



## Public Health Update

### Solid Waste Management Authority Hearing Officer Meeting –July 15, 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 July 15, 2014 hearing, the following cases were adjudicated:

#### I. MATTERS REQUIRING HEARING OFFICER ACTION

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

1. **Lori Michelle Cooper** – NOV #SW14-348/N7- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about March 6, 2014; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the vacant parcel located east of the corner of Lindell Road and Pinyon Forest Avenue, Clark County, Nevada on or about March 6, 2014. *(for possible action)*

Hearing officer found Lori Michelle Cooper 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.

2. **Julian Lugo Obeso** – NOV #SW14-331/57- For the unauthorized collection of recyclable materials from containers or the curbside area designated for collection by the franchisee on or about February 17, 2014 and February 20, 2014. *(for possible action)*

Hearing officer found Julian Lugo Obeso 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.

3. **Francisco Javier Cruz-Mendoza** – NOV #SW14-380/57- For the unauthorized collection of recyclable materials from containers or the curbside area designated for collection by the franchisee on or about March 7, 2014. *(for possible action)*

Hearing officer found Francisco Javier Cruz-Mendoza I 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. **Francisco Javier Cruz-Mendoza** – NOV #SW14-381/57- For the unauthorized collection of recyclable materials from containers or the curbside area designated for collection by the franchisee on or about March 14, 2014. *(for possible action)*

Item withdrawn by the Southern Nevada Health District.

5. **Jorge Cruz-Nava** – NOV #SW14-368/57- For the unauthorized collection of recyclable materials from containers or the curbside area designated for collection by the franchisee on or about February 21, 2014. *(for possible action)*

Hearing officer found Jorge Cruz-Nava 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. **Jorge Cruz-Nava** – NOV #SW14-377/57- For the unauthorized collection of recyclable materials from containers or the curbside area designated for collection by the franchisee on or about March 13, 2014. *(for possible action)*

Hearing officer found Jorge Cruz-Nava 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.

7. **IGWT Investments LLC** – NOV #SW14-022/K5- For 1) causing or allowing sewage or accumulation of human excreta to overflow on property located at 355 East Larson Lane, Henderson, Clark County, Nevada on or about January 8, 2014 and February 19, 2014; and 2) failure to comply with the Orders issued by the Solid Waste Management Authority on January 8, 2014 and February 19, 2014. *(for possible action)*

Item continued to August 14, 2014 agenda.

8. **Las Vegas Walnut LLC and PFF Trust** – NOV #SW13-473/K5- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about April 3, 2013; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on June 21, 2013 with extensions of the Order deadline extended to January 15, 2014. *(for possible action)*

Item continued to August 14, 2014 agenda.

9. **Lori C. Feichko** – NOV #SW14-333/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 3, 2014; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the vacant parcel located south of the intersection of South Rumrill Street and West Patrick Lane, Clark County, Nevada on or about March 3, 2014. *(for possible action)*

Hearing officer found Lori C. Feichko 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.

10. **Tiamo Square, LLC** – NOV #SW13-595/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 23, 2013; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on July 9, 2013 with extension of the Order deadline extended to February 12, 2014. *(for possible action)*

Hearing officer found Tiamo Square, 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.

11. **Letha Davies** – NOV #SW13-419/H2/C6- For failure to comply with the Order issued by the Solid Waste Management Authority Hearing Officer on November 14, 2013. *(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. **Murray K. Robinson, Junior and Patricia Robinson** – NOV #SW13-1609/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 26, 2013; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the vacant parcel located at 2400 North Michael Way, Las Vegas, Clark County, Nevada on or about November 26, 2013. *(for possible action)*

Hearing officer found Murray K. Robinson, Junior and Patricia Robinson 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.

2. **Pei Wei Asian Diner, LLC dba Pei Wei Asian Diner #97** – NOV #SW14-216/H2- For causing or allowing the grease interceptor to overflow on the property located at 10575 South Eastern Avenue, Suite 100, Henderson, Clark County, Nevada on or about February 7, 2014. *(for possible action)*

Hearing officer Pei Wei Asian Diner, LLC dba Pei Wei Asian Diner #97 in violation and imposed a penalty of \$500. Failure to comply will result in the original penalty of \$900 as initially sought in the Notice of Violation.

3. **Kimberly Figueroa** – NOV #SW14-177/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 4, 2014; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the vacant parcel located northeast of South Decatur Boulevard and West Camero Avenue, Clark County, Nevada on or about February 4, 2014. *(for possible action)*

Hearing officer found Kimberly Figueroa 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.

C. NOTICES OF VIOLATION – FURTHER PROCEEDINGS

1. **William Waters and Mariette Waters** – NOV #SW13-1411/G9- 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 March 13, 2014. *(for possible action)*

Hearing officer order dated March 13, 2014 is vacated.