



Public Health Update

Solid Waste Management Authority Hearing Officer Meeting - January 12, 2012

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 12, 2012 hearing the following cases were adjudicated:

I. MATTERS REQUIRING HEARING OFFICER ACTION

A. NOTICES OF VIOLATION WITH CONTESTED FACTS:

1. **Britani Elizabeth Lampkin and Justin Minix** - NOV #SW11-1003/C6- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about July 29, 2011; 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the vacant parcel located at 5770 South Rainbow Boulevard, Clark County, Nevada on or about July 29, 2011; and 3) identification of the owner of any solid waste which is disposed of, in violations of NRS 444.630, subsection 1; creates a reasonable inference that the owner is the person who disposed of the solid waste. The fact that the disposal of the solid waste was not witnessed does not, in and of itself, preclude the identification of its owner. *(for possible action)*

Item withdrawn by the Southern Nevada Health District.

2. **Jun L. Zhou** - NOV #SW11-940/47- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about July 22, 2011; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on July 25, 2011. *(for possible action)*

Item continued to March 8, 2012 agenda.

3. **Shirley J. Ayo** - NOV #SW11-646/G9- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about May 24, 2011; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on May 26, 2011. *(for possible action)*

Item continued to March 8, 2012 agenda.

4. **Gemstone Development West, Inc. and Alexander Edelstein** – NOV #SW11-440/C6- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about April 4, 2011; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on June 14, 2011. (*for possible action*)

Item withdrawn by the Southern Nevada Health District.

5. **Bank of America, Southwest Prudential Americana Group** – NOV #SW11-903/60- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about July 7, 2011; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on July 14, 2011. (*for possible action*)

Item withdrawn by the Southern Nevada Health District.

6. **Federal National Mortgage Association** – NOV #SW11-1105/60- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about August 30, 2011; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on September 1, 2011. (*for possible action*)

Hearing officer found Federal National Mortgage Association in violation and imposed a penalty of \$1,400 for 1) and a penalty of \$5,500 for 2). Corrective action of removal and proper disposal of waste is ordered. A 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.

7. **Walgreens #6310** – NOV #SW11-1163/24- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about October 11, 2011; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on September 8, 2011. (*for possible action*)

Hearing officer found Walgreens #6310 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. A 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.

8. **Mountain Hill, LLC** – NOV #SW11-998/A0- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about September 9, 2011; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on August 4, 2011. (*for possible action*)

Hearing officer found Mountain Hill, 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. A 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.

9. **Gordon Family Irrevocable Trust ETAL and Ronald Smith Trustee** – NOV #SW11-1085/C6- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about August 18, 2011; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on August 22, 2011. *(for possible action)*

Item continued to February 9, 2012 agenda.

10. **Paseo Stone I, LLC** – NOV #SW10-478/C6/C6/23- For failure to comply with the Order issued by the Solid Waste Management Authority Hearing Officer on July 14, 2011. *(for possible action)*

Hearing officer found Paseo Stone I, LLC in violation and imposed a penalty of \$2,800. Corrective action of removal and proper disposal of waste is ordered. A 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. **Bank of New York Mellon Trustees** – NOV #SW10-1385/G9/23- For failure to comply with the Order issued by the Solid Waste Management Authority Hearing Officer on March 10, 2011. *(for possible action)*

Hearing officer found Bank of New York Mellon Trustees in violation and imposed a penalty of \$10,000. Corrective action of removal and proper disposal of waste is ordered. A 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.

12. **Federal National Mortgage Association** – NOV #SW10-2155/G9/23- For failure to comply with the Order issued by the Solid Waste Management Authority Hearing Officer on September 8, 2011. *(for possible action)*

Item continued to March 8, 2012 agenda.

13. **Lordhill Pptys Corp, Golden Legacy Las Vegas LLC, David Tran, Helen Tran and Tina Tran** – NOV #SW11-534/C6/23- For failure to comply with the Order issued by the Solid Waste Management Authority Hearing Officer on September 8, 2011. *(for possible action)*

Item withdrawn by the Southern Nevada Health District.

14. **A&B Environmental, LLC** – NOV #SW11-618/D8- For transportation of asbestos waste without a transportation permit from the solid waste management authority on February 2, 2011, February 16, 2011, February 22, 2011, March 1, 2011, March 14, 2011, March 15, 2011, March 22, 2011 and March 24, 2011. *(for possible action)*

Hearing officer found A&B Environmental, LLC in violation and imposed a penalty of \$1,500. Failure to comply will result in the original penalty of \$12,600 as initially sought in the Notice of Violation.

15. **H20 Environmental, Inc.** – NOV #SW10-1139/G7/G7- For failure to comply with the Order issued by the Solid Waste Management Authority Hearing Officer on February 27, 2011. *(for possible action)*

Item continued to February 9, 2012 agenda.

16. **Michael Little** – NOV #SW11-027/G7/G7- For failure to comply with the Order issued by the Solid Waste Management Authority Hearing Officer on July 14, 2011. *(for possible action)*

Item continued to March 8, 2012 agenda.

17. **High Desert Sand, LLC** – NOV #SW11-1199/G7- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about January 12, 2011; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on January 20, 2011. *(for possible action)*

Item continued to February 9, 2012 agenda.

18. **Recycling Technologies, LLC dba Re-New Recycling** – NOV #SW11-1087/45- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about August 19, 2011 and October 3, 2011; 2) Solid Waste Management Authority Regulations Governing Recycling Centers for operating a recycling center 15 3019 Meade Avenue, Las Vegas, Nevada on or about August 19, 2011 and October 3, 2011; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on August 25, 2011. *(for possible action)*

Hearing officer found Recycling Technologies, LLC dba Re-New Recycling in violation and imposed a penalty of \$1,800 for each of 1) and 2), and a penalty of \$900 for 3). Corrective action of removal and proper disposal of waste is ordered. A 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 \$25,000 as initially sought in the Notice of Violation.

19. **Thomas Delaney and Michael Schoenbaechler** – NOV #SW11-872/G7- For 1) Solid Waste Management Authority Regulations Governing Recycling Centers Section 3.1 for operating a recycling center in Clark County, Nevada, without a permit issued by the solid waste management authority on or about June 29, 2011 and October 11, 2011; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on July 28, 2011. (*for possible action*)

Hearing officer found Thomas Delaney and Michael Schoenbaechler in violation and imposed a penalty of \$500 for 1) and a \$900 penalty for 2). A 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 \$2,700 as initially sought in the Notice of Violation.

- 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. **Joaquin Isreal Bravo-Sierra** – NOV #SW11-1119/G9- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about DATE; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the public right-of-way located north of 2109 Sunrise Avenue, Las Vegas, Clark County, Nevada on or about August 26, 2011. (*for possible action*)

Hearing officer found Joaquin Isreal Bravo-Sierra in violation of 1) and imposed a penalty of \$900. A 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.

2. **David A. Vasquez and Raina Joy Vasquez** – NOV #SW11-1182/32- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about September 12, 2012; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the property located approximately on half mile northeast of 6490 Wiesner Avenue, Clark County, Nevada on or about September 12, 2011. (*for possible action*)

Hearing officer found David A. Vasquez and Raina Joy Vasquez in violation of 2) and imposed a penalty of \$500. Corrective action of removal and proper disposal of waste is ordered. A 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.

3. **Porfirio Flores-Carrasco dba Yocmar** – NOV #SW11-1126/G9- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about August 29, 2011; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the public right-of-way located north of 2113 Sunrise Avenue, Las Vegas, Clark County, Nevada on or about August 29, 2011. *(for possible action)*

Hearing officer found Porfirio Flores-Carrasco dba Yocmar in violation of 2) and imposed a penalty of \$600. A 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.

4. **Dusty Investments, LLC** – NOV #SW10-1463/C6- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about September 2, 2010; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on September 28, 2011. *(for possible action)*

Hearing officer found Dusty Investments, LLC in violation of 2) and imposed a penalty of \$750. Corrective action of removal and proper disposal of waste is ordered. A 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.

C. NOTICES OF VIOLATION – FURTHER PROCEEDINGS

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