



## Public Health Update

### Solid Waste Management Authority Hearing Officer Meeting – May 5, 2011

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 May 5, 2011 the following cases were adjudicated:

#### I. MATTERS REQUIRING HEARING OFFICER ACTION

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

1. **A D F-Sunset 7, LLC** – NOV #SW11-258/G7- For operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority.

Item continued to August 4, 2011 docket.

2. **A D F-Sunset III, LLC** – NOV #SW11-259/G7- For operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority.

Item withdrawn by the Southern Nevada Health District.

3. **Douglas Mangie dba Greeway Recycling** – NOV #SW10-1433/G7- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on September 22, 2010.

Item continued to August 4, 2011 docket.

4. **Las Vegas Walnut LLC, PFF Trust and Las Vegas Gowan LLC** – NOV #SW10-1312/47- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on July 26, 2010.

Hearing officer found Las Vegas Walnut LLC, PFF Trust and Las Vegas Gowan LLC in violation. Corrective action of removal and proper disposal of waste is ordered. Failure to comply will result in the initial penalty of \$1,800 as initially sought in the Notice of Violation.

5. **Southern Nevada Paving, Inc.** – NOV #SW11-098/47- For placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the vacant parcels located at the northeast corner of Walnut Road and North Las Vegas Boulevard, Clark County, Nevada on or about March 19, 2010 through June 15, 2010.

Hearing officer found Southern Nevada Paving, Inc. in violation. Corrective action of removal and proper disposal of waste is ordered. Failure to comply will result in the original penalty of \$5,000 as initially sought in the Notice of Violation.

6. **Werdco BC, Inc.** - NOV #SW11-101/47- For placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the vacant 9.37 acre and 5.41 acre parcel located at the northeast corner of Walnut Road and North Las Vegas Boulevard, Clark County, Nevada on or about March 15, 2010 through June 17, 2010.

Hearing officer found Werdco BC, Inc. in violation. Corrective action of removal and proper disposal of waste is ordered. Failure to comply will result in the original penalty of \$5,000 as initially sought in the Notice of Violation.

7. **Impact Sand & Gravel, LLC** - NOV #SW11-102/47- For placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the vacant 9.37 acre and 5.41 acre parcel located at the northeast corner of Walnut Road and North Las Vegas Boulevard, Clark County, Nevada on or about May 25, 2010 through June 2, 2010.

Hearing officer found Impact Sand & Gravel, LLC in violation. Corrective action of removal and proper disposal of waste is ordered. Failure to comply will result in the original penalty of \$5,000 as initially ordered in the Notice of Violation.

8. **Tand, Inc.** - NOV #SW11-097/47- For placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the vacant 9.37 acre parcel and the vacant 5.41 acre parcel located at the northeast corner of Walnut Road and North Las Vegas Boulevard, Clark County, Nevada on or about June 15, 2010.

Hearing officer found Tand, Inc. in violation. Corrective action of removal and proper disposal of waste is ordered. Failure to comply will result in the original penalty of \$5,000 as initially sought in the Notice of Violation.

9. **John Hardin Trucking, Inc.** - NOV #SW11-100/47- For placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the vacant 9.37 acre and 5.41 acre parcel located at the northeast corner of Walnut Road and North Las Vegas Boulevard, Clark County, Nevada on or about April 13, 2010 until June 10, 2010.

Item continued to August 4, 2011 docket.

10. **Douglas Mangie dba Citywide Aggregates** - NOV #SW10-1935/47- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on November 10, 2010.

Item continued to August 4, 2011 docket.

11. **John M. Rubbico dba Citywide Aggregates** - NOV #SW10-1936/47- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste

management authority; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on November 10, 2010.

Hearing officer found John M. Rubbico dba Citywide Aggregates in violation and imposed a penalty of \$5,000 for each of 1) and 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. An application for a solid waste management permit must be submitted to the Solid Waste Management Plan Review program.

12. **Las Vegas 215, LLC** - NOV #SW11-256/G7- For operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority.

Item continued to August 4, 2011 docket.

13. **Douglas Mangie dba Citywide Aggregates** - NOV #SW10-1134/G7- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on September 22, 2010.

Item continued to August 4, 2011 docket.

14. **John Rubbico dba Citywide Aggregates** - NOV #SW11-257/G7- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on June 7, 2010.

Hearing officer found John Rubbico dba Citywide Aggregates in violation and imposed a penalty of \$10,000 for 1) and a penalty of \$5,000 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. An application for a solid waste management permit must be submitted to the Solid Waste Management Plan Review program.

- 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.

None

- C. NOTICES OF VIOLATION - FURTHER PROCEEDINGS

1. **Advanced Management Group Nevada, LLC** - NOV #SW10-1978/60- For failure to comply with the Order issued by the Solid Waste Management Authority on November 9, 2010.

Hearing officer order of March 10, 2011 is amended.