



Public Health Update

Solid Waste Management Authority Hearing Officer Meeting –February 13, 2014

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 February 13, 2014 hearing the following cases were adjudicated:

I. MATTERS REQUIRING HEARING OFFICER ACTION

A. NOTICES OF VIOLATION WITH CONTESTED FACTS:

1. **Rolando Calijau** – NOV #SW13-1504/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 20, 2013; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the vacant parcel located northwest of South Fort Apache Road and Gomer Road, Clark County, Nevada on or about November 20, 2013. (*for possible action*)

Hearing officer found Rolando Calijau 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. Corrective action of removal and proper disposal of waste is ordered.

2. **Ramon M. Bernal** – NOV #SW13-702/K5- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about May 18, 2013; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the Public Right-of-Way located at the northeast corner of East Cincinnati Avenue and Gateway Avenue, Las Vegas, Clark County, Nevada on or about May 18, 2013. (*for possible action*)

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

3. **Lori Lee Power** – NOV #SW13-1290/G9- 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, 2013; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the property located in the common area of the Vegas Green Townhouses at the southwest corner of East Owens Avenue and Vegasgreen Trail, Las Vegas, Clark County, Nevada on or about October 10, 2013. *(for possible action)*

Hearing officer found Lori Lee Power 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.

4. **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)*

Hearing officer found Luis A. Arroyo 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. Corrective action of removal and proper disposal of waste is ordered.

5. **Reynaldo Willem Ruiz** – NOV #SW13-1353/G9- For 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 October 24, 2013. *(for possible action)*

Hearing officer found Reynaldo Willem Ruiz 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 \$900 as initially sought in the Notice of Violation.

6. **Bross Browning Companies, LLC** – NOV #SW13-1452/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 7, 2013; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the vacant parcel located southeast of West Mountain Edge Parkway and South El Capitan Way, Clark County, Nevada on or about November 7, 2013. *(for possible action)*

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

7. **Buffalo Corner, LLC** - NOV #SW13-941/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, 2013; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on August 2, 2013 with extension of the Order deadline extended to December 9, 2013. (*for possible action*)

Hearing officer found Buffalo Corner, 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. Failure to comply will result in the original penalty of \$1,800 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. **Metro East, LLC** - NOV #SW13-780/R2- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about June 14, 2013; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on July 31, 2013 with extensions of the Order deadline extended to October 22, 2013. (*for possible action*)

Hearing officer found Metro East, 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.

2. **Lani Neil** - NOV #SW13-1181/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 4, 2013; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the vacant parcel located north of 9545 West Russell Road, Clark County, Nevada on or about September 4, 2013. (*for possible action*)

Hearing officer found Lani Neil 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 penalty of \$1,800 as initially sought in the Notice of Violation.

3. **Fred W. Slark** - NOV #SW13-1401/N7- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about October 29, 2013; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the City of Las Vegas Public Right-of-Way

located at the northwest corner of East Carson Avenue and South 8th Street, Las Vegas, Clark County, Nevada on or about October 29, 2013. *(for possible action)*

Hearing officer found Fred W. Slark in violation of 2) and imposed a penalty of \$900. A written procedure for the management of wastewater 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 \$1,800 as initially sought in the Notice of Violation.

4. **Gaylyn R. Larsen and Fred W. Slark** – NOV #SW13-1475/N7- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about November 8, 2013; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the City of Las Vegas Public Right-of-Way located on the northeast corner of Fremont Street and Seventh Street, Las Vegas, Clark County, Nevada on or about November 8, 2013; and 3) failure to comply with the Order issued by the Solid Waste Management Authority on November 8, 2013. *(for possible action)*

Hearing officer found Gaylyn R. Larsen and Fred W. Slark in violation and imposed a penalty of \$900 for each of 1), 2) and 3). A written procedure for the management of wastewater 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 \$4,500 as initially sought in the Notice of Violation.

C. NOTICES OF VIOLATION – FURTHER PROCEEDINGS

1. **The JTS Trust, Jay N. and Tamara F. Smith, Trustees, and The Robert T. Mendenhall and Vyonne Mendenhall Family Trust, Robert T. and Vyonne S. Mendenhall Trustees** – NOV #SW13-362/C6- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on February 22, 2013. *(for possible action)*

Hearing officer order dated November 14, 2013 is amended.