



## Clark County Air Pollution Control Hearing Board

### Agenda

June 12, 2014 – 1:30 P.M.  
Clark County Building Department  
Presentation Room  
4701 West Russell Road  
Las Vegas, NV

**Hearing Board Members** Daniel Sanders, Chair  
Karen Purves, Vice-Chair  
Herbert Inhaber  
Mark S. Ireland  
Tom Foster, P.E.  
Craig Schweisinger  
Evan S. Wishengrad, Esq.

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

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

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

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

ITEM	ACTION REQUESTED
<b>I. CALL TO ORDER</b>	
<b>II. PUBLIC COMMENT</b>  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.	
<b>III. APPROVE MINUTES OF MARCH 13, 2014 MEETING</b>	<i>For possible action</i>
<b>IV. MATTERS REQUIRING BOARD DISCUSSION/POSSIBLE ACTION</b>	<b>GRANT/DENY/TAKE OTHER APPROPRIATE ACTION</b>
<b>A. <u>APPEALS</u></b>  <b>1. CREATIVE BUILDERS, INC. – NOV #8482 –</b> Creative Builders is appealing the Air Pollution Control Hearing Officer’s Order. On March 26, 2014, the Hearing Officer found Creative Builders in violation of Air Quality Regulations Subsections 94.4.1 and 94.7.6.1 for conducting construction activities prior to obtaining a valid Dust Control Permit; and for allowing superintendents and foremen to work on site without having completed the required Air Quality Dust Control Class on September 23 and October 18, 2013 at the Chase Bank DU ATM construction site, located at 1435 West Craig Road in Clark County, Nevada. A \$1,250 penalty was assessed.	<i>1. For possible action</i>
<b>V. REPORT BY DAQ STAFF</b>  <b>1. Programmatic Update</b>	
<b>VI. IDENTIFY EMERGING ISSUES TO BE DISCUSSED BY BOARD AT FUTURE MEETINGS</b>	

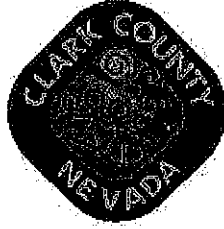
ITEM	ACTION REQUESTED
------	------------------

<p><b>VII. PUBLIC COMMENT</b></p> <p>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.</p>	
----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--

<p><b>VIII. ADJOURNMENT</b></p>	
---------------------------------	--

The Presentation Room is accessible to individuals with disabilities. With twenty-four (24) hour advanced request, a sign language interpreter may be made available (telephone number TT/TDD: Nevada Relay toll-free (800) 326-6868) and assisted listening devices are available upon request.

COPIES OF THIS AGENDA HAVE BEEN POSTED IN THE LOBBY AT THE FOLLOWING LOCATIONS: 1) LAS VEGAS CITY HALL; 400 Stewart Avenue, Las Vegas, NV; 2) HENDERSON CITY HALL, 240 Water Street, Henderson, NV; 3) NORTH LAS VEGAS CITY HALL, 2200 Civic Center Drive, North Las Vegas, NV; 4) BOULDER CITY, CITY HALL; 401 California Avenue, Boulder City, NV; 5) CITY OF MESQUITE, 10 E. Mesquite, Mesquite, NV; 6) and CLARK COUNTY GOVERNMENT CENTER, 500 S. Grand Central Parkway, Las Vegas, NV.



## **Minutes of the Clark County**

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

**March 13, 2014**

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

Chair Daniel Sanders called the meeting of the Air Pollution Control Hearing Board to order at 11:35 a.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  
Karen Purves, Vice-Chair  
George Foster, Jr., P.E.  
Herbert Inhaber  
Mark Ireland  
Craig Schweisinger  
Evan S. Wishengrad, Esq.

**LEGAL COUNSEL:** Soomi Kim, Esq., Counsel for DAQ

**DAQ STAFF:** Gary Miller, Compliance and Enforcement Manager  
Lewis Wallenmeyer, Director  
Araceli Pruett, Administrative Secretary

#### **OTHERS**

**PRESENT:** Russell Roberts, DAQ; Richard Beckstead, DAQ; Phillip Wiker, DAQ; Mike Sword, DAQ

#### **II. PUBLIC COMMENT**

There were no public comments.

**III. OATH OF OFFICE**

Evan S. Wishengrad (attorney member) took the Oath of Office. His term will expire July 24, 2015.

**IV. APPROVE MINUTES OF OCTOBER 9, 2013**

Chair Sanders called for comments, changes, or corrections to the October 9, 2013 minutes. Being none, he called for a motion. Board Member Schweisinger made a motion to approve the minutes, which was seconded by Board Member Ireland, and carried by the rest of the board members. The motion passed unanimously.

**V. REPORT BY DAQ STAFF**

DAQ Compliance and Enforcement Manager Gary Miller reported staff would be updating the board on various departmental activities at a workshop that afternoon.

DAQ Director Lewis Wallenmeyer thanked the board members for their volunteer service and welcomed Mr. Wishengrad to the board.

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

There were no issues identified for discussion.

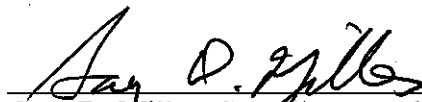
**VII. PUBLIC COMMENT**

There were no public comments.

**VIII. ADJOURNMENT**

Being no further business, Chair Sanders adjourned the meeting at 11:39 a.m.

Submitted for approval,

  
\_\_\_\_\_  
Gary D. Miller, Compliance and Enforcement Manager  
Department of Air Quality

3/18/2014  
\_\_\_\_\_  
Date







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

January 13, 2014

CERTIFIED MAIL #91 7199 9991 7032 4999 5860

Nick Ceabuca, President  
Creative Builders, Inc.  
3675 South Rainbow Boulevard, Suite #107 – 145  
Las Vegas, NV 89103

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

## NOTICE OF VIOLATION #8482

Clark County Department of Air Quality (Air Quality) proposes to assess a civil penalty of \$1,250 against Creative Builders, Inc., (Creative Builders) for alleged violation(s) of the Clark County Air Quality Regulations (AQRs).

Air Quality staff discovered the alleged violation during a routine inspection on October 18, 2013 at the Chase Bank DU ATM, located at 1435 West Craig Road in Clark County, Nevada.

### I. FINDINGS OF FACT

#### **Alleged Violation #1:**

Subsection 94.4.1 of the AQR states the following:

“Prior to engaging in any Construction Activities, the property Owner and/or Operator, who is the owner’s designee shall apply for and obtain a Dust Control Permit from the Clark County Department of Air Quality and Environmental Management.”

**Findings:** On September 12, 2013, Creative Builders submitted an application for a Dust Control Permit (DCP), for a 0.1-acre project named Chase Bank DU ATM (Exhibit 1). In the DCP application, Creative Builders described the project as Chase Bank ATM and disclosed that the project would consist of more than 100 feet of offsite street/utility development. Additionally, Creative Builders identified Nick Ceabuca, President, as the point of contact for all dust control matters in the DCP application, which was also signed by Mr. Ceabuca.

On September 23, 2013, at 9:16 a.m., Air Quality Specialist II Brenda Whitfield sent an email to Creative Builders at the email address identified in the DCP application. In the email, Ms. Whitfield identified several deficiencies in the application that required corrective action by Creative Builders before the DCP could be issued (Exhibit 2).

**000001**



On October 4, 2013, at 8:25 a.m., Ms. Whitfield sent a follow-up email informing Creative Builders that she had not received any communication from Creative Builders regarding the deficiencies identified in the previous email (Exhibit 2).

On October 18, 2013, at approximately 10:25 a.m., Heather Mackinnon performed an inspection of the Chase DU ATM construction project by Creative Builders, and observed that the project was complete (Exhibits 3 & 4 - Digital Photographs #1 - 3). Ms. Mackinnon measured the length of trench utilizing the ArcPad application on her mobile computer and determined it to be approximately 240 linear feet. Additionally, Ms. Mackinnon utilized the Southern Nevada GIS OpenWeb Info Mapper to outline the approximate areas of construction by Creative Builders (Exhibit 5). The green-shaded area of the aerial map indicates the area of construction.

From the period of September 23 through October 31, 2013, AQ Specialist II Brenda Whitfield communicated with Creative Builders through various emails and phone conversations, informing Creative Builders of the corrective actions required by DAQ to process the DCP. However, as of the date of this notice, Creative Builders has not taken the necessary actions identified by Ms. Whitfield, nor obtained a valid DCP for the Chase Bank DU ATM construction project.

***Corrective Actions Required:*** Creative Builders must submit the required information identified in Exhibit 2, and obtain a valid DCP from Air Quality within 30 days of receiving this Notice of Violation (NOV).

**Alleged Violation #2:**

**Subsection 94.7.6.1 of the AQR** states the following:

“The CONSTRUCTION superintendent or other designated on-site representative of the project developer and all construction site supervisors and foremen shall be required to have successfully completed a Clark County Department of Air Quality and Environmental Management Dust Control Class.”

***Findings:*** On September 12, 2013, Creative Builders submitted a DCP application whereby Creative Builders identified Mr. Ceabuca as the on-site superintendent and disclosed that all on-site supervisory personnel had not attended the DAQ Dust Class (Exhibit 1, Page 2 of 3 Section 5).

On September 23, 2013, Ms. Whitfield sent an email to Creative Builders at the email address identified in the DCP application. In the email, Ms. Whitfield informed Creative Builders that Mr. Ceabuca was required to attend a Dust Control Class and she provided Creative Builders with the phone number to call and schedule a class (Exhibit 2).

From the period of September 23 through October 31, 2013, Ms. Whitfield communicated with Creative Builders through various emails and phone conversations, informing Creative Builders of the requirement that Mr. Ceabuca attend a Dust Control Class. However, as of the date of this notice, Mr. Ceabuca has not attended a DAQ Dust Control Class.

**Corrective Action Required:** Mr. Ceabuca must attend the DAQ Dust Control Class within 30 days of receiving this NOV.

## 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.

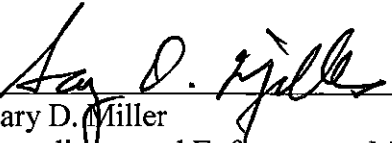
The civil penalty is calculated by applying the standard penalty for each violation of the applicable requirement, the standard adjustment for aggravating or mitigating factors and an alleged violator's past enforcement history. In consideration of the aforementioned facts, Air Quality recommends a civil penalty in the amount of \$1,250.

### III. ADMINISTRATIVE PROCEDURES

Air Quality has scheduled a hearing for **Wednesday, March 26, 2014 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 NOV 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.

  
\_\_\_\_\_  
Gary D. Miller  
Compliance and Enforcement Manager

Exhibits:

1. Air Quality Application Dust Control Permit for Construction Activities submitted by Creative Builders dated September 12, 2013
2. E-mail correspondence between Air Quality and Creative Builders, dated September 23, October 4, 17, 18, 21, and 31, 2013
3. Air Quality Construction Site Inspection Form #30618 dated October 18, 2013
4. Digital Photographs #1 – 3
5. Southern Nevada GIS OpenWeb Info Mapper Aerial Map observed on October 18, 2013

kpa



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

42830 29

For DAQ Use Only  
Invoice Number: \_\_\_\_\_

RECEIVED  
CC-DAQ

2013 SEP 12 A 10: 02

**APPLICATION**  
**DUST CONTROL PERMIT FOR CONSTRUCTION ACTIVITIES**

Blank spaces must be completed for the application to be processed. If not applicable, enter N/A.

If the project site has an expired permit or project was previously permitted list the previous permit number: \_\_\_\_\_

**1. Applicant/Permittee:**

Property Owner  Developer  Prime Contractor  Other \_\_\_\_\_

Name: Creative Builders, Inc.

Address: 3675 S. Rainbow Blvd. Ste. 107-145

City: Las Vegas State: NV Zip: 89103

Telephone: 702 354 8132 Ext: \_\_\_\_\_ Fax: \_\_\_\_\_

E-mail Address: creativebuildersiv@yahoo.com

**2. Project:**

Name: Chase Bank Du ATM

Address: 1435 W. Craig Rd City: North Las Vegas

Nearest major cross-streets: Craig & MLK

Township(s): 20 Range(s): 61 Section(s): 4

Assessor's Parcel number(s) (Attach map): 139-04-701-011

Project Description: Chase Bank ATM

Project Acreage: 0.10 acres (rounded to the nearest 0.1 acre, all land that will be disturbed must be included in project acreage)

**Permit fees:** If the project acreage listed above contains a fraction, the project acreage will be rounded up to the next whole number for fee purposes. The rounded up acreage (quantity) value will be used to assess the acreage fee for this permitting action.

**Submit the total permit fee, with this application. Permit fees are non-refundable.**

**You must select one of the following three choices.**

- This project does not require any offsite street or utility development.
- This project requires offsite street/utility development that is not included in this application, and will be added at a later date by modification or additional permit.
- This application includes offsite street/utility development. (Area must be marked on the accompanying parcel map. Check all that apply)
  - Utility Lateral  less than 100 ft.  greater than 100 ft.  Half Street  Full Street
  - Curb / Entrance  Entity Name and Number of Approved Offsite Plan / Permit / Easement: \_\_\_\_\_  Plan Pending  Other

3. Property Owner (if not applicant):

Name: BGM Red Rock Inc

4. Point of Contact for dust control matters and to whom a NOTICE OF VIOLATION should be sent if necessary:

Name: Nick Ceabuca Company: Creative Builders Inc.

Address: 3675 S. Rainbow Blvd, Ste. 107-145

City: Las Vegas State: NV Zip: 89103

Telephone: 702-354-8132 Ext: \_\_\_\_\_ Fax: \_\_\_\_\_

Cellular/Pager: 11 After Hours Phone: 11

5. On-site Superintendent/Supervisor/Foreman contact:

Name: Same Company: \_\_\_\_\_

On-site phone: \_\_\_\_\_ Cellular/Pager: \_\_\_\_\_

DAQ Dust Class Certification/Card #: \_\_\_\_\_ Expiration date: \_\_\_\_\_

Have all on-site supervisory personnel attended the DAQ Dust Class?  Yes  No

If no, all on-site supervisory personnel must attend a DAQ Dust Class within 30 days.

7. By signing this permit application I certify that:

A. I am authorized, on behalf of the individual or company listed in Section 1, as Applicant/Permittee, to apply for their Dust Control Permit and to commit to all of the terms and conditions of the requested permit.

B. Construction activities will be limited to lands that the applicant/permittee either owns or is authorized to use for construction activities. The permit issued subsequent to this application is not a substitute for obtaining the property owner's permission to use his land. Issuance of a Dust Control Permit is intended only for the purpose of controlling emissions of air pollutants and assuring compliance with Air Quality Regulations. The applicant/permittee agrees to hold harmless, indemnify, and defend Clark County, its employees and assigns from any claims that may arise due to any unauthorized use of land for construction activities.

C. The permittee accepts responsibility for assuring that all contractors, subcontractors, and all other persons on the construction site covered by this permit, comply with the terms and conditions of the permit, the dust mitigation plan and all applicable Air Quality Regulations.

D. The applicant/permittee understands that it is a condition of the permit that the permittee agrees to allow the inspection of the site for compliance with the terms and conditions of the permit and Air Quality Regulations at any time during the permittee's hours of operation by a DAQ officer without prior notice or at any time pursuant to the investigation of a complaint or upon direct observation of emission and/or failure to maintain Best Management Practices.

E. I understand that any material misrepresentation made in this application may invalidate the permit and that Clark County may pursue enforcement action against me. In addition, I understand any willful misrepresentation may result in criminal penalties. I declare under penalty of perjury that the foregoing is true and correct.

Executed on:


09-12-13  
DATE

Nick A. Ceabuca  
SIGNATURE

NICK A. CEABUCA  
PRINTED NAME

PRESIDENT  
TITLE AND COMPANY NAME

PAYMENT INFORMATION		TO BE COMPLETED BY THE APPLICANT	
<b>PAYING BY</b>		(Please Print)	
<input type="checkbox"/> CASH			
<input type="checkbox"/> CHECK	CHECK # _____	NAME AND ADDRESS AS IT APPEARS ON CHECK:	
_____			
_____			
_____			
Telephone #: _____			
<input checked="" type="checkbox"/> CREDIT CARD	LAST FOUR DIGITS OF CREDIT CARD NUMBER: _____		2229
EXACT NAME AS IT APPEARS ON CREDIT CARD: _____			
Jayne Keith			

FOR DAQ USE ONLY		
ISSUE DATE _____	ISSUED BY _____	POS # _____
9/12/13		000975
DATE PAID _____	RECEIVED BY _____	
DAQ REVIEW: _____ DATE: _____		
BLASTING APPROVAL (if applicable): _____ DATE: _____		
DEMOLITION APPROVAL (if applicable): _____ DATE: _____		
COMPLIANCE AREA ASSIGNMENT: _____ Hydrographic Area: _____		
<input type="checkbox"/> Highway <input type="checkbox"/> Other		

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

**DUST MITIGATION PLAN FOR ALL PROJECTS**

Project Name: Chase Bank DU ATM

Permittee Name: Creative Builders, LLC

Identify the Project Soil "Particulate Emission Potential" (check all that apply):

Using silt and optimum moisture content to determine the particulate emission potential (PEP) is the preferred method.

PEP determined using generalized PEP determination maps included in the Dust Control Handbook.

PEP determined using silt vs. optimum moisture table in Figure 2 of the Dust Control Handbook.

Percentage of silt through a #200 sieve:     % Optimum moisture content:     %

PEP for this project is determined to be:

High       Moderate High       Moderate Low       Low

Water source:  Hydrant with Jones Valve       Fire hose       Water trucks/pulls       Well  
 Stand tanks       Ponds       Other: \_\_\_\_\_

**PROJECT ACTIVITIES CHECKLIST**

**Instructions:**

Place a check mark in the box to the right of each Project Activity that will occur on your project. If additional soil disturbing activities that are not on the checklist are to be included in the project, list them on a separate page and provide a description. For a more complete description of the listed activities, see the Control Measures Selection Pages (Form DCP 03) that follow or refer to the Best Management Practices for dust control in the Dust Control Handbook.

**BMP 10 Disturbed Soil and BMP 20 Trackout Prevention and Cleanup must be marked for every Dust Mitigation Plan.**

**CONTROL MEASURES SELECTION PAGES**

**Instructions:**

For each project activity that you have selected on the Project Activities Checklist you must include the corresponding Control Measures Selection Page. Read and understand each item listed as a "Requirement" on these included pages. Where control measure options are listed, place a check in the box in front of the control measure you will use to meet that requirement. You must select at least one control measure where a choice is listed. In addition you must select the control measure that corresponds to your PEP as listed above, if applicable.

**NOTE: PROJECTS 10 ACRES AND LARGER MUST COMPLETE A SUPPLEMENT TO THE DUST MITIGATION PLAN (APPENDIX B-1 AND B-2).**

## PROJECT ACTIVITIES CHECKLIST

Project Name: Chase Bank DU ATM

Permittee Name: \_\_\_\_\_

**PLACE A CHECK MARK NEXT TO EVERY ACTIVITY THAT WILL BE CONDUCTED ON THIS SITE, FOR EACH CHECKED ACTIVITY COMPLETE THE CORRESPONDING CONTROL MEASURES SELECTION PAGE AND INCLUDE WITH APPLICATION.**

BMP	Project Activity	Check All That Apply
01	<b>Backfilling</b> Filling area previously excavated or trenched.	<input checked="" type="checkbox"/>
02	<b>Blasting - Abrasive</b> Sandblasting and/or abrasive blasting.	<input type="checkbox"/>
03	<b>Blasting Soil &amp; Rock</b> Explosive blasting of soil and rock.	<input type="checkbox"/>
04	<b>Clearing &amp; Grubbing</b> Clearing and grubbing for site preparation and vacant land cleanup.	<input type="checkbox"/>
05	<b>Clearing Forms, Foundations and Slabs</b> Clearing and cleaning of forms, foundations and slabs prior to pouring concrete.	<input type="checkbox"/>
06	<b>Crushing</b> Crushing of construction and demolition debris, rock and soil.	<input type="checkbox"/>
07	<b>Cut and/or Fill</b> Cut and/or fill soils for site grade preparation.	<input type="checkbox"/>
08	<b>Demolition - Implosion</b> Implosive demolition of a structure, using explosives.	<input type="checkbox"/>
09	<b>Demolition - Mechanical/Manual</b> Mechanical and manual demolition of walls, stucco, concrete, freestanding structures, buildings, load-bearing walls and/or removal of transit pipe	<input type="checkbox"/>
10	<b>Disturbed Soil</b> <b>THIS ACTIVITY MUST BE SELECTED FOR ALL PROJECTS</b> Disturbed soil throughout project including between structures.	<input checked="" type="checkbox"/>
11	<b>Disturbed Land - Long Term Stabilization</b> Large tracts of disturbed land that will not have continuing activity for more than 30 days.	<input type="checkbox"/>
12	<b>Dust Suppressants - Selection and Use</b> Selection and use of chemical and organic dust suppressing agents and other dust palliatives.	<input type="checkbox"/>
13	<b>Importing/Exporting Materials</b> Importing or exporting of soil, aggregate, decorative rock, debris, Type II and other bulk material.	<input type="checkbox"/>
14	<b>Landscaping</b> Installation of sod, decorative rock, desert or other landscape material.	<input type="checkbox"/>
15	<b>Paving/Subgrade Preparation</b> Subgrade preparation for paving streets, parking lots, etc.	<input checked="" type="checkbox"/>
16	<b>Sawing/Cutting Material</b> Sawing or cutting materials such as concrete, asphalt, block or pipe.	<input type="checkbox"/>
17	<b>Screening</b> Screening of rock, soil or construction debris.	<input type="checkbox"/>
18	<b>Staging Areas</b> Staging areas, equipment storage, vehicle parking lots, and material storage areas.	<input type="checkbox"/>
19	<b>Stockpiles</b> Stockpiling of materials, such as Type II, other soils, rock or debris, for future use or export.	<input type="checkbox"/>
20	<b>Trackout Prevention and Cleanup</b> <b>THIS ACTIVITY MUST BE SELECTED FOR ALL PROJECTS</b> Prevention and cleanup of mud, silt and soil tracked out onto paved roads.	<input checked="" type="checkbox"/>
21	<b>Traffic - Unpaved Routes and Parking</b> Construction related traffic on unpaved interior and/or access roads and unpaved employee/worker parking areas.	<input type="checkbox"/>
22	<b>Trenching</b> Trenching with track or wheel mounted excavator, shovel, backhoe or trencher.	<input checked="" type="checkbox"/>
23	<b>Truck Loading</b> Loading trucks with materials including construction and demolition debris, rock and soil.	<input type="checkbox"/>



**BACKFILLING**

**BMP 01**

**YOU MUST SELECT AT LEAST ONE CONTROL MEASURE FOR EACH REQUIREMENT. PLACE A CHECK IN THE BOX IN FRONT OF YOUR SELECTION.**

**Requirement: Stabilize backfill material when not actively handling.**

*CP*

~~01-1~~

Water backfill material to maintain moisture or to form crust when not actively handling.

01-2 Apply and maintain a dust palliative to backfill material to form crust when not actively handling.

01-3 Cover or enclose backfill material when not actively handling.

**Requirement: Stabilize backfill material during handling.**

*CP*

~~01-4~~

Empty loader bucket slowly and minimize drop height from loader bucket.

01-5 Dedicate water truck or large hose to backfilling equipment and apply water as needed.

**Note: Select at least one of the above; in addition the appropriate control measure for your soil type must be selected from the following.**

*CP*

~~01-6~~

**L:** Mix moist soil with dry soil until the optimum moisture is reached.

01-7 **ML:** Apply and mix water into the backfill material until optimum moisture is reached.

01-8 **MH:** Apply and mix water and tackifier solution into the backfill material until optimum moisture is reached.

~~01-9~~

**H:** Apply and mix water and surfactant solution into the backfill material until optimum moisture is reached.

**Requirement: Stabilize soil at completion of backfilling activity.**

~~01-10~~

Apply water and maintain disturbed soils in a stable condition until permanent stabilization is complete.

01-11 Apply and maintain a dust palliative on disturbed soils to form a crust following backfilling activity.

**Requirement: Stabilize material while using pipe padder equipment.**

~~01-12~~

Mix moist soil with dry soil until the optimum moisture is reached.

01-13 Dedicate water truck or large hose to equipment and apply water as needed.

**DISTURBED SOIL**

**BMP 10**

**YOU MUST SELECT AT LEAST ONE CONTROL MEASURE FOR EACH REQUIREMENT.  
PLACE A CHECK IN THE BOX IN FRONT OF YOUR SELECTION.**

**Requirement: For each non-linear project to be permitted for 5 acres or less; install perimeter wind barrier 3 feet or more in height made of material with a porosity of 50% or less.**

**Requirement: Limit vehicle traffic and disturbance of soils where possible.**

- 10-1 Limit vehicle traffic and disturbance of soils with the use of fencing, barriers, barricades, and/or wind barriers.

**Requirement: Stabilize and maintain stability of all disturbed soil throughout construction site.**

**Note: You must choose one or more of the following.**

- 10-2 Apply water to stabilize disturbed soils. Soils must be kept in a sufficiently damp, crusted or covered condition.
- 10-3 Apply and maintain a dust palliative based on soil type and future plans.

**Requirement: Soil conditions, including preventive and corrective measures, must be recorded every day the construction project is active.**

- 10-4 Record soil conditions and dust control actions in daily project records.

**Recommendations: If interior block walls are planned, install as early in the construction as possible.**

**See also: BMP 11: DISTURBED LAND – Long-Term Stabilization, if no continuing activity will occur within 30 days.**

CONTROL MEASURES SELECTION PAGES

**PAVING/SUBGRADE PREPARATION**

**BMP 15**

**YOU MUST SELECT AT LEAST ONE CONTROL MEASURE FOR EACH REQUIREMENT.  
PLACE A CHECK IN THE BOX IN FRONT OF YOUR SELECTION.**

**Requirement: Stabilize soils prior to activities.**

- 15-1 Pre-water subgrade surface until optimum moisture content is reached and maintained.

**Requirement: Stabilize soils during activities.**

- 15-2 Maintain at least 70% of optimum moisture content for Type II material while aggregate is being applied.

**Requirement: Stabilize soils following activities.**

- 15-3 Place tack coat on Type II aggregate base immediately after it is applied.
- 15-4 Apply water to Type II aggregate base immediately after it is applied.

**Requirement: Stabilize adjacent disturbed soils following paving activities.**

- 15-5 Stabilize adjacent disturbed soils following paving activities by crusting with water.
- 15-6 Stabilize adjacent disturbed soils following paving activities by applying a dust palliative.
- 15-7 Stabilize adjacent disturbed soils following paving activities with immediate landscaping activity or installation of vegetative or rock cover.
- 15-8 There are no soils adjacent to paving activities.

**TRACKOUT PREVENTION AND CLEANUP****BMP 20**

**YOU MUST SELECT AT LEAST ONE CONTROL MEASURE FOR EACH REQUIREMENT.  
PLACE A CHECK IN THE BOX IN FRONT OF YOUR SELECTION.**

**Requirement: In soils that have a PEP classification of "High", pave construction activities roadways as early as possible.**

**Requirement: Use of soil to create a ramp for vehicle access over a curb is prohibited.**

**Requirement: Trackout conditions, including preventive and corrective measures, must be recorded daily for every day that the construction project access is used by vehicles.**

- 20-1 Record soil conditions and dust control actions in daily project records.

**Requirement: Prevent dust from trackout.**

- 20-2 Immediately clean trackout from paved surfaces to maintain dust control. Trackout must not extend 50 feet or more.
- 20-3 Maintain dust control during working hours and clean trackout from paved surfaces at the end of the work shift/day. Trackout must not extend 50 feet or more and must be cleaned daily, at minimum.

**Requirement: Install and maintain trackout control devices in effective condition at all access points where paved and unpaved access or travel routes intersect.**

- 20-4 Install gravel pad(s) consisting of 1" to 3" rough diameter, clean, well-graded gravel or crushed rock. Minimum dimensions must be 30 feet wide by 3 inches deep, and, at minimum, 50' or the length of the longest haul truck, whichever is greater. Re-screen, wash or apply additional rock in gravel pad to maintain effectiveness.
- 20-5 Install wheel shakers. Clean wheel shakers on a regular basis to maintain effectiveness.
- 20-6 Install wheel washers. Maintain wheel washers on a regular basis to maintain effectiveness.
- 20-7 Install wheel shakers in the event that trackout cannot be controlled with gravel pads.
- 20-8 Install wheel washer in the event that trackout cannot be controlled with gravel pads and wheel shakers.
- 20-9 Motorized vehicles will only operate on paved surfaces.

(Continued on next page)

CONTROL MEASURES SELECTION PAGES

**TRENCHING**

**BMP 22**

**YOU MUST SELECT AT LEAST ONE CONTROL MEASURE FOR EACH REQUIREMENT.  
PLACE A CHECK IN THE BOX IN FRONT OF YOUR SELECTION.**

**Requirement: Stabilize surface soils where trenching equipment, support equipment and vehicles will operate.**

- 22-1 Pre-water and maintain surface soils in a stabilized condition where trenching equipment, support equipment and vehicles will operate.
- 22-2 Apply and maintain a dust palliative to surface soils where trenching equipment, support equipment and vehicles will operate.

**Requirement: Presoak soils prior to trenching activities.**

(1)

- 22-3 Pre-water surface, pre-trench to 18" depth, soak soils via pre-trench prior to deep trenching.
- 22-4 **L & ML:** Presoak soil with water using sprinklers or wobblers.
- 22-5 **L & ML:** Presoak with water, using water truck and/or water pull.
- 22-6 **MH:** Presoak soil with a water and tackifier mixture using water pulls and/or water trucks.
- 22-7 **MH:** Presoak soil with a water and tackifier mixture using sprinklers or wobblers.
- 22-8 **H:** Presoak soil with a water and surfactant mixture using water pulls and/or water trucks.
- 22-9 **H:** Presoak soil with a water and surfactant mixture using sprinklers or wobblers.

**Requirement: Stabilize soil during trenching activities.**

(2)

- 22-10 **L & ML:** Complete trenching with a dedicated water truck or large hose maintaining water as needed to prevent dust.
- 22-11 **L & ML:** Use spray nozzles mounted on trenching machine.
- 22-12 **MH:** Complete trenching with a dedicated water truck or large hose maintaining a water and tackifier mixture as needed to prevent dust.
- 22-13 **H:** Complete trenching with a dedicated water truck or large hose maintaining a water and surfactant mixture as needed to prevent dust.

(Continued on next page)

**CONTROL MEASURES SELECTION PAGES**

**Requirement: Stabilize soils at the completion of trenching activities.**

- 22-14 Use water to form crust on excavated soil windrow as it is formed.
- 22-15 Use dust palliative to form crust on excavated soil windrow as it is formed.

**Recommendations: Wash mud and soil from equipment at completion of trench to prevent crusting and drying of soil on equipment.**

**See also: BMP 01: BACKFILLING, if applicable.**

Protecting the air we share

# Air Quality

**CONSTRUCTION ACTIVITIES DUST CONTROL PERMIT  
SUPPLEMENTAL PERMITS/APPROVALS CHECKLIST**

The following construction activities require permits or approval in addition to a Dust Control Permit. Permits or approvals must be obtained prior to conducting the activity. This form must be submitted with every Dust Mitigation Plan. *Check all activities that apply to the construction project.*

**Activities requiring a Portable Source Permit:**

*(Comply with Portable Source requirements prior to installing this equipment on the project site.)*

- | Operation of a:                                                       | <u>List Name of Company and/or Permit #</u> |
|-----------------------------------------------------------------------|---------------------------------------------|
| <input type="checkbox"/> powered crusher at temporary locations.      | _____                                       |
| <input type="checkbox"/> powered screen at temporary locations.       | _____                                       |
| <input type="checkbox"/> concrete batch plant at temporary locations. | _____                                       |
| <input type="checkbox"/> asphalt batch plant at temporary locations.  | _____                                       |

**Activities requiring Supplemental Permit:**

*(Submit applicable supplemental forms. Asbestos survey is required for any size demo/remodel. NESHAP notification is required for ANY size demolition or for remodel if RACM is found.)*

- Blasting to fracture rock, hardpan, or caliche.
- Blasting to implode a structure.
- Demolition of a structure greater than 1,000 square feet.
  - Structural remodeling
  - Structure relocation

**Activities requiring Authority to Construct (ATC) Certificate and Operating Permit:**

*(An ATC must be obtained prior to installation of this equipment/facility.)*

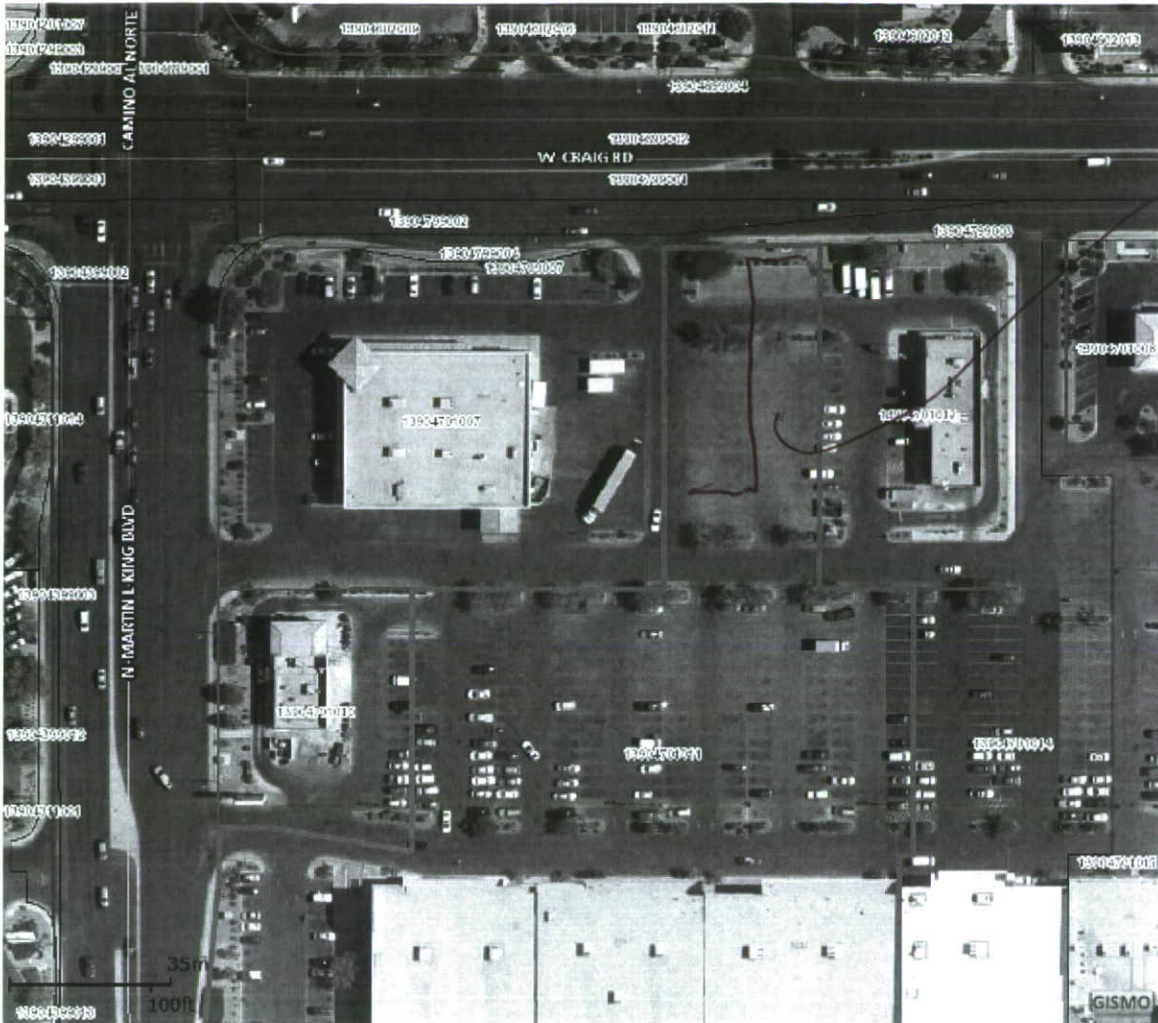
- Construction of or installation of any Emission Unit
 

<input type="checkbox"/> Gasoline Dispensing Facility	<input type="checkbox"/> Plating Shop
<input type="checkbox"/> Cooling Tower	<input type="checkbox"/> Incinerator
<input type="checkbox"/> Dry Cleaning Equipment	<input type="checkbox"/> Boiler
<input type="checkbox"/> Emergency Standby Generator or Other Internal Combustion Engine	
<input type="checkbox"/> Woodworking Process Equipment	
<input type="checkbox"/> Power Generation Facility or Equipment	
<input type="checkbox"/> Crushing or Screening Stationary Source	
<input type="checkbox"/> Concrete or Asphalt Plant Stationary Source	
<input type="checkbox"/> Commercial Surface Coating Equipment including Paint Spray Booth	
<input type="checkbox"/> Other Source of PM <sub>10</sub> , CO, VOC, NO <sub>x</sub> , SO <sub>2</sub> , Lead, Hazardous Air Pollutant, or Toxic Chemical Substance	



Activities Listed Above Do Not Apply to this Construction Project:

### Southern Nevada GIS ~ OpenWeb Info Mapper



240 LF.  
X 12'  
trench

The MAPS and DATA are provided without warranty of any kind, expressed or implied.  
Date Created: 9/12/2013

#### Property Information

Parcel: 139-04-701-011  
 Owner Name(s): B G M RED ROCK INC  
 Site Address: 1435 W CRAIG RD  
 Jurisdiction: North Las Vegas - 89032  
 Zoning Classification: General (Commercial) (C-2)

#### Misc Information

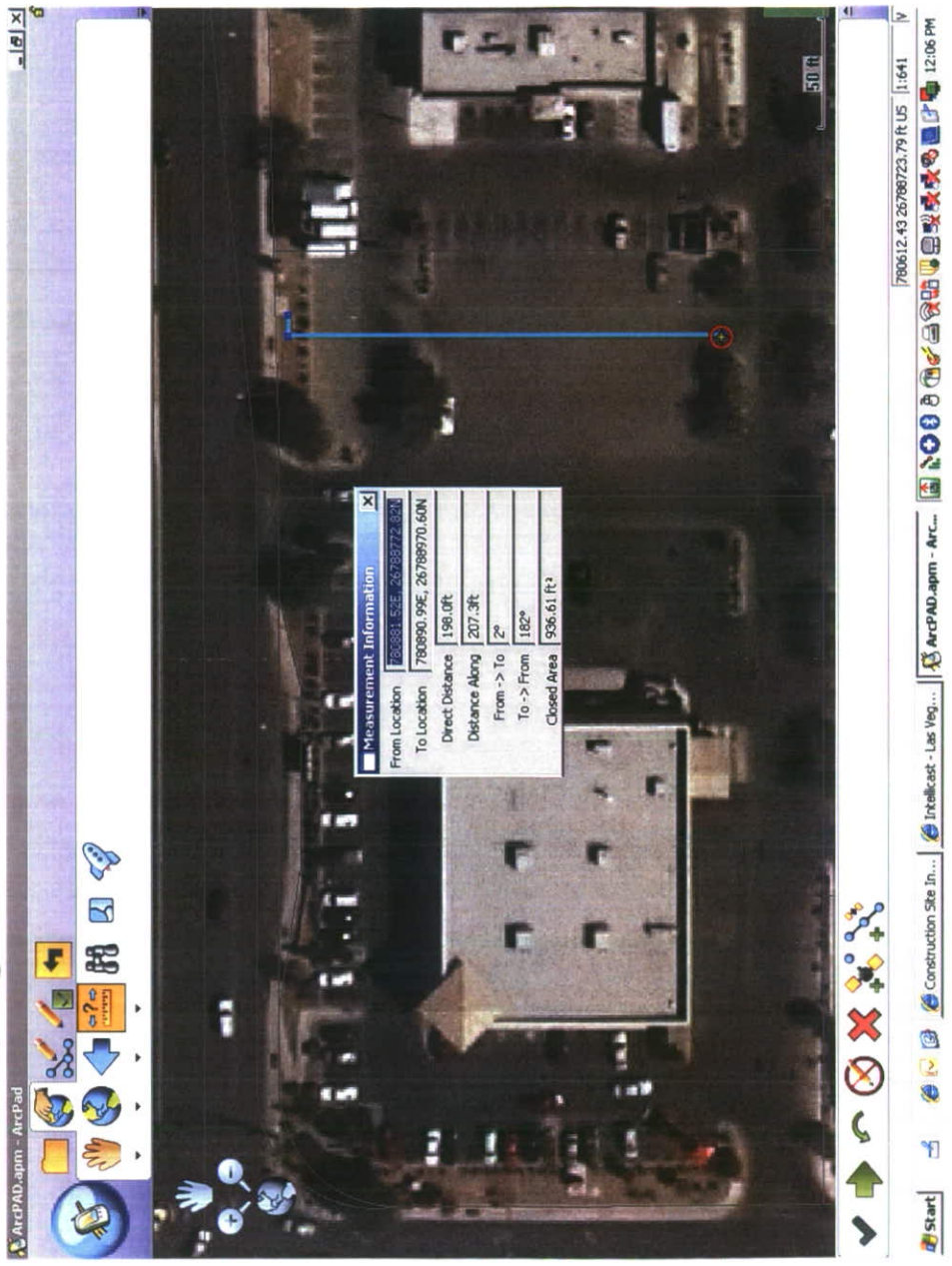
Subdivision Name: PARCEL MAP FILE 96 PAGE 12  
 Lot Block: Lot:2 Block: Construction Year: Construction Year: 2001  
 Sale Date: 10/2011 T-R-S: 20-61-4  
 Sale Price: \$150,000 Census Tract: 3640  
 Recorded Doc Number: 2011100601616 Estimated Lot Size: Estimated Lot Size: 6.09  
 Flight Date: Aerial Flight Date: 04/29/2012

#### Elected Officials

Commission District:	D - LAWRENCE WEEKLY	City Ward:	4 - WADE WAGNER
US Senate:	DEAN HELLER, HARRY REID	US Congress:	04-STEVEN A. HORSFORD
State Senate:	04-KELVIN ATKINSON	State Assembly:	07-DINA NEAL
School District:	C-LINDA E. YOUNG	University Regent:	01-CEDRIC CREAR
Board of Education:	4-MARK NEWBURN	Minor Civil Division:	North Las Vegas Township



42030 Mod0



Creative Builders is working for Chase to provide utility (power) line to the ATM . Creative Builders trench 198 feet without a valid DCP.

## Exhibit 2

### RE: Chase Bank Du ATM

Thursday, December 19, 2013  
11:10 AM

Subject	<b>RE: Chase Bank Du ATM</b>
From	<a href="#">Chris Denzel</a>
To	Brenda Whitfield
Sent	Thursday, October 31, 2013 3:26 PM

He said he scheduled for the afternoon of November 15th. Although, he admitted that he does not currently have the money for the class. This may preclude him from presently being "enrolled" in the class. I don't know.

Chris

Sent from my Windows Phone

**From:** [Brenda Whitfield](#)  
**Sent:**  
**To:** '[Chris Denzel](#)'  
**Subject:** RE: Chase Bank Du ATM

What day did Nick schedule his class? I can't find it in the database?

**From:** Chris Denzel [<mailto:lvchris@hotmail.com>]  
**Sent:** Thursday, October 31, 2013 12:31 PM  
**To:** Brenda Whitfield  
**Subject:** Re: Chase Bank Du ATM

Brenda,

Please find the enclosed. Nick was given the information to call and schedule himself in a Dust Control class. Additionally, he was informed that he must meet this requirement to continue his involvement as a General Contractor for our project. That is all we can do from our end.

Chris  
Project manager

Sent from Windows Mail

**From:** [Brenda Whitfield](#)  
**Sent:** Monday, October 21, 2013 2:23 PM  
**To:** [Chris Denzel](#)

Chris,

If you go to  
<http://www.clarkcountynv.gov/Depts/AirQuality/Documents/DustControl/DustForms/Application.pdf>,  
to pull up the application and you can find the forms you need. Nick should call 455-5942 to schedule the dust class.

**000019**

Thanks,

Brenda Whitfield  
Air Quality Specialist  
Clark County Department of Air Quality  
4701 West Russell Road Suite 200  
Las Vegas Nevada 89118  
702-455-1524

**From:** Chris Denzel [<mailto:lvchris@hotmail.com>]  
**Sent:** Friday, October 18, 2013 4:48 PM  
**To:** Brenda Whitfield  
**Cc:** Nick Ceabuca  
**Subject:** Re: Chase Bank Du ATM

It was a pleasure talking to you on the phone the other day. I will follow-up (and Cc him in this email) with Nick from Creative Builders, Inc. to make sure that he schedules himself for the class Monday.

I'm a little lost on "page 2 of BMP 20". Are we missing that page? Can you give us some guidance as to what that is so that we may comply?

Thanks,

Chris Denzel

Sent from Windows Mail

**From:** Brenda Whitfield  
**Sent:** Thursday, October 17, 2013 10:29 AM  
**To:** 'lvchris@hotmail.com'

Chris,

Per our conversation regarding your dust permit application, the items in the first email need to be addressed. I have been holding on to your application since mid-September. Please respond asap.

Thank you.

Brenda Whitfield  
Air Quality Specialist  
Clark County Department of Air Quality  
4701 West Russell Road Suite 200  
Las Vegas Nevada 89118  
702-455-1524

**000020**

**From:** Brenda Whitfield  
**Sent:** Friday, October 04, 2013 8:25 AM  
**To:** 'creativebuilderslv@yahoo.com'  
**Subject:** FW: Chase Bank Du ATM

Greetings,

I have not been contacted or received the information requested as of today. Please reply so all the information can be obtained.

If the information cannot be obtained, the application will be deemed incomplete. It will be rescinded and all fees paid will be forfeit.

Regards,

Brenda Whitfield  
Air Quality Specialist  
Clark County Department of Air Quality  
4701 West Russell Road Suite 200  
Las Vegas Nevada 89118

702-455-1524

**From:** Brenda Whitfield  
**Sent:** Monday, September 23, 2013 9:16 AM  
**To:** 'creativebuilderslv@yahoo.com'  
**Subject:** Chase Bank Du ATM

Greetings,

I have reviewed your permit application and need the following information;

- Page 2 of BMP 20
- The number and expiration date of the dust card for On-Site Contact, Nick Ceabuca. If he does not have a card, he needs to sign up and attend the dust class within 30 days of the permit being issued. The classes are only offered twice a month, which means he only has two opportunities to attend. Call 455 5942 to sign up.

In addition, i completed the header of your Project Activities Checklist, you left off the Permittee's name.

Applications cannot be updated with verbal authorization so please reply to this email. If you have questions, feel free to call.

Thank you.

**000021**

Brenda Whitfield  
Air Quality Specialist  
Clark County Department of Air Quality  
4701 West Russell Road Suite 200  
Las Vegas Nevada 89118

702-455-1524

Brenda Whitfield  
Air Quality Specialist  
Clark County Department of Air Quality  
4701 West Russell Road Suite 200  
Las Vegas Nevada 89118

702-455-1524

# CONSTRUCTION SITE INSPECTION FORM

Enforcement Officer: Heather Mackinnon Date: 10/18/2013 Start Time: 10:25 End Time: 10:40 Inspection Type: Routine Complaint Number: 0 Inspection Num: 30618

Permit: 42830 Permittee: Creative Builders

Project Name: Chase DU ATM Location: Craig and MLK

Weather Conditions: Clear Temp: 73 Wind: 0-4mph Gust: 0 Direction: Variable Site Condition: Project Complete Workers present: NO

Person Spoke With: Title: Comm Method:

**THIS PROJECT IS IN COMPLIANCE WITH ALL AIR QUALITY REQUIREMENTS: NO**

**EMISSION COMPLIANCE YES**

Fugitive Dust Source: Plume Length: Opacity: Opacity Test Method:

**BMP COMPLIANCE YES**

Project Soils: If Unstable Area in Acres: 0 Interior Roads Condition: Trackout: Dust from Vehicles:

Trackout Device Present: Trackout Device Functional: Mitigation Equipment Ratio Adequate Drop Ball Test Result:

**ADMINISTRATIVE COMPLIANCE: NO**

Acreage Permitted: 0.0 Project Size ≤ to Permit: NO Staging / Parking Area(s): Stationary Source Equipment: Permit Number:

DCP Sign Present: Dust Control Permit On Site: Actions Taken: Possible NOV

**Notes:**  
 On 10/18/13 Air Quality Compliance supervisor Lea Kain had requested Air Quality Specialist Heather Mackinnon check on a site where the permittee applied for a Dust Control Permit, but did not follow through with completing it, therefore the permit was not issued. Ms. Mackinnon arrived on the site and observed that the project, Chase Drive-up ATM had been completed. She documented this with photos, and an aerial that showed no structures were on site prior. She concluded her inspection.



# Digital Photographs



**Photograph # 1**

View of a Drive Up ATM constructed during the Creative Builders construction project Chase Bank DU ATM, located at 1435 West Craig Road in Clark County, NV.

Photograph taken by Heather Mackinnon



**Photograph # 2**

View of portion of a 240' trench used to install utilities for the Creative Builders construction project Chase Bank DU ATM, located at 1435 West Craig Road in Clark County, NV.

Photograph taken by Heather Mackinnon



**Photograph # 3**

View of portion of a 240' trench used to install utilities for the Creative Builders construction project Chase Bank DU ATM, located at 1435 West Craig Road in Clark County, NV

Photograph taken by Heather Mackinnon





1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

BEFORE THE AIR POLLUTION CONTROL HEARING OFFICER  
CLARK COUNTY, NEVADA

In the Matter of the Notice of Violation )  
Issued to )  
CREATIVE BUILDERS, INC. )  
\_\_\_\_\_ )

ORDER  
Notice of Violation #8482


The above-entitled matter having come on for a hearing on March 26, 2014;  
CREATIVE BUILDERS, INC. on the Action Required and Contested Docket being charged  
for conducting construction activities prior to obtaining a valid Dust Control Permit; and for  
allowing superintendents and foremen to work on site without having completed the required  
Air Quality Dust Control Class; identified during a site inspection on October 18, 2013 at the  
Chase Bank DU ATM construction site (DCP #n/a), located at 1435 West Craig Road, in  
Clark County, Nevada; and the Hearing Officer having heard the representation of the  
parties; and good cause appearing;

IT IS HEREBY ORDERED that CREATIVE BUILDERS, INC. be assessed a  
penalty of One Thousand, Two Hundred Fifty Dollars (\$1,250.00) for violation of Clark  
County Air Quality Regulations Subsections 94.4.1 and 94.7.6.1 on September 23, 2013 and  
October 18, 2013, as charged in Notice of Violation #8482.

1 A check or money order is to be made payable to the Clark County DAQ, and  
2 submitted to DAQ, 4701 West Russell Road, Suite 200, Las Vegas, Nevada 89118. Payment  
3 is to be made on or before the 5 day of May, 2014.

4 You have the right to appeal this order to the Hearing Board within 10 days of receipt  
5 hereof upon the payment of a \$140.00 filing fee.

6 DATED this 4<sup>th</sup> day of April, 2014.  
7

8  
9   
10 \_\_\_\_\_  
11 SANDRA REED BOTTINO

12 Hearing Officer  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28



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

Appeal of Hearing Officer's Order

RECEIVED CC-DAG 2014 MAY -2 A 11:37

1. Date of Appeal: (Must be within 10 days of receipt of Hearing Officer Order) Notice of Violation # Hearing Date: Hearing Officer:

2. Name, address, telephone number of Appellant: Name: Creative Builders, Inc. (Please print) Address: 3675 S. Rainbow, Ste. 107-145, LV, NV 89103 Telephone: 702 354 8132 Fax: Email: creativebuilderslv@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: Construction of a Chase Bank ATM Drive-up. 1435 W. Craig Rd., Nlv, NV 89032

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

Provide a detailed explanation of the reason for your appeal: Appellant was hired by owner's representative after project had been 50% completed by previous general contractor. Owner's representative gave verbal assurance to Creative Builders that all permits were in place before construction



had commenced (As they should have). Creative Builder  
Contract Scope was to Supervise subcontractors ONLY.  
Creative Builders did NOT excavate or Disturb The soil in any  
way. This was done by excavation Contractor and Dust Permit should  
have been borne by him.

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: Nick A. Ceabuca Date: 05-02-14

Printed Name: NICK A. CEABUCA

Title: PRESIDENT

**FOR OFFICE USE ONLY**

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

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



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

May 7, 2014

Nick Ceabuca, President  
Creative Builders, Inc.  
3675 S. Rainbow Blvd., #107 – 145  
Las Vegas, NV 89103

Via Email: [creativebuilderslv@yahoo.com](mailto:creativebuilderslv@yahoo.com)

**Re: Notice of Violation #8482**

Dear Mr. Ceabuca:

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 Notice of Violation #8482. This will confirm that the above-entitled matter has been scheduled for hearing before the Air Pollution Control Hearing Board on June 12, 2014, at 1:30 p.m. in the Clark County Building Department - Presentation Room, located at 4701 West Russell Road, Las Vegas.

**Any additional support documentation you intend to present to the board regarding this matter must either: (1) be submitted to me by Tuesday, May 27, 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, please contact me at (702) 455-3206.

Sincerely,

Araceli Pruett, Administrative Secretary  
Enforcement Division

AMP:ap

**BOARD OF COUNTY COMMISSIONERS**  
Steve Sisolak, Chair • Larry Brown, Vice-Chairman  
Susan Brager • Tom Collins • Chris Giunchigliani  
Mary Beth Scow • Lawrence Weekly  
Don Burnette, County Manager

**000031**