



## Public Health Update

### Solid Waste Management Authority Hearing Officer Meeting – August 9, 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 August 9, 2012 hearing the following cases were adjudicated:

#### I. MATTERS REQUIRING HEARING OFFICER ACTION

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

1. **Jeremy Shane Spencer** – NOV #SW12-056/E0- 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, 2012; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the vacant parcel located at 11303 West Lake Mead Parkway, Las Vegas, Clark County, Nevada on or about January 12, 2012. *(for possible action)*

Hearing officer found Jeremy Shane Spencer in violation 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.

2. **Jaime D. Agudelo-Londono** – NOV #SW12-658/C6- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about May 5, 2012; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the property located at 5815 West Tropicana Avenue, Clark County, Nevada on or about May 5, 2012. *(for possible action)*

Hearing officer found Jaime D. Agudelo-Londono in violation 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.

3. **Cathy J. Gaither** – NOV #SW11-1265/G9- For failure to comply with the Order issued by the Solid Waste Management Authority on September 30, 2011. *(for possible action)*

Item withdrawn by the Southern Nevada Health District.

4. **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)*

Hearing officer found High Desert Sand, LLC in violation and imposed a penalty of \$1,800 for 1) and a penalty of \$900 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. Retention of a Certified Environmental Manager (CEM) is ordered.

5. **Hwang Hur, June Yoo and Lake Mead & Christy Investment LLC** - NOV #SW11-1647/G9- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about December 19, 2011; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on December 22, 2011. *(for possible action)*

Hearing officer found Hwang Hur, Jane Yoo and Lake Mead & Christy Investment LLC in violation of 2) and imposed a penalty of \$900. 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.

6. **GKT II, LLC and Alan J. Arnold 1995 Living Trust** - NOV #SW11-1609/G9- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about December 7, 2011; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on December 14, 2011. *(for possible action)*

Hearing officer found GKT II, LLC and Alan J. Arnold 1995 Living 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.

7. **Tran Enterprises, LLC** - NOV #SW11-058/C6/23- For failure to comply with the Order issued by the Solid Waste Management Authority Hearing Officer on August 17, 2011. *(for possible action)*

Item withdrawn by the Southern Nevada Health District.

8. **Nhu Thi Tran** – NOV #SW11-059/C6/23- For failure to comply with the Order issued by the Solid Waste Management Authority Hearing Officer on August 17, 2011. (*for possible action*)

Item withdrawn by the Southern Nevada Health District.

9. **Blue Diamond Enterprise Group, LP** – NOV #SW11-409/C6/23- For failure to comply with the Order issued by the Solid Waste Management Authority Hearing Officer on August 17, 2011. (*for possible action*)

Item continued to October 11, 2012 agenda.

10. **Paseo Apartments, LLC** – NOV #SW12-274/C6- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about February 27, 2012; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on March 6, 2012. (*for possible action*)

Hearing officer found Paseo Apartments, 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.

11. **BMAX Properties LLC** – NOV #SW11-1566/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 29, 2011; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on December 8, 2011. (*for possible action*)

Hearing officer found BMAX Properties LLC 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.

12. **Deutsche National Bank Trust Company** – NOV #SW12-444/C6- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about March 9, 2012; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on March 22, 2012. (*for possible action*)

Item continued to September 13, 2012 agenda.

13. **Las Vegas Land & Development Company, LLC** – NOV #SW11-1334/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 10, 2011; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on October 17, 2011. (*for possible action*)

Item continued to September 13, 2012 agenda.

14. **Laro Pacific (NEVADA) LLC** - NOV #SW12-501/C6- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about March 23, 2012; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on March 29, 2012. *(for possible action)*

Hearing officer found Laro Pacific (NEVADA) 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.

15. **Fort Apache Reno, LLC** - NOV #SW11-1244/C6/C6- For failure to comply with the Order issued by the Solid Waste Management Authority Hearing Officer on April 12, 2012. *(for possible action)*

Hearing officer found Fort Apache Reno, LLC in violation and imposed a penalty of \$2,650. 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.

16. **Jaswinder Grover** - NOV #SW11-1367/C6/C6- For failure to comply with the Order issued by the Solid Waste Management Authority Hearing Officer on April 12, 2012. *(for possible action)*

Hearing officer found Jaswinder Grover in violation and imposed a penalty of \$1,900. 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.

17. **Warm Springs @ I-15 LLC** - NOV #SW11-1466/C6/C6- For failure to comply with the Order issued by the Solid Waste Management Authority Hearing Officer on April 12, 2012. *(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. **BGRM Investments, LLC** - NOV #SW11-1653/G9- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about December 23, 2011; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on December 29, 2011. *(for possible action)*

Hearing officer found BGRM Investments, LLC in violation 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. **Canfam Holdings, LLC** - NOV #SW12-405/C6- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about March 2, 2012; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on March 14, 2012. (*for possible action*)

Hearing officer found Canfam Holdings, LLC in violation of 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.

3. **Carnarelli Family Land LLC** - NOV #SW12-414/C6- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about March 5, 2012; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on March 15, 2012. (*for possible action*)

Hearing officer found Carnarelli Family Land LLC in violation 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.

4. **Biodiesel of Las Vegas, Inc.** - NOV #SW12-422/D8- For 1) violation of Southern Nevada Health District Regulations Governing Recycling Centers Section 13.1 for operating a recycling center outside of the conditions of the permit issued by the Solid Waste Management Authority on or about March 12, 2012; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on March 15, 2012. (*for possible action*)

Hearing officer found Biodiesel of Las Vegas, Inc. in violation of 1) and imposed a penalty of \$500. Failure to comply will result in the original penalty of \$1,800 as initially sought in the Notice of Violation.

5. **Renu Oil of America, Inc.** - NOV #SW12-457/26- For violation of Southern Nevada Health District Regulations Governing Individual Sewage Disposal Systems and Liquid Waste Management Section 18.2 Permit Requirements and specifically sections 18.2.2 and 18.2.5. Section 18.2.2 states: Location of all discharge points and type of waste discharged at each location and section 18.2.5 states: A statement signed by the vehicle operator that all waste material collected will be disposed of in accordance with these

Regulations and that such waste will not be discharged to a waterway, sewer, or deposited on land without prior approval of the Health Authority. (*for possible action*)

Hearing officer found Renu Oil of America, Inc. in violation and imposed a penalty of \$900.

6. **Renu Oil of America, Inc.** – NOV #SW12-483/57- For violation of Southern Nevada Health District Regulations Governing Recycling Centers Section 13.3 for operating a recycling center outside of the conditions of the permit issued by the Solid Waste Management Authority on or about March 12, 2012. (*for possible action*)

Hearing officer found Renu Oil of America, Inc. in violation and imposed a penalty of \$900.

C. NOTICES OF VIOLATION – FURTHER PROCEEDINGS

None