction on or about October 1, 2010.

Item withdrawn by the Southern Nevada Health District.

9. **Bernard Omrani** – NOV #SW10-491/47- For 1) operating a disposal site in Clark County, Nevada, 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 5, 2010.

Hearing officer found Bernard Omrani 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.

10. **Pecos Capital, LLC** – NOV #SW10-1397/60- For 1) operating a disposal site in Clark County, Nevada, 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 24, 2010.

Hearing officer found Pecos Capital, LLC 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. Cease and Desist order is issued to stop operating a solid waste disposal site without a permit from the solid waste management authority at this location or any other in Clark County, Nev.

11. **Lunas Construction Clean Up, Inc.** – NOV #SW10-550/45- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority; and 2) failure to comply with the Order(s) issued by the Solid Waste Management Authority on October 21, 2008 and May 13, 2010.

Hearing officer found Lunas Construction Clean up, Inc. in violation and imposed a penalty of \$7,500 for 1) and a penalty of \$3,000 for 2). Failure to comply will result in the original penalty of \$38,500 as initially sought in the Notice of Violation.

12. **Jeremy Paul Greenwell** – NOV #SW10-321/C6- For 1) operating a disposal site in Clark County, Nevada, 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 east side of Gillespie Street about 730 feet south of Larson Lane, Henderson, Clark County, Nevada on or about March 24, 2010.

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. **J & J Enterprises Services, Inc.** – NOV #SW09-1616/47- For 1) operating a disposal site in Clark County, Nevada, 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 and into the storm drain channel located east of 5920 West Cougar Avenue, Clark County, Nevada on or about November 13, 2009.

Hearing officer found J & J Enterprises Services, Inc. in violation of 2) and imposed a penalty of \$500. Cease and Desist order is issued to stop operating a solid waste disposal site without a permit from the solid waste management authority at this location or any other in Clark County, Nev.

2. **Cleotilde Zonaga and Raymond Zonaga** – NOV #SWSW10-1104/E0- For 1) operating a disposal site in Clark County, Nevada, 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 4, 2010.

Hearing officer found Cleotilde Zonaga and Raymundo Zonaga in violation of 2) and imposed a penalty of \$500. Cease and Desist order is issued to stop operating a solid waste disposal site without a permit from the solid waste management authority at this location or any other in Clark County, Nev.

3. **Renu Oil of America, Inc.** – NOV #SW10-1246/45- For vehicles or containers used for the collection and transportation of garbage and similar putrescible waste or refuse must be tightly covered, leak proof, durable and of easily cleanable construction. The

vehicle or container must be cleaned frequently to prevent nuisances, insect breeding and must be maintained in good repair.

Hearing officer found Renu Oil of America, Inc. in violation and imposed a penalty of \$500.

4. **P.I. Land Las Vegas, LLC dba Phoenix Recycling Technologies** – NOV #SW10-573/G7- For 1) SWMAR Regulations Governing Recycling Centers Section 4.2 for operating a disposal site, i.e. A recycling center, in Clark County, Nevada, outside of the conditions of the 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 2, 2010.

Hearing officer found P.I. Land Las Vegas, LLC dba Phoenix Recycling Technologies in violation and imposed a penalty for \$1,000 for each for 1) and 2). An application to modify the Waste Tire Management Facility permit must be submitted.

5. **R & S St. Rose, LLC** – NOV #SW09-1480/C6- For 1) operating a disposal site in Clark County, Nevada, 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 19, 2009.

Hearing officer found R & S St. Rose, LLC 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. Failure to comply will result in the original penalty of \$3,600 as initially sought in the Notice of Violation.

6. **The Church of South Las Vegas Inc.** – NOV #SW10-1445/32- For 1) operating a disposal site in Clark County, Nevada, 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 gravel pit road located five miles south of St. Rose Parkway off of Las Vegas Boulevard, Clark County, Nevada on or about September 1, 2010.

Hearing officer found The Church of South Las Vegas 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 the Notice of Violation.

7. **H20 Environmental, Inc.** – NOV #SW10-1139/G7- For 1) operating a disposal site in Clark County, Nevada, 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 16, 2010.

Hearing officer found H20 Environmental, Inc. in violation of 2) and imposed a penalty of \$900. Cease and Desist order is issued to stop operating a solid waste disposal site without a permit from the solid waste management authority at this location or any other in Clark County, Nev. Failure to comply will result in the original penalty of \$1,800 as initially sought in the Notice of Violation.

8. **A Recycling Solution, LLC** – NOV #SW10-1381/D8- For 1) Solid Waste Management Authority Regulations Governing Materials Recovery Facilities Section 6.1(f), on or about June 18, 2010 and August 10, 2010; and 2) Solid Waste Management Authority

Regulations Governing Temporary Permits Section 5.2, on or about June 18, 2010 and August 10, 2010.

Hearing officer found A Recycling Solution, LLC in violation and imposed a penalty of \$1,000 for each of 1) and 2).

9. **Clark County School District** - NOV #SW10-1441/D2- For 1) operating a disposal site in Clark County, Nevada, 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 September 1, 2010.

Hearing officer found Clark County School District in violation of 2) and imposed a penalty of \$900.

C. NOTICES OF VIOLATION - FURTHER PROCEEDINGS

1. **Peter Chang and David Lo** - NOV #SW09-1142/G7- For 1) operating a disposal site in Clark County, Nevada, 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 3, 2009.

Hearing officer order dated July 13, 2010 is amended.

2. **Metro Storage, LLC, Edible Landscaping and Kay A. Rodriguez** - NOV #SW09-1012/C6/23/C6- For failure to comply with the Order issued by the Solid Waste Management Authority Hearing Officer on July 13, 2010

Hearing officer order dated July 13, 2010 is amended.