



## Public Health Update

### Solid Waste Management Authority Hearing Officer Meeting – August 4, 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 August 4, 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.

Hearing officer found A D F-Sunset 7, LLC in violation and imposed a penalty of \$1,000. Correction action of removal and proper disposal of waste is ordered and to contact Southern Nevada Health District and apply to Plan Review for permit.

2. **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.

Hearing officer found Douglas Mangie dba Greeway Recycling in violation and imposed penalties of 1), \$7,500 and \$4,000 for 2).

Corrective action of removal and proper disposal of waste is ordered and to apply to Solid Waste Plan review for permit.

3. **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Item withdrawn by Southern Nevada Health District.

4. **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.

Hearing officer found Douglas Mangie dba Citywide Aggregates in violation and imposed penalties of 1) \$5,000. 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 without a permit

from the solid waste management authority at this location or any other in Clark County, Nev. Retention of a Certified Environmental Manager (CEM) is ordered. Contact Solid Waste Plan review to apply for a permit.

5. **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 1). Correction action of removal and proper disposal of waste is ordered. Retention of a Certified Environmental Manager (CEM) is ordered. Contact Solid Waste Plan Review to apply for a permit.

6. **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 October 13, 2011 docket.

7. **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.

Hearing officer found **Douglas Mangie dba Citywide Aggregates** in violation and imposed a penalty in the amount of 1) \$10,000 and 2) 5,000. Corrective action of removal and proper disposal of waste is ordered. A Cease and Desist order is issued and an application ordered for permit on 8/4/2011, SWHO docket 3.

8. **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.

Item continued to October 13, 2011 docket.

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. **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 1) \$5,000 and 2) \$5,000 dated May 5, 2011 vacated. Correction action or 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 to Solid Waste Plan Review to apply for a permit is ordered and the services of a Certified Environmental Manager (CEM) are retained.

2. **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 penalties of 1) \$10,000 2) \$5,000 dated May 5, 2011 vacated. 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 permit from the Solid Waste Plan Review must be received.