



## Public Health Update

### Solid Waste Management Authority Hearing Officer Meeting – February 12, 2015

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 12, 2015 hearing, the following cases were adjudicated:

#### I. MATTERS REQUIRING HEARING OFFICER ACTION

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

1. **Mario Johnson** – NOV #SW14-1390/R2- 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, 2014; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the property located southwest of 3386 Myrtle Avenue, Clark County, Nevada on or about November 7, 2014. (*for possible action*)

Hearing officer found Mario Johnson 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. **Arthur Camp** – NOV #SW14-1321/R2- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about October 11, 2014; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the Public Right-of-Way located south of South Hualapai Way and West Sunset Road, Clark County, Nevada on or about October 11, 2014. (*for possible action*)

Hearing officer found Arthur Camp 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. **Carlos W. Ochoa-Avila** – NOV #SW14-1156/G4- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about August 29, 2014; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the property located on the east side of Auto Street, approximately 200 feet south of East Ann Road, Clark County, Nevada on or about August 29, 2014. *(for possible action)*

Hearing officer found Carlos W. Ochoa-Avila in violation of 2) and imposed a penalty of \$900.

4. **Bodega Latina Corporation dba El Super #20** – NOV #SW14-1055/G4- 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, 2014; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on August 22, 2014. *(for possible action)*

Hearing officer found Bodega Latina Corporation dba El Super #20 in violation and imposed a penalty of \$900 for 1) and a penalty of \$1,800 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.

5. **Kiss 770 LLC** – NOV #SW14-1273/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 22, 2014; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on October 29, 2014. *(for possible action)*

Hearing officer found Kiss 770 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.

6. **Moises I. and Enriqueta Camarena Revocable Living Trust** – NOV #SW14-1325/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 13, 2014; 2) failure to comply with the Order issued by the Solid Waste Management Authority on October 14, 2014 with extension of the Order deadline extended to November 16, 2014; and 3) failure to provide proper removal of all solid waste accumulated at the premises on or about October 13, 2014. *(for possible action)*

Item withdrawn by the Southern Nevada Health District.

7. **Donald R. Walker and Charlene S. Walker** – NOV #SW14-962/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 18, 2014; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on October 6, 2014. *(for possible action)*

Item withdrawn by the Southern Nevada Health District.

8. **CAB Properties, LLC** – NOV #SW13-1350/G9/C6- For failure to comply with the Order issued by the Solid Waste Management Authority Hearing Officer on August 14, 2014. *(for possible action)*

Item continued to March 12, 2015 agenda.

9. **CAB Properties, LLC** – NOV #SW14-741/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 21, 2014; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on May 30, 2014 with extension of the Order deadline extended to August 3, 2014. *(for possible action)*

Item withdrawn by the Southern Nevada Health District.

10. **S & J Properties, LLC** – NOV #SW14-832/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 21, 2014; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on August 25, 2014. *(for possible action)*

Hearing officer found S & J Properties, 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. **Investor Equity Homes, LLC** – NOV #SW14-933/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 3, 2014; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on July 11, 2014 with extension of the Order deadline extended to September 14, 2014. *(for possible action)*

Item withdrawn by the Southern Nevada Health District.

12. **F St Trust and City Re-Development, LLC** – NOV #SW14-1109/ A0- For 1) causing or allowing sewage or accumulation of human excreta to overflow on property located at 1416 F Street, Las Vegas, Clark County, Nevada on or about August 20, 2014, August 21, 2014 and August 22, 2014; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on August 20, 2014. *(for possible action)*

Item continued to March 12, 2015 agenda.

13. **Philadelphia Trust and City Re-Development, LLC TRS** – NOV #SW14-585/ A0- For 1) causing or allowing sewage or accumulation of human excreta to overflow on property located at 232 West Philadelphia Avenue and on property located at the Public Right-of-Way on the northside of 232 West Philadelphia Avenue, Las Vegas, Clark County, Nevada on or about April 9, 2014, May 24, 2014, June 7, 2014, June 18, 2014; and July 16, 2014; and 2) failure to comply with the Orders issued by the Solid Waste Management Authority on April 9, 2014, May 24, 2014, June 7, 2014, June 18, 2014 and July 16, 2014, with extension of the order issued on July 16, 2014 extended to August 13, 2014. *(for possible action)*

Item continued to March 12, 2015 agenda.

14. **Philadelphia Trust and City Re-Development, LLC TRS** – NOV #SW14-1145/G4- For 1) causing or allowing sewage or accumulation of human excreta to overflow on the property located at 232 West Philadelphia Avenue and 240 West Philadelphia Avenue, Las Vegas, Clark County, Nevada on or about September 2, 2014, September 3, 2014, September 8, 2014, September 9, 2014, September 10, 2014, September 11, 2014, and September 16, 2014; and 2) failure to comply with the Orders issued by the Solid Waste Management Authority on September 2, 2014 and September 8, 2014. *(for possible action)*

Item continued to March 12, 2015 agenda.

15. **Natalie Mills** – NOV #SW14-1038/K5- For 1) causing or allowing sewage or accumulation of human excreta to overflow on property located at 368 North 15<sup>th</sup> Street, Las Vegas, Clark County, Nevada on or about August 4, 2014 and August 6, 2014; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on August 4, 2014. (*for possible action*)

Hearing officer found Natalie Mills in violation and imposed a penalty of \$1,800 for 1) and a penalty of \$900 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.

- 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.

None

- C. NOTICES OF VIOLATION – FURTHER PROCEEDINGS

None