



Public Health Update

Solid Waste Management Authority Hearing Officer Meeting - September 13

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 September 13, 2012 hearing the following cases were adjudicated:

I. MATTERS REQUIRING HEARING OFFICER ACTION

A. NOTICES OF VIOLATION WITH CONTESTED FACTS:

1. **Sunrise Paving, Inc.** - NOV #SW12-394/24- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about March 10, 2012; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the vacant parcel located at 30 Conestoga Way, Henderson, Clark County, Nevada on or about March 10, 2012. (*for possible action*)

Hearing officer found no violation.

2. **Tomas Jara** - NOV #SW12-681/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 8, 2012; 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the properties located at 5914 Reflection Point Court and 5924 Reflection Point Court, Clark County, Nevada on or about May 8, 2012; and 3) disposing of, abandoning or dumping motor vehicle battery, motor vehicle tire or motor vehicle oil at a site which has not been issued a permit for that purpose on or about May 8, 2012. (*for possible action*)

Hearing officer found Tomas Jara in violation and imposed a penalty of \$500 for each of 2) and 3).

3. **Aldo Hernandez** - NOV #SW11-1179/32- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about September 13, 2011; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the property located at 3557 Pueblo Way, Clark County, Nevada on or about September 13, 2011. (*for possible action*)

Item continued to November 8, 2012 agenda.

4. **Vardouhi Tosunyan** – NOV #SW12-409/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 15, 2012; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the Public Right-of-Ways located on Torrey Pines Drive, between Candleberry Road and Newville Avenue, Clark County, Nevada on or about March 15, 2012. *(for possible action)*

Item continued to November 8, 2012 agenda.

5. **Paulmar, LLC dba Paradise Produce** – NOV #SW12-659/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 6, 2012; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the properties located at 4640 South Valley View Boulevard and 4665 South Procyon Street, Clark County, Nevada on or about May 6, 2012. *(for possible action)*

Hearing officer found Paulmar, LLC dba Paradise Produce 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.

6. **Michelle R. Wythe** – NOV #SW12-014/A0- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about January 4, 2012; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the vacant parcel located south of West Levi Avenue and west of Charismatic Court, Clark County, Nevada on or about January 4, 2012. *(for possible action)*

Item continued to November 8, 2012 agenda.

7. **Pat Cassidy and Mary V. Cassidy** – NOV #SW12-482/32- For 1) causing or allowing sewage or accumulation of human excreta to overflow on property located at 5810 Missouri Avenue, Clark County, Nevada on or about March 23, 2012 and April 2, 2012; and 2) failure to comply with the Orders issued by the Solid Waste Management Authority on March 23, 2012 and April 2, 2012. *(for possible action)*

Hearing officer found Pat Cassidy and Mary V. Cassidy in violation and imposed a penalty of \$900 for each of 1) and 2). Failure to comply will result in the original penalty of \$3,600 as initially sought in the Notice of Violation.

8. **SF Investments, LLC and Fred Lessman 2001 Living Trust** – NOV #SW12-572/E0- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about April 19, 2012; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on April 24, 2012. *(for possible action)*

Hearing officer found SF Investments, LLC and Fred Lessman 2001 Living Trust in violation and imposed a penalty of \$3,000. 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.

9. **Atanacio Chavez** – NOV #SW12-155/08- For 1) causing or allowing sewage or accumulation of human excreta to overflow on property located at 6116 East Owens Avenue, Clark County, Nevada on or about January 27, 2012; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on January 27, 2012. *(for possible action)*

Hearing officer found Atanacio Chavez in violation and imposed a penalty of \$1,500 for each of 1) and 2). Receipts and/or invoices for completed work are ordered.

10. **Michael Little** – NOV #SW11-027/G7/G7/G7- For failure to comply with the Order issued by the Solid Waste Management Authority Hearing Officer on March 8, 2012. *(for possible action)*

Hearing officer found Michael Little in violation and imposed a penalty of \$5,500. Corrective action of removal and proper disposal of waste is ordered. Retention of a Certified Environmental Manger (CEM) 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. **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 November 8, 2012 agenda.

12. **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)*

Hearing officer found Westmont, Inc. 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 comply will result in the original penalty of \$1,800 as initially sought in the Notice of Violation.

13. **Khusrow Roohani Family Trust, Khusrow Roohani TRS and Nima Khomassi ETAL** – NOV #SW12-473/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 16, 2012; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on March 22, 2012. *(for possible action)*

Hearing officer found Khusrow Roohani Family Trust, Khusrow Roohani TRS and Nima Khomassi ET AL 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.

14. **David Ober Family Trust ETAL** – NOV #SW12-540/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 5, 2012; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on April 9, 2012. *(for possible action)*

Hearing officer found David Ober Family Trust ET AL 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.

15. **Basic Environmental Company LLC** – NOV #SW12-584/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 10, 2012; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on April 20, 2012. *(for possible action)*

Hearing officer found Basic Environmental Company LLC in violation and imposed a penalty of \$5,000 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.

16. **Jesse L. Thomas and Viveca Monet W. Thomas** – NOV #SW12-519/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 27, 2012; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on May 11, 2012. *(for possible action)*

Hearing officer found Jesse L. Thomas and Viveca Monet W. Thomas 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.

17. **Village At Russell-Phase II, LLC and Jaimee Yoshizawa** – NOV #SW11-525/C6/C6- For failure to comply with the Order issued by the Solid Waste Management Authority Hearing Officer on March 8, 2012. *(for possible action)*

Hearing officer found Village at Russell-Phase II and Jaimee Yoshizawa in violation and imposed a penalty of \$2,300. 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.

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. **William James White** - NOV #SW12-019/C6- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about January 5, 2012; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on January 9, 2012. (*for possible action*)

Hearing officer found William James White 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.

2. **William James White** - NOV #SW12-020/C6- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about January 5, 2012; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on January 9, 2012. (*for possible action*)

Hearing officer found William James White 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.

3. **Blue Diamond BLM LLC** - NOV #SW12-451/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 13, 2012; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on March 22, 2012. (*for possible action*)

Hearing officer found Blue Diamond BLM LLC 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.

4. **Comes Around LLC** – NOV #SW12-599/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 17, 2012; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on April 27, 2012. *(for possible action)*

Hearing officer found Comes Around LLC 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.

5. **ICHronicles410, LLC** – NOV #SW11-1602/24- 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 9, 2011. *(for possible action)*

Hearing officer found IChronicles410, 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. **Furniture 4 Less** – NOV #SW12-224/G9- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about February 17, 2012; 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the properties located at 280 South Martin Luther King Boulevard, 260 South Martin Luther King Boulevard, 270 South Martin Luther King Boulevard and 1652 Travis Jason Avenue, Las Vegas, Clark County, Nevada on or about February 17, 2012; and 3) failure to comply with the Order issued by the Solid Waste Management Authority on February 21, 2012. *(for possible action)*

Hearing officer found Furniture 4 Less in violation of 3) and imposed a penalty of \$500. An action plan for employee training is to be submitted, 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.

7. **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)*

Hearing officer found Deutsche National Bank Trust Company in violation of 2) and imposed a penalty of \$2,300. 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

None