



Public Health Update

Solid Waste Management Authority Hearing Officer Administrative Hearing – March 11, 2021

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 March 11, 2021 the following cases were adjudicated:

I. MATTERS REQUIRING HEARING OFFICER ACTION

A. NOTICES OF VIOLATION WITH CONTESTED FACTS:

1. **NASDAQ 5 LLC** – NOV #SW20-1481/P9- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about June 16, 2020; 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the property located at 4480 West Spring Mountain Road, Clark County, Nevada on or about June 16, 2020; and 3) failure to comply with the Order issued by the Solid Waste Management Authority on June 19, 2020. *(for possible action)*

Hearing officer found NASDAQ 5 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, Nev. Failure to comply will result in the original penalty of \$3,000 as initially sought in the Notice of Violation.

2. **Desert Gardens Homeowners Association, Inc.** – NOV #SW21-118/C6- For 1) causing or allowing sewage or accumulation of human excreta to overflow on property located at 1720 West Bonanza Road, Las Vegas, Clark County, Nevada on or about August 3, 2020; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on August 3, 2020. *(for possible action)*

Hearing officer found Desert Gardens Homeowners Association, Inc. in violation and imposed a penalty of \$500 for each of 1) and 2). 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, Nev. Failure to comply will result in the original penalty of \$2,000.

3. **BRNV, LLC** – NOV #SW20-1527/C6- For failure to comply with the Order issued by the Solid Waste Management Authority on July 2, 2020. *(for possible action)*

Item withdrawn by the Southern Nevada Health District.

A. 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. **Cassidy Collins Harwell** – NOV #SW21-318/P9- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about September 10, 2020; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the property located at 7979 Mountains Edge Parkway, Clark County, Nevada on or about September 10, 2020. *(for possible action)*

Hearing officer found Cassidy Collins Harwell 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 is ordered. Failure to comply will result in the original penalty of \$2,000 as initially sought in the Notice of Violation.

2. **Daniel E. Hernandez** – NOV #SW21-341/G4- 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, 2020; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the property located at Charleston Gardens Apartments at 4860 East Charleston Boulevard, Las Vegas, Clark County, Nevada on or about September 19, 2020. *(for possible action)*

Hearing officer found Daniel E. Hernandez 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 is ordered. Failure to comply will result in the original penalty of \$2,000 as sought in the Notice of Violation.

C. NOTICES OF VIOLATION – FURTHER PROCEEDINGS:

None.