



Public Health Update

Solid Waste Management Authority Hearing Officer Administrative Hearing – June 13, 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 June 13, 2019 hearing, the following cases were adjudicated:

I. MATTERS REQUIRING HEARING OFFICER ACTION

A. NOTICES OF VIOLATION WITH CONTESTED FACTS:

1. **Juan Carlos De La Sardinias** – NOV #SW19-1015/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 24, 2019; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the property located at 100 North Wallace Drive, Las Vegas, Clark County, Nevada on or about February 24, 2019. (*for possible action*)

Hearing officer found Juan Carlos De La Sardinias 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.

2. **Robert Farris Nero** – NOV #SW19-667/B4- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about December 4, 2018; 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the vacant parcel located at 5065 South Fort Apache Road, Clark County, Nevada on or about December 4, 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 December 4, 2018. (*for possible action*)

Item withdrawn by the Southern Nevada Health District.

3. **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)*

Item continued to July 10, 2019 agenda.

4. **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)*

Item continued to July 10, 2019 agenda.

5. **Brad Dacus** – NOV #SW19-805/32- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about January 7, 2019 and January 10, 2019; 2) causing or allowing sewage or accumulation of human excreta to overflow on the property located at 2341 Exeter Drive, Clark County, Nevada on or about January 7, 2019 and January 10, 2019; and 3) failure to comply with the Order issued by the Solid Waste Management Authority on January 7, 2019 and January 10, 2019. *(for possible action)*

Hearing officer found Brad Dacus in violation and imposed a penalty of \$1,000 for 2) and a penalty of \$500 for 3). Corrective action of 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 \$3,000 as initially sought in the Notice of Violation.

6. **Roots Investment, LLC** – NOV #SW19-956/P9- For 1) causing or allowing sewage or accumulation of human excreta to overflow on property located at 2101 Sunrise Avenue, Las Vegas, Clark County, Nevada on or about February 13, 2019; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on February 13, 2019. *(for possible action)*

Hearing officer found Roots Investment, LLC in violation and imposed a penalty of \$1,000 for 2). Failure to comply will result in the original penalty of \$2,000 as initially sought in the Notice of Violation.

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)*

Item continued to July 10, 2019 agenda.

8. **Sarah Monteleone Trust** – NOV #SW19-947/C6- For 1) causing or allowing sewage or accumulation of human excreta to overflow on property located at 650 East Cottonwood Cove Road, Searchlight, Clark County, Nevada on or about February 8, 2019; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on February 8, 2019 with extensions of the Order to February 28, 2019. *(for possible action)*

Hearing officer found Sara Monteleone Trust in violation of 2) and imposed a penalty of \$1,000.

9. **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 continued to July 10, 2019 agenda.

10. **Wirrulla Hayward LLC** – NOV #SW17-795/24- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about June 27, 2017; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on June 27, 2017 with extensions of the Order to August 31, 2018. *(for possible action)*

Hearing officer found Wirrulla Hayward LLC in violation of 2) and imposed a penalty of \$1,000. 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 issued by the solid waste management authority at this location or anywhere else in Clark County. Failure to comply will result in the original penalty of \$2,000 as initially sought in the Notice of Violation.

11. **Alona L. Poe** – NOV #SW19-840/24- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about February 11, 2019; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the property located at 732 South Racetrack Road, Henderson, Clark County, Nevada on or about February 11, 2019. *(for possible action)*

Hearing officer found Alona L. Poe 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.

12. **Shirley A. Mitchell** – NOV #SW19-197/Z3- 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, 2018; and 2) failure to comply with the Order issued by the Solid Waste

Management Authority on August 23, 2018 with extension of the Order deadline to November 6, 2018. *(for possible action)*

Hearing officer found Shirley A. Mitchell in violation and imposed a penalty of \$500.

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. **Ernest C. Madrid.** – NOV #SW19-808/A0- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about January 7, 2019; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the undeveloped section of 6600 West Erie Avenue, Clark County, Nevada on or about January 7, 2019. *(for possible action)*

Hearing officer found Ernest C. Madrid in violation of 2) and imposed a penalty \$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:

None.

D. REVOCAION OF SOLID WASTE MANAGEMENT AUTHORITY PERMIT

1. **WWS, LLC** – WE003-XXX-01 PR0104337 – Hearing per request of recipient regarding Pending Revocation of Permits. *(for possible action)*

Hearing officer revoked permit.