



Clark County Air Pollution Control Hearing Board
Clark County Building Department
Presentation Room
4701 West Russell Road
Las Vegas, NV 89118

August 2, 2023 – 1:30 P.M.

Agenda

Note:

- Items on the agenda may be taken out of order.
- The Air Pollution Control Hearing Board may combine two (2) 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 at any time.
- No action may be taken on any matter not listed on the posted agenda.
- Please turn off or mute all cell phones and other electronic devices.
- Please take all private conversations outside the room.
- With a forty-eight (48) hour advance request, a sign language interpreter or other reasonable efforts to assist and accommodate persons with physical disabilities, may be made available by calling (702) 455-0354, TDD at (702) 385-7486, or Relay Nevada toll-free at (800) 326-6868, TD/TDD
- Supporting material provided to the Board members for this meeting may be requested from Sherrie Rogge, Administrative Secretary, at sherrie.rogge@clarkcountynv.gov or (702) 455-0354.
 - Supporting material is also available at the Clark County Department of Environment & Sustainability, 4701 West Russell Road, 2nd Floor, Las Vegas NV 89118.
 - Supporting material is/will be available on the Department's website at: https://www.clarkcountynv.gov/government/departments/environment_and_sustainability/compliance/enforcement_notices.php

Hearing Board Members Daniel Sanders, Chair
 Ryan L. Dennett, Esq., Vice-Chair
 Daniel Bartlett
 Elspeth Cordua
 Troy Hildreth
 William Kremer
 Lauren Rosenblatt

Deputy District Attorney Catherine Jorgenson
Air Quality Staff Marci Henson, Director ^{MDH}
 Shibi Paul, Compliance & Enforcement Manager ^{MDH}
 Anna Sutowska, Air Quality Supervisor ^{AS}

Administrative Secretary Sherrie Rogge, Phone: 702-455-0354; Email sherrie.rogge@clarkcountynv.gov
 Business Address: Clark County Department of Environment & Sustainability,
 4701 W. Russell Road, 2nd Floor, Las Vegas NV 89118

1. **CALL TO ORDER**

2. **PUBLIC COMMENT**

This is a period devoted to comments by the general public about items on this agenda. No discussion, action, or vote may be taken on this agenda item. You will be afforded the opportunity to speak on individual Public Hearing Items at the time they are presented. If you wish to speak to the Board about items within its jurisdiction but not appearing on this agenda, you must wait until the "Comments by the General Public" period listed at the end of this agenda. Comments will be limited to three (3) minutes. Please step up to the speaker's podium, if applicable, clearly state your name and address and please **spell** your last name for the record. If any member of the Board wishes to extend the length of a presentation, this will be done by the Chairperson or the Board by majority vote.

3. **OATHS OF OFFICE**

A. Daniel Bartlett (Professional Licensed Engineer)

Term of Office: 4/4/2023 through 4/3/2026

4. **APPROVAL OF MINUTES**

Approval of October 5, 2022 meeting minutes.

(For possible action)

5. **APPEAL OF HEARING OFFICER DECISION – PROPOSED SETTLEMENT**

A. **AHUSA SERIES 2 LLC (DCOP #53484) – NOV #9784** – On January 19, 2023, the Hearing Officer found AHUSA Series 2 LLC (AHUSA) in violation of Sections 94.13(a) and (b) of the AQRs for failure to employ Best Available Control Measures (BACM) and comply with soil stabilization standards at their site 24 hours a day, seven days a week, as identified by Air Quality Specialist Satyra George while performing routine and follow-up inspections on October 18, 26 and 27, 2022, and a follow-up inspection during a Construction Notice period on November 2, 2022 at the Inspiration at The Village construction project, located at Manor Green Lane and Corwood Green Lane, in Clark County Nevada. The Hearing Officer assessed a penalty amount of \$4,750.00. AHUSA Series 2 LLC appealed the Air Pollution Control Hearing Officer's Order.

To resolve this appeal, the parties have agreed to settle the NOV in accordance with the terms and conditions of the attached settlement agreement. The Hearing Board may approve or disapprove the settlement agreement. If a settlement agreement is approved, the Hearing Board will enter an order requiring compliance with the settlement agreement, including setting a deadline for payment of any penalty. If a settlement agreement is disapproved, the appeal will be rescheduled for a hearing at a subsequent meeting.

(For possible action.)

6. **NEW MEMBER ORIENTATION**

Presentation by Catherine Jorgenson, Deputy District Attorney (Materials to be provided at the meeting.)

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

A. General Update

8. **IDENTIFY EMERGING ISSUES TO BE DISCUSSED BY THE BOARD AT A FUTURE MEETING**

9. PUBLIC COMMENT

A period devoted to comments by the general public about matters relevant to the Board's jurisdiction will be held. No vote may be taken on a matter not listed on the posted agenda. Comments will be limited to three (3) minutes. Please step up to the speaker's podium, if applicable, clearly state your name and address and please **spell** your last name for the record. If any member of the Board wishes to extend the length of a presentation, this will be done by the Chairperson or the Board by majority vote.

10. ADJOURNMENT

The Presentation Room is accessible to individuals with disabilities. Within 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 meeting has been properly noticed and posted online at: https://clarkcountynv.gov/government/departments/environment_and_sustainability/compliance/enforcement/notices.php and Nevada Public Notice at <https://notice.nv.gov/> and in the following location:

Clark County Operations Center, West, 4701 W. Russell Road, Las Vegas, Nevada (Principal Office)

Signature: Shibi Paul
Shibi Paul (Jul 19, 2023 08:09 PDT)

Email: shibi.paul@clarkcountynv.gov

Signature: Marci D Henson
Marci D Henson (Jul 19, 2023 09:10 PDT)

Email: marci.henson@clarkcountynv.gov