

Amended MINUTES

Clark County District Board of Health Meeting
625 Shadow Lane
Las Vegas, Nevada 89106
Clemens Room - 8:00 A.M.
Thursday, January 23, 1997

The regularly scheduled meeting of the District Board of Health was called to order at 8:00 A.M. by Chairman Ferraro and the Pledge of Allegiance was held. Chairman Ferraro noted that he had been provided with Affidavit of Posting of Agenda and the public notice, as required by Nevada's Open Meeting Law. The Affidavit will be incorporated into the Official Minutes.

Present:

Robert Ferraro	Chairman, Councilman, Boulder City
Kirk Cammack, M.D.	Physician Member At Large
Sherry Colquitt, RN	Appointee, Las Vegas
Susan Crowley	Appointee, Henderson
Amanda Cyphers	Councilman, Henderson
Erin Kenny	Commissioner, Clark County
Mary Kincaid	Commissioner, Clark County
Donalene Ravitch, RN	Appointee, Boulder City
Gary Reese	Councilman, Las Vegas

Absent:

William Robinson	Councilman, North Las Vegas
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Executive Secretary:

Otto Ravenholt, MD, MPH

Legal Counsel:

Ian Ross, Esquire

Staff: Donald Kwalick, MD; Clare Schmutz; David Rowles; Mike Naylor; Fran Courtney, RN.; Ed Wojcik; Felix Havis; Daniel Maxson; Philippa Pointon; Ellen Spears; Cara Carroll; Angela Bryant; Curt Taipale; Karl Munninger; Arlene Carter; Diane Cassell; Jeanne Palmer; Lynda Zielinski; Angie Negrete-Markle and Recording Secretaries Diana Lindquist and Montana Garcia

PUBLIC ATTENDANCE:

<u>NAME</u>	<u>REPRESENTING</u>
Carl Cassell	Self
Ann Zorn	Self
Mary Shope-Wiles	Self
Bernie Farr	Self
Rick Nielsen	Clean Air Alliance/Citizen Alert
Chuck Jenner	Clark County Env. Control
Russ Wilde	Nevada Dept. of Transportation-Carson City
Jesse C. Paulk	TAB Contractors, Inc./AGC
Patrick Deputy	Dunn-Edwards Corporation/AGC
Mike Martin	Michael T. Martin GC/AGC
Richard Wiesner	Pacific Homes
Stephen Hall	TJ Krob Consulting Engineers
Ed Barry	Chemical Lime
Dick Serdoz	NV Div. of Environmental Protection-Las Vegas
Stan Jones	Southern Nevada Home Builders
Richard Masters	Pardee Construction
Randy Myers	Pardee Construction
Will Cates	Clark County Comprehensive Planning
Alan Gaddy	Environmental Technologies of Nevada
Susan Stewart	TIMET
Peter Gulash	Kleinfelder
David J. Merrill	Lionel, Sawyer & Collins
Terri Barber	Southern Nevada Home Builders Association
Ed Lubbers	Southern Nevada Home Builders Association
Trish Lampro	AGC
Steve Holloway	AGC
David Cherry	K-NEWS
Troy Hulshurt	Soil-Tech

Introduction:

Dr. Ravenholt introduced Dr. Donald Kwalick, the new CCHD Assistant Health Officer and the Board of Health Members welcomed him aboard. Dr. Kwalick gave a brief overview of his local health officer experience.

Employee Retirement: Diane Cassell

Fran Courtney, RN, stated that Diane Cassell had worked in the Nursing Division as an Administrative Secretary in the Henderson Clinic for 14 years and has been asset to the District.

Chairman Ferraro presented a plaque to Diane in recognition and appreciation for over 14 years of outstanding service in the Health District.

Oath of Office:

Ian Ross, Legal Counsel, administered the Oath of Office for the 1997 calendar year officers for the Board of Health to the following Members: Chairman: Member Ferraro; V-Chairman: Member Colquitt; Secretary: Member Ravitch; and New County Member: Member Kincaid

I. CONSENT AGENDA:

These are matters considered to be routine by the District Board of Health and which may be enacted by one motion. Any item, however, may be discussed separately per Board Member request.

Member Cyphers moved to approve the following Consent Agenda. Motion was seconded by Member Ravitch and carried unanimously approving the following Consent Agenda

1. **Minutes/Board of Health Meeting** - 12/19/96
2. **Payroll/Overtime** for Periods of 11/16-29/96 & 11/30/96 - 12/13/96
3. **Claims Register** - #702, 12/06-19/96; #703, 12/20/96 - 01/02/97 & #704, 01/03/97-01/16/97

II. PUBLIC HEARING/POSSIBLE ACTION (Approximately 8 A.M.)

1. **Memorandum #01-97** - Public Hearing: Amendments to Section 17 (Dust Control Permit for Construction Activities Including Surface Grading and Trenching), Section 0 (Definitions) and Section 12 (Preconstruction Review for New or Modified Stationary Sources) of the Air Pollution Control Regulations

Michael Naylor briefly summarized that the proposed regulations require the posting of signs at permitted sites for construction activity, clarify the permitting procedures for construction activity by removing reference to Section 12, amend the definition for stationary source by removing reference to construction activity, define emergency standby generator, various locations activity for permitting portable non-major aggregate process plants, establish requirements for the Various Locations Permit program, and correct some of the Prevention of Significant Deterioration requirements in Section 12 that were adopted during 1996. Also, the proposed amendments to Sections 0, 12, and 17 clarify that construction activity is not a stationary source and that all construction activity is to be permitted solely under Section 17.

Section 17: Dust Control Permit for construction Activities Including Surface Grading and Trenching, the District proposes the posting of signs at construction sites, with information on the name of the project, name of the Permittee, the District's Dust Control Permit Number, the Permittees on-site telephone number for dust control matters and the District's telephone number.

This information would allow members of the public to ascertain if the activity is permitted and provide pertinent information for someone to phone in a complaint. Construction projects over ten acres in size would install a larger sign, 4' x 8' to facilitate ease of viewing from a distance. Construction projects less than or equal to 10 acres in size would install a smaller sign, 4' x 4'. The sign would be a condition of the dust permit and would remain until the conclusion of the project.

Section 0: The proposed amendments delete the reference to construction activity in the definition of "stationary source." Since the definition "stationary source" determines which sources are regulated by Section 12, the removal of the reference to construction activity will facilitate regulating construction activities exclusively under Section 17.

A new definition is proposed for emergency standby generator which will be referenced in the definition "stationary source." This definition would be similar with an existing definition of emergency standby diesel powered generator. However, this new definition would not be

limited to only diesel generators. Many facilities are required to install emergency standby generators because of the Uniform Building code and the Uniform Fire code. These generators are intended to provide electrical energy on an emergency and standby basis for life safety functions during the loss of utility power and other emergency situations. The proposal establishes a minimum threshold of 500 horsepower for Emergency Standby Generator within the stationary source definition. This proposed change should focus staff resources on the larger emergency standby generators which have a greater potential to impact air quality.

Section 12: Preconstruction Review for New or Modified Stationary Sources involve the establishing the requirement for a Various Location Permit (VLP) program; exempting construction activities that are permitted under Dust Control Permits from the Authority to construct requirements of Section 12; deleting the reference to the Prevention of Significant Deterioration (PSD) requirements for non-major PM10 CO, VOC and NOx stationary sources in the management area; clarifying the applicability of PSD area requirements on major PM10, CO, VOC and NOx stationary sources in the management area; and correcting some typographical errors.

Staff further suggested that the effective date for the signage requirement would be March 1, 1997. Staff has received a letter regarding Section 12 from the EPA Region IX office in San Francisco. This letter pertains to the proposed amendments to the various locations permit. Staff agrees with EPA's concerns and prepared changes printed on lavender paper that was distributed today. The changes reduce Potential To Emit to levels below that which triggers a public notice.

Chairman Ferraro opened the public hearing and stated that he would first take comments on Section 17

Ed Lubbers, Esquire, representing the Southern Nevada Home Builders Association, commented on Section 17. They did not have a problem with the proposed amendments but needed some clarification on when the signage would need to come down.

Michael Naylor commented that the Dust Control Permits expire in 1 year. There could be activities other than grading on a project site, such as trenching, so as long as there is any exposed soil that permit is active and until that job site is totally paved we consider the permit to be active. The sign does not have to become a permanent fixture of the project but may be removed at the expiration of the permit which is usually 1 year.

Will Cates, representing Clark County Department of Comprehensive Planning, remarked that they supported Staff's recommendations on the signage.

Rick Neilson of the Citizen's Alert and Clean Air Alliance, expressed concern in regards to the signage not being place.

Michael Naylor remarked that as the signage would be a condition of the permit it would be a violation if not in place. Therefore, the public can report any violations.

Chairman Ferraro asked for comments on Section 0, Definitions.

Rick Neilson expressed concern on removing the definition of construction activity from stationary source and concern that using the word temporary on various activity programs would condone temporary sources that could easily become permanent.

Michael Naylor explained that the definition for a stationary source is derived from the Code of Federal Regulation for New Source Review. The EPA does not recognize construction activity as an activity in the definition of a stationary source.

Also, a temporary stationary source has two conditions, that it is less than 365 days and the various location permit is for less than 15 tons of emission per year, which makes it a minor source.

Chairman Ferraro asked for comments on Section 12.

Rick Neilson expressed concern on issuing Various Location Permits on individual pieces of equipment as it would cause more problems than it would solve.

Michael Naylor explained that Section 12 makes two basic distinctions on stationary sources. There are sources which require public notice and those that do not. Staff has always had the ability to rapidly handle routine, minor temporary stationary sources. Staff is now putting a name on it for various locations (Various Location Permits) rather than a new temporary permit for each location. This reduces paper work without relaxing operating conditions.

There being no further public comment, Chairman Ferraro closed the hearing.

Member Kenny thanked the Southern Nevada Home Builders for participating in this process and supporting the amendments to the regulations and Staff for their work.

She moved for approval of Memo #1-97, with the proposed amendments recommended by Staff, including the March 1, 1997 effective date for posting signs on construction sites. Motion was seconded by Member Cyphers and carried unanimously.

2. Memorandum #02-97 - Public Hearing: Amendments to Section 14 (New Sources Performance Standards) and Section 20 (Emission Standards for Hazardous Air Pollutants for Source Categories) of the Air Pollution Control Regulations

Michael Naylor remarked that over the past year, several new or amended standards have been promulgated by the EPA for categories covered by Section 14 (New Sources Performance Standards) and categories covered by Section 20 (Emission Standards for Hazardous Air Pollutants for Source Categories). Staff is recommending these changes in order to conform with current federal requirements.

Section 14: The federal New Source Performance Standards address approximately one hundred types of stationary sources. The Standards limit emissions of the criteria pollutants, visible emissions, and other parameters indicating compliance.

Section 20: Under a separate part of the Federal Code, EA has established emission standards for Hazardous Air Pollutants. The Hazardous Air Pollutants are those for which there is no air quality standards set by EPA, but EPA has regulated the emissions of that pollutant because it has been deemed hazardous.

Several facilities in the Las Vegas Valley (Nevada Power, Silver State Disposal) may be affected by these standards if they make any modifications.

Chairman Ferraro opened the public hearing and asked for comments. There was no response, therefore he closed the public hearing.

Member Kenny moved for approval of Memorandum #02-97 Amendments to Section 14 (New Sources Performance Standards) and Section 20 (Emission Standards for Hazardous Air Pollutants for Source Categories) of the Air Pollution Control Regulations. Motion was seconded by Member Ravitch and carried unanimously.

III. REPORT/DISCUSSION/POSSIBLE ACTION:

1. **Petition #01-97** – Member Kenny's Suggestions for Amending APC Regulations (Memorandum #18-96 Tabled from the November Meeting Suggested Regulatory Initiatives, Air Quality)

Member Kenny made a motion to remove Memo #18-96 from the table. Motion was seconded by Member Kincaid and carried unanimously.

Michael Naylor remarked that Staff was seeking direction on the following proposed regulatory initiatives:

Topic #1: Citizen Membership of the Air Pollution Control Hearing Board

At present, the regulations and statute specify that three of the seven positions must be filled from three professional categories, an engineer, a general contractor and an attorney. This leaves four citizen or general public positions. The regulations do not provide any formula for types of public groups suggested by Member Kenny, children's advocate, health professionals and senior citizens.

Discussion ensued among Board Members and Legal Counsel concerning how to identify members who would fall into the above categories as it may be too limiting and making this criteria a regulation change instead of policy.

Member Kincaid made a motion to direct Staff not to change the regulation on the membership but to come up with some guidelines, for the application that would include information about the above groups. Motion was seconded by Member Crowley and carried with Member Kenny voting Nay.

Member Colquitt suggested that an updated resume of the present members be provided, which would include what their affiliations are to the interest areas.

Dr. Ravenholt suggested that this could be brought back at the April meeting as the terms of three members of the APC Hearing Board are expiring in June.

Topic #2: Reporting Third Violations to Board of Health

Will Cates, representing Clark County Comprehensive Planning, recommended provided in the regulations for all third violations being reported to the Board of Health.

Michael Naylor remarked that presently the regulations allow the Board to institute legal proceedings in court of competent jurisdiction to prevent continued violation and to seek criminal fines. These powers are delegated to the Control Officer or his representatives and are available whether or not there have been a number of findings or violations. Staff recommended a policy whereby a status report on any third violations in any ninety day period would be included within the Air Pollution Control Division staff report each month. The APC Hearing Board Annotated Agenda is routinely included in backup material and placed on the Board of Health agenda.

Discussion followed by Staff, Members of the Board and Legal Counsel concerning the process in which the third violators are being handled and the present procedure of reporting of violators to the Board.

Ann Zorn, Chairman of the APC Hearing Board, explained that the Hearing Board in the past had expressed the same concerns for reporting of third violators. The APC Hearing Board

agenda provided by Staff indicates the violation, the company and on the back of the citation there is a list of the past violations of that company over a period of time. The Hearing Board has routinely taken those with three violations to task with higher penalties.

Member Colquitt made a motion to direct Staff to develop a reporting policy to the Board of Health for companies with three or more violations in 90 days. Motion was seconded by Member Kincaid and carried unanimously.

Topic #3: Time Limits on Variances

Michael Naylor stated that the current language provides for variances of an indefinite term if there is a lack of available technology. The EPA has commended the Hearing Board and the District because of having very few variances over the years. One or two are granted per year. Currently, there are no variances granted. Staff is recommending that the regulations in Section 7.7.1,2,3 be simplified into one statement. That if the variance is granted for any reason, it shall be granted for one year or less.

Member Kenny moved for approval of Staff's recommendation. Motion was seconded by Member Kincaid and carried unanimously.

Topic #4: Civil Penalties - Open Burning, Incinerators

Michael Naylor explained that Nevada Statute limits penalties for lesser violations to \$500. Consequently, Staff suggested the following:

The following penalties apply to lesser violations (9.1.1 - 9.1.3.2)

First Violation

Section 42 (Open Burning)	\$[25.00]	<u>75.00</u>
Subsection 26.1.2.3 (Incinerators)	\$[100.00]	<u>200.00</u>

Second Violation

Section 42 (Open Burning)	\$[50.00]	<u>200.00</u>
Subsection 26.1.2.3 (Incinerators)	\$[250.00]	<u>300.00</u>

Third Violation

Section 42 (Open Burning)	\$[100.00]	<u>500.00</u>
Subsection 26.1.2.4 (Incinerators)	\$ 500.00	

Member Colquitt made a motion for Staff to place on the February Agenda the revised penalty changes for open burning and incinerators for the Board to set a public hearing date. Motion was seconded by Member Ravitch and carried unanimously.

Topic #5: Civil Penalties - Fugitive Dust

Michael Naylor stated that since October 1996, the Hearing Board has imposed \$2,000 and above for first violations, for fugitive dust (Section 4) and visible emissions (Section 26). In a few cases, it has imposed a penalty as low as \$1,700. These penalties are well above the \$600 suggested. The Board and staff have developed a penalty policy which uses a matrix system. The matrix establishes baselines of \$2,000 for the first case, \$4,000 for the second case and \$6,000 for the third case. The Hearing Board has recognized that there can be mitigating circumstances or aggravating circumstances that justify adjustment above or below the baseline amounts. The recent penalty decisions by the Hearing Board appear to rank the stiffest among Western APC agencies. For example, our survey in November showed that the highest dust penalties in the West are imposed by the Bay Area Air Quality Management District. In 1996,

District. In 1996, the BAAQMD imposed average penalties of \$31,000 per month. The Clark County APC Hearing Board imposed penalties of \$ \$33,625 for November and \$23,500 for December.

We suggest that the minimum penalty for Sections 9.1.4 and 9.1.5 be \$1,800. Perhaps the policy matrix could be considered for future adoption after additional experience.

9.1.4 For a Fugitive Dust violation at any site where the current permit for Construction Activities covers 1 acre or more, the minimum [combined] penalty, [apportioned among the permittee, prime contractor, grading contractor and other subcontractors] determined by the Hearing Board to be in violation, shall not be less than [\$600] \$1,800:

1. For a fugitive dust violation at a [Non-metallic Mineral processing] Stationary Source, the minimum penalty for the permittee, determined by the Hearing Board to be in violation, [is \$600] shall not be less than \$1,800.

B.

1. For a violation of Emission of Visible Air Contaminants (Section 26) or Visible Emission Limitation based on NSPS (Section 14), the minimum penalty shall not be less than \$1,800.

Member Kincaid made a motion to direct Staff to bring back to the Board a notice of public hearing on changing regulations 9.1.4,5 & 6. Motion was seconded by Member Colquitt and carried unanimously.

Member Kenny thanked the Board, Staff and Comprehensive Planning for their cooperation in getting these issues resolved. Member Kincaid thanked Member Kenny for bringing these issues to the attention of the Board.

2. **Petition #02-97** Status of Establishment of a Hearing Officer Program/Need for Board Member Committee for Selection Process to Recommend Individuals at the February Board Meeting

David Rowles commented that recent amendments to District Air Pollution control regulations provide for one or more Hearing Officers to be utilized in the process of adjudicating violations of local air quality standards. District staff published locally a request for proposals from interested independent contractors and developed an independent contractor application form. To date Staff has received 46 applications for APC Hearing Officer position. In our response to each interested applicant we advised a tentative closure date of Friday, January 17th. Staff asked for Board guidance and direction in the review and selection process as the list of interested persons is growing.

In other similar process the Board has opted to designate a three-member committee to meet with Staff to accomplish the initial review process and make subsequent recommendation to the full Board. The current fee schedule for independent contractors is from \$30 to \$50. A committee of the Board could also review and recommend an appropriate hourly fee for the Hearing Officer.

Chairman Ferraro appointed the following to the committee: Member Colquitt, Chairman; and Members Kincaid and Ferraro.

Discussion by the Board and Staff ensued concerning the criteria for the application screening process, the number of Hearing Officer to implement the process and the rate of pay for the applicants. The Board requested Dr. Kwalick to review the 46 applications and provide the committee with 10 applications for review. The committee will review and select five (5) applicants to interview for the position. Incomplete applications should not be considered. A minimum of three (3) applicants were needed for the APC Hearing Officer process.

- 3. Petition #03-97** - Approval of Bid Specifications for Electrical Panel Upgrade project and Authorization to Solicit Competitive Bids

David Rowles explained that at the December 1996 meeting, the Board authorized District Staff and Architect, Gary Carlson, AIA, to proceed in developing construction documents and bid specifications to accomplish upgrading the Main Health Center's electrical service panel from 1600 to 3000 amps.

Upon Board approval, anticipate final bid specifications and construction drawings for the electrical panel upgrade will be completed and available for publication by the end of January. Sufficient funds to accomplish the project have been approved in the FY 96-97 budget.

Member Colquitt moved for approval of Petition #03.97, Approval of Bid specifications for Electrical Panel Upgrade Project and Authorization to Solicit Competitive Bids. Motion was seconded by Member Crowley and carried unanimously.

- 4. Petition #04-97** - Approval of Design and Bid Specifications for Phase I Main Health Center and Authorization to Solicit Competitive Bids

David Rowles commented that in December the Board authorized Staff and Architect, Gary Carlson, AIA, to proceed in developing construction documents and bid specifications to accomplish Phase I of the Main Health Center Re-roofing. Two exterior design options have been developed. Construction documents covering both design options are substantially identical in framing structure, materials availability, cost, installation and maintenance.

Exterior Design A: consists of an *arched* roof covering which would extend the complete length of the north/south roof segment over the old front portion of the Main Health center building. This would create a higher more significant view line over both entry/exit portals.

Exterior Design B: differs only in surface appearance in that it encompasses a *pitched or tented* roof line running north-south over the old front portion of the Main Health Center building. At the north and south ends, the pitched roof would be tapered (sloped) down to the existing roof line over existing entry/exit portals. This design would allow a more unrestricted positioning of currently existing security video devices.

After brief discussion, Member Kincaid moved for approval of both Design A (arched) and Design B (pitched) with the use of the arched design for Phase I and alternate with the two designs on the remaining phases of the project. Motion was seconded by Member Colquitt and carried unanimously.

- 5. Memorandum #03-97** - Addendums to the Proposed Amendments to Clark County Health District Regulations Governing the Sanitation of Tattoo and Permanent Makeup Establishment and to the Proposed Regulations Governing the Sanitation of Body Piercing Establishments Memo #03-97

Ian Ross, Legal Counsel explained that during the December Board of Health meeting the Board was provided with copies of the proposed amendments of the Health District regulations governing the sanitation of tattoo and permanent makeup establishments and the proposed regulations governing the sanitation of body piercing establishments. A date of February 27, 1997 was set for a public hearing on these proposed regulations. However, at this time Staff is submitting addendums to those regulations to include sections that would cover Mobile Tattoo/Body Piercing Establishments that would be permitted on a temporary basis to operate only at special events. He recommended not enacting regulations for Mobile Units as it would be feasible to monitor the licensing, supervision and zoning issues related to the temporary units.

Dr. Ravenholt stated that Staff had extensively researched the use of Mobile Tattoo/Body Piercing Establishments, by contacting other Health District Jurisdictions, local Business Licensing and Zoning Agencies located in Clark County, and tattoo and body piercing facilities located in Clark County.

Surveys of the various facilities locally revealed that only one permitted shop is presently seeking to open a mobile unit. Other permitted operators indicated that they might feel compelled to open Mobile units but would prefer that the patrons come to their permanent locations. Concern was expressed about being forced to open a mobile facility to maintain their business share. In general, the use of mobile facilities was not popular with the operators that were contacted, but something that they would consider doing if it seemed essential or profitable.

Mobile Tattoo/Body Piercing Units may be able to comply with Health District Regulations, and operate in a sanitary manner under close supervision. However, their hours of operation would not correlate with normal District hours of inspections and their locations of work would be continuously changing. Therefore, supervision would prove difficult and perhaps not feasible. Other problems encountered in operating mobile units would be related to differing local business license and zoning issues within the District entities.

After brief discussion concerning the problems associated with mobile units, Member Kincaid moved to not include Mobile Tattoo/Body Piercing Units in the regulations for public hearing. Motion was seconded by Member Colquitt and carried unanimously.

IV. STAFF REPORTS

Administration

David Rowles remarked that Staff was happy to welcome Dr. Kwalick. In 1996, the District processed 113,636 health card applicants. We are preparing to go out for bids for an auditor and will be bringing

Air Pollution Control - Dr. Ravenholt/CO Exceedance Standard

Due to time restraints the CO Exceedance Standard update was not given. All other sections functioning well.

Clinics & Nursing

All clinics working well.

Environmental Health

Clare Schmutz introduced Cara Carroll, Environmental Health Specialist I, who assisted in patrolling the strip area on New Year's Eve. We had received complaints about not having enough restroom facilities on New Year's Eve a year ago.

Cara Carroll briefly explained that Staff had found that a lot of the problems were caused by the placement of the portable facilities. Several were placed in areas that were secluded and difficult to get to. A lot of portable facilities were not used because of being too far to get to.

Clare Schmutz added that during 1996 Staff conducted 20,831 inspections of food service establishments and 1,432 temporary food establishments.

V. CITIZEN PARTICIPATION

Items raised under this portion of the Agenda cannot be acted upon by the Board of Health until the notice provisions of Nevada's Open Meeting Law have been complied with. Therefore, any action on such items will have to be considered at a later meeting.

Mary Shope-Wiles, Boulder City Resident, remarked that her husband had submitted a letter to the District and had received a reply from Dr. Ravenholt. She expressed concern about the building of the dump and asked the Board as the Solid Waste Management Authority to hold a public forum with some fact finding in the sand and gravel operation in Boulder City as the operations occurring there now ties into the building of the landfill.

Chairman Ferraro noted that the majority of the Boulder City Council has voted to move forward on this issue and will bring it to the Boulder City voters later this year to determine if there should be a landfill at that location.

Ian Ross commented that he had reviewed the letter and materials that Mr. Wiles had submitted to Staff. He clarified that there are two alternate regulatory schemes involved: one for a landfill and one for a sand and gravel operation. The permitting process and how they are done are separate. Boulder City proposed from the beginning that there would be a sand and gravel operation in that area. It was not an after thought only for building a landfill.

Bernie Farr, Las Vegas resident, stated that he understood that in order to adopt a restaurant inspection tax on the restaurants the District needed to go to the State Legislature. He stated that the Board should go to the legislature to get it done.

Steve Holloway, Executive Vice President of Associated General Contractors commended the Board for their efforts in helping to maintain good air quality in the Las Vegas Valley. However, he expressed concern that despite 98% of the local contractors attempting to control fugitive dust emissions, the construction industry continues to be the focal point for cause of dust exceedances in the Las Vegas Valley. The Associated General Contractors supported the signage requirement and the education of contractors.

VI. INFORMATIONAL ITEMS

Duly

Noted

1. Financial Data
2. Emergency Medical Services Advisory Board Meeting Minutes and Annotated Agenda, 12/04/96
3. Listing of Food Establishments in Plan Review for the Period of 12/01/96 - 12/31/96 Environmental Health Division
4. Air Pollution Control Hearing Board Annotated Agenda, 12/12/96
5. Air Pollution Control Enforcement Activity Report, December 1996
6. U. S. Office of Inspector General Audit Services Letter on the Completed Organization-wide Audit Report 12/19/96

VII. ADJOURNMENT

There being no further business to come before the Board, Chairman Ferraro adjourned the meeting at 11:10 A.M.

SUBMITTED FOR BOARD APPROVAL

Otto Ravenholt, M.D. Chief Health Officer
Executive Secretary

/mlg