



## Public Health Update

### Solid Waste Management Authority Hearing Officer Administrative Hearing – November 8, 2018

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 November 8, 2018 hearing, the following cases were adjudicated:

#### I. MATTERS REQUIRING HEARING OFFICER ACTION

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

1. **Neptune Mobile Wash, LLC** – NOV #SW19-002/P9- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about July 1, 2018 and July 2, 2018; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the properties located at 2874 Marco Street, 2862 Marco Street, 2866 Marco Street, Clark County, Nevada, and the public right of way on Lamont Street, Clark County, Nevada on or about July 2, 2018. *(for possible action)*

Hearing officer found Neptune Mobile Wash, LLC in violation of 2) and imposed a penalty of \$4,000. A Cease and Desist order is issued to stop operating a solid waste disposal site without a permit issued by the solid waste management authority at this location or anywhere else in Clark County. A Cease and Desist order is issued to stop placing, depositing, dumping or causing to be placed, deposited or dumped solid waste upon a property other than a property designated or set aside for such purpose. Failure to comply will result in the original penalty of \$8,000 as initially sought in the Notice of Violation.

2. **American Eagle Ready Mix, LLC** – NOV #SW19-029/V8- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about July 9, 2018; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the vacant parcel located at the northeast corner of South Warbonnet Way and West Sunset Road, Clark County, Nevada on or about July 9, 2018. *(for possible action)*

Item withdrawn by the Southern Nevada Health District.

3. **Jab Construction, Inc.** – NOV #SW19-030/V8- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about July 9, 2018; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the vacant parcel located at the northeast corner of South Warbonnet Way and West Sunset Road, Clark County, Nevada on or about July 9, 2018. *(for possible action)*  
Hearing officer found Jab Construction, Inc. in violation of 2) and imposed a penalty of \$1,000. A Cease and Desist order is issued to stop operating a solid waste disposal site without a permit

issued by the solid waste management authority at this location or anywhere else in Clark County. A Cease and Desist order is issued to stop placing, depositing, dumping or causing to be placed, deposited or dumped solid waste upon a property other than a property designated or set aside for such purpose. Failure to comply will result in the original penalty of \$2,000 as initially sought in the Notice of Violation.

4. **Yoel Davidowicz** - NOV #SW19-013/24- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about June 30, 2018; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the property located at 6000 South Eastern Avenue, Clark County, Nevada on or about June 30, 2018. *(for possible action)*

Hearing officer found Yoel Davidowicz 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 issued by the solid waste management authority at this location or anywhere else in Clark County. A Cease and Desist order is issued to stop placing, depositing, dumping or causing to be placed, deposited or dumped solid waste upon a property other than a property designated or set aside for such purpose.

5. **Arturo Herrera-Ontiveros** - NOV #SW18-524/G4- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about May 16, 2018; 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the properties located at 2200 and 2412 Sunrise Avenue, Las Vegas, Clark County, Nevada on or about May 16, 2018; and 3) 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 May 16, 2018. *(for possible action)*

Item withdrawn by the Southern Nevada Health District.

6. **Shauna Martinez** - NOV #SW19-045/V8- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about July 13, 2018; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the vacant parcel located north of 8601 South Grand Canyon Drive, Clark County, Nevada on or about July 13, 2018. *(for possible action)*

Hearing officer found Shauna Martinez in violation and imposed a penalty of \$1,000 for each of 1) and 2). A Cease and Desist order is issued to stop operating a solid waste disposal site without a permit issued by the solid waste management authority at this location or anywhere else in Clark County. A Cease and Desist order is issued to stop placing, depositing, dumping or causing to be placed, deposited or dumped solid waste upon a property other than a property designated or set aside for such purpose.

- 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. **Danielle Nicole Seymore** - NOV #SW19-251/A0- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about August 21, 2018; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the property located on the west side of 280 South Decatur Boulevard, Las Vegas, Clark County, Nevada on or about August 21, 2018. *(for possible action)*

Hearing officer found Danielle Nicole Seymore in violation of 2) and imposed a penalty of \$1,000. A Cease and Desist order is issued to stop placing, depositing, dumping or causing to be placed, deposited or dumped solid waste upon a property other than a property designated or set aside for such purpose. Failure to comply will result in the original penalty of \$2,000 as initially sought in the Notice of Violation.

2. **Calvin Lenor Hicks** – NOV #SW19-156/C6- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about July 15, 2018; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the property located at 2219 North Rancho Drive, Las Vegas, Clark County, Nevada on or about July 15, 2018. *(for possible action)*

Hearing officer found Calvin Lenor Hicks in violation of 2) and imposed a penalty of \$1,000. A Cease and Desist order is issued to stop placing, depositing, dumping or causing to be placed, deposited or dumped solid waste upon a property other than a property designated or set aside for such purpose. Failure to comply will result in the original penalty of \$2,000 as initially sought in the Notice of Violation. Failure to comply will result in the original penalty of \$2,000 as initially sought in the Notice of Violation.

3. **John Ralph Toigo** – NOV #SW19-120/71- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about July 31, 2018; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the property located in the alley south of Silver Whisper Avenue, east of Spencer Street, Clark County, Nevada on or about July 31, 2018. *(for possible action)*

Hearing officer found John Ralph Toigo in violation of 2) and imposed a penalty of \$1,000. A Cease and Desist order is issued to stop placing, depositing, dumping or causing to be placed, deposited or dumped solid waste upon a property other than a property designated or set aside for such purpose. Failure to comply will result in the original penalty of \$2,000 as initially sought in the Notice of Violation.

C. NOTICES OF VIOLATION – FURTHER PROCEEDINGS:

1. **Josefina Chavez-Martin and Ernesto Vazquez Barrera** – NOV #SW18-363/C6- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on March 29, 2018; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the property located at 1900 Allen Lane, Las Vegas, Clark County, Nevada on March 29, 2018. *(for possible action)*

Hearing officer order dated July 19, 2018 is vacated.

D. NOTICES OF VIOLATION – FURTHER PROCEEDINGS:

None.