

MINUTES

Clark County District Board of Health Meeting

625 Shadow Lane
Las Vegas, Nevada 89106
Clemens Room - 8:00 A.M.
Thursday December 18, 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 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
Donalene Ravitch, RN	Appointee, Boulder City
Paula Brown	Councilman, North Las Vegas
Kirk Cammack, M.D.	Physician Member At Large
Susan Crowley	Appointee, Henderson
Amanda Cyphers	Councilman, Henderson
Gary Reese	Councilman, Las Vegas
Stephanie Smith	Councilman, North Las Vegas

Absent:

Sherry Colquitt, RN	Appointee, Las Vegas
Erin Kenny	Commissioner, Clark County
Mary Kincaid	Commissioner, Clark County

Executive Secretary:

Otto Ravenholt, MD, MPH

Legal Counsel:

Ian Ross, Esquire

Staff: Donald S. Kwalick, MD, MPH; David Rowles; Michael Naylor; Fran Courtney, RN; Karl Munninger; Clare Schmutz; Mike Sword; Ed Wojcik; Jane Shunney; Curt Taipale; Daniel Maxson; Lonnie Empey and Recording Secretaries Diana Lindquist and Montana Garcia

PUBLIC ATTENDANCE:

<u>NAME</u>	<u>REPRESENTING</u>
Valerie A. Lawson	ARCO Products Company
Mary Shope-Wiles	Self
Will Cates	Clark County Comprehensive Planning
Joseph Pessin	Lamonte Realty
Richard Varley	R.V. Construction Company
Rick Nielsen	Citizen Alert
Neil A. Moyer	Texaco/Western State Petroleum Association
Gary L. Carlson	G. C. Wallace, Inc.
Dick Serdoz	Nevada Division of Environmental Protection-Las Vegas
Samuel E. Scott	Oxbow Power Service In
Wanda Mitchell	US MED
R. Ben Bean	US MED
Melanie Thummel	CPCC
Brad Pendleton	Camco Pacific Construction
Joseph W. Brown	El Dorado Energy / WSPA
Alberto Abreu	Enova Energy
Marta Edwards	Nevada Sun-Peah Ltd. Partnership
James Chavez	Nevada Power Company
Mark D. Inderlied	A-Company Portable Restrooms, Inc.
Gary Milliken	American Medical Response
John Wilson	American Medical Response
Keith Rogers	Las Vegas Review Journal

I. CONSENT AGENDA:

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

Member Cyphers moved for approval the Consent Agenda. Member Crowley seconded the motion and carried unanimously approving the following Consent Agenda:

1. Minutes/Board of Health Meeting - 11/20/97
2. Payroll/Overtime for Periods of -10/18/97-31/97 & 11/01-14/97, 11/15-28/97
3. Accounts Payable Register - #724, 11/10/97 - 11/20/97; #725, 11/21/97 - 12/04/97
4. **Petition #65-97** - Approval of Modifications to Epidemiology Job Description and Hire Permission

PRESENTATION:

Dan Maxson, Environmental Specialist III, briefly reviewed the Salmonella outbreak at one of the local hotels. The investigation began on December 3, 1997, when the District's routine surveillance program picked up three separate complaints of illness that day. Two of the complaints related to meals on Thanksgiving day (November 27, 1997) and the third related to a meal on November 14, 1997.

Additionally, 5 community cases of the same strain were identified. We were concerned that there might be a larger community outbreak. On December 9, 1997 a information release was issued requesting report of similar illness. Of approximated 200 callers, 5 related eating histories to the local hotel without any prompting. None of the other callers so far clustered on any other hotel or restaurant.

Dr. Ravenholt explained that 4 of the early out-of-state laboratory confirmed complaints originated from a group that have visited Las Vegas from Minnesota. As a result of additional out-of-state complaints, the District requested through the State Health Division that the Centers for Disease Control (CDC) assist in the investigation. The CDC from their network solicited laboratory reports from all 50 states. On December 11, 1997 staff from CDC arrived and began providing valuable assistance in the investigation including details for the extensive questionnaires used for the index and control cases.

Dan Maxson expressed that Staff had received calls from 11 different states with lab confirmed cases. When CDC sends a report explaining that there is an outbreak it goes to the various State Epidemiologists and in turn to District Health Officers all over the country. Staff anticipates receiving complaints up until January because there is always a lag time in reporting of illness as it has to go through testing. On December 11, 1997 there was a second information release issued which specifically indicated the hotel. We are currently investigating about 110 possible cases. To date there are 30 culture confirmed cases. We anticipate having a more refined and definitive explanation as far as the source of the outbreak in the coming week.

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

1. Memorandum#28-97 - Public Hearing to Consider Amendments to Section 19 (Part 70 Operating Permits) of the Air Pollution Control (APC)Regulations

Michael Naylor remarked that the purpose of the hearing was to consider proposed amendments to Section 19 of the APC regulations. There are approximately 30 sources which are subject to this program. Currently we are in the process of handling new applications as we are in the initial stages of this program. The present regulations require that action be taken on new applications within 18 months as well as an application for revision and renewals. Staff's proposal is to delete the requirement to take action within 18 months on the initial application as it is not a federal requirement and it is difficult to meet that time frame. Based on the past three years of implementation experience, staff requests that the Section 19 regulatory deadline for acting on a permittee's application be limited to revision or renewal.

Chairman Ferraro opened the public hearing.

Discussion ensued by Staff and Member Crowley pertaining to the proposed language. She questioned for sources that do not have current limitations or conditions associated with the permits that were received in the 1970's or 80's before the permitting system became more sophisticated. Does it mean that those sources do not necessarily have limits placed upon them, their source gets pulled into the Title V permitting application and no additional limits need to be placed through the process of getting that Title V permit?

Curt Taipale, APC staff specialist, remarked that was correct if the sources are grand fathered we are not going to put on new conditions but for the purpose of applicability there may be some determinations made. For example, from our permit reviews Staff has determined that there have been certain things that have occurred or been changed at facilities that we were not aware of that may have to meet other requirements. Staff is reviewing the permits and revisiting some issues that

had not been addressed. On activities that are grand fathered we would not establish any requirements on that activity but we would establish a baseline number so that future modifications can be clearly identified. We want to know where the company was originally.

Marta Edwards, representing Nevada Sun-Peak Limited Partnership (NSPLP), expressed opposition to the 18-month period for the Control Officer to take final action on a permit modification or renewal and recommended that the time period be reduced to six to eight months.

She explained that in order to meet this schedule, a permittee would have to start preparing the renewal application more than two years before the current operating permit expires. It also requires a source to be aware of any modifications that have to be made to the Authority to Construct (ATC) as early as three years prior to the permit expiration date. That is only two years after the Title V permit has been issued. Also, some sources will not need modifications and therefore the 18-month period would be too long.

Member Crowley remarked that to modify a Title V process two years prior to needing the modification is very difficult for a regulated source. Often times you do not know until half a year ahead of time that you have a market condition allowing you to proceed with modification of your process that would assist your operation.

Michael Naylor explained that it is advantageous to the applicant to submit an application for renewal earlier rather than later because it can take considerable time for the District to resolve issues or to suspend the permit review for processing an ATC application. Such issues can arise in comments from other States, Indian Tribes, or EPA. Short time limits could jeopardize the permittees' application by forcing a denial. The permittee always retains the ability to amend the application prior to receiving a Part 70 permit.

Morta Edwards of NSPLP added that because the 18-month review period is so lengthy, there is an increased risk borne by the permittee that new requirements will be issued by the CCHD during any given application review period.

Michael Naylor stated that an application is subject to the existing rules, regulations and requirements at the time it is deemed complete. An applicant is required to submit a compliance plan stating that for new applicable requirements that become effective during the existing permit term of five years, the source will meet such requirements in a timely manner. Recent changes to requirements need to be considered in a complete application for renewal. However, regulations adopted after a renewal application is deemed complete, would not affect source's permit until five years later, the next renewal application.

Member Crowley asked if the 18-month time period was driven by a federal requirement.

Mike Sword, Assistant APC Director, stated that EPA recommended 6 to 18 months, preference would be to have as much time as possible. Of concern is that EPA can independently veto an operating permit. If they do so, then we cannot issue a permit and that source may not operate. Six months does not leave enough time to complete the process and get EPA's approval. This is a learning process. We have been working on this process for 2 years. Of approximately 28 sources, we have gotten out public notices for one-fifth of the sources that we are working with. Only one has actually been approved by EPA in that time period. Also, Staff is projecting 10 man labor years of effort to get the initial permits issued.

Member Smith asked what about the suggestion that if there is no modification it will not require the

18 months. A different standard or language may be needed for those that do not require as much time.

Mike Sword commented that was a good idea, however, Staff cannot predict this until after reviewing the application. Once we start the review process we find the majority of things that need to be changed. With respect to the permit, if things need to be put in the process modifications are initiated by the source. The 18-month interval allows the permittees time to make adjustments or correct any problems.

Member Crowley remarked that she understood that to get a permit in order initially might take longer 18 months but a modification of a permit that has been put in order should not take 18 months for that process.

Michael Naylor commented that if everything went smoothly it might be processed in four or five months. He explained that if the Board thought that should be a six-month cap and that was the rule. If we have been working on a permit for 6 months and EPA intervenes and there are hearings to be held, the permit is disapproved and at that point that source is in violation of the Clean Air Act because they do not have a Title V Permit. The company would then be in jeopardy. We could expedite our reviews but cannot control EPA, so it would be to the source' jeopardy if in six months it has not been finished. There are severe EPA penalties for operating without having the permit. Also, the possibility exists that since the original permit was issued that EPA has changed standards that the permittee has to adjust to in the new permit cycle.

Discussion between the Board and Staff on the question if a permit is in hand and the source has been operating without any violation, should they need to wait 18-months to get approval for a modification they are seeking?

Ian Ross, Board Legal Counsel, advised that the Board has citizen participation and methods of communication where a permit source could communicate to the Chief Health Officer or the Board of Health to have an issue looked into. If there is a minor modification, it should be going quickly if no outside agency is holding it up. People have the opportunity to come before the Board ask why something is not happening and the Board has the power to move it along. A general rule for resolving that problem could in fact be creating very serious problems for the sources by putting cap down too low. There have been situations where because of deadlines the only alternative has been a recommendation of denial.

Morta Edwards, representing NSPLP, suggested that if application is a permit renewal with no modifications or requirements and basically procedural process then perhaps a 6-month turn around, if there are modifications as a result of an ATC or a new requirement from EPA or the Health District then perhaps a 12-month turn around time frame and if it is a new application with any type of major situation then a 18-month turn around time might be more appropriate.

Dr. Ravenholt commented that general experience suggests that when there is a statutory time limit the maximum too often becomes the minimum. But, if there is an artificially short time limit that cannot be met, there can be very serious problems for the applicant in terms of EPA rules. He suggested that there should be a larger window for legal purposes but a policy from the Board that might follow the recommendation by requiring that Staff to provide the Board with a periodic report on the time in which these applications are processed and permitted with explanations of those that exceed the preferred time limit.

Ian Ross, Board Legal Counsel suggested that the Board could adopt the regulations which allow

the 18 months and at the same time in a second motion a Board policy that Staff report to the Board any applications that exceed a shorter time along with reasons for that exceedance.

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

At this time, Member Crowley moved to approve Staff's recommendation on the proposed amendment to Section 19, Part 70 Operating Permits, of the APC regulations. Motion was seconded by Member Smith and carried unanimously. Member Crowley then moved that the Board establish a policy whereby Staff will periodically bring to the Board a report of the applicants whose processing has extended beyond 9 months (not initial approval process but in the renewal and modification process) and reasons why it extended beyond the 9-month period. Motion was seconded by Member Smith and carried unanimously.

2. **Request for Extension of Variance** - To construct an Individual Sewage Disposal System (ISDS) on an Undersized Lot Served by an Offsite Public Water Supply. **Petitioner:** Gerald H. Peterson

Chairman Ferraro opened the public hearing.

Clare Schmutz explained that this was a request for an extension of a variance that was granted in December 1996. The petitioner has a hardship in moving to Las Vegas to develop the property. He has now sold the property and is requesting extension so the new owners can take out the permits. Staff recommended approval with the following conditions:

- a. That it be made a part of the final escrow closing that the buyer of the property will comply with all of the conditions.
- b. The septic system be limited to a 1,000 gallon tank and 775 sq. Ft. of leach area.
- c. The septic system be installed to comply with all other requirements of the *District Board of Health Regulations Governing Individual Sewage Disposal Systems and Liquid Waste Management*.
- d. No paving or vehicular traffic will occur over the septic system.
- e. Construction of the ISDS must be commenced within one (1) year of the date hereof. If the construction has not been commenced within that period of time, this Variance shall expire and be of no further force and effect, unless application is made for an extension of time prior to the expiration date by the Applicant or the Applicant's successor(s) in interest.
- f. The Applicant and his successor(s) in interest shall abide by all local governmental regulations requiring connection to community sewage systems. Use of the ISDS shall be discontinued and the structure it serves shall be connected to any community sewage system when gravity flow is available at the Applicant's property line when the owners are notified and legally required to do so.

Member Cyphers commented that if we are giving this extension on the hardship of Mr. Peterson's health, age and employment, the new owners of the property would benefit from the extension on a variance that they may not have a hardship for at all. We would need to hear from the new owners to see if there were any justification for a variance.

Dr. Ravenholt remarked that the problem is less founded on the hardship aspect than it is on the historic subdivision problem dating from 1928 and the difficulty of conforming to present regulations.

Ian Ross, Legal Counsel, explained that the documents established that the sale is contingent upon the variance being extended. If the variance is not extended the escrow will terminate. The person who will then have the property is the person who originally received the variance. You will still have the original hardship. Consequently, because the sale is contingent on the variance it really still is a problem of the original applicant. However, it is the Board's discretion whether to extend the variance or not.

Member Cyphers remarked that she did not have a problem with granting the variance for the septic

tank but felt that if the reason for granting the variance is due to makeup of the parcel size and location and not due to a person's health who no longer owns the property needs this to be clarified. Mr. Joe Pessin representing Mr. Peterson commented that Mr. Peterson because of his issues could not move to Las Vegas and develop his lot. At the original approval of this lot it was made clear that Mr. Peterson's intention was to sell the lot to someone who could develop it. Without the variance the lot would be useless. Mr. Peterson has paid property taxes on this land for approximately 20 years. The property has been on the market and finally ready to close. The buyers did get all their approvals from the planning commission. They are buying with the understanding that they can now construct the home that they plan with this variance.

Ian Ross, Board Legal Counsel, stated that Mr. Pessin is accurate. The original variance order spells out the nature of the subdivision and the condition of Mr. Peterson. He asked Mr. Pessin if he accepted the conditions of the extension recommended by Staff. Mr. Pessin stated, "Yes".

Chairman Ferraro asked if there were any other comments, there being no response he closed the public hearing.

Member Cyphers moved for approval of the extension of the variance due to the makeup of the parcel and the surrounding area with the conditions recommended by staff. Motion was seconded by Member Smith and carried unanimously.

III. REPORT/DISCUSSION/POSSIBLE ACTION:

1. Nominating Committee Report for Board of Health Calendar Year 1998 Officers.

Committee Chairman Ferraro explained that the Nominating Committee spent a considerable amount of time teleconferencing discussing prospective candidates for the Chairman and Vice-Chairman positions for 1998. The Committee recommended Member Colquitt as Chairman and Vice-Chairman, Member Cyphers for calendar year 1998 officers.

2. Status Report: Western States Petroleum Association Lawsuit

Dr. Ravenholt commented that he had submitted a letter to Clark County District Attorney's Civil Division asking that they assume the major role in pursuing this lawsuit. They have responded constructively in that regard and Board Legal Counsel has been in various communications with them.

Ian Ross, Legal Counsel, explained that the District has been able to obtain an extension to answer in order to solidify the counsel situation. The DA office will be providing the primary responsibility for the defense of this lawsuit along with himself as co-counsel. The decision has been made by the District Attorney's office because of potential complications and the specialization of this lawsuit to seek outside legal services of a law firm that has some specifications and knowledge in this area to assist in the defense. This will be an item presented to the Board of County Commissioners for funding for that function. We are now in the process of looking for law firms that have this type of expertise that do not have conflicts of interest.

3. Memorandum #29-97 - Suggested Recommendations to the Clark County Commission For Reducing the Emissions of Air Pollutants Responsible for the Formation of Ground Level Ozone

Dr. Ravenholt stated that the District Board can volunteer components of the Air Quality Plan aimed at maintaining or achieving standards in the Valley, the Board of County Commissioners as the designated planning authority for air quality. This compilation of recommendations to the Clark County Commission. The suggestions are subject to review and possible action by the Board of County Commissioners. He added that Mr. Joe Brown had sent a letter and asked that it be read to the Board.

Joe Brown, Esquire, on behalf of the Western States Petroleum Association (WSPA), stated that WSPA is concerned that the memorandum suggests specific rule making activity for ozone reduction measures without developing all the key scientific and technical information needed to support such measures. In addition, they feel that the memorandum should include a discussion of the legal authority of an ozone attainment area to adopt new measures. WSPA believes the information developed to date and presented in the memorandum is not adequate for establishing and recommending a ozone reduction plan for Las Vegas. While the memorandum does include a summary of Las Vegas Ozone air quality, a tentative emission inventory, limited ozone modeling information and some information on a limited number of potential emission controls including California RFG, much more needs to be done to assess properly the impact and cost of any ozone control measures. The memorandum should be modified to describe the extended time table that EPA allows areas that violate the new standard, highlight areas where additional air quality emission inventory and control strategy information is needed and outline a plan for collecting this information. In order to develop an ozone control strategy the following information is needed: ambient measurements of VOC, NOx and Ozone, air quality of transported air entering the local area, surface and upper air meteorology, detailed emission inventory and ozone modeling with good agreement between model predictions and observations. As described in this memorandum, Las Vegas has ozone monitoring data but other necessary information is missing or incomplete and needs to be developed before an ozone control strategy can be developed for Las Vegas. The memorandum includes a description of the benefits of California RFG based on CARB estimates for prior conditions in California and is not directly applicable to Las Vegas because the current base gasoline quality in Las Vegas different. Until the proper technical and economic analysis is completed, there is no assurance that benefits will be produced at reasonable cost or that the most cost effective options have been identified. Additional information needed to develop a fuel regulation include local baseline fuel quality, fuel effects on emissions, local cost and supply of a new fuel, and comparison of benefits and costs of alternative emission control strategies. WSPA would like to work with the Health District to help devise a plan to address these critical and necessary issues.

Dr. Ravenholt commented that the issue of who does the ground work on the technical and legal foundation for these measures may be resolved by the Board of County Commissioners and its staff. They decide whether this should become part of the adopted implementation plan. They may also request this Board to adopt one or another item.

Michael Naylor added that with the growth control and management problems there has been much discussion about road problems. The air quality is somewhat in the same picture. Presently, the ozone is compliance but by only a few percentage points. As growth continues in the valley, if we don't take abatement action, we will sooner or later become a nonattainment area such as Phoenix. We have the opportunity now, if the Board of County Commissioners so directs, the Board of Health, the Board of Agriculture and the State Environmental Commission could develop regulations. He believes the data base and scientific basis is adequate for the County Commissioners as the planning authority to proceed. Some of the suggestions by Mr. Brown can happen concurrently. He briefly reviewed one of the suggestions of reformulation of gasoline. The production cost of reformulated gasoline is higher (approximately six cents per gallon) than

conventional, but the current street prices in California are higher than in Clark County.

Member Cyphers moved for approval to forward the suggestions to the County Commission. Motion was seconded by Member Crowley and carried unanimously.

4. **Petition #66-97** - Review and Action on Bids submitted for the Main Health Center Re-roofing and Rotunda Remodeling Project (Petition #57-97 Remodeling Bids for Main Health center Re-roofing and Rotunda Staff Review and Recommendations - *Tabled from 11/20/97*)

Member Smith moved to remove this item from the table. Motion was seconded by Member Ravitch and carried unanimously.

Dr. Ravenholt the request last month to carry this item over to the December meeting because our tentative recommendation at that time was because of a technical problem that the low bidder did not submit the subcontractor list with the bid. Instead he followed our architect developed specification which allowed 24 hours for submission as is routinely done in private contracts. A call was made to that low bidder and within an hour the subcontractor list was submitted. The second low bidder filed a challenge that the bid from the low bidder should be disqualified on the basis that the Nevada Revised Statute requires that all major subcontractors be identified in the initial bid submission for a public project. One question is the legality issue and the other is that the low bid has a \$600,000 difference.

Ian Ross, Legal Counsel, remarked that essentially the issue is one of responsiveness to the bid request. There is possibly a technical defect but the Board has the right to waive that defect because that requirement is primarily for the benefit of the Board. The Board has the right to know whether the subcontractors are legitimate and responsible. The Board could choose to reject all bids and go out to rebid. That would eliminate any possibility of any litigation or controversy in that respect. Also, the Board could also determine that the lowest bid was non responsive and award to the next lowest bid. The third alternative is that the Board could waive the technical defect because there is no real prejudice, since the information was received by Staff within an hour, and award it to the lowest bidder and save \$600,000.

Member Cyphers moved to award the bid to Camco Pacific Construction Company for \$2,229,000, as the lowest and responsive bid. Motion was seconded by Member Brown and carried unanimously.

5. **Discussion of Developing Emission Reduction Credits for Vehicle Emission Control Projects in Clark County and Urban Forestry Projects in Maintenance Area** (*Member Ferraro Requested Item*)

Michael Naylor stated that the Health District currently requires emission offsets from new stationary sources. Currently, if you are building a new stationary source or modification that emits carbon monoxide (CO), oxides of nitrogen (NOx), organic gases or PM10, those emissions are required to be offset. The permittee is required to obtain 2 tons of offset or 2 tons of credit for every ton going into the air. We have recently authorized construction of a gas fired power plant in the Eldorado Valley called the Eldorado Energy Plant. The ground breaking will occur in early March. That facility is required to obtain emission reduction credits before they start up. Their situation has illustrated some shortcomings of the present credit system.

Ideally the emission credits should match the pollutants being emitted. The Eldorado Power Plant is a significant source of CO and NOx and the credits should resemble those emissions. However, presently we do not have any credits of CO and credits can only be obtained through a reduction of

PM10. So in essence the CO emissions are offset by getting roads paved. This does help to clean up the air but we are not matching the pollutants. Also, even if PM10 credits are to be used for Eldorado Energy, there is a shortage of them. We are finding it hard to keep up with enough credits just based on the demand in the Las Vegas area. An applicant, such as Eldorado Energy, interested and entitled to acquire as many credits as they need could not obtain them as there is a shortage of credits. Consequently, he suggests that the Board of Health by regulation adopt a credit program change to include repairing motor vehicles. One way to handle this would be through a revolving loan fund to assist persons with getting a gross polluter repaired. Carbon monoxide reduction credits could be granted by regulation for deposits into such a loan fund. As the car is repaired there will be actual CO reductions. This could also apply to the other gases and pollutants such as NOx. We anticipate that the Environmental Commission will adopt an enhanced inspection maintenance program with higher repair minimums. As the smog check program becomes tighter various persons may need economic assistance to get the repairs done.

In the case of PM10, which comes from a particular point, Eldorado Energy plans to get some of their PM10 credits by paving alleys in Boulder City. This would only address perhaps less than half of the PM10 credits needed. At this time, we are trying to find some way to get other PM10 reductions in the greater Boulder City area as opposed to getting roads paved in the mountain area.

A concept has been that there could be an urban forestry program in the maintenance and/or attainment areas of Boulder City, Jean and Primm which are part of the maintenance area. Trees in the urban forest would remove both PM10 and other pollutants. Since maintenance areas have clean air there would be some flexibility to assign credits for an urban forestry program recognizing the overall value of the trees. If the Board desired, a regulation could be drafted to recognize credits for an urban forestry program and a facility built in the maintenance area could obtain credits for assisting with the urban forest. Also, a regulation could be developed for a revolving loan program to reduce motor vehicle emissions.

Member Ferraro remarked that this was an idea that advanced through Boulder City Staff and the City Council in Boulder City.

Member Cyphers moved that Staff develop emission reduction credits with both projects recommended by Staff. Motion was seconded by Member Smith and carried unanimously.

6. Petition #61-97 - Agreement with A-Company for New Years Eve Provision of Portable Restrooms Along the Resort Corridor

David Rowles asked that the Board approve Staff negotiating an agreement between the District and A-Company Portable Restrooms, Inc. for provision of portable restroom facilities at various Strip locations on New Years' Eve.

Clare Schmutz displayed a map that indicated where the public restroom facilities will be located on the Las Vegas corridor between Sahara Avenue and Tropicana. The District recently received funds from the Nevada Resort Association to help acquire 250 portable chemical toilets that will be placed in 18 locations throughout the resort corridor. The majority of the facilities will be located between Spring Mountain Road and Flamingo as this is where the majority of the people will congregate.

Dr. Ravenholt remarked that Staff has met with Clark County Public Works, Parks and Recreation Divisions, Metro Police Department, Nevada Highway Patrol and the Nevada Department of Transportation to help identify suitable safe, well-lighted and convenient locations. The Health District is trying to be proactive in preparing for the circumstances of the large gathering of persons

on New Year's Eve.

Mark Inderlied, representing A-Company, commented that he had donated 100 of the toilets last year. This year they will provide 250 toilets. The usual index for such an event would be 1 restroom per 300 people. The average individual goes to the bathroom every 3 hours and with consumption of alcohol that number will increase. The District has asked and they provide a large pumper truck to service the facilities as they start to fill. Placement of the facilities is crucial and the hotels have agreed to keep the facilities overnight. For the year 2000, there is a need to start planning sooner and it needs to be put on the Clark County bid process early.

Dr. Ravenholt commented that a report of how the process ran on New Year's Eve will be brought to the January Board meeting.

Member Cyphers moved for approval of Petition #61-97. Motion was seconded by Member Ravitch and carried unanimously.

7. Petition #62-97 - Review of and Action on Assistant Health Officer Contract (01/13/98)

David Rowles stated that the current contract for Dr. Kwalick will expire on January 13, 1998. Staff asked that as established in its current contract with Dr. Kwalick, provide an annual performance review and consider granting a merit salary increase of up to five percent (5). It is also recommended that Dr Kwalick's automobile allowance be modified to \$500 per month and that the contract be extended for the next year.

After brief discussion pertaining to automobile allowance, Member Cyphers moved to approve Petition #62-97. Motion was seconded by Member Brown and carried unanimously.

8. Petition #63-97 - Poison Control Center Project Funding Within Fiscal Year 1997/98 Budget Appropriations

David Rowles remarked that this is a request to reallocate some of the budgeted dollars. He asked that the Board approve an emergency allocation of \$65,000 in the current FY 97-98 Budget to assure continuation of funding of poison control center services for residents and visitors in the Clark County area.

Columbia Sunrise Hospital has discontinued sole sponsorship of the local poison control hotline services. Dr. Kwalick, in discussion with various health agencies and community leaders determined there is strong public and community interest in retaining the service for local citizens and visitors.

Dr. Kwalick commented that American Medical Response (formerly Mercy Ambulance) is donating \$5,000 to the program. MGC, a local communications company, has offered to donate the phone lines. Columbia Sunrise Hospital has stated that if indeed there is a donation for the phone lines, they will contribute to the project the \$25,000 that they are currently spending on the phone lines.

John Wilson, representing American Medical Response, remarked that this is a very important program for the community. He added that 7 out of every 10 calls that go to the poison control center are diverted out of the emergency system. Dr. Kwalick has spearheaded this project and it has been a community effort. It is a good public health policy and the right thing to do.

Member Brown moved to approve Petition #63-97. Motion was seconded by Member Crowley and carried

unanimously.

9. Petition #64-97 - Request to Set a Public Hearing for Consideration of Draft Amendments to Section 0 (Definitions) and Section 12 (Preconstruction for New or Modified Stationary Sources)

Michael Naylor briefly explained that in 1996 the Board of Health did a major revamp of Section 12 of the regulations. There was considerable input from a group called the Coalition of Regulated Industries. Those regulations were sent to EPA and in the last 2 months were sent back to District Staff with some request for adjustments. The area identified was that the offset regulations have applicability dates. Since the regulations are intended to refer to the rules today, having applicability dates caused some concern with their legal staff. Therefore, EPA has asked us renew the applicability dates for the offsets. Also, the changes will clarify requirements for the Various Location Permits program for portable sand and gravel plants. The amendments overall are of a housekeeping nature and will not change current practice but are needed for EPA approval. EPA advises that with adoption of these changes, Section 12 would be accepted by EPA for processing as our proposed applicable State Implementation Plan.

Member Smith moved to set a public hearing to consider the amendments to Section 0 and 12 on January 22, 1998 at 8 a.m. Motion was seconded by Member Crowley and carried unanimously.

Board Secretary Ravitch took over chairing the meeting as Chairman Ferraro had to leave.

IV. HEALTH OFFICER & STAFF REPORTS

David Rowles commented that for health cards through the month of November 1997 we will exceed by 6,000 the total figure of last year which was 113,000 persons. We are anticipating that we will open the new facility and diverted traffic to the East Valley location, which is a 7,000 square foot facility. During the month of November 1997 there were 1,354 Birth Certificates issued and 696 Death Certificates. We are working with APC staff to further expand their database which will be a master tracking document to tell whether any operation is a permitted source and where they are at in terms of actual emission or potential to emit.

Air Pollution Control

Michael Naylor remarked that Staff has worked out an arrangement with the national weather service that when there is a wind advisory that included with it will be a message that unhealthy levels of PM10 are predicted and sensitive persons should remain in doors until the winds subside. We have had two CO exceedences since March, 1997 compared to three in 1996. The Board briefly discussed woodburning fireplace issues with a request for details of the advisory "no woodburning" program in Reno.

Clinics & Nursing

Fran Courtney, RN, stated that the Health District has provided a gonorrhea screening program for the community for several years. This meant that culture materials were provided to private physicians offices and practices around the community. We also used a courier service that picked up cultures and brought them back to Health District for processing and returned the results to the practitioners. For the last seven years, we have only found a 1 percent gonorrhea rate in the submitted specimen. Chlamydia is now to be the most prevalent sexually transmitted disease nationwide. It is difficult to detect as most of the persons infected are not symptomatic. The two major problems it causes are pelvic inflammatory disease and sterility. Since our gonorrhea screening in the private medical practices is no longer productive, we have moved to a Chlamydia screening program in the community.

The national testing and screening protocols that will be used are to test women under the age of 25. We have targeted particular health facilities that see large number of women in this age group. We are going to provide a free Chlamydia screening program to the Huntridge Teen Clinic, Juvenile Detention Center, Economic Opportunity Board, Family Planning Clinics, Community Health Centers of Southern Nevada, Santa Ana Clinic, the SAINT Program, the Boys and Girls Club and the Aggasi Clinic. Gonorrhea culture test cost \$.30 cents or less but Chlamydia test over \$6.00 which we are limiting the number of locations that we will be involved in this program. If the program is successful, hopefully in the future we will be able to expand it to private practices. We have received a lot of cooperation from the facilities that will be implementing this program.

Dr. Kwalick added that letters have gone out to approximately 50 physicians who participated in this program and we have not received a lot of concern about discontinuing the program.

Dr. Ravenholt commented that venereal disease control programs historically focused on syphilis and gonorrhea. Syphilis has almost become a rare disease. We are down to 30 cases a year. Gonorrhea was over in the 5,000 cases per year level in Las Vegas but has been on a strong downward trend. The District continues to operate a daily clinic for treatment, investigation and control of all sexually transmitted diseases.

Environmental Health

Clare Schmutz handed out a letter prepared by Dr. Kwalick inviting the Board members to an animal control symposium in February 1998 that the Health District is sponsoring in cooperation with the State Agricultural Department. The symposium will cover disease and the care and adoption of animals.

Dr. Kwalick commented that this meeting would be held February 5-6, 1998 at the Sahara Hotel. This will be held in conjunction with the State Veterinarian and the Hirschband Foundation and will follow the Western States Veterinarian Association Meeting. The letter has gone out to all animal control groups, various County Commissioners and City Councilmen inviting them to attend. Continuing education credits will be offered. This is the first meeting of this type to be held locally and we are looking forward to it perhaps it being an annual event.

Clare Schmutz remarked that the food facility construction program continues at a rapid pace. There are 15 hotels presently undergoing new construction and remodeling of their facilities. We have a total of 651 establishments under remodeling and/or construction. Swimming pool construction is continuing to rise. Presently, we have 143 commercial swimming pools under construction.

Ed Wojcik stated that in the past we have informed the Board of issues regarding back flow prevention and the importance of protecting drinking water from possible contaminants such as carbonated beverage machines not adequately protected that can cause copper poisoning. We have conducted two in-services with District Environmental Health Staff to help educate them with regard to the importance of back flow prevention in those facilities that we permit. These include food handling facilities and public pools and spas. Through the efforts of this Committee we hope to develop guidelines or a handbook that will help Staff to better enforce the regulations already in place. In this process we recognize that there are other agencies with enforcement responsibilities such as the building departments and local water utilities. The water utility responsibilities end at the property line and the building department responsibilities generally end after the building has been completed. However, District responsibilities continue for the life of the facility. We hope to gain information from other agencies and states to benefit from their experiences. Staff will provide further information in the future.

V. CITIZENS PARTICIPATION

Mary Shope-Wiles shared with the Board some photos that the "Dump the Dump" group had of the landfill that was proposed in the Eldorado Valley in 1997. She thanked the Staff for answering questions and providing documentation to complete their files. Also, she thanked the Board Members for their support and hearing them throughout the year, and those from neighboring cities who were in support of not putting a landfill in the Eldorado Valley. This makes the County a better place to live. Hopefully, 1998 will bring a resolution to the dump issue.

VI. INFORMATIONAL ITEMS

DULY NOTED

1. Financial Data
2. Emergency Medical Services Advisory Board Meeting Minutes and Annotated Agenda, 12/05/97
3. Listing of Food Establishments in Plan Review for the Period of 11/01/97 - 11/30/97 Environmental Health Division
4. Air Pollution Control Monthly Report (Air Quality, Enforcement Activity and Permitting), 12/18/97
5. Air Pollution Control Hearing Officer Meeting Annotated Agendas, 12/10/97
6. Meeting of PM10 Emissions Control Research Advisory Committee 10/29/97 Minutes
7. Report on Planned Pilot Program with the Clark County School District Using California Reformulated Gasoline
8. Letter from City of Henderson Utility Services Manage Regarding Grant Application for Mayfield Water Users Association
9. Newspaper Article from the Review Journal Re: Inspectors Keep Tabs on County Restaurants

VII. ADJOURNMENT

There being no further business to come before the Board Secretary Ravitch adjourned the meeting at 10 a.m.

SUBMITTED FOR BOARD APPROVAL

Otto Ravenholt, MD, Chief Health Officer
Executive Secretary

/mlg