



## Public Health Update

### Solid Waste Management Authority Hearing Officer Meeting – May 10, 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 May 10, 2012 hearing the following cases were adjudicated:

#### I. MATTERS REQUIRING HEARING OFFICER ACTION

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

1. **Bonnie Nolan Revocable Trust and Michael S. Leffert Test Trust** – NOV #SW11-1421/C6- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about October 18, 2011; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on November 1, 2011. (*for possible action*)

Hearing officer found Bonnie Nolan Revocable Trust and Michael S. Leffert Test Trust 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.

2. **Margaret S. Grover** – NOV #SW11-1626/E0- For 1) causing or allowing sewage or accumulation of human excreta to overflow upon the property located at 5151 Golden Spring Avenue, Clark County, Nevada on or about December 15, 2011; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on December 15, 2011. (*for possible action*)

Hearing officer found Margaret S. Grover in violation and imposed a penalty of \$900 for each of 1) and 2).

3. **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*)

Hearing officer found Jun L. Zhou 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. Failure to comply will result in the original penalty of \$1,800 as initially sought in the Notice of Violation.

4. **U.S. Micro Corporation** – NOV #SW11-1175/G7- For 1) operating a recycling center in Clark County, Nevada without a permit issued by the Solid Waste Management Authority on or about September 7, 2011; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on September 13, 2011. *(for possible action)*

Hearing officer found U.S. Micro Corporation in violation of 2) and imposed a penalty of \$500. 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.

5. **Olympia Group, L.L.C.** – NOV #SW11-1293/C6- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about October 5, 2011; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on October 10, 2011. *(for possible action)*

Item continued to June 14, 2012 agenda.

6. **Section E Partners, L.L.C.** – NOV #SW11-1493/C6- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about November 4, 2011; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on November 10, 2011. *(for possible action)*

Hearing officer found Section E Partners, L.L.C. in violation of 2) and imposed a penalty of \$750. Corrective action plan is ordered. 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.

7. **KP & TP LLC** – NOV #SW11-1464/C6- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about November 2, 2011; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on December 14, 2011. *(for possible action)*

Item continued to July 12, 2012 agenda.

8. **Westmont, Inc.** – NOV #SW11-1544/C6- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about November 21, 2011; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on November 22, 2011. *(for possible action)*

Item continued to June 14, 2012 agenda.

9. **Shearing Family Trust and Los Reyes Corporation** – NOV #SW11-1317/60- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about October 7, 2011; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on October 14, 2011. *(for possible action)*

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. **Gary N. Meregillano and Grace M. Meregillano** – NOV #SW12-052/24- For 1) causing or allowing sewage or accumulation of human excreta to overflow upon the property located at 3365 Sylvia Street, Clark County, Nevada on or about January 11, 2012; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on January 11, 2012. *(for possible action)*

Hearing officer found Gary N. Meregillano and Grace M. Meregillano 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.

2. **Burbank LLC and ALS Enterprise** – NOV #SW11-1200/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 15, 2011; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on September 19, 2011. *(for possible action)*

Hearing officer found Burbank LLC and ALS Enterprise in violation of 2) and imposed a penalty of \$900.

3. **Chavez Construction Clean-Up Co., LLC** – NOV #SW11-1471/G7- For violation of Solid Waste Management Authority Regulations (SWMAR) Governing Construction and Demolition Waste Short-Term Storage Facilities Section 3.3 for operating a construction and demolition waste short-term storage facility in Clark County, Nevada, without a permit issued by the Solid Waste Management

Authority (SWMA) on November 2, 2011 and November 3, 2011. *(for possible action)*

Hearing officer found Chavez Construction Clean-Up Co., LLC in violation and imposed a penalty of \$1,800. 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. **Recycling Technologies, LLC dba Re-New Recycling** – NOV #SW11-1087/45/45- For failure to comply with the Order issued by the Solid Waste Management Authority Hearing Officer on January 12, 2012. *(for possible action)*

Hearing officer found Recycling Technologies, LLC dba Re-New Recycling in violation and imposed a penalty of \$2,500. 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 \$5,000 as initially sought in the Notice of Violation.

5. **707 Property Management** – NOV #SW11-1558/G9- For 1) causing or allowing sewage or accumulation of human excreta to overflow upon the properties located at 1101 East Clark Street, 427 South 11<sup>th</sup> Street and the Las Vegas public right-of-way located southeast of 1101 East Clark Avenue and 427 South 11<sup>th</sup> Street, Las Vegas, Clark County, Nevada on or about November 28, 2011; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on November 28, 2011. *(for possible action)*

Hearing officer found 707 Property Management in violation and imposed a penalty of \$500 for each of 1) and 2).

6. **Sidney Stanley** – NOV #SW11-1006/D8- For violation of Solid Waste Management Authority Regulations Governing the Management of Waste Tires (SWMAR), 1) Section 11.6(a) for hauling waste tires from 2520 North Las Vegas Boulevard, North Las Vegas, Nevada using a vehicle not permitted by the SWMA to haul waste tires on or about May 26, 2011; 2) Section 12.3(a) for failing to keep accurate daily records of waste tires received and transported from 2520 North Las Vegas Boulevard, North Las Vegas, Nevada on or about May 26, 2011; 3) Section 12.4 for failing to use a manifest to record the transport of waste tires collected at 2520 North Las Vegas Boulevard, North Las Vegas, Nevada on or about May 26, 2011; 4) Section 12.5(b) failing to provide a final copy of the required manifest of transport of waste tires collected at 2520 North Las Vegas Boulevard, North Las Vegas, Nevada on May 26, 2011 within thirty (30) days of disposal at the Apex Regional Landfill; and 5) Section 14.1 for disposing of at least three (3) pneumatic tires collected at 2520 North Las Vegas Boulevard, North Las Vegas, Nevada in the Apex Regional Landfill on May 26, 2011. *(for possible action)*

Hearing officer found Sidney Stanley in violation and imposed a penalty of \$500 for 4) and a penalty of \$1,500 for 5).

7. **1139 Jessie Trust** - NOV #SW11-924/60- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about July 12, 2011; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on July 14, 2011. (*for possible action*)

Hearing officer found 1139 Jessie Trust in violation of 2) 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.

8. **Antonio Lopez Martinez** - NOV #SW12-109/A0- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about December 9, 2011; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the vacant parcel located southeast of Starr Hills Avenue and Patores Street, Clark County, Nevada on or about December 9, 2011. (*for possible action*)

Hearing officer found Antonio Lopez Martinez in violation and imposed a penalty of \$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. 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

1. **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 order of January 12, 2012 is amended.