



## Public Health Update

### Solid Waste Management Authority Hearing Officer Administrative Hearing - February 17, 2022

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 17, 2022 the following cases were adjudicated:

#### I. MATTERS REQUIRING HEARING OFFICER ACTION

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

1. **NVRH, LLC dba Nevada Recycling/Henderson** - NOV #SW21-1112/P9- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about May 7, 2021; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the property located at Interstate 215 near the Green Valley Parkway exit, Henderson, Clark County, Nevada on or about May 7, 2021. (*for possible action*)

Hearing officer found NVRH, LLC dba Nevada Recycling/Henderson 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, Nev. Failure to comply will result in the original penalty of \$2,000 as initially sought in the Notice of Violation.

2. **Halafili Seui** - NOV #SW22-286/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 24, 2021; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the property located at 1001 Christy Lane, Clark County, Nevada on or about September 24, 2021. (*for possible action*)

Hearing officer found Halafili Seui 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. 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 \$2,000 as initially sought in the Notice of Violation.

3. **Canyon Creek Villas Homeowners Association** – NOV #SW22-132/A0- For 1) causing or allowing sewage or accumulation of human excreta to overflow on property located at 2700 North Rainbow Boulevard, Buildings 17 and 18, Las Vegas, Clark County, Nevada on or about August 5, 2021, August 9, 2021, August 13, 2021, August 18, 2021, August 23, 2021, August 31, 2021, September 7, 2021, September 15, 2021, September 30, 2021, October 15, 2021, and November 1, 2021; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on August 6, 2021. *(for possible action)*

Hearing officer found Canyon Creek Villas Homeowners Association in violation of 1) and imposed a penalty of \$11,000. A Cease and Desist 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 \$12,000 as initially sought in the Notice of Violation and the revaluation of Notices of Violation for cases SW22-140/A0 and SW22 469/A0.

4. **Westland Vellagio Ensenada LLC** – NOV #SW21-1135/56- For 1) causing or allowing sewage or accumulation of human excreta to overflow upon the property located at 3555 East Lake Mead Boulevard, Clark County, Nevada on or about June 1, 2021, June 2, 2021, June 8, 2021, June 16, 2021, and June 17, 2021; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on June 1, 2021. *(for possible action)*

Hearing officer found Westland Vellagio Ensenada LLC in violation and imposed a penalty of \$2,500 for 1) and a penalty of \$500 for 2). A Cease and Desist 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 \$6,000 as initially sought in the Notice of Violation.

5. **Happy Homes Searchlight LLC** – NOV #SW22-085/C6- For 1) causing or allowing sewage or accumulation of human excreta to overflow on property located at 660 South US Highway 95 South, Searchlight, Clark County, Nevada on or about August 23, 2021; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on July 21, 2021 and sent via email on July 22, 2021. *(for possible action)*

Hearing officer found Happy Homes Searchlight LLC in violation and imposed a penalty of \$750 for 1) and a penalty of \$750 for 2). A Cease and Desist 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.

6. **Discount Dumpsters, LLC dba Western Elite** – NOV #SW21-1218/67- For 1) operating or authorizing the operation of a Solid Waste Management Facility outside of the approved conditions of the Solid Waste Management Permit issued by the Solid Waste Management Authority on June 23, 2021 and July 28, 2021; and 2) failure to comply with the Order issued by the Solid Waste Management Authority on June 25, 2021. *(for possible action)*

Hearing officer found Discount Dumpsters, LLC dba Western Elite in violation and imposed a penalty of \$2,000 for 1) and a penalty of \$1,000 for 2). Failure to comply will result in the original penalty of \$5,700 as initially sought in the Notice of Violation.

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. **Barbara Ann Unowsky and Jonathan M. Unowsky** – NOV #SW22-012/38- For 1) operating a disposal site in Clark County, Nevada, without a permit issued by the solid waste management authority on or about July 6, 2021; and 2) placing, depositing or dumping or causing to be placed, deposited or dumped solid waste upon the property located at 4702 East Flamingo Road, Clark County, Nevada on or about July 6, 2021. *(for possible action)*

Hearing officer found Barbara Ann Unowsky and Jonathan M. Unowsky in violation 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.

C. NOTICES OF VIOLATION – FURTHER PROCEEDINGS:

None.