



# Agenda

## Clark County Air Pollution Control Hearing Board

February 9, 2017 – 1:30 P.M.  
Clark County Building Department  
Presentation Room  
4701 West Russell Road  
Las Vegas, NV

**Hearing Board Members**

**Daniel Sanders, Chair**  
**Evan S. Wishengrad, Esq., Vice-Chair**  
**Ryan L. Dennett**  
**Tom Foster, P.E.**  
**William Kremer**  
**Karen Purves**  
**Craig Schweisinger**

**Deputy District Attorney**

**Leslie A. Nielsen, Esq.**

**Air Quality Staff**

**Marci Henson, Director** *MSA*  
**Ralph McCullers, Compliance & Enforcement Manager**  
**Ryan Breitweiser, Administrative Secretary**

- 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 Ryan Breitweiser at [ryan.breitweiser@clarkcountynv.gov](mailto:ryan.breitweiser@clarkcountynv.gov) or (702) 455-0354. 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/AirQuality/compliance/Pages/Compliance\\_EnforcementNotices.aspx](http://www.clarkcountynv.gov/AirQuality/compliance/Pages/Compliance_EnforcementNotices.aspx).

**I. CALL TO ORDER**

**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.  
(Discussion only)

**III. APPROVAL OF MINUTES OF DECEMBER 8, 2016 MEETING**

Approval of December 8, 2016 meeting minutes.  
(For possible action)

**IV. PUBLIC HEARINGS**

**A. REQUEST FOR CERTIFICATE OF EXEMPTION**

1. **BRIGHTVIEW TREE COMPANY (Wilsonii olive tree)** - formerly Valley Crest Tree Company – Conduct a public hearing and approve a request for renewal of a Certificate of Exemption for distributing and marketing of low pollinating olive trees for the next three (3) years. The current Certificate expires on February 10, 2017.  
(For possible action)
2. **BRIGHTVIEW TREE COMPANY (Swan Hill olive tree)** - formerly Valley Crest Tree Company – Conduct a public hearing and approve a request for renewal of a Certificate of Exemption for distributing and marketing of low pollinating olive trees for the next three (3) years. The current Certificate expires on February 10, 2017.  
(For possible action)

**V. BUSINESS ITEMS**

**A. APPEALS OF HEARING OFFICER DECISIONS**

**1. COMPLETE DEMO SERVICES (Project Number: 152005; DCP #45056)**

**NOV #8736** – On April 21, 2016, the Hearing Board heard the appeal of the Hearing Officer’s decision, stayed its decision for a period of 9 months to determine whether Complete Demo Services would commit other violations of the Air Quality Regulations during that period, and levied a \$1,000 penalty. The Hearing Board’s Order entered on May 12, 2016, provides that the Hearing Officer’s Order would be removed from the record if Complete Demo Services committed no violations during the nine-month period. Complete Demo Services paid the \$1,000 penalty timely on May 27, 2016.

**Background:** On January 20, 2016, the Hearing Officer found Complete Demo Services in violation of 40CFR61, Subpart M, Part 61.145(b)(3)(i) (adopted by reference in Section 13.1 of the Air Quality Regulations) for failing to timely notify Air Quality of the demolition of all structures prior to conducting renovation and demolition activities, as identified during a routine site inspection on July 29, 2015, located at 405 North 6<sup>th</sup> Street, in Clark County, Nevada. The Hearing Officer reduced the \$2,000 penalty recommended by the Control Officer and levied a penalty of \$1,000.00. (For possible action)

**VI. REPORT BY DEPARTMENT OF AIR QUALITY STAFF**

General update

**VII. IDENTIFY EMERGING ISSUES TO BE DISCUSSED BY BOARD AT FUTURE MEETINGS**

Identification of topics for future meetings.

**VIII. PUBLIC COMMENT**

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(Discussion only)

**IX. ADJOURNMENT**

The Presentation Room is accessible to individuals with disabilities. With forty-eight (48) hour advanced request, a sign language interpreter may be made available by contacting (702) 455-0354 or TDD (702) 385-7486 or Nevada Relay toll-free (800) 326-6868, TT/TDD. Assistive listening devices are available upon request.

This notice and agenda was posted or caused to be posted at the following locations:

- Clark County Operations Center, West, 4701 W. Russell Road, Las Vegas, Nevada
- 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



## **Minutes of the Clark County**

### **Air Pollution Control Hearing Board Meeting**

**December 8, 2016**

#### **I. CALL TO ORDER**

Chair Daniel Sanders called the meeting of the Air Pollution Control Hearing Board to order at 1:34 p.m. A quorum was present and Affidavits of Posting of the agenda were provided as required by the Nevada Open Meeting Law. The Affidavits will be incorporated into the official record.

PRESENT: Daniel Sanders, Chair  
Evan S. Wishengrad, Esq., Vice-Chair  
Ryan L. Dennett  
Tom Foster, P.E.  
William Kremer  
Karen Purves  
Craig Schweisinger

LEGAL COUNSEL: Leslie A. Nielsen, Esq.

DAQ STAFF: Ralph McCullers, Compliance and Enforcement Manager  
Patricia Ringgenberg, Air Quality Specialist  
Ryan Breitweiser, Administrative Secretary

OTHERS: Marci Henson, DAQ; Shibi Paul, DAQ; Lea Kain, DAQ; Jeffrey Robb, DAQ;  
PRESENT: Anna Sutowska, DAQ; Forrest Wald, Desert Forrest Nursery; Judy Ponto, Ponto Nursery

## **II. PUBLIC COMMENT**

There were no public comments.

## **III. OATH OF OFFICE**

Anna Sutowska administered the Oath of Office to Tom Foster for the position of Engineer Member of the Air Pollution Control Hearing Board. Mr. Foster was sworn-in. His term will expire on October 3, 2019.

## **IV. APPROVE MINUTES OF AUGUST 11, 2016**

Chair Sanders called for comments, changes, or corrections to the August 11, 2016 minutes. Vice-Chair Wishengrad commented Board Member Foster was not listed on the minutes. Ryan Breitweiser, Administrative Secretary, stated Department of Air Quality (DAQ) was evaluating candidates when the meeting occurred, and Board Member Foster was reappointed on October 4, 2016. Board Member Schweisinger motioned the minutes be approved. The motion was seconded by Vice-Chair Wishengrad. Chair Sanders called for a vote on the motion, and asked those in favor of approving the minutes from the meeting on August 11, 2016 to signify by saying aye. It was met by a chorus of ayes. There was no opposition. The motion passed.

## **V. PUBLIC HEARINGS**

### **A. REQUEST FOR CERTIFICATE OF EXEMPTION**

**DESERT FORREST NURSERY LLC** formerly Orangewood Nursery, Inc. dba Easy Pace Tree Farm – Conduct a public hearing and approve a request for renewal of a Certificate of Exemption for distributing and marketing of low pollinating olive trees for the next three (3) years. The current Certificate expires on December 9, 2016.

Chair Sanders asked if representatives from Desert Forrest Nursery, LLC (Desert Forrest) would approach the testimony table. Forrest Wald from Desert Forrest, located at 16835 West Olive Ave., Waddell, Arizona 83515, was sworn-in. Patricia Ringgenberg, Air Quality Specialist II with DAQ was also sworn-in. Chair Sanders asked Ms. Ringgenberg if DAQ has any objection to the renewal of Desert Forrest's certificate of exemption. Ms. Ringgenberg stated there is no objection and the nurseries she contacts have not received any complaints about olive trees coming from Desert Forrest or Easy Pace Tree Farm (Easy Pace). She added Desert Forrest has been operating as Easy Pace for a few years. Mr. Wald stated he purchased Easy Pace and their inventory 3 years ago.

Board Member Kremer asked if any studies have been completed to evaluate if low pollinating olive trees maintain their low pollination standards over long periods of time. He stated living matter is opportunistic and may change over time. Ms. Ringgenberg responded she is unfamiliar with any studies of that type. She added Clark County Air Quality Regulations (AQR) state olive trees must only maintain their 15% standard for three years after they are mature. Chair

Sanders asked Mr. Wald if he is aware of Wilsonii olive trees pollinating more over time. Mr. Wald stated in his experience, Wilsonii trees may pollinate slightly, but the pollen production for Wilsonii is much lower than a standard olive tree. Chair Sanders asked how many years the olive tree exemption program has been in effect, and if Ms. Ringgenberg is aware of any issues with olive trees. Ms. Ringgenberg stated the program started in 1991, and she is not aware of any issues during that time. She commented that a number of years ago trees planted at various locations were tested because they appeared to be pollinating more than AQR allows. The testing was done by Dr. Polito at University of California, Davis, and they maintain a data base of low pollinating olive trees. She continued to say the only way to thoroughly verify a tree is an approved low pollinating olive tree is through DNA testing by a qualified lab. Board Member Kremer talked about his background in horticultural bio chemistry, and spoke on the process of altering plants by making certain genes recessive. New technology has been developed to splice out part of a gene. The older technology of hybridizing makes genes recessive, but does not remove them. Board Member Kremer then requested a copy of the study done by University of California, Davis.

Board Member Schweisinger asked how many trees in the Las Vegas Valley existed prior to 1991. Ms. Ringgenberg answered, stating she is unaware of the exact number, but guessed there are thousands of olives planted before the regulation, and those trees are grandfathered in. Board Member Purves asked if any follow-up research has been done since the original tests of Wilsonii olive trees was completed 23 years ago. Ms. Ringgenberg commented that DAQ only has studies on the Wilsonii and Swan Hill olive trees, but further testing on those trees has not been done. Ms. Ringgenberg then stated studies on older Wilsonii trees could help to keep pollen counts low. Chair Sanders asked Ms. Ringgenberg if she felt the regulations are mitigating pollen counts in Clark County, and how DAQ checks if trees at retailers are properly tagged. Ms. Ringgenberg stated she occasionally receives complaints about olive trees, but most often the trees are grandfathered in from before the AQR was created. She also stated without DNA testing, DAQ is unable to determine if the tree is low pollinating. Chair Sanders asked if the majority of olive trees for sale in Clark County are tagged. Ms. Ringgenberg stated they were. Mr. Wald interjected that all of the trees shipped to Clark County by Desert Forrest Nursery are tagged before they leave the yard. He stated if trees are for sale in Clark County without tags, he would like DAQ to investigate because only authorized vendors are allowed to sell the trees.

Vice-Chair Wishengrad requested verification olive trees must remain at 15% of the pollen count of a European olive tree for only the first three years of maturity. Ms. Ringgenberg quoted AQR 44.3.2, "To be approved by the Air Pollution Control Hearing Board, the applicant must demonstrate to the Board that the low pollinating cultivar releases to the atmosphere less than 15% of the pollen released by a sexually mature traditional European Olive tree and that this low pollinating capacity is retained by the sexually mature cultivar for at least three years." Vice-Chair Wishengrad then asked what constitutes a sexually mature cultivar. Mr. Wald estimated a mature olive tree would be approximately at least 3 inch caliper and able to produce fruit. He continued to say fruit production can be seen from a 24 inch box tree and younger, or about 3 years from origin. Vice-Chair Wishengrad then commented that Clark County and the Hearing Board only has control over the olive tree for approximately the first 3 years from the tree's inception. Chair Sanders mentioned the board hears renewals of olive tree exemptions every three years, and if issues arise from an olive trees' pollen count, the matter can be addressed at that time. Ms. Ringgenberg asserted that she has spoken with nurseries, and they have not

mentioned complaints from customers. Mr. Wald offered the idea to talk to personnel in Parks and Recreation, and ask them to notify the board if any of the olive trees they maintain begin to bear fruit.

Board Member Schweisinger motioned to approve the request as outlined in the agenda. Vice-Chair Wishengrad seconded the motion. Chair Sanders called for a vote on the motion, and asked those in favor to signify by saying aye. It was met by a chorus of ayes. There was no opposition. The motion passed.

## **VI. BUSINESS ITEMS**

### **B. REQUEST FOR CERTIFICATE OF EXEMPTION**

**PONTO NURSERY, INC** – Approve a request for renewal of a Certificate of Exemption for distributing and marketing of low pollinating olive trees for the next three (3) years. The current Certificate expires on December 9, 2016.

(Public hearing held on and continued from August 11, 2016 meeting)

(For possible action)

Chair Sanders asked if representatives from Ponto Nursery, Inc. (Ponto Nursery) would approach the testimony table. Judy Ponto from Ponto Nursery, located at 2545 Ramona Dr., Vista, California 92084, was sworn-in. Chair Sanders asked Mrs. Ponto if she had any information she would like to present to the Board. Mrs. Ponto stated last meeting questions were raised about attaching labels to plants before selling. She explained her business does not sell to retailers. She sells to wholesalers. She added she has not been attaching the labels to the liners because when they are received by the wholesaler, the plant is replanted in a larger container, and the liners are very small. She stated that she is open to suggestions, such as loosely tying the label to the plant or putting the label temporarily into the soil. Mrs. Ponto asked the Board and DAQ if they have any suggestions on how to improve the process. Ms. Ringgenberg stated chain of custody requires the label goes with the tree. Ms. Ringgenberg suggested Ponto Nursery could attach the label to the plastic container holding the liner, but the wholesale nurseries who receive the trees must know the tag must stay with the tree until purchased by the consumer. She added that the size of the label could be larger to increase visibility at nurseries. Mrs. Ponto commented that labels have recently been increased in size and the color has been changed to canary yellow. Ms. Ringgenberg agreed the changes would increase visibility, but requested the labels contain the date of approval by the Hearing Board. Chair Sanders asked Mrs. Ponto if she has any questions or concerns with the recommended changes. Mrs. Ponto did not.

Vice-Chair Wishengrad asked Mrs. Ponto to expound upon the reasons why the tag cannot be attached to the plant. Mrs. Ponto explained that when a grower receives the plant, it is awkward to replant the tree with a pre-attached label. Board Member Kremer added it is possible to damage a liner when attempting to transplant it with a label attached, and because of their small size, liners are more susceptible to damage. Board Member Schweisinger asked for verification that wholesalers who bring olive trees into Nevada know the trees must be accompanied by an approval tag. Mrs. Ponto assured the Board she informs her clients of their responsibilities tagging the trees. Vice-Chair Wishengrad stated he is concerned if the labels are not attached to the plant, then there is a greater chance wholesalers and retailers may put the tag on a different



plant. Mrs. Ponto responded, stating any tag affixed to a plant is removable, and replanting requires the wholesaler to remove the tag. She continued, stating deals with 6 large wholesalers who do not want to jeopardize their ability to do business in Clark County. Board Member Schweisinger asked if California required the Wilsonii olive trees to be tagged. Mrs. Ponto replied no, and stated she does not charge more for exempt trees. The exemption only allows wholesalers the ability to sell in Nevada.

Board Member Purves asked how the label would be affixed to the pot. Ms. Ringgenberg stated if a hole was punched in the pot, a wire could be used to attach the tag through the grommet. Board Member Purves then asked why label purchases double in the month of June. Mrs. Ponto responded, stating demand is higher in summer months. Chair Sanders stated he feels attaching the tag to the pot is agreeable if it is the easiest method. Board Member Purves commented that she appreciates Mrs. Ponto and Mr. Wald making the trip to Clark County and their desire to abide by the rules of the County.

Board Member Schweisinger motioned to approve the request as outlined in the agenda. Vice-Chair Wishengrad seconded the motion. Chair Sanders called for a vote on the motion, and asked those in favor to signify by saying aye. It was met by a chorus of ayes. There was no opposition. The motion passed.

## **VII. REPORT BY DAQ STAFF**

Settlement of Notice of Violation issued to Tronox, LLC. – Ralph McCullers, Compliance and Enforcement Manager, stated that with help from the gallery, he would like to update the Board on the settlement with Tronox, LLC (Tronox). He explained that Tronox is an organic chemical processing facility in Henderson, Nevada, and DAQ Compliance and Enforcement has been working with Tronox for a number of years. Mr. McCullers provided highlights of the settlement agreement:

On December 7, 2016, Tronox was delivered the signed Hearing Officer's Order, which enforces the settlement agreement. Tronox will be changing their operation over time with an anticipated documentable reduction in emission of 50%. Additionally, Tronox settled for \$585,000, of which \$80,000 will be placed into abeyance and is contingent upon the company meeting specified performance factors. DAQ is cautiously optimistic Tronox will meet the performance benchmarks, but Tronox will be presenting a check to DAQ for \$505,000 in the next 30 days. This took a tremendous amount of work by DAQ and Tronox.

He gave credit to Shibi Paul, Air Quality Supervisor and Leslie Nielsen, Deputy District Attorney for their hard work on the Settlement Agreement. Chair Sanders asked how long Tronox has been active. DAQ staff estimated the facility has been active since the 1940's; however, it was previously working under the name Kerr McGee. Board Member Purves expressed her excitement to have heard about the settlement agreement, and then asked if DAQ anticipates any compliance deadlines before 2018. Mr. McCullers responded, stating some benchmarks in the settlement agreement are deliverable before the end of 2016; however, Tronox is in control of whether future compliance action is necessary. He stated the settlement agreement stands alone and DAQ will be tracking compliance moving forward. DAQ staff will conduct routine compliance inspections of the facility outside of the settlement. Board Member

Purves then inquired as to why the penalty amount in the settlement agreement was \$585,000 when the initial penalty was over \$1,300,000. Mr. McCullers explained rather than the monetary penalty, DAQ was able to get real reduction in emission. He continued to explain Nevada Revised Statute and AQR allows for a \$10,000 per day maximum, but there are restrictions on violations and fineable amounts; however, the penalty as levied is large enough to have an impact on Tronox monetarily and in public perception. He reiterated the real win for DAQ and Clark County is the reduction in emissions. Department of Air Quality Director Marci Henson stated during negotiations DAQ made it clear that money was not the goal. Tronox is making considerable changes to their operations to gain the reduction in emissions required by the Settlement Agreement, which will cost the company more than they gained during the monetary penalty negotiations. Ms. Henson commented that in her opinion getting a 50% reduction in hearth emission was well worth the money negotiated out of the Settlement Agreement. She also added that DAQ does not keep money gained from penalties or settlements, all but \$17,500 per year is given to Clark County School District. Chair Sanders agreed Tronox will most likely spend more than \$800,000 to comply with the emissions regulations. Board Member Purves asked what type of pollutant is created in the production of Manganese Dioxide. Mr. McCullers responded stating Manganese ore leaves the facility as PM-10 (particulate matter less than 10 microns).

Board Member Dennett asked if Tronox's response to the emission reduction was to scale back operations completely or to retrofit their current operations to meet the new regulations. Board Member Dennett clarified asking if the regulations have scaled back a business operating in Henderson, Nevada. Mr. McCullers stated during Tronox's processes they utilize 4 open pit hearths which are used to reduce ore at high temperature. Tronox has agreed to take one hearth offline and purchase pre-reduced ore from a vendor. Then in 6 months or a year, the second hearth will be taken offline and the feed stock will be replaced with pre-reduced ore. Mr. McCullers stated discussion did not occur directly concerning downsizing operations, but it appears as though Tronox's plan to replace feed stock amounts would indicate there should not be an economic impact or job loss from the settlement. Board Member Foster stated the article presented to the Board indicated Tronox should have applied for a Title V permit in 1996; however, they did not submit an application until 2014. He then asked what changes to regulations are available when operating under Title V rather than as a Synthetic Minor source, and if Tronox plans to keep the two hearths offline permanently. Mr. McCullers responded stating Tronox will be issued a Title V permit in 2018, which will last for five years. If Tronox reduces emissions over the next 5 years, it is possible they will be able to function as a synthetic minor source or possibly a minor source. Also, Mr. McCullers stated under current operational procedures, Tronox will have to keep the hearths offline to abide by their permit and the Settlement Agreement. Board Member Foster referenced the article and stated emissions are well below the levels EPA and the Clean Air Act state could cause health problems. Mr. McCullers explained Manganese is a heavy metal that is regulated by the EPA as a hazardous air pollutant. Most heavy metals such as mercury, aluminum, and manganese have a neurological effect on humans. The concentration of Manganese in the air created by Tronox is nowhere near hazardous levels to the best of DAQ's knowledge.

Board Member Schweisinger asked if this case has already been settled. Mr. McCullers stated the Settlement Agreement has been agreed to by both parties and accepted by the Hearing Officer in November. The Hearing Board does not need to take action on the settlement.

## **VIII. IDENTIFY EMERGING ISSUES TO BE DISCUSSED BY BOARD AT FUTURE MEETINGS**

Chair Sanders asked Board Member Kremer if he would like to speak to the Board Members. Board Member Kremer referenced the Complete Demo Services appeal, heard during the Board meeting in April, and stated after the meeting he felt there might have been tension in the room. He stated even though the case was resolved, there was not resolution between Board Members. He continued to say Supreme Court Justices give reasons for judgement at the conclusion of a hearing, and the reason Board Member Kremer voted as he did is because he believes Mr. Paripovich thought the representative from the contractor had the authority to express the will of the city. Board Member Kremer stated he understands the case can be interpreted in different ways, but he felt there was not a chance for Board Members as a board or jury to address their difference in opinions regarding the case. Chair Sanders agreed he thought about the case after the Hearing was over, but he asserted the board contains seven members for varying backgrounds so decisions are made from different points of views. He stated cases do not have to be decided by a unanimous vote, only a majority is necessary, and then Chair Sanders indicated he does not hold personal feelings against Board Members who do not agree with him. He spoke to the Complete Demo Services case and said his disagreement was because the violation will not go on the Responsible Officials record, which can set a bad precedent; however, compromise is important and rulings like this is why the board is created in the manner it is. Board Member Schweisinger agreed with Chair Sanders and stated diversity on the Board is important. He continued, stating that during this discussion portion of Board meetings, members have the opportunity the talk about why they voted how they did, and to have it put in writing.

Board Member Purves asked Board Member Kremer if he was looking to make a statement or asking for feedback. Board Member Kremer stated he was looking for a little of each, and said his experience on the board and with the adjudication process are limited. He stated he is looking for feedback, but is unable to have the conversation outside of the meeting when a quorum is present. Chair Sanders stated the discussion portion of a Business Item is when opinions are heard, and although there will be disagreements, the Board Members understand that disagreements are part of the decision making process of the Board. Vice-Chair Wishengrad agreed with Chair Sanders, and stated the discussion between Board Members is an important opportunity to potentially sway opinions by Board Members. He gave the example of labeling plants during this meeting, and stated Board Members changed his point of view. Chair Sanders then affirmed his desire to allow all Board Members the ability to have their opinions heard on agenda items.

Board Member Purves asked if, in the opinion of the other Board Members, a citizen member of the Board should consciously approach cases from different perspective than engineer members, contactor members, or legal members. Chair Sanders stated he is the contractor member of the Board, but his decisions are made on the status of the violation using his perspective and the merits of the case, not based on his role on the Board. Board Member Purves discussed the factors she uses while making decisions on the Board, which include her environmental experience, the social, economic and health needs of the area, and the specific factors of the violation. Board Member Purves also stated she would encourage more discussions about the framework for decision-making by Board Members at future meetings. Chair Sanders stated all

board members are mandated with the same responsibilities of following regulations, but the different member's perspectives will drive them to different decisions on the Board.

Board Member Kremer spoke about the inability of DNA analysis to predict the growth and appearance of a plant when mature. He stated genetic technology uses genotype and phenotypes. Genotype is the genetic makeup including chromosomes and the order of the DNA. It is how genetic makeup is passed down through generations of an organism. Phenotype decides how an organism looks and manifests. In most cases, phenotype cannot be seen by viewing the genotype of an organism. The number of phenotypical traits viewable by humans is diminutively small when compared to the number of organisms. Evaluating phenotypes is a new technology that needs decades of more research. He added assessing what a plant will look like or produce without the ability to evaluate the phenotype is near impossible. He continued, stating equating a certain gene in a chromosome to a certain trait in a living organism is nearly impossible because we do not know enough about phenotypes. Board Member Schweisinger stated the Board is attempting to mitigate the pollen the best conceivable way since removing existing trees is not a possibility. Board Member Kremer agreed, and stated he would be interested to see an evaluation of a low pollinating olive tree which was planted when the certificate process began. Board Member Kremer stated he would like to look into the UC Davis study and he will do more research on low pollinating olive trees to be presented to the Board. Chair Sanders then stated it is an honor to serve with the other Board Members, and even though perspectives are different the goal of each Board Member is to make Clark County a better living environment.

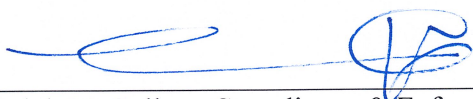
**IX. PUBLIC COMMENT**

There were no public comments.

**X. ADJOURNMENT**

Being no further business, Chair Sanders adjourned the meeting at 2:46 p.m.

Submitted for approval,



Ralph McCullers, Compliance & Enforcement Manager  
Department of Air Quality

Date 1/30/2017

EXHIBIT LIST

EXHIBIT #	Description	Date
BV001 - BV002	Staff Report	1/13/2017
BV003 - BV007	BrightView Tree Company Distribution Plan	1/16/2017
BV008	Notice of Hearing	1/13/2017
BV009	Affidavit of Publication	1/13/2017
BV010 - BV011	Certificate of Mailing	1/13/2017
BV012	Receipt of Renewal Request	12/2/2016
BV013	Renewal Request	11/30/2016
BV014	Renewal Inquiry	11/23/2016

**STAFF REPORT**  
**January 13, 2017**

**Application for Renewal of Certificate of Exemption**

**Applicant:** BrightView Tree Company  
3200 West Telegraph Road  
Fillmore, CA 93015

**Purpose:**

BrightView Tree Company (BrightView) has applied for a renewal of its Certificate of Exemption for growing, distributing, and marketing low-pollinating olive trees known as the Wilsonii and Swan Hill olives for the next three years. Valley Crest Tree Company was renamed BrightView Tree Company in 2015 and requests the Certificate reflect the name change.

**Background:**

Valley Crest Tree Company purchased low-pollinating Wilsonii olive trees from Ponto Nursery and Swan Hill live seedlings from Swan Hill Nursery, LLC. Both nurseries had been granted Certificates of Exemption for their respective low-pollen cultivars. Each nursery provided letters stating they provided approved seedlings to Valley Crest Tree Company for future selling and planting in Clark County.

On December 30, 2004, Valley Crest Tree Company submitted its original application for a Certificate of Exemption for growing, distributing, and marketing low-pollinating olive trees known as the Wilsonii and Swan Hill in Clark County. After presenting evidence that the Wilsonii and Swan Hill olive trees produce less than 15% of the pollen of traditional European Olive Trees, Valley Crest Tree Company obtained its original certificate on February 10, 2005. The Board renewed the certificate on November 29, 2007, November 4, 2010, and again on October 9, 2013, with an expiration of February 10, 2017. A request for renewal was received on November 30, 2016.

**Regulations:**

Clark County Air Quality Regulations (AQR), Section 44, establishes the requirements related to the planting, selling, or offering to sell Fruitless Mulberry and European Olives trees within the boundaries of Clark County.

AQR §44.2.1 states after April 1, 1991, no person shall plant, sell, offer to sell, or authorize the planting of Fruitless Mulberry or European Olive trees to any other person or company doing business within the boundaries of Clark County.

AQR §44.3.1 states cultivars of low pollinating Fruitless Mulberry or European Olive may be exempt from §44.2.1 if the person who grows them for commercial distribution applies for and receives a Certificate of Exemption from the Air Pollution Control Hearing Board.

AQR §44.3.5 states such certificates expire in three (3) years. The applicant may renew a certificate for three (3) year increments.

### **Procedures for Exemptions:**

Procedures for addressing exemptions and renewals are spelled out in the Hearing Board Manual of Procedures. These procedures include submitting an application, publication of a Notice of Hearing in a newspaper of general circulation, intervention by a petition by any interested person, presentation of evidence, and possible filing of findings of fact and conclusions of law at the close of the proceeding.

### **Public Comment:**

A Notice of Hearing was published in the Las Vegas Review Journal on January 13, 2017, notifying the public of the application and inviting public comment. In addition, staff mailed over 20 public notices to valley nurseries and interested parties. The application and supporting documents are available for public review during normal business hours at the Clark County Department of Air Quality (DAQ) offices at 4701 W. Russell Road, Suite 200, Las Vegas, NV, 702-455-3206 or online at [http://www.clarkcountynv.gov/AirQuality/compliance/Pages/Compliance\\_EnforcementNotices.aspx](http://www.clarkcountynv.gov/AirQuality/compliance/Pages/Compliance_EnforcementNotices.aspx).

Anyone may petition to intervene in writing by February 1, 2017. The name, address, and telephone number of the petitioner or their authorized representative must be set forth. It must contain a clear and concise statement of the direct and substantial interest of the petitioner in the proceedings. A statement as to whether the petitioner intends to present evidence must be included. Copies of these documents must be submitted by February 1, 2017, or ten copies must be brought to the meeting for staff, board members, and the public.

### **Conclusions:**

DAQ staff has discussed the Wilsonii and Swan Hill olives with representatives of several local nurseries in Clark County that market the majority of these olive trees. They have received no customer complaints about pollination or fruiting. In conclusion, staff recommends approval of the request for renewal, with the following conditions:

- 1) Exempt trees in inventory at retail outlets and those being delivered to landscaping projects, must include a label approved by the Control Officer showing exempt status, date of approval of Certificate until sale to consumer (AQR §44.3.3).
- 2) The applicant shall present a distribution plan to the Control Officer to assure that only exempt trees under the applicant's control will carry the label provided for in §44.3.3. Shipping invoices must show copy of Certificate (AQR §44.3.4).
- 3) Such certificates expire in three (3) years. The applicant may renew it for three (3) year increments (AQR §44.3.5).

### **More Information:**

If you would like additional information about this renewal application, please contact Ryan Breitweiser at (702) 455-0354 or [Ryan.Breitweiser@clarkcountynv.gov](mailto:Ryan.Breitweiser@clarkcountynv.gov).



January 12, 2017

Mr. Ryan Breitweiser  
DAQ Enforcement Division  
4701 Russel Road, Suite 200  
Las Vegas, Nevada 89118

Dear Mr. Breitweiser, I have attached our current distribution plan for shipment of our Swan Hill and Wilson olives to landscape projects and nurseries in Clark County Nevada.

In addition, I have attached a sample of our identification tags that BrightView Tree Company attaches to each tree shipped to Clark County Nevada. A copy of our shipping document which displays our exemption certification documentation is also attached.

If you have any questions please let me know.

Sincerely,

  
Robert L. Crudup, Jr.  
President



January 12, 2017

**Distribution Plan for Wilson and Swan Hill Olives to Clark County, Nevada**

**Variety Assurance:**

BrightView Tree Company will ship only Olea 'Wilsonii' (Wilson) and Olea 'Swan Hill (Swan Hill) olive trees that are true to name.

**Labelling:**

Each Wilson Olive tree shipped into Clark County, Nevada will have an identification label attached to the tree which includes a sequential identification number for each tree.

**Documentation:**

All shipping documents will have the horticultural name, the order and certificate of exemption stamp, and in the case of the Swan Hill Olive, the unique tree number.

**Tracking and verification:**

Upon request BrightView Tree Company will cooperate with the DAQ to provide documentation and delivery details of shipments as required.

# BrightView

Tree Company

## Shipping Document

SO/718906

BrightView Tree Company  
3200 W. Telegraph Rd  
Fillmore, CA. 93015  
(805) 524-3939

Date - 1/16/2017  
Time - 14:42:25  
Page - 1  
Branch - 5030  
Sales Rep -  
Pick Slip # - 1302049

**Sold To:** 1300  
BVL D Las Vegas  
BrightView Landscape Development, I  
Location # 1300  
4021 W Carey Avenue  
North Las Vegas NV 89032

**Ship To:** 1300  
BVL D Las Vegas  
BrightView Landscape Development, I  
Location # 1300  
4021 W Carey Avenue  
North Las Vegas NV 89032

(702) 597-2556 Business  
(702) 739-6840 Fax

S NV01

---

**Ordered:** 1/16/2017 ROBERT C      **PO#:**      **Ship:**  
**Requested:** 1/16/2017 BLONG      **Auth:** 1

---

Quantity Shipped	Item Description	Item# Location
1.000	Olea europaea 'Swan Hill' 48" Box Multi      443186	6187248 201210/830F <i>tree #22599</i>

THIS SHIPMENT OF PLANT MATERIAL  
ORIGINATES FROM VENTURA COUNTY  
SEE BACK OF THIS DOCUMENT FOR  
CALIFORNIA NURSERY STOCK CERTIFICATE

**ORDER AND CERTIFICATE OF EXEMPTION**  
**For Swan Hill Olives and Wilson Olives**  
**Air Quality Control Board**  
**Clark County, Nevada**

---

Driver Signature      Date      Customer Signature      Date

---

**BV005**



Note: Labels are being updated to reflect the name change to BrightView Tree Company. a facsimile will be provided when they are complete. All other information remains the same.

Approved by  
Clark County  
Dept of Air Quality  
Las Vegas, NV

Ponto Nursery  
2545 Ramona Drive  
Vista, California

OLEA EUROPAEA  
WILSONI

02585

## NOTICE OF HEARING

The Clark County Department of Air Quality (DAQ) has received applications for renewal of two Certificates of Exemption for non-pollinating and fruitless trees from BrightView Tree Company (formerly Valley Crest Tree Company). A public hearing on the applications has been scheduled for February 9, 2017, at 1:30 p.m. in the Clark County Building Department - Presentation Room, 4701 West Russell Road, Las Vegas, NV, during the regular meeting of the Clark County Air Pollution Control Hearing Board. The applications and supporting documents are available for public review during normal business hours at DAQ's offices at 4701 W. Russell Road, Suite 200, Las Vegas, NV, or online at [http://www.clarkcountynv.gov/airquality/compliance/Pages/Compliance\\_AirQualityEnforcement.aspx](http://www.clarkcountynv.gov/airquality/compliance/Pages/Compliance_AirQualityEnforcement.aspx). If you have any questions please call (702) 455-0354.

**AFFIDAVIT OF PUBLICATION**

STATE OF NEVADA)  
COUNTY OF CLARK) SS:

**DEPT OF AIR QUALITY  
SUITE 200  
4701 W RUSSELL RD  
LAS VEGAS NV 89118**

**Account # 22354  
Ad Number 0000886349**

Leslie McCormick, being 1st duly sworn, deposes and says: That she is the Legal Clerk for the Las Vegas Review-Journal and the Las Vegas Sun, daily newspapers regularly issued, published and circulated in the City of Las Vegas, County of Clark, State of Nevada, and that the advertisement, a true copy attached for, was continuously published in said Las Vegas Review-Journal and / or Las Vegas Sun in 1 edition(s) of said newspaper issued from 01/13/2017 to 01/13/2017, on the following days:

01 / 13 / 17

**NOTICE OF HEARING**

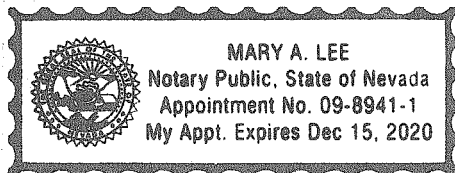
The Clark County Department of Air Quality (DAQ) has received applications for renewal of two Certificates of Exemption for non-pollinating and fruitless trees from BrightView Tree Company (formerly Valley Crest Tree Company). A public hearing on the applications has been scheduled for February 9, 2017, at 1:30 p.m. in the Clark County Building Department - Presentation Room, 4701 West Russell Road, Las Vegas, NV, during the regular meeting of the Clark County Air Pollution Control Hearing Board. The applications and supporting documents are available for public review during normal business hours at DAQ's offices at 4701 W. Russell Road, Suite 200, Las Vegas, NV, or online at [http://www.clarkcountynv.gov/airquality/compliance/Pages/Compliance\\_EnforcementNotices.aspx](http://www.clarkcountynv.gov/airquality/compliance/Pages/Compliance_EnforcementNotices.aspx). If you have any questions please call (702) 455-0354.

PUB: January 13, 2017  
LV Review-Journal

  
\_\_\_\_\_  
LEGAL ADVERTISEMENT REPRESENTATIVE

Subscribed and sworn to before me on this 13th day of January, 2017

  
\_\_\_\_\_  
Notary



**CERTIFICATE OF MAILING**

I hereby certify that on January 11, 2017, I mailed the following document:

**Notice of Hearing**

To the individuals listed below by placing a true and correct copy thereof enclosed in a sealed envelope, postage prepaid, for collection and mailing following our ordinary business practices for mailing. The envelope was addressed as follows:

**See mailing list attached.**

Dated this 11th day of January 2017.



---

Ryan Breitweiser

Boething Treeland Farms, Inc.  
23475 Long Valley Road  
Woodland Hills, California 91367

Hafen Nursery  
1740 North Boulder Highway  
Henderson, Nevada 89015-4124

Majestic Color Growers  
3125 South Hollywood Boulevard  
Las Vegas, Nevada 89122-3606

Plant World Nursery  
5301 West Charleston Boulevard  
Las Vegas, Nevada 89102

Jack Zunino  
JW Zunino & Associates  
3191 South Jones Boulevard  
Las Vegas, Nevada 89146

Wally Kearns  
Evergreen Distributors, Inc.  
P.O. Box 503130  
San Diego, California 92150-3130

Frank Rauscher  
Star Nursery  
125 Cassia Way  
Henderson, Nevada 89014

Bonsai of Nevada  
5558 Rawhide Court  
Las Vegas, Nevada 89120

Hurley's Nursery  
9675 Redwood Street  
Las Vegas, Nevada 89139-7331

Moon Valley Nursery  
9040 South Eastern Avenue  
Las Vegas, Nevada 89123-3262

Vista Nursery  
20 North Gibson Road  
Henderson, Nevada 89014-6704

John Augustine  
Desert Tree Farm  
2744 East Utopia Road  
Phoenix, AZ 85080

Forrest Wald  
Desert Forrest Nursery, LLC  
16739 W. Olive Avenue  
Waddell, AZ 85355

David Turner  
Turner-Greenhouse  
4455 Quadrel Street  
Las Vegas, NV 89129

Forrest Wald  
Desert Forrest Nursery, LLC  
16739 W. Olive Avenue  
Waddell, AZ 85355

Ladybug Nursery  
412 Key West Court  
Boulder City, Nevada 89005

Mountain States Wholesale  
824 Apperson Circle  
Las Vegas, Nevada 89123-0543

Peggy McKie Agriculturist IV, Nursery  
Program Manager  
Nevada Department of Agriculture  
405 S. 21st Street  
Sparks, Nevada 89431-5557

Robert Crudup  
BrightView Tree Company  
3200 West Telegraph Road  
Fillmore, California 93015

Judy Ponto  
Ponto Nursery, Inc.  
P. O. Box 536  
Vista, California 92085-0536



December 5, 2016

CERTIFIED MAIL #9171 9690 0935 0128 3281 82

Mr. Robert Crudup  
BrightView Tree Company  
(formerly Valley Crest Tree Company)  
3200 West Telegraph Road  
Fillmore, CA 93015

[robert.crudup@brightview.com](mailto:robert.crudup@brightview.com)

**Re: Renewal of Certificate of Exemption**

Dear Mr. Crudup:

We are in receipt of your request to renew and transfer your existing Certificates of Exemption to BrightView Tree Company. Please be advised this matter has been scheduled for hearing before the Air Pollution Control Hearing Board on February 9, 2017, at 1:30 p.m. at the Clark County Building Department - Presentation Room, 4701 West Russell Road, Las Vegas. An agenda will be sent to you prior to the hearing.

During the meeting, board members may ask questions about the renewals and possible deviations from the distribution plans used by Valley Crest Tree Company. Prior to the meeting, please provide a detailed statement with information that supports your requests for renewal, such as nursery contact information, tree tag samples, and a distribution plan that identifies your procedures for tracking and distributing the subject trees. See the requirements outlined in Air Quality Regulations (AQR) Subsection 44.3 for more specifics (copy enclosed). We will supply this information to the board and support your request for renewal if the information therein meets the criteria in AQR Subsection 44.3. Please note, this statement and any additional documentation you want to present regarding your renewal must be submitted to my attention by Monday, January 9, 2017, so that it can be copied and placed in the board books for distribution to the respective board members. If you would like to present any information to the board that you are unable to provide to our office by January 9, 2017, please bring 10 copies for distribution to members, staff, and the public.

If the board acts favorably on your request, Orders will be prepared which renew your Certificates of Exemption under the new company name for three (3) years.

If you have any questions, please contact me at (702) 455-0354.

Sincerely,



Ryan Breitweiser, Administrative Secretary  
Enforcement Division

Attachments

1. Air Quality Regulations (AQR) Subsection 44.3
2. Receipt of payment

RECEIVED  
CC-DAQM

2016 NOV 30 P 1: 26



Ryan Breitweiser  
Administrative Secretary  
Clark County Department of Air Quality  
4701 W. Russell Road, Suite 200  
Las Vegas, Nevada 89118

Ryan,

This is our request for renewal for our Certificate of Exemption for Willsonii and Swan Hill Olives.

I will attend the hearing in February.

A handwritten signature in black ink, appearing to read "R. Crudup, Jr.", written over the printed name "Robert L. Crudup, Jr." in blue text.

11/23/16

Robert L. Crudup, Jr.  
President and CEO  
BrightView Tree Company  
24151 Ventura Boulevard  
Calabasas, CA 91302  
T.818 737 2769  
C.818 292 2769  
F.818 225 2373

[robert.crudup@brightview.com](mailto:robert.crudup@brightview.com)  
[www.brightview.com](http://www.brightview.com)

BV013

November 23, 2016

CERTIFIED MAIL #9171 9690 0935 0128 3281 51

Mr. Robert Crudup  
BrightView Tree Company  
(formerly Valley Crest Tree Company)  
3200 West Telegraph Road  
Fillmore, CA 93015

[robert.crudup@brightview.com](mailto:robert.crudup@brightview.com)

**Re: Renewal of Certificate of Exemption**

Dear Mr. Crudup:

A review of our files indicates your Certificate of Exemption for Wilsonii and Swan Hill olive trees will expire on February 10, 2017.

Air Quality Regulations (AQR) Subsection 44.3.5 states “The applicant may renew a certificate for three (3) year increments.” There is an Air Pollution Control Hearing Board meeting scheduled for February 9, 2017. In order for your renewal to be adequately addressed on that hearing agenda, your request for renewal must be submitted on or before December 16, 2016.

In compliance with AQR Subsection 18.9, a filing fee of \$140.00 for each Certificate of Exemption renewal is required. Please make your check payable to the Clark County Department of Air Quality and mail it along with your request for renewal to the attention of Ryan Breitweiser, DAQ, 4701 West Russell Road, Suite 200, Las Vegas, NV 89118-2231.

If you have any questions, please contact me at (702) 455-1604.

Sincerely,



Ralph McCullers  
Compliance and Enforcement Manager

RM/rb

cc: Patricia Ringgenberg, DAQ Air Quality Specialist II

RE: Complete Demo Services - Stay of Appeal

EXHIBIT LIST

EXHIBIT #	Description	Date
CD001	Notification of Hearing	12/16/2016
CD002 - CD003	Hearing Board Order	5/21/2016
CD004 - CD020	Notice of Violation	3/8/2016
CD021 - CD022	Demolition Notification Form #150334	7/31/2016
CD023 - CD024	Demolition Notification Form #150335	7/31/2016
CD025 - CD026	Appeal of Hearing Officer's Order	2/9/2016
CD027	Appeal Confirmation	3/8/2016
CD028	Hearing Officer's Order Letter	2/8/2016
CD029-CD030	Hearing Officer's Order	2/4/2016
CD031	Notification of Hearing	12/22/2015
CD032	NOV Response	12/9/2015

December 16, 2016

Jack Paripovich, Project Manager  
Complete Demo Services  
133 East Warm Springs Road  
Las Vegas, NV 89119

E-mail: [completedemoservices@yahoo.com](mailto:completedemoservices@yahoo.com)

**Re: Hearing Board Order on Notice of Violation (NOV) #8736  
DCP #45056**

Dear Mr. Paripovich:

On May 12, 2016, the Clark County Air Pollution Control Hearing Board issued an Order (copy enclosed) concerning the above-described Notice of Violation. The Order stayed a decision on Complete Demo Services' appeal for 9 months and imposed a \$1,000.00 penalty.

Please be advised this matter has been scheduled for a follow-up hearing before the Air Pollution Control Hearing Board at 1:30 p.m. on February 9, 2017, **in the Presentation Room at the Clark County Building Department, 4701 West Russell Road, Main Entrance, Las Vegas.** (Use the double doors at the entrance closest to Ullom Drive on the northwest side of the parking lot.) It is imperative that you be present at this meeting to give testimony and answer questions by the Hearing Board members.

If you intend to present any additional support documentation to the board regarding this matter, it must either: (1) be submitted to me by 4:00 p.m. on Monday, January 9, 2016, so that it can be copied and placed in the board books for distribution to the respective Board Members; or (2) be brought to the meeting, along with ten copies for distribution to staff, board members, and members of the public. **Failure to comply with one of these two options may preclude you from presenting these documents to the board at the meeting.**

If you have any questions regarding this case, please contact me via e-mail at [Ryan.Breitweiser@clarkcountynv.gov](mailto:Ryan.Breitweiser@clarkcountynv.gov) , or call 702-455-0354.

Sincerely,



Ryan Breitweiser, Administrative Secretary  
Enforcement Division

RMB:rb

Attachment:

Hearing Board Order

1 BEFORE THE AIR POLLUTION CONTROL HEARING BOARD

2 CLARK COUNTY, NEVADA

3 In the Matter of the Notice of Violation  
4 Issued to

5 COMPLETE DEMO SERVICES.  
6

**ORDER ON APPEAL**  
Notice of Violation #8736

7 The appeal of the Hearing Officer's Order dated February 4, 2016 submitted by  
8 COMPLETE DEMO SERVICES ("COMPLETE") was heard by the Air Pollution Control  
9 Hearing Board ("BOARD") on April 21, 2016. Representatives of both the Clark County  
10 Department of Air Quality ("AIR QUALITY") and COMPLETE appeared, testified and  
11 submitted evidence for consideration by the BOARD. Upon motion duly made, seconded and  
12 carried by a majority of the members present, this BOARD finds and orders as follows:

13 1. In Notice of Violation #8736 dated December 4, 2015, COMPLETE was charged  
14 with a violation of United States Environmental Protection Agency regulations at 40 CFR  
15 Subpart M, at subsection 61.145(b) (incorporated by reference into Clark County Air Quality  
16 Regulations (AQRs) Subsection 13.1), for failing to provide AIR QUALITY with at least 10  
17 working days' notice of COMPLETE's intention to perform demolition activity to which section  
18 61.145 applies. The demolition activity was performed on or before July 29, 2015, at 405 North  
19 6<sup>th</sup> Street, in Clark County, Nevada.

20 2. At the hearing on January 20, 2016, the Hearing Officer found COMPLETE in  
21 violation of 40 CFR Part 60, Subpart M, subsection 61.145(b)(3)(i) as charged in the Notice of  
22 Violation #8736, and the Hearing Officer assessed a One Thousand Dollar (\$1,000.00) penalty.

23 3. COMPLETE submitted a timely Appeal of Hearing Officer's Order.

24 4. At the de novo appeal hearing, COMPLETE's representative, Jack Paripovich,  
25 admitted that COMPLETE failed to provide the required advance notification required by the  
26 applicable regulation, but asserted that the demolition notification form is not available in AIR  
27 QUALITY's packet of forms or in its document display, and the form is unknown to AIR  
28 QUALITY's employees.

1            5.            Based on the testimony and evidence presented, the Board finds it appropriate to  
2 stay a decision on COMPLETE's appeal for a period of nine (9) months from the date of this  
3 Order on Appeal. If COMPLETE commits no violations of the Air Quality Regulations during  
4 such nine (9) month period, then the Board may, during its next regularly-scheduled meeting  
5 after expiration of such period, remove the Hearing Officer's Order from the record. If,  
6 however, COMPLETE commits any violation of the Air Quality Regulations during such period,  
7 the Board may, during its next regularly-scheduled meeting after expiration of such period,  
8 affirm the action taken by the Hearing Officer.

9            6.            Notwithstanding any future removal of the Hearing Officer's Order from the  
10 record, the Board finds that the appropriate penalty to be paid by COMPLETE is One Thousand  
11 Dollars (\$1,000.00).

12            Therefore, IT IS HEREBY ORDERED that COMPLETE's appeal is stayed as provided  
13 above, and that a penalty of One Thousand Dollars (\$1,000.00) is assessed against COMPLETE.

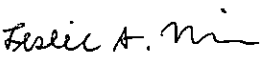
14            IT IS FURTHER ORDERED that COMPLETE shall present a check or money order for  
15 One Thousand Dollars (\$1,000.00) to AIR QUALITY no later than 30 days from the date of this  
16 Order.

17            DATED this 12 day of May, 2016.

18            AIR POLLUTION CONTROL  
19            HEARING BOARD

20            By  \_\_\_\_\_  
21            DANIEL SANDERS, CHAIR

22            STEVEN B. WOLFSON  
23            District Attorney

24            By:  \_\_\_\_\_  
25            LESLIE A. NIELSEN  
26            Deputy District Attorney  
27            State Bar No. 2764  
28            500 South Grand Central Pkwy  
                 Las Vegas, Nevada 89106  
                 Attorneys for Clark County



CLARK COUNTY • DEPARTMENT OF AIR QUALITY  
4701 W. Russell Road Suite 200 • Las Vegas, NV 89118-2231  
(702) 455-5942 • Fax (702) 383-9994  
Marci Henson Director

December 4, 2015

CERTIFIED MAIL #91 7199 9991 7034 9212 7513

Jack Paripovich, Project Manager  
Complete Demo Services  
133 East Warm Springs Road  
Las Vegas, NV 89119

E-mail: [completedemoservices@yahoo.com](mailto:completedemoservices@yahoo.com)

## **NOTICE OF VIOLATION #8736**

### **FINDINGS OF FACT**

Clark County Department of Air Quality (Air Quality) proposes to assess a civil penalty of \$2,000 against Complete Demo Services (Complete Demo) for the alleged violation(s) of the Clark County Air Quality Regulations (AQRs). Complete Demo demolished two residential buildings, located at 405 North 6th Street, in Clark County, Nevada, on July 29, 2015 without notifying Air Quality prior to commencing demolition activities.

The demolition project identified in this Notice of Violation (NOV), is subject to the federal Environmental Protection Agency (EPA) asbestos National Emission Standard for Hazardous Air Pollutants (NESHAP) regulations found in 40 Code of Federal Regulations (CFR) Part 61, Subpart M, which have been adopted by reference in Section 13.1 of the AQR. As provided for in §61.141, Complete Demo meets the definition "Owner or Operator of a demolition or renovation activity" having performed the demolition activities.

Prior to conducting demolition activities in a residential or commercial property, NESHAP regulations §61.145(a) require the owner or operator to conduct an inspection of the structure for the presence of asbestos containing materials (ACM). Additionally, NESHAP regulations §61.145(b) require the owner or operator to notify Air Quality in writing, and include the results of the inspection for ACM.

### **I. ALLEGED VIOLATIONS**

Air Quality discovered the alleged violation during a routine site inspection conducted on July 29 and 30, 2015, and proposes to assess a civil penalty for this observed violation.

**CD004**



**Alleged Violation #1:**

40 CFR 61.145(b)(3)(i) (Authority Section 13.1 of the AQR, amended April 3, 2012) states the following:

“(b) *Notification requirements.* Each owner or operator of a demolition or renovation activity to which this section applies shall:

(3) Postmark or deliver the notice as follows:

(i) At least 10 working days before asbestos stripping or removal work or any other activity begins (such as site preparation that would break up, dislodge or similarly disturb asbestos material), if the operation is described in paragraphs (a) (1) and (4) (except (a)(4)(iii) and (a)(4)(iv)) of this section. If the operation is as described in paragraph (a)(2) of this section, notification is required 10 working days before demolition begins.”

***Findings:*** While on routine patrol at approximately 1:50 p.m. on July 29, 2015, Air Quality Specialist II Whitney Francis observed demolition activities occurring at multiple residential buildings located at 405 North 6th Street, in Clark County, Nevada. Mr. Francis stopped and conducted an investigation (Exhibit 1), and determined three residential structures had existed at the site, with two having already been demolished and the third being demolished as his investigation was underway (Exhibit 2). Upon review of Air Quality files, Mr. Francis determined Complete Demo had applied for and received a Dust Control Permit (DCP) on May 18, 2015 to demolish one of the three residential structures located at 405 North 6<sup>th</sup> Street. Included in the permit application were a Demolition Supplemental and a Demolition Notification Form, which identified demolition of only one residential structure (Exhibit 3).

Mr. Francis telephoned Jack Paripovich, Project Manager of Complete Demo, to discuss the 10-day prior notification requirement and the missing Demolition Notifications for the other two structures. Mr. Paripovich indicated he would submit the other two notification forms as soon as possible.

At approximately 2:31 p.m. the same day, Air Quality received a fax transmission of the Demolition Notification Form from Complete Demo with two additional structures (Exhibit 4). At approximately 3:30 p.m., Mr. Francis telephoned Mr. Paripovich and explained the requirement for each structure to have its own Demolition Notification Form. Mr. Paripovich stated he would send separate forms the following morning.

On July 30, 2015, Mr. Francis returned to the 405 North 6<sup>th</sup> Street location to conduct a follow-up inspection and observed no active demolition activities (Exhibit 5). Mr. Francis telephoned Mr. Paripovich and inquired about the Demolition Notification Forms for the remaining structures. Mr. Paripovich stated he would submit them before the end of the day. On July 31, 2015 at approximately 11:46 a.m. Complete Demo submitted the Demolition Notification Forms for each building. On each notification form, Complete Demo reported they commenced demolition activities on the two remaining buildings on July 28, 2015 with an estimated

completion by August 15, 2015. In providing this information Complete Demo clearly shows they commenced demolition activities of the buildings prior to submittal of the require Demolition Notification Forms.

**Corrective Actions Taken:** On July 31, 2015 Complete Demo submitted Demolition Notification Forms for the two additional structures, and on August 12, 2015 Air Quality issued DCP #45056, Modification 1 which added demolition of the two additional structures. Mr. Francis returned to the location on August 3, 2015 and noted no change from the previous inspection (Exhibit 6).

## II. PROPOSED CIVIL PENALTY

Any person who violates any provision of the AQRs, including, but not limited to, any application requirement; any permit condition; any fee or filing requirement; or any requirement by Air Quality is guilty of a civil offense and shall pay a civil penalty not to exceed \$10,000 per violation, as provided for in AQR Section 9, "Civil Penalties." Each day of violation constitutes a separate offense.

The civil penalty is calculated by applying the standard penalty for each violation of the applicable requirement, the standard adjustment for aggravating or mitigating factors and an alleged violator's past enforcement history. In consideration of the aforementioned facts, Air Quality recommends a civil penalty in the amount of \$2,000.

## III. ADMINISTRATIVE PROCEDURES

Air Quality has scheduled a hearing for **Wednesday, January 20, 2016 at 9:00 a.m.** with the Air Pollution Control Hearing Officer. At that time, the Hearing Officer will make a determination on the alleged violation(s) and levy a penalty. The hearing will be held at the Clark County Building Services Presentation Room, located at 4701 West Russell Road.

If Air Quality does not receive a written response (via email or letter) from you regarding this Notice of Violation providing a plea of contested (facts, penalty or both) or non-contested, your case will be placed on the Hearing Officer docket under "Action Required" for the Hearing Officer to render a ruling and assess a monetary penalty.

Although it is not mandatory, you are encouraged to attend. If the Hearing Officer finds the source in violation and assesses penalties, Air Quality staff will mail the Hearing Officer's order to the source along with instructions on the remittance of any penalties.



\_\_\_\_\_  
Chuck Richter,  
Acting Compliance & Enforcement Manager

Exhibits:

1. Air Quality Asbestos Site Inspection Form dated July 29, 2015
2. Digital Photographs #1 – 4
3. Air Quality Demolition Notification Form, submitted May 8, 2015
4. Fax transmittal of Air Quality Demolition Notification Form, dated July 29, 2015
5. Air Quality Asbestos Site Inspection Form dated July 30, 2015
6. Air Quality Asbestos Site Inspection Form dated August 3, 2015

jmr



CLARK COUNTY • DEPARTMENT OF AIR QUALITY

4701 W. Russell Rd., Suite 200 • 2<sup>nd</sup> Floor • Las Vegas, NV 89118-2231  
(702) 455-5942 • Fax (702) 383-9994

**ASBESTOS SITE INSPECTION FORM**

Date: 7/29/2015 Arrival: 1:50 pm Departure: 2:30 pm Air Quality Specialist: Whitney Francis

Facility Name or Description: 405 N. 6th Street

Site Address: 405 N. 6th Street City: Las Vegas State: Nevada Zip: 89101

Abatement/Demolition Company: Complete Demo Services

Project Start Date: \_\_\_\_\_ Project #: 152005

Project Stop Date: \_\_\_\_\_ Complaint #: \_\_\_\_\_

Purpose of Inspection: Unannounced/Routine

**A. ON-SITE RECORD REVIEW**

1. Evidence of on-site rep NESHAP training?  Yes  No  N/A  Not Observed  
Name of on-site supervisor: \_\_\_\_\_

**B. WORKSITE**

- 1. Is activity as described on the notification?  Yes  No  N/A  Not Observed
- 2. Does amount on notification agree with observed amount (within 20%)?  Yes  No  N/A  Not Observed
- 3. Warning signs posted?  Yes  No  N/A  Not Observed
- 4. Containment intact?  Yes  No  N/A  Not Observed
- 5. RACM adequately wet?  Yes  No  N/A  Not Observed
- 6. Functional decontamination unit?  Yes  No  N/A  Not Observed
- 7. Are there visible emissions?  Yes  No  N/A  Not Observed
- 8. Dust/debris outside removal area?  Yes  No  N/A  Not Observed
- 9. Negative air machines operating?  Yes  No  N/A  Not Observed
- 10. Is non-friable ACM in good condition?  Yes  No  N/A  Not Observed

**C. WASTE PACKAGING AND DISPOSAL**

- 1. Are bags appropriately labeled (OSHA warning label and generator label)?  Yes  No  N/A  Not Observed
- 2. Are contents adequately wet?  Yes  No  N/A  Not Observed
- 3. ACWM placed in leak-tight containers?  Yes  No  N/A  Not Observed
- 4. Are waste containers/dumpsters properly labeled?  Yes  No  N/A  Not Observed

Samples taken?  Yes  No

Photographs taken?  Yes  No

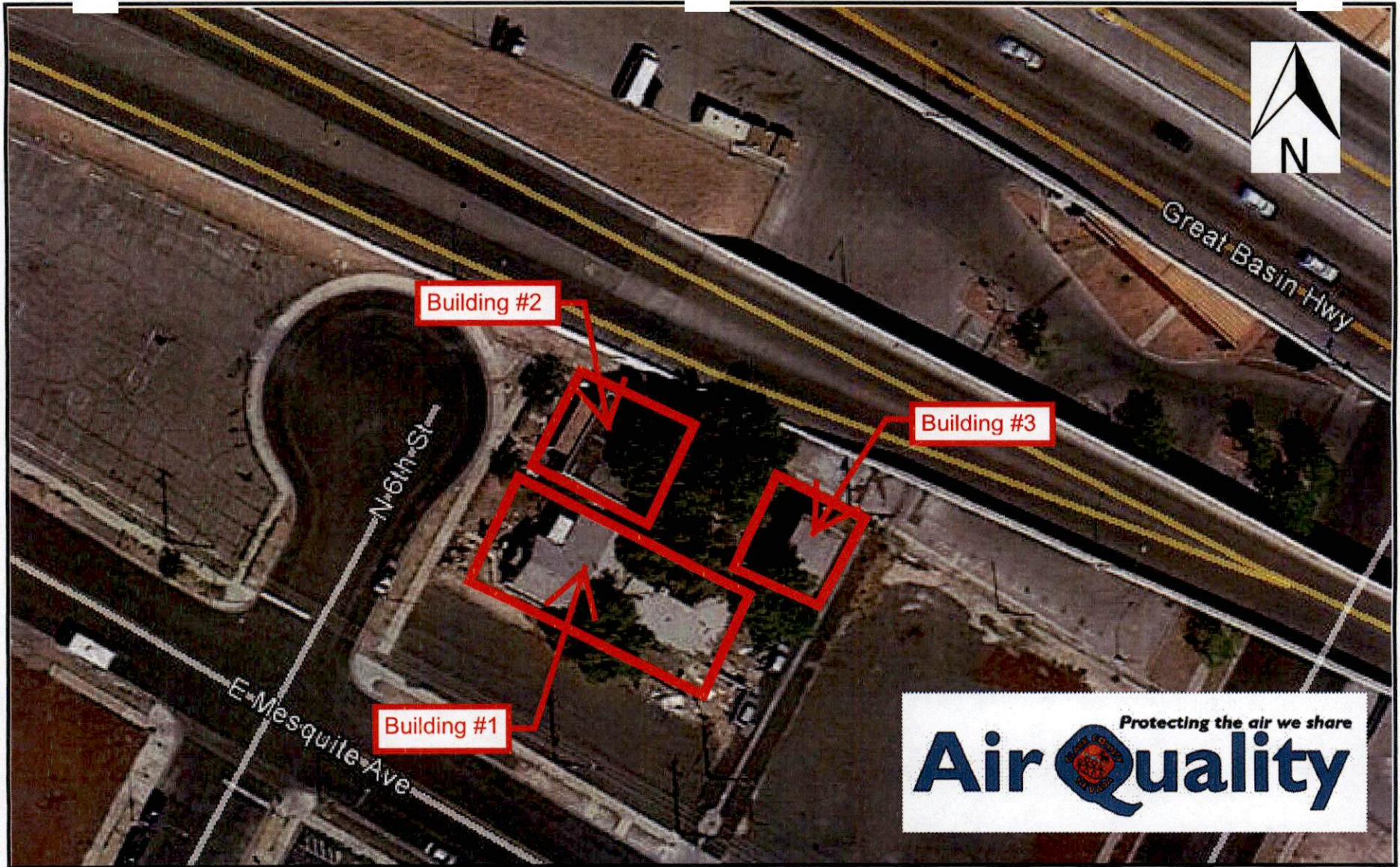
Inspection Fees to Be Assessed: None

**Notes:**

At approximately 1:50 PM, Air Quality Specialist II Whitney Francis was on routine patrol near the intersection on E. Mesquite Avenue & N. 6th Street in Las Vegas, NV 89101 when he observed suspicious demolition activities. Mr. Francis noted that 1 of the remaining 2 structures on APN 139-34-512-102 had been completely demolished, and the remaining structure was in the middle of being demolished. DAQ assigned Project #152005 to this investigation for tracking purposes. Complete Demo Services (CDS) submitted a Dust Control Permit (DCP) application to DAQ on 5/8/15 to demolish 1 of the 3 structures on this parcel. CDS also submitted a single Demolition Notification Form (DNF) for the southern-most structure and an asbestos survey along with the DCP application. DAQ assigned the DNF Project #150217 and the DCP #45056. Mr. Francis noted that the DCP covered all 3 structures on the parcel. At the time that the DCP was issued, CDS was only notified to demolish the southern-most structure on the parcel. Mr. Francis then spoke with Jack Paripovich (Project Manager) of CDS over the phone and discussed his observations. Mr. Francis stated to Mr. Paripovich that CDS failed to submit DNFs for the 2 remaining structures on the site 10 working days prior to their demolition – failure to notify. Mr. Paripovich stated that he would speak with his staff and submit the 2 DNFs as soon as possible. This inspection concluded at 2:30 PM. At 2:31 PM the same day, DAQ received a fax from CDS containing a single DNF for both structures and a demolition supplemental upping the total number of buildings to be demolished on the site to 3. At 3:26 PM the same day, Mr. Francis called Mr. Paripovich and discussed the fax. Mr. Francis notified Mr. Paripovich that he must submit 2 DNFs (one for each structure) with original signatures and submit a DCP modification to update his demolition supplemental. Mr. Paripovich stated that he would submit originals the following day.

Approved by: GH

**CD008**



Building #1: DNF Submitted 5/8/15 - Start Date of 5/22/15

Building #2: DNF Submitted 7/31/15 (after demolition)

Building #3: DNF Submitted 7/31/15 (after demolition)

Contractor: Complete Demo Services

Project: 405 N. 6th Street Demolition

Location: 405 N. 6th Street, Las Vegas, NV 89101

# Digital Photographs

NESHAP #:150217, 150334, & 150335

Permittee: Complete Demo Services

Project Name: 405 N. 6<sup>th</sup> Street Demolition

Photos taken by: Whitney Francis



**Photograph # 1**

**Alleged Violation # 1**

View looking SE towards the footing of Building #2 (foreground) and Building #3 (background). The dumpsters are sitting where Building #1 once stood.



**Photograph # 2**

**Alleged Violation # 1**

View looking NE towards the 405 N. 6<sup>th</sup> Street Demolition project.



**Photograph # 3** **Alleged Violation # 1**  
 View looking SE towards the footing of Building #2 (foreground) and Building #3 (background). The dumpsters are sitting where Building #1 once stood.



**Photograph # 4** **Alleged Violation # 1**  
 View looking SE towards the footing of Building #2 (foreground) and Building #3 (background). The dumpsters are sitting where Building #1 once stood.

Project #

150217  
(DAQ use)

CLARK COUNTY • DEPARTMENT OF AIR QUALITY

4701 W. Russell Rd., Suite 200 • 2<sup>nd</sup> Floor • Las Vegas, NV 89118-2231  
(702) 455-5942 • Fax (702) 383-9894

Submitted 5/8/15

### Demolition Notification Form

**GENERAL INSTRUCTIONS:** This form is to be completed and submitted before a building or structure is to be demolished. **NOTE:** If the building or structure contains friable asbestos-containing materials, the NESHAP Notification of Asbestos Abatement Form (ASB01) must be completed and submitted to the DAQ.

This form will not be accepted for reporting the removal or encapsulation of friable asbestos-containing materials from buildings or structures scheduled for demolition.

This form is to be received by the DAQ no less than 10 working days before the demolition project is scheduled to start. Any notification that is incomplete or any notification indicating site activities to be in violation of applicable regulations will be considered an invalid notification.

**Separate notifications** must be provided for each building or other individual facility where demolition of said building or facility is to be demolished.

Under most circumstances, the removal of Category I non-friable asbestos-containing materials will not be required prior to demolition unless the building is to be burned or the materials are in poor condition or will be handled in a manner that renders them friable. Category II non-friable asbestos-containing materials must be removed prior to demolition if the materials would be subject to crushing, crumbling, or pulverizing during the process of demolition of the building or structure.

Submit the **original, signed and completed** form to the address listed above (attn: Asbestos Program).

#### PART A AUTHENTICATION

I hereby certify that to the best of my knowledge and understanding, the information provided is complete, true and correct.

Name: Jack ParipovichTitle: Project ManagerSignature: Date: 5/8/2015Name of Firm: Complete Demo ServicesEmail address: completedemoservices@yahoo.comTelephone #: (702) 466-8737Fax #: (702) 685-9938

#### PART B PROJECT DESCRIPTION

Building/Structure Owner: City of Las VegasOwner Address: 405 N. 6th StreetCity: Las VegasState: NVZip: 89101Owner Contact: Life is Beautiful working with CLVTelephone # (917) 747-4471Cell # (818) 905-1888

Fax #: \_\_\_\_\_

Building/Structure Address: 405 N. 6th StreetCity: Las VegasState: NVZip: 89101Present use: ResidenceAge of Building: 1929 - 86yrs oldTotal Floor Space (sf): 3000Number of Floors: 1Scheduled Demolition: Start Date: 5/22/2015Completion Date: 8/15/2015

Description of how building will be demolished:

Mechanical demolition with a hydraulic excavator & water truck/wagon. Loading materials into the box and haul materials.



**PART C INSPECTION INFORMATION**

Was an inspection for asbestos conducted for this project?  Yes  No

Inspector Name: Dennis Kish - Cam Air Date of Inspection: 4/15/2015 → 4/21/15

Telephone #: (702) 610-4226 Cell #: 610-4226 Fax #: 363-2889

Accreditation by: \_\_\_\_\_ Exp Date: \_\_\_\_\_

Provide method used to detect the presence of asbestos material.

sample from various locations and submitted for sample analysis thru PLM method.

**PART D DEMOLITION CONTRACTOR INFORMATION**

Contractor: Complete Demo Services

Address: 133 E. Warm Spring Road #101

City: Las Vegas State: NV Zip: 89119

Contact: Telephone #: (702) 776-7762 Cell #: (702) 466-8737 Fax #: (702) 685-9938

Procedures to be used if unexpected asbestos is discovered during demolition:

Stop work and notify asbestos contractor

**PART E IDENTIFIED ASBESTOS CONTAINING MATERIALS (remaining in building during demo)**

Non-friable Category I: \_\_\_\_\_ sq. ft. \_\_\_\_\_ ln. ft. \_\_\_\_\_ cu. ft.

Non-friable Category II: \_\_\_\_\_ sq. ft. \_\_\_\_\_ ln. ft. \_\_\_\_\_ cu. ft.

If Category II asbestos containing material is present, briefly state the work practices intended to ensure these materials do not become friable (i.e. crushed, crumbled or pulverized).

Removal by an Asbestos Company-They have to submit their own documents. Unknown at this time.

Is the concrete going to be recycled?  Yes  No

Note: All asbestos containing materials must be removed prior to being recycled.

Where will the concrete be recycled? \_\_\_\_\_

What is the site's DAQ permit number? \_\_\_\_\_

Is the building or structure to be burned?  Yes  No

Note: All asbestos containing materials must be removed prior to burning.

Was the demolition ordered by a Local Government because the structure is structurally unsound and in danger of imminent collapse?  Yes  No

If yes, order issued by date: \_\_\_\_\_

Note: Attach a copy of the order.

**PART F BUILDING/STRUCTURE WASTE DISPOSAL INFORMATION**

Disposal Site: Apex

Location: City: Las Vegas County: Clark State: NV

Waste Transporter: Republic Environmental - Services (702-734-5400)

Address: 770 E. Sahara Ave.

City: Las Vegas State: NV Zip: 89104

Telephone # (702) 735-5151 Fax # \_\_\_\_\_

AS-5/13/15



# CLARK COUNTY DEPARTMENT OF AIR QUALITY

4701 W. Russell Rd. Suite 200, 2nd Floor, Las Vegas Nevada 89118-2231  
Office (702) 455-5942 · Fax (702) 383-9994

RECEIVED  
CC-DAQM

2015 MAY 13 P 2:21

## DEMOLITION SUPPLEMENTAL

NESHAP notifications must be submitted with renovation/de molition applications regardless of age and/or size of the building.

Permit Number: 45056  
(if known, otherwise to be completed by DAQEM)

### 1. PERMIT INFORMATION:

Applicant/Permittee: Complete Demol Services  
Project Name: 405 N. 6th Street  
Project Address/Location: 405 N. 6th Street LV, NV 89101

### 2. DEMOLITION CONTRACTOR:

Company Name: Complete Demol Service Responsible Person: Jack Paripovic  
Address: 133 E. Warm Springs Rd. LV, NV 89119  
Phone #: 702-776-7702 Cellular #: 702-466-8737 FAX #: 685-9933

### 3. DEMOLITION INFORMATION:

Describe demolition to take place: Mechanical demo w/ hydraulic excavator/water wagon  
Size of building: 3500 sq ft ft<sup>2</sup> Date of building construction: 1929  
Total Number of buildings on site: 1 Number of buildings to be demolished: 1  
*load materials to box*

### 4. BEFORE A DUST CONTROL PERMIT CAN BE ISSUED ON SITES REQUIRING AN ASBESTOS SURVEY, THE FOLLOWING IS REQUIRED:

- A. If Regulated Asbestos Containing Material (RACM) is present, a NESHAP notification must be submitted to DAQ and an Asbestos Waste Certificate must be issued before the asbestos can be removed and disposed.
- B. Once the RACM has been abated, submit a final clearance letter from a certified asbestos consultant along with a copy of the license of the individual that cleared the site.
- C. Has Asbestos Waste Certificate been received from DAQ?  
No:  Yes:  Certificate #: \_\_\_\_\_

### 5. SUBMITTED BY:

Name: [Signature] Title: Project Estimator  
Company Name: Complete Demol Services  
Signature: [Signature] Date: 5/13/15

Exhibit 4

152005\_20150729\_COM

# COMPLETE DEMO SERVICES

133 E. WARM SPRINGS RD STE 101

LAS VEGAS, NV 89119

PHONE: (702)416-7528 ~ FAX: (702) 685-9938

E-Mail: [Completedemoservices@yahoo.com](mailto:Completedemoservices@yahoo.com)

LICENSE # 0079091 LIMIT \$150,000

## FACSIMILE TRANSMITTAL SHEET

TO: Whitney	FROM: BRANDON WIGGINS / Jack
COMPANY: CC-DAQ	DATE: 7.29.15
FAX NUMBER: 702-383-4994	TOTAL NO. OF PAGES INCLUDING COVER: 4
PHONE NUMBER:	RE: Permit # 45056

RECEIVED  
CC-DAQ

2015 JUL 29 P 3:24

Project # 152005  
(DAQ use)



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(702) 455-5942 • Fax (702) 383-9994

2015 JUL 29 P 3:24

**Demolition Notification Form**

**GENERAL INSTRUCTIONS:** This form is to be completed and submitted before a building or structure is to be demolished. **NOTE:** If the building or structure contains friable asbestos-containing materials, the NESHAP Notification of Asbestos Abatement Form (ASB01) must be completed and submitted to the DAQ.

This form will not be accepted for reporting the removal or encapsulation of friable asbestos-containing materials from buildings or structures scheduled for demolition.

This form is to be received by the DAQ no less than 10 working days before the demolition project is scheduled to start. Any notification that is incomplete or any notification indicating site activities to be in violation of applicable regulations will be considered an invalid notification.

Separate notifications must be provided for each building or other individual facility where demolition of said building or facility is to be demolished.

Under most circumstances, the removal of Category I non-friable asbestos-containing materials will not be required prior to demolition unless the building is to be burned or the materials are in poor condition or will be handled in a manner that renders them friable. Category II non-friable asbestos-containing materials must be removed prior to demolition if the materials would be subject to crushing, crumbling, or pulverizing during the process of demolition of the building or structure.

Submit the **original, signed and completed** form to the address listed above (attn: Asbestos Program).

**PART A AUTHENTICATION**

I hereby certify that to the best of my knowledge and understanding, the information provided is complete, true and correct.

Name: Jack Paripovich Title: Project Manager

Signature: [Signature] Date: 5/8/2015 7-29-15

Name of Firm: Complete Demo Services

Email address: completedemoservices@yahoo.com

Telephone #: (702) 466-8737 Fax #: (702) 685-9938

**PART B PROJECT DESCRIPTION**

Building/Structure Owner: City of Las Vegas

Owner Address: 405 N. 6th Street

City: Las Vegas State: NV Zip: 89101

Owner Contact: Life is Beautiful working with CLV

Telephone # (917) 747-4471 Cell # (818) 905-1888 Fax #: \_\_\_\_\_

Building/Structure Address: 405 N. 6th Street

City: Las Vegas State: NV Zip: 89101

Present use: Residence Age of Building: 1929 - 86yrs old

Total Floor Space (sf): ~~2000~~ 5000 Number of Floors: 1 AND 2

Scheduled Demolition: Start Date: 5/22/2015 Completion Date: 8/15/2015

Description of how building will be demolished:

Mechanical demolition with a hydraulic excavator & water truck/wagon. Loading materials into the box and haul materials.

**PART C INSPECTION INFORMATION**

Was an inspection for asbestos conducted for this project?  Yes  No  
 Inspector Name: Dennis Kish - Cam Air Date of Inspection: 4/15/2015 + 4/21/15  
 Telephone #: (702) 610-4226 Cell #: 610-4226 Fax #: 363-2889  
 Accreditation by: \_\_\_\_\_ Exp Date: \_\_\_\_\_

Provide method used to detect the presence of asbestos material.  
 sample from various locations and submitted for sample analysis thru PLM method.

**PART D DEMOLITION CONTRACTOR INFORMATION**

Contractor: Complete Demo Services  
 Address: 133 E. Warm Spring Road #101  
 City: Las Vegas State: NV Zip: 89119  
 Contact: Telephone #: (702) 776-7762 Cell #: (702) 466-8737 Fax #: (702) 685-9938

Procedures to be used if unexpected asbestos is discovered during demolition:  
 Stop work and notify asbestos contractor

**PART E IDENTIFIED ASBESTOS CONTAINING MATERIALS (remaining in building during demo)**

Non-friable Category I: 0 sq. ft. \_\_\_\_\_ in. ft. \_\_\_\_\_ cu. ft.  
 Non-friable Category II: 0 sq. ft. \_\_\_\_\_ in. ft. \_\_\_\_\_ cu. ft.

If Category II asbestos containing material is present, briefly state the work practices intended to ensure these materials do not become friable (i.e. crushed, crumbled or pulverized).

Removal by an Asbestos Company-They have to submit their own documents. Unknown at this time.

Is the concrete going to be recycled?  Yes  No  
 Note: All asbestos containing materials must be removed prior to being recycled.  
 Where will the concrete be recycled? \_\_\_\_\_  
 What is the site's DAQ permit number? \_\_\_\_\_

Is the building or structure to be burned?  Yes  No  
 Note: All asbestos containing materials must be removed prior to burning.

Was the demolition ordered by a Local Government because the structure is structurally unsound and in danger of imminent collapse?  Yes  No  
 If yes, order issued by date: \_\_\_\_\_  
 Note: Attach a copy of the order.

**PART F BUILDING/STRUCTURE WASTE DISPOSAL INFORMATION**

Disposal Site: Apex  
 Location: City: Las Vegas County: Clark State: NV  
 Waste Transporter: Republic Environmental - Services (702-734-5400)  
 Address: 770 E. Sahara Ave.  
 City: Las Vegas State: NV Zip: 89104  
 Telephone # (702) 735-5151 Fax # \_\_\_\_\_



# CLARK COUNTY DEPARTMENT OF AIR QUALITY

4701 W. Russell Rd. Suite 200, 2nd Floor, Las Vegas Nevada 89118-2231  
Office (702) 455-5942 · Fax (702) 383-9994

## DEMOLITION SUPPLEMENTAL

NESHAP notifications must be submitted with renovation/de molition applications regardless of age and/or size of the building.

Permit Number: \_\_\_\_\_  
(If known, otherwise to be completed by DAQEM)

### 1. PERMIT INFORMATION:

Applicant/Permittee: Complete Demo Services  
Project Name: 405 N. 10th Street  
Project Address/Location: 405 N. 10th Street LV, NV 89101

### 2. DEMOLITION CONTRACTOR:

Company Name: Complete Demo Service Responsible Person: JACK PARSONS  
Address: 133 E. Warm Springs Rd. LV, NV 89119  
Phone #: 702-776-7702 Cellular #: 702-466-5737 FAX #: 1-855-4938

### 3. DEMOLITION INFORMATION:

Describe demolition to take place: Mechanical demo w/ hydraulic excavator/water wagon  
Size of building: 3600 sq ft ft<sup>2</sup> Date of building construction: 1929  
Total Number of buildings on site: 2 Number of buildings to be demolished: 3  
*Local mechanical to box.*

### 4. BEFORE A DUST CONTROL PERMIT CAN BE ISSUED ON SITES REQUIRING AN ASBESTOS SURVEY, THE FOLLOWING IS REQUIRED:

- A. If Regulated Asbestos Containing Material (RACM) is present, a NESHAP notification must be submitted to DAQ and an Asbestos Waste Certificate must be issued before the asbestos can be removed and disposed.
- B. Once the RACM has been abated, submit a final clearance letter from a certified asbestos consultant along with a copy of the license of the individual that cleared the site.
- C. Has Asbestos Waste Certificate been received from DAQ?  
No:  Yes:  Certificate #: \_\_\_\_\_

### 5. SUBMITTED BY:

Name: Jack Parsons Title: ESTIMATOR  
Company Name: Complete Demo Services  
Signature: JACK PARSONS Date: 5/15/15 7-28-15

Appendix A -2

Clark County Department of Air Quality, Las Vegas, Nevada 89118

Adopted: 3/18/03



CLARK COUNTY • DEPARTMENT OF AIR QUALITY

4701 W. Russell Rd., Suite 200 • 2nd Floor • Las Vegas, NV 89118-2231  
(702) 455-5942 • Fax (702) 383-9994

ASBESTOS SITE INSPECTION FORM

Date: 7/30/2015 Arrival: 8:30 am Departure: 9:10 am Air Quality Specialist: Whitney Francis

Facility Name or Description: 405 N. 6th Street

Site Address: 405 N. 6th Street City: Las Vegas State: Nevada Zip: 89101

Abatement/Demolition Company: Complete Demo Services

Project Start Date: Project #: 152005

Project Stop Date: Complaint #:

Purpose of Inspection: Unannounced/Routine

A. ON-SITE RECORD REVIEW

- 1. Evidence of on-site rep NESHAP training? [ ] Yes [ ] No [x] N/A [ ] Not Observed
Name of on-site supervisor:

B. WORKSITE

- 1. Is activity as described on the notification? [ ] Yes [ ] No [x] N/A [ ] Not Observed
2. Does amount on notification agree with observed amount (within 20%)? [ ] Yes [ ] No [x] N/A [ ] Not Observed
3. Warning signs posted? [ ] Yes [ ] No [x] N/A [ ] Not Observed
4. Containment intact? [ ] Yes [ ] No [x] N/A [ ] Not Observed
5. RACM adequately wet? [ ] Yes [ ] No [x] N/A [ ] Not Observed
6. Functional decontamination unit? [ ] Yes [ ] No [x] N/A [ ] Not Observed
7. Are there visible emissions? [ ] Yes [ ] No [x] N/A [ ] Not Observed
8. Dust/debris outside removal area? [ ] Yes [ ] No [x] N/A [ ] Not Observed
9. Negative air machines operating? [ ] Yes [ ] No [x] N/A [ ] Not Observed
10. Is non-friable ACM in good condition? [ ] Yes [ ] No [x] N/A [ ] Not Observed

C. WASTE PACKAGING AND DISPOSAL

- 1. Are bags appropriately labeled (OSHA warning label and generator label)? [ ] Yes [ ] No [x] N/A [ ] Not Observed
2. Are contents adequately wet? [ ] Yes [ ] No [x] N/A [ ] Not Observed
3. ACWM placed in leak-tight containers? [ ] Yes [ ] No [x] N/A [ ] Not Observed
4. Are waste containers/dumpsters properly labeled? [ ] Yes [ ] No [x] N/A [ ] Not Observed

Samples taken? [ ] Yes [x] No Photographs taken? [ ] Yes [x] No

Inspection Fees to Be Assessed: None

Notes: At approximately 8:30 AM on 7/30/15, Air Quality Specialist II Whitney Francis returned to APN 139-34-512-102 (405 N. 6th Street) While on site, Mr. Francis noted no demolition activities taking place at the time of the inspection. Mr. Francis then spoke with Jack Paripovich (Project Manager) of Complete Demo Services over the phone and discussed the project. Mr. Paripovich stated that the 2 Demolition Notification Forms required for this parcel would be submitted to DAQ later on the same day. Mr. Francis observed no further violations of the Air Quality Regulations during this inspection. This inspection concluded at 9:10 AM.



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**ASBESTOS SITE INSPECTION FORM**

Date: 8/3/2015 Arrival: 8:40 am Departure: 8:55 am Air Quality Specialist: Whitney Francis

Facility Name or Description: 405 N. 6th Street

Site Address: 405 N. 6th Street City: Las Vegas State: Nevada Zip: 89101

Abatement/Demolition Company: Complete Demo Services

Project Start Date: \_\_\_\_\_ Project #: 152005

Project Stop Date: \_\_\_\_\_ Complaint #: \_\_\_\_\_

Purpose of Inspection: Unannounced/Routine

**A. ON-SITE RECORD REVIEW**

1. Evidence of on-site rep NESHAP training?  Yes  No  N/A  Not Observed  
Name of on-site supervisor: \_\_\_\_\_

**B. WORKSITE**

1. Is activity as described on the notification?  Yes  No  N/A  Not Observed  
 2. Does amount on notification agree with observed amount (within 20%)?  Yes  No  N/A  Not Observed  
 3. Warning signs posted?  Yes  No  N/A  Not Observed  
 4. Containment intact?  Yes  No  N/A  Not Observed  
 5. RACM adequately wet?  Yes  No  N/A  Not Observed  
 6. Functional decontamination unit?  Yes  No  N/A  Not Observed  
 7. Are there visible emissions?  Yes  No  N/A  Not Observed  
 8. Dust/debris outside removal area?  Yes  No  N/A  Not Observed  
 9. Negative air machines operating?  Yes  No  N/A  Not Observed  
 10. Is non-friable ACM in good condition?  Yes  No  N/A  Not Observed

**C. WASTE PACKAGING AND DISPOSAL**

1. Are bags appropriately labeled (OSHA warning label and generator label)?  Yes  No  N/A  Not Observed  
 2. Are contents adequately wet?  Yes  No  N/A  Not Observed  
 3. ACWM placed in leak-tight containers?  Yes  No  N/A  Not Observed  
 4. Are waste containers/dumpsters properly labeled?  Yes  No  N/A  Not Observed

Samples taken?  Yes  No

Photographs taken?  Yes  No

Inspection Fees to Be Assessed: None

**Notes:**

At approximately 8:40 AM on 8/3/15, Air Quality Specialist II Whitney Francis returned to APN 139-34-512-102 (405 N. 6th Street). Mr. Francis noted that Complete Demo Services (CDS) submitted 2 Demolition Notification Forms to DAQ on 7/31/15 for the buildings demolished last week. While on site, Mr. Francis noted no demolition activities taking place. Mr. Francis then spoke with Jack Paripovich (Project Manager) of CDS over the phone and discussed the project. Mr. Paripovich stated that the remaining demolition will take place within the next few days. Mr. Francis observed no further violations of the Air Quality Regulations during this inspection. This inspection concluded at 8:55 AM.

Approved by: CR

**CD020**



Project # 150334

RECEIVED  
CC-DAQM  
(DAQ use)

2015 JUL 31 A 11:46



CLARK COUNTY • DEPARTMENT OF AIR QUALITY

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(702) 455-5942 • Fax (702) 383-9994

### Demolition Notification Form

**GENERAL INSTRUCTIONS:** This form is to be completed and submitted before a building or structure is to be demolished. **NOTE:** If the building or structure contains friable asbestos-containing materials, the NESHAP Notification of Asbestos Abatement Form (ASB01) must be completed and submitted to the DAQ.

This form will not be accepted for reporting the removal or encapsulation of friable asbestos-containing materials from buildings or structures scheduled for demolition.

This form is to be received by the DAQ no less than 10 working days before the demolition project is scheduled to start. Any notification that is incomplete or any notification indicating site activities to be in violation of applicable regulations will be considered an invalid notification.

Separate notifications must be provided for each building or other individual facility where demolition of said building or facility is to be demolished.

Under most circumstances, the removal of Category I non-friable asbestos-containing materials will not be required prior to demolition unless the building is to be burned or the materials are in poor condition or will be handled in a manner that renders them friable. Category II non-friable asbestos-containing materials must be removed prior to demolition if the materials would be subject to crushing, crumbling, or pulverizing during the process of demolition of the building or structure.

Submit the **original, signed and completed** form to the address listed above (attn: Asbestos Program).

#### PART A AUTHENTICATION

I hereby certify that to the best of my knowledge and understanding, the information provided is complete, true and correct.

Name: Jack Paripovich Title: Project Manager

Signature: [Signature] Date: 7/29/2015

Name of Firm: Complete Demo Services

Email address: completedemoservices@yahoo.com

Telephone #: (702) 466-8737 Fax #: (702) 685-9938

#### PART B PROJECT DESCRIPTION

Building/Structure Owner: City of Las Vegas

Owner Address: 405 N. 6th Street

City: Las Vegas State: NV Zip: 89101

Owner Contact: Life is Beautiful working with CLV

Telephone # (917) 747-4471 Cell # (818) 905-1888 Fax #:

Building/Structure Address: 405 N. 6th Street

City: Las Vegas State: NV Zip: 89101

Present use: Residence Age of Building: 1929 - 86yrs old

Total Floor Space (sf): 14605 sq ft Number of Floors: 1

Scheduled Demolition: Start Date: 7/28/2015 Completion Date: 8/15/2015

Description of how building will be demolished:

Mechanical demolition with a hydraulic excavator & water truck/wagon. Loading materials into the box and haul materials.

2<sup>nd</sup> Bldg

**PART C INSPECTION INFORMATION**

Was an inspection for asbestos conducted for this project?  Yes  No  
Inspector Name: Dennis Kish - Cam Air Date of Inspection: 4/15/2015 4/21/15  
Telephone #: (702) 610-4226 Cell #: 610-4226 Fax #: 363-2889  
Accreditation by: \_\_\_\_\_ Exp Date: \_\_\_\_\_

Provide method used to detect the presence of asbestos material.  
sample from various locations and submitted for sample analysis thru PLM method.

**PART D DEMOLITION CONTRACTOR INFORMATION**

Contractor: Complete Demo Services  
Address: 133 E. Warm Spring Road #101  
City: Las Vegas State: NV Zip: 89119  
Contact: Telephone #: (702) 776-7762 Cell #: (702) 466-8737 Fax #: (702) 685-9938

Procedures to be used if unexpected asbestos is discovered during demolition:  
Stop work and notify asbestos contractor

**PART E IDENTIFIED ASBESTOS CONTAINING MATERIALS (remaining in building during demo)**

Non-friable Category I: \_\_\_\_\_ sq. ft. \_\_\_\_\_ ln. ft. \_\_\_\_\_ cu. ft.  
Non-friable Category II: \_\_\_\_\_ sq. ft. \_\_\_\_\_ ln. ft. \_\_\_\_\_ cu. ft.

If Category II asbestos containing material is present, briefly state the work practices intended to ensure these materials do not become friable (i.e. crushed, crumbled or pulverized).  
Removal by an Asbestos Company-They have to submit their own documents. Unknown at this time.

Is the concrete going to be recycled?  Yes  No  
Note: All asbestos containing materials must be removed prior to being recycled.  
Where will the concrete be recycled? \_\_\_\_\_  
What is the site's DAQ permit number? \_\_\_\_\_

Is the building or structure to be burned?  Yes  No  
Note: All asbestos containing materials must be removed prior to burning.  
Was the demolition ordered by a Local Government because the structure is structurally unsound and in danger of imminent collapse?  Yes  No  
If yes, order issued by date: \_\_\_\_\_  
Note: Attach a copy of the order.

**PART F BUILDING/STRUCTURE WASTE DISPOSAL INFORMATION**

Disposal Site: Apex  
Location: City: Las Vegas County: Clark State: NV  
Waste Transporter: Republic Environmental - Services (702-734-5400)  
Address: 770 E. Sahara Ave.  
City: Las Vegas State: NV Zip: 89104  
Telephone # (702) 735-5151 Fax # \_\_\_\_\_

Project # 150335  
(DAQ use)

RECEIVED  
CC-DAQM

2015 JUL 31 A 11:46



CLARK COUNTY • DEPARTMENT OF AIR QUALITY

4701 W. Russell Rd., Suite 200 • 2<sup>nd</sup> Floor • Las Vegas, NV 89118-2231  
(702) 455-5942 • Fax (702) 383-8994

### Demolition Notification Form

**GENERAL INSTRUCTIONS:** This form is to be completed and submitted before a building or structure is to be demolished. **NOTE:** If the building or structure contains friable asbestos-containing materials, the NESHAP Notification of Asbestos Abatement Form (ASB01) must be completed and submitted to the DAQ.

This form will not be accepted for reporting the removal or encapsulation of friable asbestos-containing materials from buildings or structures scheduled for demolition.

This form is to be received by the DAQ no less than 10 working days before the demolition project is scheduled to start. Any notification that is incomplete or any notification indicating site activities to be in violation of applicable regulations will be considered an invalid notification.

Separate notifications must be provided for each building or other individual facility where demolition of said building or facility is to be demolished.

Under most circumstances, the removal of Category I non-friable asbestos-containing materials will not be required prior to demolition unless the building is to be burned or the materials are in poor condition or will be handled in a manner that renders them friable. Category II non-friable asbestos-containing materials must be removed prior to demolition if the materials would be subject to crushing, crumbling, or pulverizing during the process of demolition of the building or structure.

Submit the **original, signed and completed** form to the address listed above (attn: Asbestos Program).

#### PART A AUTHENTICATION

I hereby certify that to the best of my knowledge and understanding, the information provided is complete, true and correct.

Name: Jack Paripovich Title: Project Manager

Signature: [Signature] Date: 7/27/2015

Name of Firm: Complete Demo Services

Email address: completedemoservices@yahoo.com

Telephone #: (702) 466-8737 Fax #: (702) 685-9938

#### PART B PROJECT DESCRIPTION

Building/Structure Owner: City of Las Vegas

Owner Address: 405 N. 6th Street

City: Las Vegas State: NV Zip: 89101

Owner Contact: Life is Beautiful working with CLV

Telephone # (917) 747-4471 Cell # (818) 905-1888 Fax #: \_\_\_\_\_

Building/Structure Address: 405 N. 6th Street

City: Las Vegas State: NV Zip: 89101

Present use: Residence Age of Building: 1929 - 86yrs old

Total Floor Space (sf): 1200 sq ft Number of Floors: 1

Scheduled Demolition: Start Date: 7/28/2015 Completion Date: 8/15/2015

Description of how building will be demolished:

Mechanical demolition with a hydraulic excavator & water truck/wagon. Loading materials into the box and haul materials.

3<sup>rd</sup> Bldg

**PART C INSPECTION INFORMATION**

Was an inspection for asbestos conducted for this project?  Yes  No

Inspector Name: Dennis Kish - Cam Air Date of Inspection: 4/15/2015 + 4/21/15

Telephone #: (702) 610-4226 Cell #: 610-4226 Fax #: 363-2889

Accreditation by: \_\_\_\_\_ Exp Date: \_\_\_\_\_

Provide method used to detect the presence of asbestos material.

sample from various locations and submitted for sample analysis thru PLM method.

**PART D DEMOLITION CONTRACTOR INFORMATION**

Contractor: Complete Demo Services

Address: 133 E. Warm Spring Road #101

City: Las Vegas State: NV Zip: 89119

Contact: Telephone #: (702) 776-7762 Cell #: (702) 466-8737 Fax #: (702) 685-9938

Procedures to be used if unexpected asbestos is discovered during demolition:

Stop work and notify asbestos contractor

**PART E IDENTIFIED ASBESTOS CONTAINING MATERIALS (remaining in building during demo)**

Non-friable Category I: \_\_\_\_\_ sq. ft. \_\_\_\_\_ in. ft. \_\_\_\_\_ cu. ft.

Non-friable Category II: \_\_\_\_\_ sq. ft. \_\_\_\_\_ in. ft. \_\_\_\_\_ cu. ft.

If Category II asbestos containing material is present, briefly state the work practices intended to ensure these materials do not become friable (i.e. crushed, crumbled or pulverized).

Removal by an Asbestos Company-They have to submit their own documents. Unknown at this time.

Is the concrete going to be recycled?  Yes  No

Note: All asbestos containing materials must be removed prior to being recycled.

Where will the concrete be recycled? \_\_\_\_\_

What is the site's DAQ permit number? \_\_\_\_\_

Is the building or structure to be burned?  Yes  No

Note: All asbestos containing materials must be removed prior to burning.

Was the demolition ordered by a Local Government because the structure is structurally unsound and in danger of imminent collapse?  Yes  No

If yes, order issued by date: \_\_\_\_\_

Note: Attach a copy of the order.

**PART F BUILDING/STRUCTURE WASTE DISPOSAL INFORMATION**

Disposal Site: Apex

Location: City: Las Vegas County: Clark State: NV

Waste Transporter: Republic Environmental - Services (702-734-5400)

Address: 770 E. Sahara Ave.

City: Las Vegas State: NV Zip: 89104

Telephone # (702) 735-5151 Fax # \_\_\_\_\_



REQUEST FOR HEARING BEFORE THE CLARK COUNTY AIR POLLUTION CONTROL HEARING BOARD

018318

RECEIVED CC-DAQM

2016 FEB -9 P 1:51

Appeal of Hearing Officer's Order

1. Date of Appeal: 1-28-16 (Must be within 10 days of receipt of Hearing Officer Order)

Notice of Violation # 8736 Hearing Date: 1-20-16

Hearing Officer:

2. Name, address, telephone number of Appellant:

Name: JAK PRIPOVICH ESTIMATOR CDS (Please print)

Address: 5720 N. Campbell RD LAS VEGAS NV 89149

Telephone: 702-76-7762 Fax: 702-685-9938

Email: complete.demo.services@yahoo.com

3. Other person or persons authorized to receive service of notice:

Name: (Please print)

Address:

Telephone: Fax:

Email:

4. Type of business or activity and location of activity involved in the request:

DEMO CONTRACTOR - 405 6th STREET

5. Reason for appeal: [X] Facts alleged [X] Penalty assessed [X] Both

Provide a detailed explanation of the reason for your appeal:


We were fined for not providing a original correction addendum listing and additional

Address in our Best Control Application  
known as the 2 page Demo notification.  
You do not provide this original notification  
either in the packet or available in the document  
display. It is unknown if you own employees.

6. An application filing fee of \$140.00 must accompany this application. This fee is non-refundable. Please make check payable to the Department of Air Quality and mail to 4701 W. Russell Road, Suite 200, Las Vegas, NV 89118.

The appellant or a representative of the appellant must be present at the hearing board meeting to answer any questions by the Air Pollution Control Hearing Board Members. **Please include any supporting documentation with this form for distribution to the respective board members.**

I affirm that all statements made on this application are true and complete to the best of my knowledge.

Signature:  Date: 1-28-16  
Printed Name: Mark Dnepoviel  
Title: ESTIMATOR

**FOR OFFICE USE ONLY**

Application Received on \_\_\_\_\_

Application Fee \$140.00 - Check /Cash \_\_\_\_\_ Received Date: \_\_\_\_\_

March 8, 2016

Jack Paripovich, Project Manager  
Complete Demo Services  
133 East Warm Springs Road  
Las Vegas, NV 89119

E-mail: [completedemoservices@yahoo.com](mailto:completedemoservices@yahoo.com)

**Re: Notice of Violation (NOV) #8736  
DCP #45056**

Dear Mr. Paripovich:

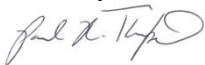
We are in receipt of your Request for Hearing before the Air Pollution Control Hearing Board, wherein you are appealing the Hearing Officer's Order on NOV #8736.

Please be advised this matter has been scheduled for hearing before the Air Pollution Control Hearing Board at 1:30 p.m. on April 21, 2016, **in the Presentation Room at the Clark County Building Department, 4701 West Russell Road, Main Entrance, Las Vegas.** (Use the double doors at the entrance closest to Ullom Drive on the northwest side of the parking lot.) It is imperative that you be present at this meeting to give testimony and answer questions by the Hearing Board members.

**Any additional support documentation you intend to present to the board regarding this matter must either: (1) be submitted to me by 4:00 p.m. on Monday, April 4, 2016, so that it can be copied and placed in the board books for distribution to the respective Board Members; or (2) be brought to the meeting, along with ten copies for distribution to staff, board members, and members of the public. Failure to comply with one of these two options may preclude you from presenting these documents to the board at the meeting.**

If you have any questions regarding this case, please contact me via e-mail at [Pamela.Thompson@clarkcountynv.gov](mailto:Pamela.Thompson@clarkcountynv.gov), or call 702-455-3126.

Sincerely,



Pamela R. Thompson, Sr. Secretary  
Enforcement Division

PRT:pt

February 8, 2016

CERTIFIED MAIL #91 7199 9991 7034 9212 7827

Jack Paripovich, Project Manager  
Complete Demo Services  
133 East Warm Springs Road  
Las Vegas, NV 89119

E-mail: [completedemoservices@yahoo.com](mailto:completedemoservices@yahoo.com)

**Re: Notice of Violation (NOV) #8736  
DCP #45056**

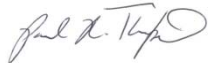
Dear Mr. Paripovich:

Enclosed please find Invoice #018277 in the amount of \$1,000.00, representing the penalty assessed in the above-described matter at the January 20, 2016 Hearing Officer meeting. A copy of the Hearing Officer's Order is enclosed for your records.

Payment is due on or before March 7, 2016. Please send your payment to the Department of Air Quality (DAQ), 4701 W. Russell Road, Suite 200, Las Vegas, NV 89118. **Please write the invoice number on the check and make it payable to DAQ.**

Thank you in advance for your prompt attention to this matter. If you have any questions, please contact me via e-mail at [Pamela.Thompson@clarkcountynv.gov](mailto:Pamela.Thompson@clarkcountynv.gov), or call me at (702) 455-3126.

Sincerely,



Pamela R. Thompson, Sr. Secretary  
Enforcement Division

PRT:pt

Attachment(s):

1. Hearing Officer's Order
2. Invoice



BEFORE THE AIR POLLUTION CONTROL HEARING OFFICER  
CLARK COUNTY, NEVADA

In the Matter of the Notice of Violation ) ORDER  
Issued to ) Notice of Violation #8736  
COMPLETE DEMO SERVICES. )  
\_\_\_\_\_ )

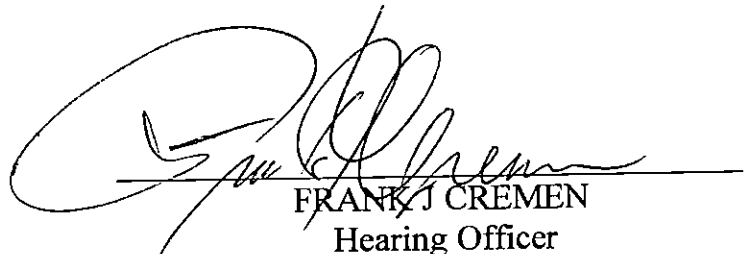
The above-entitled matter having come on for a hearing on January 20, 2016; COMPLETE DEMO SERVICES on the Action Required and Contested Docket being charged for failing to notify Air Quality of all structures subject to renovation or demolition activities prior to conducting renovation and demolition activities (Project Number: 152005; DCP #45056), as identified during a routine site inspection on July 29, 2015, located at 405 North 6<sup>th</sup> Street, in Clark County, Nevada; and the Hearing Officer having heard the representation of the parties; and good cause appearing;

IT IS HEREBY ORDERED that COMPLETE DEMO SERVICES be assessed a penalty of One Thousand Dollars (\$1,000.00) for violation of Clark County Air Quality Regulations 40CFR61, Subpart M, Part 61.145(b)(3)(i) identified on July 29, 2015, as charged in Notice of Violation #8736.

A check or money order is to be made payable to the Clark County DAQ, and submitted to DAQ, 4701 West Russell Road, Suite 200, Las Vegas, Nevada 89118. Payment is to be made on or before the 7 day of March, 2016.

1 You have the right to appeal this order to the Clark County Air Pollution Control  
2 Hearing Board. Any appeal of this order shall be (1) in writing specifying the reasons for the  
3 appeal, (2) accompanied by a \$140.00 filing fee, and (3) received by the Department of Air  
4 Quality within 10 days of your receipt of this order.

5 DATED this 4 day of Feb, 2016.  
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10 FRANK J CREMEN  
Hearing Officer

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December 22, 2015

Jack Paripovich, Project Manager  
Complete Demo Services  
133 East Warm Springs Road  
Las Vegas, NV 89119

E-mail: [completedemoservices@yahoo.com](mailto:completedemoservices@yahoo.com)

**Re: Notice of Violation (NOV) #8736  
DCP #45056**

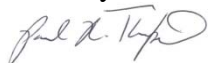
Dear Mr. Paripovich:

We have scheduled the case referenced above to be heard before the Air Pollution Control Hearing Officer at approximately 9:00 a.m. on January 20, 2016, **in the Presentation Room at the Clark County Building Department, 4701 West Russell Road, Main Entrance, Las Vegas.** (Use the double doors at the entrance closest to Ullom Drive on the northwest side of the parking lot.)

This case will be heard on the *Action Required and Contested Notices of Violation* portion of the docket. Prior to the hearing, a docket will be sent via certified mail. If you do not wish to contest the Notice of Violation please notify me as soon as possible via e-mail, fax, or written letter. Also, if you intend to present any additional documentation at the meeting, please bring six copies for distribution to Hearing Officer and staff.

Should you have any questions regarding this case, please contact me via e-mail at [Pamela.Thompson@clarkcountynv.gov](mailto:Pamela.Thompson@clarkcountynv.gov), or call 702-455-3126.

Sincerely,



Pamela R. Thompson, Sr. Secretary  
Enforcement Division

prt

Complete  
Demo  
Services

EMAIL: COMPLETEDEMOSERVICES@YAHOO.COM

December 9, 2015

Ref: NOV #8736

Pamela Thompson  
4701 W. Russell Road, Suite 200  
Las Vegas, NV 89118

I am contesting the violation and I need to know the procedure for this type of thing. Please send me paperwork to fill out or how I need to be prepared to discuss the violation.

Respectfully,

Jack Paripovich