



Public Health Update

Solid Waste Management Authority Hearing Officer Administrative Hearing – September 8, 2016

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 September 8, 2016 hearing, the following cases were adjudicated:

I. MATTERS REQUIRING HEARING OFFICER ACTION

A. NOTICES OF VIOLATION WITH CONTESTED FACTS:

1. **Siemens Industry, Inc.** – NOV #SW16-020/32- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about January 13, 2016; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the public right-of-way east of the intersection of Walnut Road and Welter Avenue, Clark County, Nevada on or about January 13, 2016. *(for possible action)*

Item withdrawn by the Southern Nevada Health District.

2. **All Pro Hydrojetting and Pumping LLC** – NOV #SW16-604/N7- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about July 11, 2016; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the property located at 7315 Arroyo Crossing Parkway, Clark County, Nevada on or about July 11, 2016. *(for possible action)*

Hearing officer found no violation.

3. **Nevada Pools, Inc.** – NOV #SW16-220/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 11, 2016; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the vacant parcel located at 6700 Regency Square Avenue, Clark County, Nevada on or about March 11, 2016. *(for possible action)*

Hearing officer found Nevada Pools, Inc. 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.

4. **J&E Excavation LLC** - NOV #SW16-337/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 11, 2016; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the vacant parcel located at 6700 Regency Square Avenue, Clark County, Nevada on or about March 11, 2016. (*for possible action*)

Hearing officer found J&E Excavation LLC 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. **Sean Millikan** - NOV #SW16-273/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 6, 2016; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the vacant parcel located at the corner of West Eldorado Lane and Valencia Ridge Street, Clark County, Nevada on or about April 6, 2016. (*for possible action*)

Hearing officer found Sean Millikan 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. 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. **Hugo A. Hernandez-Mendoza and Carmen Magallon-Mendoza** - NOV #SW16-127/H3- For 1) causing or allowing sewage or accumulation of human excreta to overflow on property located at 3338 Wayne Street, Clark County, Nevada and into the public right-of-way on or about February 17, 2016; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on February 17, 2016. (*for possible action*)

Hearing officer found Hugo A. Hernandez-Mendoza and Carmen Magallon-Mendoza in violation of 1) 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. Failure to comply will result in the original penalty of \$1,800 as initially sought in the Notice of Violation.

7. **420 Vegas Apts LLC dba Hampton Court Apartments and 707 Property Management, LLC** - NOV #SW16-394/V8- For 1) causing or allowing sewage or accumulation of human excreta to overflow on the properties located at 3955 Swenson Street, and into the public right-of-way and the Las Vegas Flamingo Wash, Clark County, Nevada on or about May 10, 2016 and May 12, 2016; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on May 10, 2016. (*for possible action*)

Item continued to November 10, 2016 agenda.

8. **Mexican Gold & Oil Exploration Trust and Drake Rothstein** - NOV #SW15-828/C6- For failure to comply with the Order issued by the Solid Waste Management Authority

on July 14, 2015 with extension of the order deadline extended to October 17, 2015. *(for possible action)*

Item withdrawn by the Southern Nevada Health District.

9. **Decatur Lots LLC** – NOV #SW15-1320/C6- For failure to comply with the Order issued by the Solid Waste Management Authority on February 24, 2016. *(for possible action)*

Item withdrawn by the Southern Nevada Health District.

10. **Silvereye Sustainability L.L.C.** – NOV #SW16-022/P9- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about January 14, 2016 and May 20, 2016; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on January 19, 2016, with extensions of the Order deadline extended to May 19, 2016. *(for possible action)*

Hearing officer found Silvereye Sustainability LLC in violation and imposed a penalty of \$1,800 for 1), and a penalty of \$900 for 2). Corrective action of removal and proper disposal of waste is ordered. A recycling center permit is ordered.

11. **Rebel Sand and Gravel** – NOV #SW16-042/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 24, 2016 and May 6, 2016; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on May 6, 2016. *(for possible action)*

Hearing officer found Rebel Sand and Gravel in violation and imposed a penalty of \$1,800 for 1) and a penalty of \$900 for 2). Corrective action of removal and proper disposal of waste is ordered. A recycling center permit is ordered.

- 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. **Hector Martinez and Susana Martinez dba Rebel Carpet Cleaning** – NOV #SW16-419/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 14, 2016; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the public right-of-way located at Ivory Coast Drive and Toscana Lane, Las Vegas, Clark County, Nevada on or about April 14, 2016. *(for possible action)*

Hearing officer found Hector Martinez and Susana Martinez dba Rebel Carpet Cleaning in violation of 2) and imposed a penalty of \$500. 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

None.