



Public Health Update

Solid Waste Management Authority Hearing Officer Meeting – October 10, 2013

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 13, 2013 hearing the following cases were adjudicated:

I. MATTERS REQUIRING HEARING OFFICER ACTION

A. NOTICES OF VIOLATION WITH CONTESTED FACTS:

1. **Richard Wood, Jr.** – NOV #SW13-532/H2- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about April 13, 2013; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the 20 acre vacant parcel located west of Gilespie Street between East Starr Avenue and East Chartan Avenue, Clark County, Nevada on or about April 13, 2013. *(for possible action)*

Item continued to November 14, 2013 agenda.

2. **Thomas F. Malin** – NOV #SW13-592/E0- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about April 30, 2013; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste into the main sewer line located at the intersection of Old Mission Drive and Leaning Pine Way, Las Vegas, Clark County, Nevada on or about April 30, 2013. *(for possible action)*

Item continued to November 14, 2013 agenda.

3. **Absolute Dental Meadows, LLC** – NOV #SW13-819/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 27, 2013, June 28, 2013, and July 2, 2013; 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the property located at 100 South Valley View Boulevard, Las Vegas, Clark County, Nevada on or about June 27, 2103, June 28, 2013, and July 2, 2013; and 3) mishandling and improper disposal of medical waste by depositing and transporting in an unmarked, unapproved container and comingled with other solid wastes on or about June 27, 2013. *(for possible action)*

Hearing officer found Absolute Dental Meadows, LLC in violation and imposed a penalty of \$900 for each of 1), 2) and 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.

4. **Earl Scheib of Las Vegas LLC** – NOV #SW13-765/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 11, 2013; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the property located at 4204 Pennwood Avenue, Las Vegas, Clark County, Nevada on or about June 11, 2013. *(for possible action)*

Hearing officer found Earl Scheib of Las Vegas LLC 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. Failure to comply will result in the original penalty of \$1,800 as initially sought in the Notice of Violation.

5. **Palemon Monarrez and Severina Monarrez** – NOV #SW13-594/K5- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about March 26, 2013; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the property located at 2507 Valley Street, Las Vegas, Clark County, Nevada on or about March 26, 2013. *(for possible action)*

Item withdrawn by the Southern Nevada Health District.

6. **A Company Portable Restrooms Inc.** – NOV #SW13-824/A0- For 1) causing or allowing sewage or accumulation of human excreta to overflow upon property located at 6001 North Las Vegas Boulevard, Clark County, Nevada on or about June 26, 2013; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on June 26, 2012. *(for possible action)*

Hearing officer found A Company Portable Restrooms Inc. in violation of 2) and imposed a penalty of \$500. Failure to comply will result in the original penalty of \$1,800 as initially sought in the Notice of Violation.

7. **Quality Commercial Maintenance, Inc.** – NOV #SW13-732/G9- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about June 6, 2012; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on June 11, 2013. *(for possible action)*

Hearing officer found Quality Commercial Maintenance, Inc. in violation and imposed a penalty of \$500 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. Contacting a collection agency is ordered.

Corrective action of removal and proper disposal of waste is ordered. Failure to comply will result in the original penalty of \$2,800 as initially sought in the Notice of Violation.

8. **Wykoff Newberg Corporation and International Smelting Company, Inc.** – NOV #SW13-644/C6- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about May 7, 2013; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on May 9, 2013. *(for possible action)*

Hearing officer found Wykoff Newberg Corporation and International Smelting Company, Inc. in violation and imposed a penalty of \$500 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.

9. **Ellen H. Doherty and Jeffrey Doherty Trustees** – NOV #SW13-408/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, 2013; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on April 29, 2013. *(for possible action)*

Item withdrawn by the Southern Nevada Health District.

10. **SA Recycling, LLC** – NOV #SW13-871/Q1- 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, 2013 and July 30, 2013; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on July 15, 2013. *(for possible action)*

Hearing officer found SA Recycling, 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 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.

11. **Desert Dumpsters and Recycling, LLC** – NOV #SW13-081/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 18, 2013, February 13, 2013, March 4, 2013 and June 14, 2013; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on January 25, 2013. *(for possible action)*

Hearing officer found Desert Dumpsters and Recycling, LLC 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. Failure to comply will result in the original penalty of \$6,300 as initially sought in the Notice of Violation.

12. **USA Mobile Concrete** – NOV #SW13-474/G7- 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, 2013 and May 14, 2013; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on April 3, 2013. *(for possible action)*

Hearing officer found USA Mobile Concrete in violation and imposed a penalty of \$3,000 for 1) and a penalty of \$1,500 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.

- 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. **Aria Resort and Casino Holdings, LLC** – NOV #SW13-817/24- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about July 10, 2013; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the property located at 3730 South Las Vegas Boulevard, Clark County, Nevada on or about July 10, 2013. *(for possible action)*

Hearing officer found Aria Resort and Casino Holdings, LLC 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. **Sigifredo Escoto-Garcia and Erica Escoto** – NOV #SW13-782/R2- For placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the property located at 5400 South Maryland Parkway at the north end of building 12, Clark County, Nevada on or about June 17, 2013. *(for possible action)*

Hearing officer found Sigifredo Escoto-Garcia and Erica Escoto 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. Failure to comply will result in the original penalty of \$900 as initially sought in the Notice of Violation.

- C. NOTICES OF VIOLATION – FURTHER PROCEEDINGS

None