



## **Clark County Air Pollution Control Hearing Board**

### **Annotated Agenda**

**April 13, 2006 – 1:30 P.M.  
Clark County Commission Chambers  
500 South Grand Central Parkway  
Las Vegas, Nevada 89155**

#### **Hearing Board Members**

**James Lavelle, Esq., Chairman  
Dan Sanders, Vice-Chairman  
Mark S. Ireland  
Bruce Johnson, P.E.  
Lorraine M. Marshall  
Bret C. Birdsong  
Charles R. Parrish**

#### **Hearing Board Counsel**

**William Levy, Esq.**

#### **Deputy District Attorney**

**Catherine Jorgenson, Esq.**

#### **Air Quality Staff**

**Christine Robinson, Director  
Robert Folle, Compliance Manager**

**NRS 241.020, as amended by the 1997 Legislature, 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.**

ITEM	ACTION REQUESTED
<b>I. CALL TO ORDER</b>	1:30 P.M.
<b>II. APPROVE MINUTES OF MARCH 9, 2006</b>	APPROVED
<b>III. REPORT BY DAQEM STAFF</b> <ol style="list-style-type: none"> <li>1. Air Quality Report</li> <li>2. Regulatory Developments</li> <li>3. Monthly Activity Report</li> <li>4. Executive Summary Report</li> <li>5. Status Report on Active Appeals <ol style="list-style-type: none"> <li>a. Chemical Lime Company - ATC/OP #A00003- Apex, NV</li> <li>b. Granite Construction Incorporated - ATC/OP #A00003- Apex, NV</li> <li>c. J. R. Simplot Company dba Simplot Silica Products, Inc. - CAO #3963 - Overton, NV</li> <li>d. City of Las Vegas - CAO #CMC314</li> <li>e. Clark County School District - CAO #CMC315</li> </ol> </li> <li>6. Updates on Pending Appeals <ol style="list-style-type: none"> <li>a. J. R. Simplot - Title V, Final Action</li> <li>b. Frehner Construction Company - ATC/OP #A15355</li> <li>c. Casino Ready Mix - ATC/OP #A15355 Permit Conditions</li> </ol> </li> </ol>	<ol style="list-style-type: none"> <li>1. No exceedances of PM<sub>10</sub>, 8-hr CO, or 8-hr ozone standards since last board meeting.</li> <li>2. No update in regulatory developments.</li> <li>3. Duly noted.</li> <li>4. Duly noted.</li> <li>5. a) No change in status. b) No change in status. c) No change in status. d) Scheduled on this agenda. e) Scheduled on this agenda.</li> <li>6. No change in status for active appeals.</li> </ol>
<b>IV. REPORT BY HEARING BOARD COUNSEL</b>	
<b>V. MATTERS REQUIRING BOARD ACTION DISCUSSION/POSSIBLE ACTION</b>	

ITEM	ACTION REQUESTED
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<b>APPEALS:</b>	
<p><b>1. CITY OF LAS VEGAS</b> - Appeal of Corrective Action Order #CMC-314, dated May 13, 2004. The City of Las Vegas was directed to remove all <i>wilsoni</i> olive trees previously planted along the Alta Beautification Project, located between Rancho Drive and Valley View Boulevard within thirty (30) days of receipt of the CAO #CMC-314 (June 13, 2004).</p>	<p><b>GRANT/DENY/TAKE OTHER APPROPRIATE ACTION</b></p> <p>Board approved the parties' agreement as follows:</p> <p>(1) the City and CCSD will remove all olive trees in question by March 1, 2007;  (2) If the City and CCSD replace them with other olive trees, they will comply with AQR Section 44;  (3) until the trees are removed, the City and CCSD will spray the trees with a product such as Maintain or other product that may reduce pollination;  (4) upon request, the City and CCSD will provide DAQEM with documentation of the trees' removal; and  (5) DAQEM agrees that compliance with the above terms will fully and finally resolve the CAO's.</p>

<p><b>2. CLARK COUNTY SCHOOL DISTRICT</b> - Appeal of Corrective Action Order #CMC-315, dated May 13, 2004. The Clark County School District was directed to remove all <i>wilsoni</i> olive trees previously planted at the Judge Myron E. Leavitt School, located at 4701 Quadrel Street within thirty (30) days of receipt of the CAO #CMC-315 (June 13, 2004).</p>	<p><b>GRANT/DENY/TAKE OTHER APPROPRIATE ACTION</b></p> <p>Board approved the parties' agreement as follows:</p> <p>(1) the City and CCSD will remove all olive trees in question by March 1, 2007;  (2) If the City and CCSD replace them with other olive trees, they will comply with AQR Section 44;  (3) until the trees are removed, the City and CCSD will spray the trees with a product such as</p>
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	<p>Maintain or other product that may reduce pollination; (4) upon request, the City and CCSD will provide DAQEM with documentation of the trees' removal; and (5) DAQEM agrees that compliance with the above terms will fully and finally resolve the CAO's.</p>
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<p><b>3. PACE CONTRACTING COMPANY</b> - Appeal of Corrective Action Order #WP-1246, dated January 3, 2006. Pace Contracting Company was directed to: immediately cease all construction activities and stabilize all areas disturbed until a Dust Control Permit has been obtained and is in possession; and submit a complete application for a Dust Control Permit by January 6, 2006, at the Don E. Hayden Elementary School CCSD#1491, located at 150 Rome Boulevard in Clark County, Nevada.</p>	<p><b>GRANT/DENY/TAKE OTHER APPROPRIATE ACTION</b></p> <p>Board requested parties meet to try and resolve matter. Continued to June 8, 2006 board meeting.</p>
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<p><b>4. PACE CONTRACTING COMPANY</b> - Appeal of Corrective Action Order #WP-1247, dated January 5, 2006. Pace Contracting Company was directed to: immediately cease all construction activities and stabilize all areas disturbed until a Dust Control Permit has been obtained and is in possession; submit a complete application for a Dust Control Permit by January 5, 2006; immediately employ Best Management Practices for dust control to comply AQR; and remove all trackout and soil debris on Rome Boulevard from Commerce Street to Goldfield Street, and on Goldfield Street from Rome Boulevard to Centennial, including curbs, gutters, and sidewalks at the Don E. Hayden Elementary School CCSD#1491, located at 150 Rome Boulevard in Clark County, Nevada.</p>	<p><b>GRANT/DENY/TAKE OTHER APPROPRIATE ACTION</b></p> <p>Board requested parties meet to try and resolve matter. Continued to June 8, 2006 board meeting.</p>
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<p><b>5. SIMPLOT SILICA PRODUCTS</b> – ATC/OP Source: 138, Modification 4, issued on December 21, 2005. Simplot Silica Products is appealing the permit and requesting various corrections and revisions to the permit.</p>	<p><b>GRANT/DENY/TAKE OTHER APPROPRIATE ACTION</b></p> <p>DAQEM presented letter from Mike Kotraba, Mine Manager of Simplot Silica Products, withdrawing appeal. No action taken.</p>
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<p><b>6. WYNN LAS VEGAS, LLC</b> - Appeal of Corrective Action Order #SJ-152, dated September 15, 2005. Wynn Las Vegas was directed to submit an application to consolidate all emission units located at 3131 Las Vegas Boulevard South on or before November 1, 2005; install a non-resetable fuel meter emission unit A15 and A16 no later than November 14, 2005; immediately begin recording and monitoring the natural gas consumed daily, daily and annual fuel usage, daily and annual product usage; immediately perform inspections of the spray booths and ancillary equipment; and submit a performance testing protocol for approval to DAQEM for approval no later than November 14, 2005, at the Wynn Las Vegas Hotel Casino and Wynn Park, located at 3131 Las Vegas Boulevard South, Las Vegas, Nevada.</p>	<p><b>GRANT/DENY/TAKE OTHER APPROPRIATE ACTION</b></p> <p>Board requested parties meet to try and resolve matter. Continued to June 8, 2006 board meeting.</p>
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<p><b>VI. CITIZEN PARTICIPATION – PUBLIC APPEARANCES</b></p>	<p>NONE</p>
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Items raised under this portion of the Agenda cannot be acted upon by the Board until the Notice provisions of the Nevada’s Open Meeting Law have been complied with. However, public response may be considered on specific Agenda items. Speaking time will be limited to five (5) minutes per person.

<p><b>VII. ADJOURNMENT</b></p>	<p>5:00 p.m.</p>
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The Clark County Commission Chambers are accessible to individuals with disabilities. With 24-hour advance request, a sign language interpreter may be made available; phone 455-3530, TDD 385-7486, or Relay Nevada toll-free (800) 326-6868 TT/TDD. Assistive listening devices are available upon request at the Clerk’s table.

COPIES OF THIS AGENDA HAVE BEEN POSTED IN THE LOBBY AT THE FOLLOWING LOCATIONS: 1) LAS VEGAS CITY HALL; 400 E. Stewart Avenue, Las Vegas, NV; 2) HENDERSON CITY HALL, 200 Water Street, Henderson, NV; 3) NORTH LAS VEGAS CITY HALL, 2200 Civic Center Drive, North Las Vegas, NV; 4) BOULDER CITY, CITY HALL; 400 California Avenue, Boulder City, NV; 5) CITY OF MESQUITE, 10 E. Mesquite, Mesquite, NV; 6) CLARK COUNTY GOVERNMENT CENTER, 500 S. Grand Central Parkway, Las Vegas, NV; and 7) CLARK COUNTY HEALTH DISTRICT (MAIN CENTER), 625 Shadow Lane, Las Vegas, NV.