

MINUTES

Clark County District Board of Health Meeting

625 Shadow Lane
Las Vegas, Nevada 89106
Clemens Room - 8:00 A.M.
Thursday, January 25, 1996

The regularly scheduled meeting of the District Board of Health was called to order at 8:00 A.M. by Chairman Robinson 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:

William Robinson	Chairman, Councilman, North Las Vegas
Laura Jean Miller, RN	Appointee, Henderson
Mary Kincaid	Councilman, North Las Vegas
Kirk Cammack, M.D.	Physician Member At Large
Sherry Colquitt	Appointee, Las Vegas
Amanda Cyphers	Councilman, Henderson
Mary Kincaid	Councilman, North Las Vegas
Donalene Ravitch	Appointee, Henderson
Bruce Woodbury	Commissioner, Clark County

Absent:

Robert Ferraro	Councilman, Boulder City
Erin Kenny	Commissioner, Clark County
Gary Reese	Councilman, Las Vegas

Executive Secretary:

Otto Ravenholt, MD, MPH

Legal Counsel:

Ian Ross, Esquire

Staff: Clare Schmutz; David Rowles; Mike Naylor; Fran Courtney, R.N.; Roy Soffe; Karl Munninger; Ed Wojcik; Roy Soffe; Curt Taipale; Angie Negrete and Recording Secretaries Diana Lindquist and Montana Garcia

PUBLIC ATTENDANCE:

<u>NAME</u>	<u>REPRESENTING</u>
Hendrik J. Van Brenk	WMK Materials
Christina Iversen	WMK Materials
Jim Matthews	Frehner Construction
Russ Wilde	Nevada Division of Transportation
Lenny Ordway	Pabco Gypsum
James L. Dick	Royal Cement Co.
Daniel DiNardo	Royal Cement Co.
David Breault	Las Vegas Paving Corp.
Chip Lawson	Mirage Resorts
Gary Y.	Southwest Gas Corp.
E. J. Hilts	Southwest Gas Corp.
Susan P. Stewart	TIMET
David Sorg	James Harvie Gypsum
Ed Barry	Chemical Lime Co.
Rex Simpson	Chemical Lime Co.
Robert Groesbeck	Silver State Disposal Environmental Technologies
Alan Gaddy	Saguaro Power Company
Leslie Long	City of North Las Vegas
Paula Smith	UMC Paramedic Education
Gregory Sanks	Nevada Power Company
Donald Sculthorpe	Pioneer Chlor Alkali Co.
Walter Lombardo	Nevada Division of Minerals
Brent Anderson	Royal Cement Co.
Clete Kus	Clark County Comprehensive Planning
Jeff Harris	Clark County Comprehensive Planning
Dick Serdoz	Nevada Div. Of Environmental Protection
Christine Grandstaff	Justice & Associates
Jay N. Smith	Las Vegas Paving Corporation
T. Mendenhall	Las Vegas Paving Corporation
Mary Ellen Marcilliat	Greater Nevada Auto Auction
Daniel Virden	Greater Nevada Auto Auction
Jerry Horn	Chevron
Bill Bagley	Larsen Sign
Marty O'Connor	Haycock Distributing Co.
Jay T. Ewing	Ewing Brothers, Inc.
Richard Thornton	Nevada Ready Mix
Robert Gronowski	Nevada Division of Agriculture
Edward Martinez	Harding Lawson Associates
Mike Glancy	Bonanza Materials, Inc.
Dan Fitzsenry	Georgia-Pacific Corporation
Rob Beecham	Self
Ann Zorn	Self
Arthur Bloom	Self
Joy Carver	Self
Marcia Amma	Self

PRESENTATION:

Chairman Ferraro on behalf of the Board presented a plaque in appreciation to retiring employee, Ella Duhaime, R.N., for her 11 years of dedication and service to the citizens and visitors of Clark County, Nevada.

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 Colquitt moved for approval of the Consent Agenda. Motion was seconded by Member Kincaid and carried unanimously approving the following Consent Agenda:

1. **Minutes/Board of Health Meeting** - 12/21/95
2. **Payroll/Overtime for Periods of** - 11/18/95-12/01/95; 12/02-15/95 & 12/16-29/95
3. **Claims Register** - #678, 12/08/95 - 12/21/95; #679, 12/22/95 - 01/05/96 & #680, 01/08/96 - 01/18/96
4. **Petition #01-96** - Interlocal Agreement with Nevada Department of Motor Vehicles for Air Pollution Control Funding (Annual Renewal)

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

1. **Memorandum #01-96**, Public Hearing: Amendments to Sections: 0 - Definitions; 1 - Definitions (to be deleted); 12 - Preconstruction Review of New or Modified Stationary Sources; 15 - Source Registration (to be deleted); of the Air Pollution Control Regulation

Michael Naylor remarked that the proposed amendments to the Air Pollution Control Regulations reflect the New Source Review requirements and many associated definitions. These rules are used to process applications to build new industrial and commercial facilities. They address issues of emission control technology, offsetting of emissions, protection of air quality increments, public notice criteria, conditions for ambient air monitoring and emissions monitoring, and other related requirements to protect air quality.

In 1987, the Board adopted Section 0 (Definitions) and Section 12 (Preconstruction Review of New or Modified Stationary Sources). These new sections were intended to introduce Regulations for air toxics and reorganize the Non Attainment Area and Prevention of Significant Deterioration requirements. Last summer EPA gave the District a temporary 6 month approval of the regulations, new and modified sources. This temporary approval expires January 31, 1996. If these current rules are disapproved and we fail to make the amendments that EPA has mandated, they could start a 18 month sanction.

Staff has been working specifically on the proposed regulations since October 1995. Several public workshops were held and well attended by local industry and consulting firms.

Member Reese expressed concern that he had not been invited to any public workshops on the regulations as they were very technical

Memorandum #01-96 had been appropriately public noticed. Due to the receipt of several responses within the last 24 hours, including a letter from EPA, staff suggested that the Board consider continuing the public hearing until the March 28, 1996 Board meeting or possible partial adoption of the regulations, Sections 0, and updating the draft revisions for the February 22nd Board meeting. Renoticing the public hearing for the March 28th board meeting would allow for a 30-day public notice period. It has been difficult to keep our draft up to date with all the suggested changes.

Dr. Ravenholt commented that the District functions as a delegate agency for EPA. The EPA has authority and responsibility throughout the United States. We are dealing with EPA mandated rules not the Health Districts. We need to administratively conform in order for a whole variety of other things to function such as federal highway funds, inspection control and maintenance. The regulation changes are not from District staff but reflect an effort to stay in sufficient conformance with EPA so that they will continue to endorse the State Implementation Plan.

Michael Naylor stated that although several letters were received staff wanted to address the letter received from Las Vegas Paving as it related to offset PM10 emissions and it was the only letter that did not completely refer to a topic that staff was proposing to continue to the March Board meeting. Staff suggested that Board go through the 15 items listed in Memo #01-96 (attached).

At this time, Chairman Ferraro opened the public hearing and asked that public testimony be given only to the Item being addressed by Staff as outlined on Memo #01-96.

1. Substantial Reorganization of Subsections:

The draft amends involve major reorganization of the subsections in order to provide a consistent structure and format for each air pollutant. The pollutants are ordered by management priority due to the Valley's non-attainment status for the pollutant. Most of the reorganization is intended to facilitate ease of use. The reorganization has resulted in a significant increase in the number of pages of the regulations.

Robert Groesbeck, representing Silver State Disposal, Environmental Technologies and the Coalition of Regulated Industries stated that they supported the rule making process on behalf of staff and commended staff's effort. He felt more input was needed from the general public. If the goal was to stifle business, the impact of these changes will accomplish that goal. The two workshops held previously by the Air Pollution Control division have not offered adequate time to resolve the issues raised by the Proposed Amendments. He asked that since new revisions to the regulations were out, that the Board direct staff to sit down with all interested individuals and work toward an amenable resolution of the numerous and substantial proposed rule changes.

2. Transfer of Existing Language from Section 15 to Section 12:

Michael Naylor stated that the EPA has identified many Prevention of Significant Deterioration related deficiencies in Section 12 that are addressed in Section 15. Staff proposed continuing this section to the March 28th Board meeting.

Chairman Ferraro asked if there were any public comment on this item. There was no response.

3. Revising Some of the Special Restrictions on Oxides of Nitrogen (NOx) in the Valley (Subsection 12.2.14)

Michael Naylor explained that the Board adopted special restrictions on sources of NOx in the Valley in 1990. Part of the intent of this regulation was to prevent construction of major commercial power generating facilities in the Valley. NOx emissions play a role in the formation of ozone and generate inhalable particulate matter and haze. The restrictions limit new sources locating in the Valley to 50 tons per year Potential to Emit. It limits modification to existing sources to an increase of 50 tons per year. Both new and modification increases are relative to 1991.

An unforeseen consequence of this regulation has been the potential prohibition on large diesel powered generator sets used at some of the sand and gravel facilities in the area. These large generator sets are used because the facilities are not near convenient utility service from Nevada Power Company. The emissions of NOx per kilowatt from Diesel generators are several times higher than the emissions of NOx per kilowatt from electrical power plants. Advanced control technology used by the utilities is not yet available for the diesel generator sets. If the use of diesel generator sets is actually discontinued because utility services are provided, the Valley would benefit with reduced NOx and PM10 which could cause haze.

Presently, two sand and gravel facilities are not in compliance with the 50 ton cap because they have added emission units since 1991 that appear to trigger this requirement. The 50 ton NOx restriction would have exempted the sand and gravel industry which includes Nevada Ready Mix facility and the Las Vegas Paving facility located on Lone Mountain Road. There are other facilities in the area that use the generator sets, but their increases appear to be below 50 tons per year. The proposed amendments would give Nevada Ready Mix and Las Vegas Paving until July 1, 1997 to come into compliance with this rule.

Dr. Ravenholt added that this provision would impact air quality problems and enhance the Clean Air Action Plan as well as address compliance with the two facilities by July 1997.

Discussion ensued by the Board and Staff concerning EPA's possible reaction to relaxing the requirements by allowing the two facilities until July 1997 to come under compliance.

Chairman Ferraro asked if any member of the public wished to speak.

Richard Thorton, representing Nevada Ready Mix, commented that they were a major supplier of concrete that would have to reduce their production or curtail some of their operations to come under the regulation. He asked that the Board consider put of voting on this item until a later date.

Member Cyphers stated that she felt very uncomfortable adopting any part of the regulations at this time. She suggested that Staff be directed to go back and have more workshops, as this one under a different air shed, and the regulations be brought back to the Board as a whole.

Dr. Ravenholt noted that the two facilities are now in violation of the existing regulations staff must proceed with enforcing the violation unless this regulation is approved. If the Board does not do anything but continue this item, EPA stresses that we must process these facilities for penalties. If the Board moves forward, this will give the facilities an 18 month relieve.

Michael Naylor added that we normally expect corrective action in 12 to 20 days and a failure to stop order would be issued to the facilities to shut down operations for non compliance to resolve and correct this issue. Staff recommended that the Board approve this item.

4. Retain the Special Restrictions on Carbon Monoxide in the Downtown/Strip Area,

(Subsections 12.2.6 and 12.2.7)

Michael Naylor explained that the Board adopted this regulation to prohibit the construction of sources with the potential to emit CO emissions not to exceed 10 tons per year within the area bounded by Washington Avenue on the north, Lamb Boulevard on the east, Tropicana Avenue on the south, and Interstate 15 on the west.

This restriction would have been deleted, but given our recent history of high levels of CO, staff recommended that the Board retain the 10 tons per year restriction. Staff saw no problem with adopting this regulation.

Chairman Ferraro asked if any member of the public wished to be heard. There was no response.

5. Disincentive for Sources Operating Without an Authority to Construct (Subsection 12.1.2.1)

Michael Naylor stated that the consequences for failing to apply for an Authority to Construct permit were not specified in this regulation. For a major source, the minimum application permitting fees would be \$2,600. Effective July 1, 1996, the regulations proposes that any new or modified stationary source found without an Authority to Construct, would be assessed NSR permitting fees at double the applicable amount. We have uncovered that several companies have intentionally or unintentionally have not found prior approval from the District therefore the effective date would be an amnesty for these companies.

Discussion ensued by the Board and Staff concerning the effective date.

Chairman Ferraro asked if any member of the public wished to be heard.

Ann Zorn suggested that if staff does require the companies to come forward and comply, please give them 10 days that they might come forward with there applications. She felt that there was a public perception that they have an advantage over businesses who have made an effort to comply.

Walter Lombardo suggested that Staff may want to look at this amnesty deadline of July 1 as companies may still be liable for civil penalties for failure to take corrective action.

6. Exemption from ATC Requirements for Sources Below the De Minimus Level (Subsection 12.1.3.3)

Currently, this regulation requires any source to apply for an ATC with no exemption for very small sources of air pollution. Staff proposes rewording the stationary source definition to include a de minimus source based on the currently defined minimum emission thresholds. This would address the permitting requirements of very small emission sources and enable staff could issue a permit with conditions that limited the source emissions to the defined levels.

Staff recommended that this item be continued for the March Board meeting.

Chairman Ferraro asked if any member of the public wished to be heard.

Rob Beecham a Mechanical Engineer remarked that unfortunately several of these units combined have the potential to produce 30 tons of NOx and something needed to be done to address this issue.

Ed Barry of Chemical Lime asked that no action be taken on this item until further clarification.

7. Increase the Public Notice Thresholds for Non-Major Sources and PSD Area sources:

Michael Naylor stated that public notice thresholds for many air pollutants are at levels below the federal guidelines. For sources in the PSD area, staff proposed to increase the public notice thresholds to federal significance levels or District major source thresholds whichever is more restrictive. For sources of all pollutants, except PM10, in the management area or non-attainment area, staff proposed to increase the public notice threshold to one-half District major source threshold or one-half the federal significance level, whichever is more restrictive. For PM10 sources in the management area or non-attainment area, staff proposed to increase the public notice threshold to the federal significance level of 15 tons per year.

Staff proposed that this item be held for the March Board of Health meeting.

Chairman Ferraro asked if any member of the public wished to be heard. There was no response.

8. Relaxation of the NOx and VOC Offset Ratio from 2:1 to 1.2:1 (Subsections 12.4.3 and 12.4.4)

Michael Naylor commented that the current regulations require 2:1 offsets for PM10, CO, VOC and NOx in the Valley. Staff cautioned the Board not to continue such an ambitious offset program in light of the fact of our attainment status for Ozone and NOx and the lack of available credits for sale. This proposal is intended to help facilitate the interest of business. The EPA does not require any offsetting for these emissions. Upon submission of Section 12 as the SIP for Clark County's NSR program and subsequent approval by the EPA, our regulation will become federally enforceable. This means that it could be more difficult in the future for the Board to relax the offset ratios if the air quality situation improves. However, the District may develop more stringent regulations in the future if necessary.

Staff proposed to maintain the 2:1 offset for these pollutants but relax the offset ratio from 2:1 to 1.2:1 for VOC and NOx sources.

Dr. Ravenholt noted that this was an issue of pragmatic importance. In some cases companies are hoarding these credits and not selling them.

Jeff Harris of Clark County Comprehensive Planning remarked that they were uncertain that reducing or de-evaluating will actually produce those credits. There may be other reason to hold back those credits. We still support the 2:1 credit. As an alternative, the Board might want to open up the CO credit as there may be a greater opportunity to find CO credits. We do not support the 1.2:1 credit as ozone levels are approaching the standard and we do not interpret that ozone limits the same credit as CO does.

Christine Grandstaff of Justice & Associates felt that reducing the limit would encourage generation of credits that could be traded on the open market.

Richard Thornton of Nevada Ready Mix remarked that the intent on this issue has always not to raise revenue but to encourage companies to reduce their dust.

After brief discussion by the Board and Staff concerning the offset fees on the 1.2:1 ratio versus the 2:1, Staff suggested that this item be held until the March meeting.

9. Allow Non-Major Source Interpollutant Trading of VOC with PM₁₀ (Subsection 12.2.11)

Michael Naylor explained that current VOC regulations require non-major VOC sources in the Valley to obtain offsets through Section 52 (Vapor Recovery at Gasoline Stations) or 58 (Emission Reduction Credits). Recently, some non-major VOC sources in the Valley have had difficulty purchasing VOC Emission Reduction Credits (ERC) because the owners of the ERCs are saving them for future expansion of their operations. Staff proposed to alleviate the apparent VOC ERC shortage by allowing the Interpollutant trading of VOC ERCs with PM₁₀ ERCs. This option will give permittees an opportunity to buy the PM₁₀ credits freeing up the VOC credits and allow additional flexibility to meet obligations.

Chairman Ferraro asked if any member of the public wished to be heard.

Alan Gaddy of Environmental Technologies remarked that some of his clients do have VOC credits that they are hoarding because with VOC credits there is a monetary impact.

Roy Soffee explained that a VOC credit is a life time credit.

David Sorg of James Hardie Gypsum expressed concern about trading and netting concept whereby you could increase NO_x by 10 tons and decrease PM₁₀ by 10 tons was not covered in the regulations.

Staff recommends continuing this item to the March Board meeting. Chairman Ferraro asked if any member of the public wished to be heard. There was no response.

10. Addition of a Hazardous Air Pollutant (HAP) (Subsection 12.2.18)

Currently, the ATC requirements of Section 12 are not linked to the HAP requirements of Section 20. This new subsection will address the linkage. Staff proposed continuing this item to the March Board meeting.

Chairman Ferraro asked if any member of the public wished to be heard. There was no response.

11. Establish Requirements for Compliance Testing for any HAP or Toxic Pollutant Based on the Development of a Future Compliance Test Regulation (Subsection 12.2.18 & 12.2.19)

The current regulations require compliance testing of enumerated chemical substances but the methodology is mutually determined between the Control Officer and the Applicant. Currently, staff is in the process of developing a regulation on compliance/performance testing that will clarify the Districts policy on compliance with the permitted emission limitations for larger sources of HAPs and Toxics. Staff proposed continuing this item to the March Board meeting.

Chairman Ferraro asked if any member of the public wished to be heard. There was no response.

12. Establish Requirements for Pre and Post Construction Monitoring Based on a Significant Impact Level (Subsections 12.5 & 12.6)

Section 15 (Source Registration) of the regulations presently address the pre and post construction monitoring requirements for PSD areas. Staff proposes to transfer this requirement to Section 12 and update the significant impact levels to current EPA standards. Staff proposed continuing this item to the March Board meeting.

Chairman Ferraro asked if any member of the public wished to be heard. There was no response.

13. Change the PM₁₀ Emission Reduction Credit Options under the from Road Paving Requirements (Subsection 12.4.5)

Michael Naylor remarked that Section 12 of the regulations allow sources to pave an unpaved road provided the local public works approves the qualifying road paving project. Over the past year, the public works agencies have prevented qualifying road paving projects from occurring unless public works manages the project or contracts the project out. Staff proposed to delete this option since it is apparently no longer available to sources. However, Las Vegas Paving submitted a letter objecting to the deletion of this option. They have 3 facilities and have suggested doing direct paving but the public works department does not agree to direct paving.

Therefore, Staff asked for direction of the Board and suggested continuing this section until the March Board meeting.

Also, this section provides a 1 year and 7 year payment option for purchasing PM₁₀ ERCs. Staff suggested retaining the 7 year ERC.

Chairman Ferraro asked if any member of the public wished to speak.

Jay Smith of Las Vegas Paving remarked that they were in a position to create offsets by doing the paving directly and take advantage of the offset credits. He expressed concern that this would have a financial impact on their small facility. He explained that they were not paying to emit NOx in the air but paying to have the potential to do this if necessary. Also the public works department appears to be striving to make the differences unsolvable.

Eddie Martinez of Harding Lawson Associates remarked that the larger companies do have a greater potential for taking advantage of this program. In order to get the program moving forward he suggested members of the Board that oversee some of these agencies work with various public works departments to get this program to work.

Discussion followed concerning the difficulties that members of the public have had with the various public works departments and the potential emission credits received.

14. Limiting the visibility impacts in the Grand Canyon National Park (12.2.21)

Based on a request from the National Park Service, staff proposed that the major sources would be required not to exceed a limit on visibility degradation in the Grand Canyon Area. Staff suggested continuing this item to the March Board meeting.

Chairman Ferraro asked if any member of the public wished to be heard.

Walt Lombardo of the Nevada Division of Minerals stated that a study had been conducted the findings tentatively indicate that a great majority of the emissions are not from the State of Nevada but from California and Arizona. (the EPA Grand Canyon Visibility Corridor). One recommendation would be to pave all the dirt roads in the State of Nevada). He asked that this item be tabled until the report was released in mid May or July.

15. Continuous Emissions Monitoring Systems for Major Sources and Any Modifications to Major Sources (Subsection 12.7)

Currently, Section 12 regulations require any source in the County with the emissions units that have emission rates exceeding 120 tons per year for CO, 40 tons per year for NOx or 25 tons per year for SO₂ to install a continuous emissions monitoring system (CEMS). Staff proposes to distinguish the emission rate thresholds for the Prevention of Significant Deterioration (PSD)

area from the emission rate thresholds for the non-attainment area and management area. Staff proposes that all CEMS should be used for direct compliance. The proposed changes should provide for adequate monitoring of only those emissions units with significant emission rates and ensure compliance with permit limits. Staff suggested continuing this item until the March Board meeting.

Chairman Ferraro asked if any member of the public wished to be heard. Concerns were expressed from various representatives on adopting the regulations without allowing for additional public workshops with the involved entities to better clarify the rule changes.

At this time, discussion followed by the Board and Staff concerning the possibility of adopting certain portions of the regulations, continuing for future consideration or closing the public hearing and renoting the regulation changes with additional public workshops.

Chairman Ferraro closed the public hearing.

Member Kinkaid moved for approval of reorganization of the subsections and Subsection 12.2.14 including paragraph "E" which would give the two companies relieve. Motion was seconded by Member Colquitt and carried 6 to 1 with Member Cyphers voting nay.

2. Memorandum #02-96 Public Hearing: To Consider Amendments to the Emergency Medical Services Regulations

Larue Scull, EMS Coordinator, stated that the amendments to the EMS regulations add authorization by the Health Officer in accordance with policy recommended by the Medical Advisory Board (MAB) for EMT-I and EMT-P recertification. Also added is the Basic Trauma Life Support as an optional training requirement for paramedic certification and reciprocity certification. A new section has been added to provide a mechanism for out-of-state EMS Instructors to apply for EMS Instructor certification by reciprocity. The proposed changes have been reviewed and approved by the MAB.

Chairman Ferraro opened the public hearing and asked if any member of the public wished to heard. There was no response. At this time, Chairman Ferraro closed the public hearing.

Member Reese moved for approval of Memorandum #02-96, Amendments to the Emergency Medical Services Regulations. Motion was seconded by Member Cammack and carried unanimously.

3. Memorandum #03-96 Public Hearing: To Consider/Adopt Administrative Policies for the Emergency Medical Services Program

Larue Scull, EMS Coordinator, remarked that the proposed administrative policies encompass certification of new paramedic graduates as well as paramedic certification via reciprocity, challenge or reinstatement. The policy for certification testing provides an equitable process for testing all candidates for EMS Certification at any level and Modules I, II and III define the three levels of EMS Instructor certification.

Dr. Ravenholt added that this has been managed by administrative policy to date but would benefit from the Board of Health's endorsement.

Chairman Ferraro opened the public hearing.

Paula Smith, University Medical Center Paramedic Education Coordinator, stated that the this process has taken approximately 2 ½ years before the other paramedic educators in the Las Vegas Valley decided to present the changes to the Board. All of the educators agree and support the changes as recommended by Staff. She felt there were still some questions but the EMS Staff have cooperated fully in answering them.

Dr. Joe Heck, Assistant EMS Medical Director, briefly stated that the policies were formulated in an effort to allow more people to be educated within the EMS program. The EMS office will use these policies as guidelines to supplement the enforcement of the EMS regulations pertaining to certification, recertification, testing and training.

Chairman Ferraro closed the public hearing.

Member Cyphers moved for approval of Memorandum #03-96 adoptions of the Administrative Policies for the Emergency Medical Services Program. Motion was seconded by Member Kincaid and carried unanimously.

III. REPORT/DISCUSSION/POSSIBLE ACTION:

1. **Petition #06-96** - Request to Set a Public Hearing Date of March 28, 1996 to Consider Amendments to the Clark County Health District Regulations Governing the Sanitation of Food Establishments

Dr. Ravenholt remarked that Staff was asking that the Board set a public hearing on Mach 28, 1996 at approximately 8 A.M. to consider the proposed amendments to the regulations governing the Sanitation of Food Establishments.

Member Colquitt moved for approval of Petition #06-96 to set the public hearing on March 28, 1996 at approximately 8 A.M. After brief discussion by the Board in reference to having several public hearings set for the same date, Member Colquitt amended her motion to set the public hearing date for April 25, 1996 at approximately 8 A.M. Motion was seconded by Kincaid and carried unanimously.

2. **Petition #05-96** - Request to Amend Fiscal Year 1995-1996 Air Pollution Control Division Budget to Include a Position for Additional Permit Specialist

David Rowles, explained that staff was requesting the addition of one position of a Permit Specialist to the Air Pollution Control Division (APCD). Since the commencement of the Title V Permitting program in August 1995 and the associated increase in applications for New Source Review and APCD has experienced a considerable growth in the workload involved in processing these applications. We anticipate that the increase number of applications will continue over the next six to twelve months and for APCD to sustain a reasonable turnaround time for these applications, Staff requests that the fiscal year 95-96 budget be amended to accommodate the hiring for this position.

Member Cyphers moved for approval of Petition #05-96. Motion was seconded by Member Kincaid and carried unanimously.

3. **Petition #04-96** - Request to Set Public Hearing to Consider Amendments to Section 52 of the Air Pollution Control Regulations

Roy Soffe commented that Staff was asked that the Board consider setting a public hearing for March 28, 1996 to consider draft amendments to the requirements of Stage II vapor recovery testing in Section 52 of the APC regulations. The suggested amendments will allow the testing of vapor recovery systems by persons certified by the District, outside of normal working hours.

Member Colquitt moved for approval of Petition #04-96 and to set a public hearing date of March 28, 1996 at approximately 8 a.m. to consider the proposed amendments to Section 52 of the Air Pollution Control regulations. Motion was seconded by Member Reese and carried unanimously. Also, Member Reese requested that Staff place this public hearing first under the hearing section on the March agenda.

4. **Petition #08-96** - Interlocal Agreement with Nevada Department of Motor Vehicles (DMV) for Air Pollution Control Funding from Excess Reserve for Urban Airshed Modeling **AND**
5. **Petition #09-96** - Agreement with Clark County Comprehensive Planning to Update the Urban Airshed Model

David Rowles asked that the Board consider Items 4 and 5 jointly as they both pertained to the same thing. He explained that the Interlocal agreement provided for continued distribution of reserve DMV smog certificate funds to the Clark County Health District for supplemental programs supportive of efforts to minimize automobile exhaust. A portion of these funds are designated to update the urban airshed model for predicting monoxide emissions in the Valley. The District will act as a conduit of the DMV and contract with the County Comprehensive Planning to carry out the project. Comprehensive Planning, as the responsible entity for development of the State Implementation Plan, requires an approved model to demonstrate attainment status for ambient air carbon monoxide levels. The agreement provides for the transfer of funding from the District to County Comprehensive Planning to upgrade the current airshed model with the assistance of a technically experienced consultant. The District will have a participatory role.

Member Kincaid moved for approval of Item 4, Petition #08-96, Interlocal Agreement with Nevada DMV for Air Pollution Control Funding from Excess Reserve for Urban Airshed Modeling; and, Item 5, Petition #09-96, Agreement with Clark County Comprehensive Planning to Update the Urban Airshed Model. The motion was seconded by Member Colquitt and carried unanimously.

IV. STAFF REPORTS

Environmental Health

Clare Schmutz remarked that 1,005 subdivision maps were reviewed in 1995 compared to 1,123 in 1994. There were 559 subdivision maps signed in 1995 compared to 588 in 1994. Dwelling units approved were 27,766 in 1994 compared to 27,807 in 1995. Also, there were 241 parcel maps reviewed in 1994 compared to 343 in 1995. All other sections are running well.

Administration

David Rowles remarked that staff had been working this month on EPA relations and expect some resolutions in the future. Staff is also evaluating the impact of shut down of the federal government.

Health Cards in 1995 were 103,000 compared to 93,000 in 1994. We process approximately 530 to 560 clients a day.

Clinic's & Nursing

Fran Courtney remarked that recently Staff has had a lot of inquiries regarding influenza and pneumonia. Many individuals seem to be experiencing problems with the viral infections. This has created a problem in the Valley with most of the hospitals on divert with a patient overflow.

All other sections running well.

Air Pollution Control

Michael Naylor stated that we had two CO exceedances in January that could put us in some jeopardy with the EPA. We do not feel these readings are accurate because of some nearby pine trees, block walls and an apartment complex. We are attempting to relocate that measuring site to a place with no obstructions approximately three blocks away. The EPA is scheduled to visit the East Charleston site in the near future.

V. CITIZEN PARTICIPATION

The Board of Health cannot act upon items raised under this portion of the Agenda until notice provisions of Nevada's Open Meeting Law have been complied with. Therefore, any actions on such items are considered at a later meeting.

Chairman Ferraro asked if any member of the public wished to be heard.

Robert Gronowski of the Department of Agriculture asked that the Board consider participating in a proposed field study to determine whether the lowering of the Ried Vapor pressure of gasoline reduces carbon monoxide in the Las Vegas Valley. Only the study participants will have ready to get the results of the study. The results could be used in future planning.

Arthur Bloom reviewed his processes of removing air pollution from the mouth by cleaning the tongue and the inside of the mouth.

VI. INFORMATIONAL ITEMS

1. Financial Data
2. Annotated Agenda and Minutes from December 6, 1995 Meeting of the Emergency Medical Services Medical Advisory Board
3. Letter to Nelson Residents Regarding Solid Waste Dump Site
4. Listing of Food Establishments in Plan Review for the Period of 12/01/95 - 12/31/95 Environmental Health Division
5. Letter from Clark County District Attorney's Office and Las Vegas Municipal Courts Regarding Illegal Dumping

VII. ADJOURNMENT

There being no further business to come before the Board, Chairman Ferraro adjourned the meeting at 11:14 a.m.

SUBMITTED FOR BOARD APPROVAL

Otto Ravenholt, MD, Chief Health Officer
Executive Secretary

/mlg