



Public Health Update

Solid Waste Management Authority Hearing Officer Meeting – May 19, 2010

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 May 19, 2010 the following cases were adjudicated:

I. MATTERS REQUIRING HEARING OFFICER ACTION

A. NOTICES OF VIOLATION WITH CONTESTED FACTS:

1. **Santiago R. Sanchez and Herlinda Sanchez** – NOV #SW10-105/C6- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the property located at 8515 South Eastern Avenue, Clark County, Nevada on or about January 29, 2010.

Item withdrawn by the Southern Nevada Health District.

2. **Dana Leroy Chapman** – NOV #SW09-1182/E0- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the property located on the northwest corner of North Fort Apache Road and Iron Mountain Road, Las Vegas, Clark County, Nevada on or about August 10, 2009.

Item withdrawn by the Southern Nevada Health District.

3. **John A. Munaretto** – NOV #SW09-1756/08- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the property known as the north bound US Interstate 15 vehicle parking area located south of mile marker #88, Clark County, Nevada on or about December 17, 2009.

Hearing officer found John A. Munaretto in violation of 2) and imposed a penalty of \$750. Failure to comply will result in the original penalty of \$1,800 initially sought in the Notice of Violation.

4. **Carlos Benitez Vega** – NOV #SW09-1775/C6- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped

solid waste upon the property located at 4354 Cy Cliffview Circle, Clark County, Nevada on or about December 21, 2009.

Hearing officer found Carlos Benitez Vega in violation and imposed a penalty of \$500 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. Failure to comply will result in the original penalty of \$1,800 as initially sought in the Notice of Violation.

5. **Harris Drop Box, LLC** - NOV #SW09-1765/G7- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste on properties located at 2632 Abels Lane and 2642 Abels Lane, Clark County, Nevada on or about December 7, 2009 and December 8, 2009.

Hearing officer found Harris Drop Box, LLC in violation and imposed a penalty of \$10,000 each for 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.

6. **Harris Drop Box, LLC** - NOV #SW09-1720/G7- 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 December 16, 2009.

Hearing officer found Harris Drop Box, LLC in violation and imposed a penalty of \$60,000 for 1) and a penalty of \$5,000 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.

7. **Mesquite Medical Center LLC** - NOV #SW09-1086/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 July 24, 2009.

Hearing officer found Mesquite Medical Center LLC in violation of 2) and imposed a penalty of \$900.

8. **Developers Maintenance** - NOV #SW09-1332/45- For operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority.

Hearing officer found Developers Maintenance in violation and imposed a penalty of \$5,000. 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. An application to operate a solid waste management facility is ordered.

9. **Cypress Point Investments Inc.** - NOV #SW09-769/C0/23- For failure to comply with the Order issued by the Solid Waste Management Authority Hearing Officer on November 18, 2009.

Item continued to July 13, 2010 docket.

10. **Hamid Hamedi Sangari** – NOV #SW09-1577/C6- 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 November 6, 2009.

Hearing officer found Hamid Hamedi Sangari in violation of 2) and imposed a penalty of \$500. Correction action of removal and proper disposal of waste is ordered. Failure to comply will result in the original penalty of \$1,800 as initially sought in the Notice of Violation.

11. **Portico Management Group, LLC and Stout Management Company** – NOV #SW09-1773/47- 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 December 24, 2009.

Hearing officer found Portico Management Group, LLC and Stout Management Company in violation and imposed a penalty of \$500 for each of 1) and 2). Remediation of area affected by sewage overflow is ordered. Failure to comply will result in the original penalty of \$1,800 as initially sought in the Notice of Violation.

12. **Pinnacle Management** – NOV #SW09-1231/60- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority; 2) causing or allowing sewage or accumulation of human excreta to overflow upon the property located at 3233 East Desert Inn Road, Clark County, Nevada on or about August 21, 2009; and 3) failure to comply with the Order issued by the Solid Waste Management Authority on August 21, 2009.

Hearing officer found Pinnacle Management in violation and imposed a penalty of \$900 for 3) and a penalty of \$500 for 2) pending non-receipt of requested documentation.

13. **Deborah F. Petersen** – NOV #SW09-1566/60- 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 November 6, 2009.

Item continued to June 16, 2010 docket.

14. **Benito Armand Aquino** – NOV #SW09-1721/E0- 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 December 11, 2009.

Hearing officer found Benito Armand Aquino in violation of 2) and imposed a penalty of \$500. Corrective action of removal and proper disposal of waste is ordered. Failure to comply will result in the original penalty of \$1,800 as initially sought in the Notice of Violation.

15. **Oil Filtration Services, Inc.** – NOV #SW09-248/G7- 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 17, 2009.

Hearing officer found Oil Filtration Services, Inc. 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.

16. **Doloresa Renkiewicz** – NOV #SW09-1670/C6- 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 November 30, 2009.

Hearing officer found Doloresa Renkiewicz in violation and imposed a penalty of \$6,000 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.

17. **One Hundred Year LLC** – NOV #SW09-1677/32- 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 December 1, 2009.

Hearing officer found One Hundred Year 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.

18. **Koo Trust and Erlinda L. Koo, Trustee** – NOV #SW09-1213/23- 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 August 31, 2009.

Hearing officer found Koo Trust and Erlinda L. Koo, Trustee in violation of 2) and imposed a penalty of \$900. Corrective action of removal and proper disposal of waste is ordered. Failure to comply will result in the original penalty of \$1,800 as initially sought in the Notice of Violation.

19. **Koo Trust and Erlinda L. Koo, Trustee** – NOV #SW09-1214/23- 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 August 31, 2009.

Hearing officer found Koo Trust and Erlinda L. Koo, Trustee in violation of 2) and imposed a penalty of \$900. Corrective action of removal and proper disposal of waste is ordered. Failure to comply will result in the original penalty of \$1,800 as initially sought in the Notice of Violation.

20. **Artur Terabelian** – NOV #SW09-574/E0/23- For failure to comply with the Order issued by the Solid Waste Management Authority Hearing Officer on September 16, 2009.

Hearing officer found Artur Terabelian in violation and imposed a penalty of \$1,500. Documentation of proper removal and disposal of waste is ordered.

21. **HH INV LLC and Omega Vista LLC** – NOV #SW09-167/A0/23- For failure to comply with the Order issued by the Solid Waste Management Authority Hearing Officer on September 16, 2009.

Item withdrawn by the Southern Nevada Health District.

22. **Titanium Metals Corporation** – NOV #SW09-1110/45- For failure to comply with Class III industrial landfill minimum standards on or about June 18, 2007, December 14, 2007, March 25, 2008, September 15, 2008, May 27, 2009 and November 4, 2009.

Item continued to July 13, 2010 docket.

- 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. **Santiago Mobile Homes Estates, LLC** – NOV #SW09-1491/G9- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority; 2) causing or allowing sewage or accumulation of human excreta to overflow upon the property located at 4650 East Carey Avenue, Clark County, Nevada on or about October 20, 2009; and 3) failure to comply with the Order issued by the Solid Waste Management Authority on October 20, 2009.

Hearing officer found Santiago Mobile Homes Estates, LLC in violation and imposed a penalty of \$500 for each of 2) and 3). Corrective action to provide proof of inspection of sewer lines, to make any repairs deemed necessary and to provide receipts for all repairs is ordered. Failure to comply will result in the original penalty of \$1,800 as initially sought in the Notice of Violation.

2. **Carlos Alberto Bellido** – NOV #SW09-1507/32- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the property located at 5775 South Eastern Avenue, Building B6, Clark County, Nevada on or about October 21, 2009.

Hearing officer found Carlos Alberto Bellido 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. Failure to comply will result in the original penalty of \$1,800 as initially sought in the Notice of Violation.

3. **Eric John Venable and Jillanne Faye Venable** - NOV #SW09-1624/60- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the property located at 520 East Lake Mead Parkway, Henderson, Clark County, Nevada on or about October 26, 2009.

Hearing officer found Eric John Venable and Jillanne Faye Venable in violation and imposed a penalty of \$500 for 2). Failure to comply will result in the original penalty of \$1,800 as initially sought in the Notice of Violation.

4. **Aries Holdings, LLC** - NOV #SW09-1124/32- 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 July 30, 2009.

Hearing officer found Aries Holdings, LLC in violation of 2) and imposed a penalty of \$750. Corrective action of removal and proper disposal of waste is ordered. Failure to comply will result in the original penalty of \$1,800 as initially sought in the Notice of Violation.

5. **Richard Jackson Trust, Richard Jackson Trustee, Grand Canyon & Lone Mountain, LLC, Jaimee Yoshizawa, and Island Properties, Inc.** - NOV #SW09-1579/E0- 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 November 18, 2009.

Hearing officer found Richard Jackson Trust, Richard Jackson Trustee, Grand Canyon & Lone Mountain, LLC and Jaimee Yoshizawa, and Island Properties, Inc. in violation of 2) and imposed a penalty of \$900. Corrective action of removal and proper disposal of waste is ordered. 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