



## Public Health Update

### Solid Waste Management Authority Hearing Officer Administrative Hearing – November 9, 2017

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 November 9, 2017 hearing, the following cases were adjudicated:

#### I. MATTERS REQUIRING HEARING OFFICER ACTION

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

1. **Armando Herrera and Minerva Valerio** – NOV #SW17-757/Z3- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about June 12, 2017; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the shared dumpster dock located between 2213 West Washington Avenue and 2212 Carter Circle, Las Vegas, Clark County, Nevada on or about June 12, 2017. (*for possible action*)

Hearing officer found Armando Herrera and Minerva Valerio in violation of 2) and imposed a penalty of \$900. 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. A Cease and Desist order is issued to stop placing, depositing, dumping or causing to be placed, deposited or dumped solid waste upon a property other than a property designated or set aside for such purposes. Failure to comply will result in the original penalty of \$1,800 as sought in the initial Notice of Violation.

2. **Franklin Allison** – NOV #SW17-525/Z3- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about May 12, 2017; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the shared dumpster dock located between 2213 West Washington Avenue and 2212 Carter Circle, Las Vegas, Clark County, Nevada on or about May 12, 2017. (*for possible action*)

Hearing officer found Franklin Allison in violation of 2) and imposed a penalty of \$900. 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. A Cease and Desist order is issued to stop placing, depositing, dumping or causing to be placed, deposited or dumped solid waste upon a property other than a

property designated or set aside for such purposes. Failure to comply will result in the original penalty of \$1,800 as initially sought in the Notice of Violation.

3. **Mario Pierre Davis** – NOV #SW17-550/24- 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, 2017; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the property located at 4702 East Flamingo Road, Clark County, Nevada on or about May 18, 2017. *(for possible action)*

Hearing officer found Mario Pierre Davis in violation of 2) and imposed a penalty of \$900. 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. A Cease and Desist order is issued to stop placing, depositing, dumping or causing to be placed, deposited or dumped solid waste upon a property other than a property designated or set aside for such purposes. Failure to comply will result in the original penalty of \$1,800 as initially sought in the Notice of Violation.

4. **Jason Puckett** – NOV #SW17-454/V8- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about April 27, 2017; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on April 27, 2017 with extensions of the Order deadline to July 11, 2017. *(for possible action)*

Hearing officer found Jason Puckett in violation of 2) and imposed a penalty of \$900. 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. **Lakewood Cove Apartments, Inc.** – NOV #SW17-210/H3- For 1) causing or allowing sewage or accumulation of human excreta to overflow on property located at 1100 Center Street, Henderson, Clark County, Nevada on or about March 1, 2017; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on March 1, 2017. *(for possible action)*

Item continued to January 11, 2018 agenda.

6. **Razuki Investments LLC** – NOV #SW17-354/32- 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, 2017; 2) 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 March 16, 2017; and 3) failure to comply with the Order issued by the Solid Waste Management Authority on April 7, 2017 with extensions of the Order deadline to June 19, 2017. *(for possible action)*

Hearing officer found Razuki Investments LLC in violation and imposed a penalty of \$500 for each of 1) and 2). Corrective action of removal and proper disposal of waste is

ordered. 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. Retention of a Certified Environmental Manager (CEM) is ordered.

7. **USA Car Care Inc. dba USA Auto Service #1** - NOV #SW17-446/C6- For 1) 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 April 24, 2017; 2) failure to comply with the Order issued by the Solid Waste Management Authority on April 26, 2017; and 3) violation of Solid Waste Management Authority Regulations (SWMAR) governing Restricted Waste Sections 4-3.02 (A-F) on April 24, 2017. (*for possible action*)

Hearing officer found USA Car Care Inc. dba USA Auto Service #1 in violation and imposed a penalty of \$500 for each of 1), 2) and 3). Corrective action of removal and proper disposal of waste is ordered and to properly segregate used coolant from solid waste and store it in a manner consistent with the requirement of the SWMAR.

- 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. **Interstate Haulers Inc.** - NOV #SW16-1154/A0- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about December 3, 2016 and December 4, 2016; 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the property located on the north side of East Mayflower Avenue, east of Brooks Park Drive, North Las Vegas, Clark County, Nevada on or about December 3, 2016 and December 4, 2016; 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 December 3, 2016 and December 4, 2016. (*for possible action*)

Hearing officer found Interstate Haulers Inc. in violation of 3) and imposed a penalty of \$900. A Cease and Desist order is issued to stop disposing of, abandoning, or dumping motor vehicle batteries, motor vehicle tires, or motor vehicle oil at a site that is not issued a permit for that purpose.

2. **David Hernandez** - NOV #SW17-830/N7- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about June 18, 2017; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the property located at 8070 West Russell Road, Clark County, Nevada on or about June 18, 2017. (*for possible action*)

Hearing officer found David Hernandez in violation of 2) and imposed a penalty of \$900. A Cease and Desist order is issued to stop placing, depositing, dumping or causing to be placed, deposited or dumped solid waste upon a property other than a property

designated or set aside for such purposes. Failure to comply will result in the original penalty of \$1,800 as initially sought in the Notice of Violation.

3. **You Dirty Dog LLC** - NOV #SW17-1108/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 11, 2017; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the private right-of-way located at South Santolina Drive, Las Vegas, Clark County, Nevada on or about August 11, 2017. (*for possible action*)

Hearing officer found You Dirty Dog LLC in violation of 2) and imposed a penalty of \$500. A Cease and Desist order is issued to stop placing, depositing, dumping or causing to be placed, deposited or dumped solid waste upon a property other than a property designated or set aside for such purposes. Training documentation for all staff of You Dirty Dog is required. 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.