



Clark County Air Pollution Control Hearing Board

Annotated Agenda

February 5, 2015 – 1:30 P.M.
Clark County Building Department
Presentation Room
4701 West Russell Road
Las Vegas, NV

Hearing Board Members **Daniel Sanders, Chair**
Karen Purves, Vice-Chair
Tom Foster, Jr., P.E.
William Kremer
Craig Schweisinger
Evan S. Wishengrad, Esq.
Melvin Zeldin

Deputy District Attorney **Ofelia Monje, Esq.**

Air Quality Staff  **Gary Miller, Compliance & Enforcement Manager**

NRS 241.020 requires that written notice of all meetings of the Clark County Air Pollution Control Hearing Board be given at least three working days before the meetings. The notice shall include the time, place, location and agenda of the meeting. BUT, a request for notice lapses six months after it is made. The Clark County Air Pollution Control Hearing Board informs each requester of this fact by this notation on this copy of the notice mailed to you.

- Items on the agenda may be taken out of order.
- The Air Pollution Control Hearing Board may combine two or more agenda items for consideration.
- The Air Pollution Control Hearing Board may remove an item from the agenda or delay discussion relating to an item on the agenda at any time.
- To request a copy of the supporting materials for an agenda item, please contact Araceli Pruett at araceli.pruett@clarkcountynv.gov or (702) 455-3206. Supporting materials are available for inspection at the Clark County Department of Air Quality office located at 4701 West Russell Road, Las Vegas, NV 89118 or on our website at: http://www.clarkcountynv.gov/depts/AirQuality/Pages/Compliance_EnforcementNotices.aspx

ITEM	ACTION REQUESTED
I. CALL TO ORDER	1:32 P.M.
II. PUBLIC COMMENT No action may be taken upon a matter raised under this item until the matter itself has been specifically included on an agenda. Public comments may be considered on specific agenda items. Please clearly state your name and address for the record. Speaking time will be limited to five (5) minutes per person.	There were no public comments.
III. OATH OF OFFICE 1. William Kremer (Citizen Member) (Term of Office – 10/7/14 – 10/6/17) 2. Melvin Zeldin (Citizen Member) (Term of Office – 10/7/14 – 10/6/17) 3. Karen Purves (Citizen Member) (Term of Office – 11/16/14 – 11/15/17)	1. William Kremer took the Oath of Office. 2. Melvin Zeldin took the Oath of Office. 3. Karen Purves took the Oath of Office.
IV. ELECTION OF VICE-CHAIR (New term- 2/5/15 – end of term) Air Quality Regulations Subsection 7.1 states, “The Air Pollution Control Hearing Board shall select a Chairman and Vice-Chairman and such other officers as it deems necessary.”	Evan Wishengrad was elected Vice-Chair.
V. APPROVE MINUTES OF JUNE 12, 2014 MEETING	APPROVED.
VI. OVERVIEW OF NEVADA OPEN MEETING LAW Presented by Ofelia Monje, Deputy District Attorney	Board was briefed on the Nevada Open Meeting Law by Deputy District Attorney Ofelia Monje.

ITEM	ACTION REQUESTED
VII. MATTERS REQUIRING BOARD DISCUSSION/POSSIBLE ACTION	GRANT/DENY/TAKE OTHER APPROPRIATE ACTION
<p>A. <u>APPEALS</u></p> <p>1. BIG DADDY 1, LLC (Source: 9409) – NOV #8479. On May 28, 2014, the Hearing Officer found Big Daddy 1, LLC in violation of Air Quality Regulations Subsections 12.8.1, 52.4(a)(1), 52.5(a)(1), 52.6(a)(1), and 52.7(b)(1) (Permit Conditions IV-B-1-e, IV-B-2-f, IV-B-2-g, IV-F-1-b, IV-F-1-I, IV-F-3-a, IV-E-1, IV-E-2, IV-G-2, and IV-G-4) for failing to maintain all Phase I and Phase II vapor recovery equipment in a leak free, vapor tight condition, and in good working order; for installing a Venturi hose in the reverse direction recommended by the manufacturer; for failing to notify Air Quality and conduct annual performance testing prior to the anniversary date of the previous performance test that the source passed; and for failing to provide records of Phase I and Phase II vapor recovery equipment inspections for review, identified during a full compliance evaluation conducted on September 23, 2013 at the Big Daddy’s Lamb Gas & Mini Mart Gasoline Dispensing Operation, located at 551 North Lamb Boulevard in Clark County, Nevada.. A \$9,000 penalty was assessed. Big Daddy 1, LLC appealed the Air Pollution Control Hearing Officer’s Order.</p> <p>2. 24-SEVEN GAS AND FOOD MART, LLC (Source: 17232) – NOV #8609. On November 19, 2014, the Hearing Officer found 24-Seven Gas and Food Mart, LLC in violation of Air Quality Regulations Subsections 12.1.3.1, 12.1.4.1(d), 12.1.4.1(f), 40 CFR 63.11115(a), 40 CFR 63.11118(b)(1), and 40 CFR 63.7(a)(2) (Permit Conditions IV-B-1-b-ii, IV-B-1-b-iii, IV-B-1-d-iii, and IV-D-4-a) for operating a Gasoline Dispensing Operation (GDO) from August 1 through December 25, 2012 without the authority of a Minor Source Permit issued by the Clark County Department of Air Quality; for failing to install vapor recovery and product adaptors that prevent loosening or over tightening of fittings during normal delivery options; for failing to maintain all Phase I vapor recovery equipment to be leak free and vapor tight and in good working order; and for failing to conduct initial vapor recovery system testing required by the permit and failed to conduct vapor recovery testing for 2013, identified during a full compliance evaluation conducted on April 9 and 11, 2014 of the 24-Seven Gas and Food Mart GDO, located at 2424 East Russell Road in Clark County, Nevada. 24-Seven Gas and Food Mart, LLC appealed the Air Pollution Control Hearing Officer’s Order.</p>	<p>1. The Board continued the matter to the next meeting.</p> <p>2. The Board approved proposed settlement, which included an \$8,000 penalty, of which \$7,500 will be held in abeyance for a period of 18 months. If 24-Seven Gas and Food Mart complies with the terms of the agreement, Air Quality agrees not to assess the \$7,500 portion of the penalty. If 24-Seven Gas and Food Mart does not comply with the terms of the agreement, it will be required to pay the \$7,500 penalty amount.</p>

ITEM	ACTION REQUESTED
VIII. REPORT BY DAQ STAFF 1. Programmatic Update	Board was updated on regulatory developments and DAQ's planning, monitoring, and enforcement programs.
IX. IDENTIFY EMERGING ISSUES TO BE DISCUSSED BY BOARD AT FUTURE MEETINGS	None identified.
X. PUBLIC COMMENT No action may be taken upon a matter raised under this item until the matter itself has been specifically included on an agenda. Public comments may be considered on specific agenda items. Please clearly state your name and address for the record. Speaking time will be limited to five (5) minutes per person.	There were no public comments.
XI. ADJOURNMENT	3:58 P.M.
The Presentation Room is accessible to individuals with disabilities. With twenty-four (24) hour advanced request, a sign language interpreter may be made available (telephone number TT/TDD: Nevada Relay toll-free (800) 326-6868) and assisted listening devices are available upon request.	
This notice and agenda was posted or caused to be posted at the following locations: <ul style="list-style-type: none"> • Las Vegas City Hall, 495 S. Main Street, Las Vegas, Nevada • Henderson City Hall, 240 S. Water Street, Henderson, Nevada • North Las Vegas City Hall 2250 Las Vegas Blvd. North Las Vegas, Nevada • Boulder City, City Hall, 401 California Avenue, Boulder City, Nevada • Mesquite City Hall, 10 E. Mesquite Boulevard, Mesquite, Nevada • CC Government Center, 500 S. Grand Central Parkway, Las Vegas, Nevada 	