



## Public Health Update

### Solid Waste Management Authority Hearing Officer Administrative Hearing – July 19, 2018

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 19, 2018 hearing, the following cases were adjudicated:

#### I. MATTERS REQUIRING HEARING OFFICER ACTION

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

1. **Xue Liang Chen** – NOV #SW18-173/H3- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about February 18, 2018; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the property located at 350 North Liberty Circle, Clark County, Nevada on or about February 18, 2018. (*for possible action*)

Item continued to August 9, 2018 agenda.

2. **Daniel Jared Yavitz** – NOV #SW18-369/Z3- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about April 2, 2018; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the property located at 7175 North Durango Drive, Las Vegas, Clark County, Nevada on or about April 2, 2018. (*for possible action*)

Item withdrawn by the Southern Nevada Health District.

3. **American Eagle Ready Mix, LLC** – NOV #SW18-324/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 20, 2018; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the vacant parcel located at Hammer Lane and Tee Pee Lane, Clark County, Nevada on or about March 20, 2018. (*for possible action*)

Hearing officer found American Eagle Ready Mix, LLC in violation and imposed a penalty of \$1,000 for 2). A Cease and Desist order is issued to stop operating a solid waste disposal

site without a permit issued by the solid waste management authority at this location or anywhere else in Clark County, Nevada. 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 purpose. Failure to comply will result in the original penalty of \$2,000 as sought in the Notice of Violation.

4. **Donald Wayne Puckett** - NOV #SW18-159/H3- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about February 13, 2018; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the vacant parcel located at the southeast corner of Placid Street and Wigwam Avenue, Clark County, Nevada on or about February 13, 2018. *(for possible action)*

Item continued to August 9, 2018 agenda.

5. **Jacob Ryan Otto** - NOV #SW18-265/V8- 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, 2018; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the property located at 7460 South Rainbow Boulevard, Clark County, Nevada on or about March 6, 2018. *(for possible action)*

Hearing officer found Jacob Ryan Otto in violation and imposed a penalty of \$1,000 for each of 1) and 2). A Cease and Desist order is issued to stop operating a solid waste disposal site without a permit issued by the solid waste management authority at this location or anywhere else in Clark County, Nevada. 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 purpose.

6. **Moises Cabrera-Piedra** - NOV #SW18-273/P9- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about March 8, 2018; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the vacant parcel located at Lincoln Road and Tonopah Avenue, Clark County, Nevada on or about March 8, 2018. *(for possible action)*

Hearing officer found Moises Cabrera-Piedra in violation 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 purpose. Failure to comply will result in the original penalty of \$2,000 as initially sought in the Notice of Violation.

7. **Timothy Lee Jeter** - NOV #SW18-358/N7- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about April 1, 2018; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the vacant parcel located southwest of Mountains

Edge Parkway and South Fort Apache Road, Clark County, Nevada on or about April 1, 2018. *(for possible action)*

Hearing officer found Timothy Lee Jeter in violation and imposed a penalty of \$500 for each of 1) and 2). Corrective action of removal proper disposal of waste is ordered. A Cease and Desist order is issued to stop operating a solid waste disposal site without a permit issued by the solid waste management authority at this location or anywhere else in Clark County, Nevada. 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 purpose.

8. **Josefina Chavez-Martin and Ernesto Vazquez Barrera** – NOV #SW18-363/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 29, 2018; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the property located at 1900 Allen Lane, Las Vegas, Clark County, Nevada on or about March 29, 2018. *(for possible action)*

Hearing officer found Josefina Chavez-Martin and Ernesto Vazquez Barrera in violation and imposed a penalty of \$1,000 each for 1) and 2). A Cease and Desist order is issued to stop operating a solid waste disposal site without a permit issued by the solid waste management authority at this location or anywhere else in Clark County, Nevada. 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 purpose.

9. **ATC Investment Group, LLC.** – NOV #SW18-212/C6- For 1) causing or allowing sewage or accumulation of human excreta to overflow on properties located at 3610 North Las Vegas Boulevard, Clark County, Nevada on or about February 28, 2018 and March 1, 2018; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on February 28, 2018. *(for possible action)*

Hearing officer found ATC Investment Group, LLC. in violation and imposed a penalty of \$1,000 for 1) and a penalty of \$500 for 2). A Cease and Desist order is issued to stop causing or allowing to cause any raw sewage or accumulation of human excreta to overflow and deposit at this property or any other property in Clark County, Nev. Failure to comply will result in the original penalty of \$3,000 as initially sought in the Notice of Violation.

10. **Desert Garden Homeowners Association, Inc.** – NOV #SW17-1495/C6- For failure to comply with the Order issued by the Solid Waste Management Authority on November 30, 2017. *(for possible action)*

Hearing officer found Desert Garden Homeowners Association, Inc. in violation and imposed a penalty of \$1,000. Corrective action of removal and proper disposal of waste is ordered. An Action Plan is also ordered.

11. **Simple Environmental Services Group Corp.** – NOV #SW18-144/K5- For 1) operating an unpermitted Solid Waste Management Facility on or about February 9, 2018 and March 16, 2018; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on February 12, 2018. *(for possible action)*

Hearing officer found Simple Environmental Services Group Corp. in violation and imposed a penalty of \$2,500 for 1) and a \$1,000 penalty 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 issued by the solid waste management authority at this location or anywhere else in Clark County, Nevada.

- 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. **Frank Cuttaia** – NOV #SW18-185/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 5, 2018; 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 Wisteria Tree Street, Las Vegas, Clark County, Nevada on or about February 5, 2018. *(for possible action)*

Hearing officer found Frank Cuttaia in violation and imposed a penalty of \$1,000 for 2). 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 purpose. Failure to comply will result in the original penalty of \$2,000 as sought in the Notice of Violation.

2. **Western Pacific Pulp & Paper, Inc.** – NOV #SW18-187/K5- For 1) failure to maintain Solid Waste Management Facility in a neat and orderly fashion on or about January 23, 2018, February 23, 2018 and March 26, 2018; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on March 1, 2018. *(for possible action)*

Hearing officer found Western Pacific Pulp & Paper, Inc. in violation and imposed a penalty of \$1,500 for 1) and a penalty of \$500 for 2). Develop and submit written procedures to maintain solid waste in a neat and orderly condition. Failure to comply will result in the original penalty of \$4,000 as initially sought in the Notice of Violation.

- C. NOTICES OF VIOLATION – FURTHER PROCEEDINGS:

None.

