



Public Health Update

Solid Waste Management Authority Hearing Officer Meeting – October 11

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 October 11, 2012 hearing the following cases were adjudicated:

I. MATTERS REQUIRING HEARING OFFICER ACTION

A. NOTICES OF VIOLATION WITH CONTESTED FACTS:

1. **Erik M. McCall** – NOV #SW12-648/A0- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about May 1, 2012; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the vacant parcel located approximately 774 feet west and 1,560 feet south of the intersection of Erie Avenue and Torrey Pines Drive and approximately 1,229 feet west and 878 feet south of the intersection of Erie Avenue and Torrey Pines Drive, Clark County, Nevada on or about May 1, 2012. *(for possible action)*

Hearing officer found Erik M. McCall in violation and imposed a penalty of \$750 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. Failure to comply will result in the original penalty of \$1,800 as initially sought in the Notice of Violation.

2. **John A. Christou ETAL** – NOV #SW12-629/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 27, 2012; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on May 2, 2012. *(for possible action)*

Hearing officer found John A. Christou ETAL 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.

3. **Wayne Jacks** – NOV #SW11-1264/47/C6- For failure to comply with the Order issued by the Solid Waste Management Authority Hearing Officer on April 12, 2012. *(for possible action)*

Hearing officer found Wayne Jacks in violation and imposed a penalty of \$4,500. Corrective action of removal and proper disposal of waste is ordered. Retention of a Certified Environmental Manager (CEM) 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.

4. **Blue Diamond Enterprise Group, LP** – NOV #SW11-409/C6/23- For failure to comply with the Order issued by the Solid Waste Management Authority Hearing Officer on August 17, 2011. *(for possible action)*

Item continued to December 13, 2012 agenda.

5. **David Davies and Nicholas Limer dba Silver Oaks Investments LLC dba Commercial Lofts, LLC** – NOV #SW11-1629/G9/C6- For failure to comply with the Order issued by the Solid Waste Management Authority Hearing Officer on June 14, 2012. *(for possible action)*

Hearing officer found David Davies and Nicholas Limer dba Silver Oaks Investments LLC dba Commercial Lofts, LLC in violation and imposed a penalty of \$2,800. 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.

6. **First Savings Bank** – NOV #SW12-762/E0- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about June 5, 2012; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on June 11, 2012. *(for possible action)*

Hearing officer found First Savings Bank 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.

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. **Michael Rae Goodwin** - NOV #SW12-173/57- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about February 3, 2012; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the property located at 275 North Mojave Street, Sandy Valley, Clark County, Nevada on or about February 3, 2012. (*for possible action*)

Hearing officer found Michael Rae Goodwin 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.

2. **FNBN Aspen LLC** - NOV #SW12-169/G9- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on February 1, 2012; 2) causing or allowing sewage or accumulation of human excreta to overflow upon the properties located at 2423 Las Vegas Boulevard and 2417 Las Vegas Boulevard, Las Vegas, Clark County, Nevada on February 1, 2012; and 3) failure to comply with the Order issued by the Solid Waste Management Authority on February 2, 2012. (*for possible action*)

Hearing officer found FNBN Aspen LLC in violation and imposed a penalty of \$500 for 2) and a penalty of \$1,800 for 3). 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 \$3,600 as initially sought in the Notice of Violation.

C. NOTICES OF VIOLATION - FURTHER PROCEEDINGS

None