



## Public Health Update

### Solid Waste Management Authority Hearing Officer Meeting - July 14, 2011

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 14, 2011 the following cases were adjudicated:

#### I. MATTERS REQUIRING HEARING OFFICER ACTION

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

1. **Maningo Family Trust** - NOV #SW10-1411/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 23, 2010; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on August 25, 2010.

Item withdrawn by the Southern Nevada Health District.

2. **Marianne Gravatte** - NOV #SW11-359/60- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about January 27, 2011; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste on the vacant property located on the west side of Rancho Destino Road, north of the Robindale Road intersection, Clark County, Nevada on or about January 27, 2011.

Hearing officer found Marianne Gravatte in violation and imposed a penalty of \$2,000 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.

3. **Eleno Elicea-Ramirez** - NOV #SW11-332/G7- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about March 7, 2011; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the northwestern corner of the property located southeast of the intersection of Courier Street and Cape Horn Drive, Henderson, Clark County, Nevada on or about March 4, 2011.

Hearing officer found Eleno Elicea-Ramirez in violation and imposed a penalty of \$900 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.

4. **Bianca Marie Crouch** – NOV #SW11-089/G9- For 1) January 26, 2011; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the property located at 3355 Covey Lane, Clark County, Nevada on or about January 26, 2011.

Item withdrawn by the Southern Nevada Health District.

5. **Jose Tomas Mendez-Gomez** – NOV #SW10-1957/08- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about August 10, 2010; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the property located at 5150 Camino Al Norte, North Las Vegas, Clark County, Nevada on or about August 10, 2010.

Item continued to August 17, 2011 docket.

6. **Federal National Mortgage Association** – NOV #SW10-2155/G9- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about December 20, 2010; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on December 23, 2010.

Item continued to September 8, 2011 docket.

7. **Michael Little and High Desert Sand, LLC** – NOV #SW11-027/G7- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about January 12, 2011 and March 4, 2011; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on January 20, 2011 and January 27, 2011.

Hearing officer Michael Little and High Desert Sand, 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 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 Manger (CEM) is ordered.

8. **Henry Rawlings and Rosalie Rawlings** – NOV #SW10-2068/G9- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about November 29, 2010; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on December 3, 2010.

Hearing officer found Henry Rawlings and Rosalie Rawlings 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.

9. **Tropicana Valley Garden, L.L.C.** – NOV #SW10-1115/60/23- For failure to comply with the Order issued by the Solid Waste Management Authority Hearing Officer on September 15, 2010.

Hearing officer found Tropicana Valley Garden, LLC in violation and imposed a penalty of \$1,900. Corrective action to implement a preventative maintenance program for all plumbing elements with a certified licensed plumber is ordered and implementation of a training program that incorporates sewage spill remediation steps is ordered. Failure to comply will result in the original penalty of \$2,400 as initially sought in the Notice of Violation.

10. **Tropicana Valley Garden L.L.C.** – NOV #SW10-2063/C6- For 1) causing or allowing sewage or accumulation of human excreta to overflow upon the property located at 5270 East Tropicana Avenue, Clark County, Nevada on or about November 28, 2010; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on November 28, 2010.

Hearing officer found Tropicana Valley Garden, LLC in violation and imposed a penalty of \$1,400 for 1) and a penalty of \$900 for 2). Corrective action to provide a plan for after-hours emergency service is ordered. Failure to comply will result in the original penalty of \$5,000 as initially sought in the Notice of Violation.

11. **Tropicana Valley Garden, L.L.C.** – NOV #SW10-2078/60- For causing or allowing sewage or accumulation of human excreta to overflow onto the property located at 5270 East Tropicana Avenue, Clark County, Nevada on or about December 4, 2010.

Item withdrawn by the Southern Nevada Health District.

12. **Ricardo Campos-Acevedo** – NOV #SW11-046/57- 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, 2011; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the property located at 38 North Lamb Boulevard, Unit 22, Clark County, Nevada on or about January 14, 2011.

Item continued to August 17, 2011 docket.

13. **Pablo A. Ferrato** – NOV #SW10-1948/G9- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about November 1, 2010; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on November 9, 2010.

Hearing officer found Pablo A. Ferrato 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.

14. **Alexander Santos, Carmelita Santos, Silvestre A. Cruz and Editha C. Cruz** – NOV #SW10-831/60- For failure to comply with the Order issued by the Solid Waste Management Authority on December 21, 2010.

Hearing officer found Alexander Santos, Carmelita Santos, Silvestre A. Cruz and Editha C. Cruz in violation and imposed a penalty of \$900. 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.

15. **Alexander Santos, Carmelita Santos, Silvestre A. Cruz and Editha C. Cruz** – NOV #SW10-832/60- For failure to comply with the Order issued by the Solid Waste Management Authority on December 21, 2010.

Hearing officer found Alexander Santos, Carmelita Santos, Silvestre A. Cruz and Editha C. Cruz in violation and imposed a penalty of \$900. 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.

16. **Paseo Stone I, LLC** – NOV #SW10-478/C6/C6- For failure to comply with the Order issued by the Solid Waste Management Authority Hearing Officer on November 9, 2010.

Hearing officer found Paseo Stone I, LLC in violation and imposed a penalty of \$1,400. 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.

- 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. **Landwell Company, L.P.** – NOV #SW10-456/C6/23- For failure to comply with the Order issued by the Solid Waste Management Authority Hearing Officer on October 20, 2010.

Hearing officer found Landwell Company, L.P. in violation and imposed a penalty of \$2,800. 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.

2. **Landwell Company, L.P.** – NOV #SW10-475/C6/23- For failure to comply with the Order issued by the Solid Waste Management Authority Hearing Officer on October 20, 2010.

Hearing officer found Landwell Company, L.P. in violation and imposed a penalty of \$2,800. 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. **Robson Andrade dba Andrade's Cleaning Company** – NOV #SW11-084/G7- For failure to comply with the Order issued by the Solid Waste Management Authority on February 1, 2011.

Hearing officer found Robson Andrade dba Andrade's Cleaning Company in violation and imposed a penalty of \$900. 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 \$7,500 as initially sought in the Notice of Violation.

4. **Victor Sanchez and Ysabel Sanchez** – NOV #SW10-2092/32- For failure to comply with the Order issued by the Solid Waste Management Authority on December 9, 2010.

Hearing officer found Victor Sanchez and Ysabel Sanchez in violation 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.

5. **C & D Construction Services, Inc.** – NOV #SW11-085/G7- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about January 27, 2011 and March 4, 2011; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on February 1, 2011.

Hearing officer found C & D Construction Services, Inc. in violation and imposed a penalty of \$900. 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 \$2,700 as initially sought in the Notice of Violation.

6. **Mardini Family Trust** – NOV #SW10-2166/C6- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about December 28, 2010; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on December 29, 2010.

Hearing officer found Mardini Family Trust in violation of 2) and imposed a penalty of \$900. 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. **Michael William Passarge** – NOV #SW11-041/G9- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about January 16, 2011; and 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 January 16, 2011.

Hearing officer found Michael William Passarge 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.

C. NOTICES OF VIOLATION – FURTHER PROCEEDINGS

None