



**Annotated Agenda**  
**Clark County Air Pollution Control Hearing Board**  
**April 6, 2022 – 1:30 P.M.**  
**Clark County Building Department**  
**Presentation Room**  
**4701 West Russell Road**  
**Las Vegas, NV 89118**

**Note:**

- Items on the agenda may be taken out of order.
- The Air Pollution Control Hearing Board may combine two (2) or more agenda items for consideration.
- The Air Pollution Control Hearing Board may remove an item from the agenda or delay discussion relating to an item at any time.
- No action may be taken on any matter not listed on the posted agenda.
- Please turn off or mute all cell phones and other electronic devices.
- Please take all private conversations outside the room.
- With a forty-eight (48) hour advance request, a sign language interpreter or other reasonable efforts to assist and accommodate persons with physical disabilities, may be made available by calling (702) 455-0354, TDD at (702) 385-7486, or Relay Nevada toll-free at (800) 326-6868, TD/TDD
- Supporting material provided to the Board members for this meeting may be requested from Sherrie Rogge, Administrative Secretary, at [sherrie.rogge@clarkcountynv.gov](mailto:sherrie.rogge@clarkcountynv.gov) or (702) 455-0354.
  - Supporting material is also available at the Clark County Department of Environment & Sustainability, 4701 West Russell Road, 2<sup>nd</sup> Floor, Las Vegas NV 89118.
  - Supporting material is/will be available on the Department's website at: [https://www.clarkcountynv.gov/government/departments/environment\\_and\\_sustainability/compliance/enforcement\\_notices.php](https://www.clarkcountynv.gov/government/departments/environment_and_sustainability/compliance/enforcement_notices.php)

Hearing Board Members

Daniel Sanders, Chair  
Ryan L. Dennett, Esq., Vice-Chair  
Elspeth Cordua (Absent)  
Troy Hildreth  
William Kremer  
Lauren Rosenblatt (Absent)

Deputy District Attorney

Catherine Jorgenson

Air Quality Staff

Marci Henson, Director  
Shibi Paul, Compliance & Enforcement Manager  
Anna Sutowska, Air Quality Supervisor



Administrative Secretary

Sherrie Rogge, Phone: 702-455-0354; Email [sherrie.rogge@clarkcountynv.gov](mailto:sherrie.rogge@clarkcountynv.gov)  
Business Address: Clark County Department of Environment & Sustainability,  
4701 W. Russell Road, 2<sup>nd</sup> Floor, Las Vegas NV 89118

1. **CALL TO ORDER** 1:32 p.m.

2. **PUBLIC COMMENT**

NONE

3. **OATHS OF OFFICE**

A. Elspeth Cordua (Lay Member) (Absent)  
Term of Office: 9/21/2021 through 9/20/2024

B. Daniel Sanders (Contractor Member)  
Term of Office: 9/21/2021 through 9/20/2024

**ACTION: ANNA SUTOWSKA, AIR QUALITY SUPERVISOR, ADMINISTERED THE OATH OF OFFICE TO DANIEL SANDERS. THE OATH OF OFFICE FOR ELSPETH CORDUA WILL BE ADMINISTERED AT THE NEXT HEARING BOARD MEETING.**

4. **ELECTION OF CHAIR**

New term – 4/6/2022 through end of term  
(For possible action)

Clark County Air Quality Regulations (AQRs) Subsection 7.1(b)(1)(H) states, “The Hearing Board shall select a Chair, Vice-Chair, and such other officers it deems necessary.”

**ACTION: NOMINATED BOARD MEMBER SANDERS TO SERVE A CHAIR FOR THE PERIOD OF APRIL 6, 2022 THROUGH SEPTEMBER 20, 2024.**

**BY: Board Member Kremer**

**SECOND: Board Member Dennett**

**VOTE: 4-0**

**VOTING AYE: Ryan Dennett, Troy Hildreth, William Kremer, Danny Sanders**

**VOTING NAY: None**

**ABSTAINING: None**

**ABSENT: Elspeth Cordua, Lauren Rosenblatt**

5. **APPROVAL OF MINUTES**

Approval of August 4, 2021 meeting minutes.  
(For possible action)

**ACTION: APPROVED MINUTES AS RECOMMENDED**

**BY: Board Member Kremer**

**SECOND: Board Member Sanders**

**VOTE: 3-1**

**VOTING AYE: Troy Hildreth, William Kremer, Danny Sanders**

**VOTING NAY: None**

**ABSTAINING: Ryan Dennett**

**ABSENT: Elspeth Cordua, Lauren Rosenblatt**

6. **APPEAL OF HEARING OFFICER DECISION**

**TAND, INC. (DCOP #52878) – NOV #9630** – On January 20, 2022, the Hearing Officer found Tand, Inc. in violation of Section 94.14(g) of the AQRs for constructing soil stockpiles greater than 8 feet in height within 100 yards of occupied buildings as identified by Air Quality Specialist Carlton Monroe while performing routine and follow up inspections on October 7, 13, 14 and 15, 2021 at the Ann Road Improvements CC-215 to Durango Drive construction project located on Ann Road between CC-215 and Durango Drive, in Clark County, Nevada. The Hearing Officer assessed a penalty amount of \$5,500. Tand, Inc., appealed the Air Pollution Control Hearing Officer’s Order.

(For possible action.)

**ACTION: AFFIRMED THE HEARING OFFICER ORDER IN THE MATTER OF NOV #9630 FINDING THE VIOLATIONS DID OCCUR**  
**BY: Board Member Kremer**  
**SECOND: Board Member Hildreth**  
**VOTE: 4-0**  
**VOTING AYE: Ryan Dennett, Troy Hildreth, William Kremer, Danny Sanders**  
**VOTING NAY: None**  
**ABSTAINING: None**  
**ABSENT: Elspeth Cordua, Lauren Rosenblatt**

**ACTION: AFFIRMED THE HEARING OFFICER ORDER IN THE MATTER OF NOV #9630 ASSESSING A PENALTY IN THE AMOUNT OF \$5,500**  
**BY: Board Member Kremer**  
**SECOND: Board Member Sanders**  
**VOTE: 4-0**  
**VOTING AYE: Ryan Dennett, Troy Hildreth, William Kremer, Danny Sanders**  
**VOTING NAY: None**  
**ABSTAINING: None**  
**ABSENT: Elspeth Cordua, Lauren Rosenblatt**

7. **APPEAL OF CONTROL OFFICER’S PERMIT DETERMINATION**

**LHOIST NORTH AMERICA OF ARIZONA, APEX PLANT – PART 70 OPERATING PERMIT, SOURCE ID: 00003** – On February 14, 2022, the Clark County Department of Environment and Sustainability, Division of Air Quality issued revised Part 70 Operating Permit (Permit), Source ID: 00003, for the Lhoist North America of Arizona Apex Plant (Lhoist). Lhoist appealed the Control Officer’s decision to include Permit conditions associated with the applicable requirements in Section 94 of the AQRs. The applicable Permit conditions subject to this appeal are III.C.1.m and III.C.3.h through m, and III.C.3.gg.

(For possible action.)

**AIR QUALITY AND LHOIST NORTH AMERICA OF ARIZONA REQUESTED A CONTINUANCE.**

**ACTION:** CONTINUED LHOIST NORTH AMERICA OF ARIZONA'S CASE  
**BY:** Board Member Dennett  
**SECOND:** Board Member Kremer  
**VOTE:** 4-0  
**VOTING AYE:** Ryan Dennett, Troy Hildreth, William Kremer, Danny Sanders  
**VOTING NAY:** None  
**ABSTAINING:** None  
**ABSENT:** Elspeth Cordua, Lauren Rosenblatt

**8. IDENTIFY EMERGING ISSUES TO BE DISCUSSED BY THE BOARD AT FUTURE MEETING**

NONE

**9. PUBLIC COMMENT**

NONE

**10. ADJOURNMENT 3:18 p.m.**

The Presentation Room is accessible to individuals with disabilities. Within forty-eight (48) hour advanced request, a sign language interpreter may be made available by contacting (702) 455-0354 or TDD (702) 385-7486 or Nevada Relay toll-free (800) 326-6868, TT/TDD. Assistive listening devices are available upon request.

This meeting has been properly noticed and posted online at: [https://clarkcountynv.gov/government/departments/environment\\_and\\_sustainability/compliance/enforcement/notices.php](https://clarkcountynv.gov/government/departments/environment_and_sustainability/compliance/enforcement/notices.php) and Nevada Public Notice at <https://notice.nv.gov/> and in the following location:

Clark County Operations Center, West, 4701 W. Russell Road, Las Vegas, Nevada (Principal Office)