



Air Pollution Control Hearing Officer Meeting Annotated

Clark County Building Department – Presentation Room
4701 West Russell Road, Las Vegas, NV

8:00 a.m. – June 17, 2024

Hearing Officer: Holly Fic
Air Quality Staff: Shibi Paul, Compliance and Enforcement Manager SP
Anna Sutowska, Air Quality Supervisor

The Presentation Room is accessible to individuals with disabilities. With 24-hour advance request, a sign language interpreter or TDD may be made available; phone (702) 455-3126, TDD (702) 385-7486, or TT/TDD: Relay Nevada 711, Toll-Free (800) 326-6868 or (800) 877-1219 (Spanish).

I. CALL TO ORDER 8:28 a.m.

II. NOTICES OF VIOLATION

A. CONTESTED CASES

Construction and Vacant Land Violations:

1. ASSURED DEVELOPMENT, INC. AND JOSEPH YAKUBIK, INDIVIDUALLY (DCOP #50962)

NOV #9907 – For failing to implement control measures for long-term stabilization, as described in Best Management Practice 11 at permit closure, as identified by Air Quality Specialist Nahulu Kahananui and Senior Air Quality Specialist Katrinka Byers during a permit closure inspection on July 13, 2023, a complaint investigation on August 2, 2023, and follow-up inspections on August 9, 11, and 17, 2023, at the Milan Customs construction project, located at the northeast corner of Milan Street and Berlin Avenue, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$5,000.00

Violation #1 – Sections 94.5(n)(1) and (2)
Section 94.13(b)

Continued from 11/16/2023, 1/18/2024, and 3/21/2024; hearing commenced on 4/24/2024 and continued to 6/17/2024.

**FOUND IN VIOLATION.
PENALTY ASSESSED: \$5,000.00**

2. **ATLAS HOLDINGS INTERNATIONAL LLC AND JOSEPH YAKUBIK, INDIVIDUALLY (Construction Project #57391)**

NOV #9946 – For failing to employ Best Available Control Measures and comply with soil stabilization standards 24 hours a day, seven days a week, as identified by Senior Air Quality Specialists Katrinka Byers and Andrew Kirk while performing routine patrol resulting in an initial inspection on November 8, 2023, and follow-up inspections on November 15 and 20, and December 11, 2023, at the 732 & 724 Naples | 729 Milan construction project (parcel numbers 179-04-510-004, 179-04-510-005, and 179-04-510-006), located at 732 North Naples Street, 729 North Milan Street, and 724 North Naples Street, respectively, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$5,937.50

Violation #1 – Sections 94.13(a) and (b)

Continued from 1/18/2024, 3/21/2024, and 4/24/2024.

FOUND IN VIOLATION.

PENALTY ASSESSED: \$5,937.50

3. **ATLAS HOLDINGS INTERNATIONAL LLC AND JOSEPH YAKUBIK, INDIVIDUALLY (Construction Project #57391)**

NOV #9979 – For failing to employ Best Available Control Measures and comply with soil stabilization standards 24 hours a day, seven days a week; and for failing to obtain a Dust Control Operating Permit prior to commencing construction activities, as identified by Senior Air Quality Specialists Katrinka Byers and Andrew Kirk while performing follow-up inspections on January 10, 17, and 22, 2024, at the 732 & 724 Naples | 729 Milan construction project (parcel numbers 179-04-510-004, 179-04-510-005, and 179-04-510-006), located at 732 North Naples Street, 729 North Milan Street, and 724 North Naples Street, respectively, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$4,000.00

Violation #1 – Sections 94.13(a) and (b)

Violation #2 – Section 94.4.1(a)

Continued from 3/21/2024 and 4/24/2024.

FOUND IN VIOLATION.

PENALTY ASSESSED: \$4,000.00

RECESS AT 12:30 p.m.

RESUMED AT 12:39 p.m.

4. JOSEPH YAKUBIK AND DARCI E YAKUBIK, INDIVIDUALLY (Construction Project #57592)

NOV #9981 – For failing to employ Best Available Control Measures and comply with soil stabilization standards 24 hours a day, seven days a week; and for failing to obtain a Dust Control Operating Permit prior to commencing construction activities, as identified by Senior Air Quality Specialists Katrinka Byers and Andrew Kirk, and Air Quality Supervisor David Dean during a routine patrol resulting in an initial inspection on January 17, 2024, and follow-up inspections on January 19 and February 14, 2024, at the 1028 Athens Avenue construction project (parcel numbers 160-33-801-021 and 160-33-801-020), located at 1024 and 1028 Athens Avenue, in Clark County, Nevada.

Violation(s) Alleged:

Recommended Penalty: \$4,000.00

Violation #1 – Sections 94.13(a) and (b)

Violation #2 – Section 94.4.1(a)

Continued from 3/21/2024 and 4/24/2024.

HEARING OFFICER DISMISSED THE VIOLATIONS ALLEGED IN NOV #9981; THEREFORE, DID NOT FIND JOSEPH YAKUBIK AND DARCI E YAKUBIK IN VIOLATION OF SECTIONS 94.13(A) AND (B), AND SECTION 94.4.1(A).

III. ADJOURNMENT 12:47 p.m.

Signature: 
Shibi Paul (Jun 20, 2024 07:08 PDT)

Email: SPaul@ClarkCountyNV.gov