



## Public Health Update

### Solid Waste Management Authority Hearing Officer Meeting – December 12, 2013

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 December 12, 2013 hearing the following cases were adjudicated:

#### I. MATTERS REQUIRING HEARING OFFICER ACTION

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

1. **5<sup>th</sup> & Brooks, LLC** – NOV #SW12-1068/H3- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about August 27, 2012 and April 22, 2013; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on September 7, 2012. (*for possible action*)

Hearing officer found 5<sup>th</sup> & Brooks, LLC in violation. Corrective action of removal and proper disposal of waste is ordered. Failure to comply will result in the original penalty of \$2,700 as initially sought in the Notice of Violation.

2. **Waxie's Enterprises, Inc.** – NOV #SW13-831/H2- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about June 19, 2013 and June 21, 2013; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the property located at 277 Pilot Road, Clark County, Nevada on or about June 19, 2013 and June 21, 2013. (*for possible action*)

Hearing officer found Waxie's Enterprises, Inc. in violation and imposed a penalty of \$5,000 for each of 1) and 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. Written policies and procedures and employee training regarding the proper disposal of hazardous and chemical wastes are ordered.

3. **John Rios dba Chandler Carpet Cleaning** – NOV #SW13-738/H2- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about June 4, 2013; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the property located at

4241 South Nellis Boulevard, Clark County, Nevada on or about June 4, 2013. (*for possible action*)

Hearing officer found John Rios dba Chandler Carpet Cleaning in violation of 2) and imposed a penalty of \$500. Reimbursement of \$150 for process service 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.

4. **David Karch** – NOV #SW13-1138/E0- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about September 5, 2013; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the property located at 1455 North Jones Boulevard, Las Vegas, Clark County, Nevada on or about September 5, 2013. (*for possible action*)

Hearing officer found David Karch 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. **Chuang Liu** – NOV #SW13-991/K5- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about August 8, 2013; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the property located at 2412 Clifford Avenue, Las Vegas, Clark County, Nevada on or about August 8, 2013. (*for possible action*)

Hearing officer found Chuang Liu 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.

6. **Fire Hydrant Services and Construction, Inc.** – NOV #SW13-1157/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 12, 2013; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste into a drop box upon the vacant parcel located north of 7201 West Post Road, Clark County, Nevada on or about September 12, 2013. (*for possible action*)

Hearing officer found Fire Hydrant Services and Construction, Inc. 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.

7. **Joti Sandhu and Christine Newmark** – NOV #SW13-1076/R2- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about August 25, 2013; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the north loading dock of the property located at 4190 West Teco Avenue, Clark County, Nevada on or about August 25, 2013. *(for possible action)*

Hearing officer found Joti Sandhu and Christine Newmark 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.

8. **Carlos Enrique Fajardo Pech** – NOV #SW13-1032/K5- 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, 2013; 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the vacant parcels located at the southwest corner of Alto Avenue and Bledsoe Lane and on the Clark County public right-of-way located on the west side of Bledsoe Lane between Alto Avenue and Tolentino Drive, Clark County, Nevada on or about August 19, 2013; 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 August 19, 2013. *(for possible action)*

Hearing officer found Carlos Enrique Fajardo Pech 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.

9. **Luis A. Arroyo** – NOV #SW13-444/G9- 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, 2013; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the vacant parcel located at the northeast corner of North Los Feliz Street and East Charleston Boulevard, Clark County, Nevada on or about March 27, 2013. *(for possible action)*

Item continued to February 13, 2014 agenda.

10. **Andrew Perez** – NOV #SW13-867/G9- 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, 2013; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the vacant parcel located at the northeast corner of North Los Feliz Street and East Charleston Boulevard, Clark County, Nevada on or about March 27, 2013. *(for possible action)*

Hearing officer found Andrew Perez in violation of 2) and imposed a penalty of \$750. 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. **Virginia Pulido** – NOV #SW13-868/G9- 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, 2013; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the vacant parcel located at the northeast corner of North Los Feliz Street and East Charleston Boulevard, Clark County, Nevada on or about March 27, 2013. *(for possible action)*

Hearing officer found Virginia Pulido in violation of 2) and imposed a penalty of \$750. 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. **ERC of Nevada, LLC** – NOV #SW13-1009/Q1- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about September 3, 2013; 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the property located at 6787 West Gary Avenue, Clark County, Nevada on or about August 8, 2013 and September 3, 2013; and 3) failure to comply with the Order issued by the Solid Waste Management Authority on August 16, 2013. *(for possible action)*

Hearing officer found ERC of Nevada, LLC in violation and imposed a penalty of \$2,800 for 1) a penalty of \$1,800 for 2) and a penalty of \$900 for 3). 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.

13. **Antjuan Lee Smith** – NOV #SW13-1086/H2- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about August 16, 2013; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the property located at the intersection of Meade Avenue and South Rancho Drive, Clark County, Nevada on or about August 16, 2013. *(for possible action)*

Hearing officer Antjuan Lee Smith in violation and imposed a penalty of \$900 for each of 1) and 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.

14. **Omninet Rainbow and Pebble, LLC** – NOV #SW13-1065/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 21, 2013; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on August 23, 2013. *(for possible action)*

Hearing officer found Omninet Rainbow and Pebble, LLC in violation and imposed a penalty of \$500 for each of 1) and 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.

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. **American Eagle Ready Mix, LLC** – NOV #SW13-1041/N7- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about August 20, 2013; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the vacant parcel located north of 1408 Marbella Ridge, Clark County, Nevada on or about August 20, 2013. *(for possible action)*

Hearing officer found American Eagle Ready Mix, LLC in violation and imposed a penalty of \$1,000 for 1) and a penalty of \$1,800 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.

2. **Pat Targets Irrevocable Business Trust** – NOV #SW13-889/R2- 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, 2013; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on July 30, 2013. *(for possible action)*

Hearing officer found Pat Targets Irrevocable Business Trust 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.

3. **Scott Michael Ruby** – NOV #SW13-1201/E0- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about September 21, 2013; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the vacant parcel located at the intersection of Del Rey Avenue and South Tioga Way, Las Vegas, Clark County, Nevada on or about September 21, 2013. *(for possible action)*

Hearing officer found Scott Michael Ruby 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.

C. NOTICES OF VIOLATION – FURTHER PROCEEDINGS  
None