



Public Health Update

Solid Waste Management Authority Hearing Officer Administrative Hearing – July 10, 2019

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 10, 2019 hearing, the following cases were adjudicated:

I. MATTERS REQUIRING HEARING OFFICER ACTION

A. NOTICES OF VIOLATION WITH CONTESTED FACTS:

1. **Debra Ann Zellis** – NOV #SW19-328/Z3- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about September 8, 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 September 8, 2018. (*for possible action*)

Hearing officer found Debra Ann Zellis 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 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.

2. **Michael Elane** – NOV #SW19-1199/Z3- 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, 2019; 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 March 20, 2019. (*for possible action*)

Hearing officer found Michael Elane 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 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.

3. **French Oaks Homeowners Association, Inc.** – NOV #SW19-748/Z3- For 1) causing or allowing sewage or accumulation of human excreta to overflow on property located at 3823 South Maryland Parkway, Clark County, Nevada on or about December 27, 2018;

and 2) failure to comply with the Order issued by the Solid Waste Management Authority on December 28, 2018. *(for possible action)*

Hearing officer found French Oaks Homeowners Association, Inc. in violation and imposed a penalty of \$1,000 for 2). Plumbing cost of \$425 is to be reimbursed. Failure to comply will result in the original penalty of \$2,425 as initially sought in the Notice of Violation.

4. **Andersen Asphalt & Striping, LLC** - NOV #SW19-1061/G4- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about March 5, 2019; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the public right of way located at North Lamont Street and Alto Avenue, Clark County, Nevada on or about March 5, 2019. *(for possible action)*

Hearing office found Andersen Asphalt & Striping, LLC 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 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.

5. **Diane Lewis and Kirk Lewis Children's Trust** - NOV #SW19-094/24- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about July 19, 2019; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on August 2, 2018. *(for possible action)*

Item continued to August 18, 2019 agenda.

6. **Laquana Ajai Bolden and Bianca Alexis Bolden** - NOV #SW19-1011/C6- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about February 20, 2019; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the vacant parcel located northwest of West Ann Road and San Mateo Street, North Las Vegas, Clark County, Nevada on or about February 20, 2019. *(for possible action)*

Item withdrawn by the Southern Nevada Health District.

7. **La Villa MHP LLC** - NOV #SW19-930/C6- For 1) causing or allowing sewage or accumulation of human excreta to overflow on property located at 1190 South Mojave Road, Clark County, Nevada on or about February 5, 2019; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on February 5, 2019. *(for possible action)*

Hearing officer found La Villa MHP LLC in violation 2) and imposed a penalty of \$1,000. A Cease and Desist order is issued to stop causing or allowing to cause any sewage or accumulation of human excreta to overflow and deposit at this property or any other property in Clark County, Nevada. Failure to comply will result in the original penalty of \$2,000 as initially sought in the Notice of Violation.

8. **Las Palmas MHP LLC** – NOV #SW19-942/C6- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about February 19, 2019; 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 February 19, 2019; and 3) failure to comply with the Order issued by the Solid Waste Management Authority on February 20, 2019. *(for possible action)*

Hearing officer found Las Palmas MHP LLC in violation of 3) and imposed a penalty of \$1,000. Corrective action of removal and proper disposal of waste is ordered. Failure to comply will result in the original penalty of \$3,000 as initially sought in the Notice of Violation.

9. **Las Palmas MHP LLC** – NOV #SW19-1207/C6- For 1) causing or allowing sewage or accumulation of human excreta to overflow on property located at 4487 East Lake Mead Boulevard, Clark County, Nevada on or about March 26, 2019; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on March 26, 2019. *(for possible action)*

Hearing officer found Las Palmas MHP LLC in violation of 2) and imposed a penalty of \$1,000. Remediation of the area affected by sewage overflow is ordered. A Cease and Desist order is issued to stop causing or allowing to cause any sewage or accumulation of human excreta to overflow and deposit at this property or any other property in Clark County, Nevada. Failure to comply will result in the original penalty of \$2,000 as initially sought in the Notice of Violation.

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. **Brady Linen Services, LLC** – NOV #SW19-680/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 6, 2018; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on March 17, 2019. *(for possible action)*

Hearing officer found Brady Linen Services, LLC in violation and imposed a penalty of \$1,000 for each of 1) and 2). Corrective action of removal and proper disposal of waste is ordered.

2. **Jose Manuel Barajas** – NOV #SW19-1176/G4- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about March 18, 2019; 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the property located at 2226 South Nellis Boulevard, Clark County, Nevada on or about March 18, 2019; 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 March 18, 2019. *(for possible action)*

Hearing officer found Jose Manuel Barajas 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 \$3,000 as initially sought in the Notice of Violation.

3. **Sparks CC, LLC** – NOV #SW19-838/Z3- For failure to comply with the Order issued by the Solid Waste Management Authority on January 24, 2019. *(for possible action)*

Hearing officer found Sparks CC, LLC in violation and imposed a penalty of \$1,000. Corrective actin of removal and proper disposal of waste is ordered.

4. **J & J Enterprises Services, Inc.** – NOV #SW19-1180/C6- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about January 30, 2019; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the vacant parcel located southwest of South Tenaya Way and Coley Avenue, Clark County, Nevada on or about January 30, 2019. *(for possible action)*

Hearing officer found J&J Enterprises Services, Inc. in violation of 2) and imposed a penalty of \$500. 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. **Fastrack Construction, Inc.** – NOV #SW19-863/32- 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, 2019; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the vacant parcel located northwest of North Skye Canyon Park Drive and Log Cabin Way, Clark County, Nevada on or about January 18, 2019. *(for possible action)*

Hearing officer found Fastrack Construction, Inc. in violation of 2) and imposed a penalty of \$750. Written policies and training procedures are required. 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.

6. **Fastrack Construction, Inc.** – NOV #SW19-906/H3- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about January 28, 2019; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the vacant parcel located south of North Parawan Street between Dublin Avenue and Cadiz Avenue, Henderson, Clark County, Nevada on or about January 28, 2019. *(for possible action)*

Hearing officer found Fastrack Construction, Inc. in violation of 2) and imposed a penalty of \$750. Written policies and training procedures are required. 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.

7. **Ann Road Farms, LLC** – NOV #SW17-644/K5- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or

about May 21, 2018, June 4, 2018, July 31, 2018, October 4, 2018, November 1, 2018 and December 5, 2018; 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the vacant parcel located at 1290 North Henrie Road, Moapa, Clark County, Nevada on or about May 21, 2018, May 23, 2018, and June 1, 2018; and 3) failure to comply with the Order issued by the Solid Waste Management Authority on July 27, 2018. *(for possible action)*

Hearing officer found Ann Road Farms, LLC in violation and imposed a penalty of \$6,000 for 1), a penalty of \$3,000 for 2), and a penalty of \$1,000 for 3). 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 \$20,000 as initially sought in the Notice of Violation.

8. **Pipe Maintenance Service, Inc.** – NOV #SW19-1022/K5- For 1) failure to provide the annual recycling survey on or about February 15, 2019; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on March 1, 2019. *(for possible action)*

Hearing officer found Pipe Maintenance Service, Inc. in violation and imposed a penalty of \$500 for each of 1) and 2). A recycling survey is ordered. 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:

None.