



## Public Health Update

### Solid Waste Management Authority Hearing Officer Administrative Hearing – February 13, 2020

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 February 13, 2020 hearing, the following cases were adjudicated:

#### I. MATTERS REQUIRING HEARING OFFICER ACTION

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

1. **Hugo Ramirez-Garcia** – NOV #SW20-628/C6- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about November 5, 2019 and November 10, 2019; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the wash located in public right of way east of 3300 North Tenaya Way, Las Vegas, Clark County, Nevada on or about November 5, 2019 and November 10, 2019. (*for possible action*)

Hearing officer found Hugo Ramirez-Garcia 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. 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, Nevada. Failure to comply will result in the original penalty of \$4,000 as initially sought in the Notice of Violation.

2. **Abel Demha-Cruz** – NOV #SW20-532/Z3- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about October 16, 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 October 16, 2019. (*for possible action*)

Hearing officer found Abel Demha-Cruz 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. Failure to comply will result in the original penalty of \$2,000 as initially sought in the Notice of Violation.

3. **Kevin Patrick Wilmot** – NOV #SW20-293/Z3- For placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the property located at 1360 North Jones Boulevard, Las Vegas, Clark County, Nevada on or about August 17, 2019. *(for possible action)*

Hearing officer found Kevin Patrick Wilmot in violation 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. A contract with a residential trash service is ordered.

4. **MCR BP LLC** – NOV #SW19-1408/24- For failure to comply with the Order issued by the Solid Waste Management Authority on May 24, 2019. *(for possible action)*

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

5. **Flourishing Enterprises L.L.C. dba Vegas Best Auto Collision and Repair** – NOV #SW20-226/C6- For failure to comply with the Order issued by the Solid Waste Management Authority on August 14, 2019. *(for possible action)*

Hearing officer found Flourishing Enterprises L.L.C. dba Vegas Best Auto Collision and Repair in violation and imposed a penalty of \$1,000. Corrective action to characterize paint booth filters is ordered, as well as properly segregate and store paint booth filters according to Restricted Waste Storage requirements, label all restricted waste storage containers and submit documentation.

6. **Kimber Lamoyan Luciano** – NOV #SW20-530/C6- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about October 28, 2019; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the alley way located east of 300 North Torrey Pines Drive, Las Vegas, Clark County, Nevada on or about October 28, 2019. *(for possible action)*

Item withdrawn by the Southern Nevada Health District.

- 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. **Anthony Calvin Jackson and Trina Renee Jackson** – NOV #SW20-164/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 2, 2019; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the right of way located south of West Alexander Road and Broadriver Drive, Las Vegas, Clark County, Nevada on or about August 2, 2019. *(for possible action)*

Hearing officer found Anthony Calvin Jackson and Trina Renee Jackson 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.

2. **David Trinidad Garcia** – NOV #SW20-384/71- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about September 19, 2019; and 2) placing, depositing or dumping or causing to be placed, deposited or

dumped solid waste into the dumpster south of CVS Pharmacy located at 1551 West Sunset Road, Henderson, Clark County, Nevada on or about September 19, 2019. (*for possible action*)

Hearing officer found David Trinidad Garcia 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:

None.