

**Washoe County District Air Pollution Control
Hearing Board
Videoconference Meeting Notice and Agenda**

Members

Dr. Cathleen Fitzgerald, Chair
Jeanne Rucker, Vice Chair
Yvonne Downs, CEM
Richard Harris, JD, PhD
Paul Kaplan
Jim Kenney
Lee Squire

**Friday, April 9, 2021
6:00 p.m.**

**Washoe County Health District
Commission Chambers, Building A
1001 East Ninth Street
Reno, NV**

COVID-19 NOTICE

The open meeting law (Nevada Revised Statutes Chapter 241) requires public bodies to conduct their meetings with at least one physical location. Under an emergency directive issued by Governor Sisolak on March 22, 2020, and extended by a subsequent directive issued on July 31, 2020, the physical location requirement has been suspended.

**ALL PERSONS WISHING TO ATTEND THE MEETING MUST ATTEND VIA
ZOOM BY THE LINK BELOW OR TELEPHONICALLY**

(please be sure to keep your devices on mute and do not place the meeting on hold)

<https://us06web.zoom.us/j/81914832783>

Phone: 1 669 900 6833

Meeting ID: 819 1483 2783

6:00 p.m.

- 1. Roll Call and Determination of Quorum.**
- 2. Pledge of Allegiance.**
- 3. Public Comment.**

Action may not be taken on any matter raised during this public comment period until the matter is specifically listed on an agenda as an action item.

As required by the Governor's Declaration of Emergency Directive 006 Section 2, members of the public can public comment by teleconference by logging into the ZOOM meeting via the above link. All public comment is limited to three minutes per person.

Public comment request must be submitted by email to jsmith@washoecounty.us before the scheduled meeting. Reasonable efforts will be made to hear all public comment during the meeting.

NOTE: The zoom option will require a computer with audio and video capabilities.

4. Approval of Agenda. (FOR POSSIBLE ACTION)

April 6, 2021

5. Approval of Draft Minutes – (FOR POSSIBLE ACTION)

February 5, 2019

6. Recommendations of Staff to Uphold the Case Appealed to the Air Pollution Control Hearing Board the Reindeer Lodge

(a) Recommendation of Staff to Deny the Appeal of The Reindeer Lodge and Uphold Case No. 1229, Levying the following Fines: **(For Possible Action)**

- AQMV21-0002 – for Violation of Section 303.107 (Hazardous Air Pollutants) of the Washoe County District Board of Health Regulations Governing Air Quality Management – Recommended Fine of \$4,000.00
- AQMV21-0003 – for violation of 40 CFR 61 Subpart M - Asbestos §61.145 (a) – Recommended Fine of \$10,000.00
- AQMV21-0004 – for violation of 40 CFR 61 Subpart M - Asbestos §61.145 (b) – Recommended \$12,500.00
- AQMV21-0005 – for violation of 40 CFR 61 Subpart M - Asbestos §61.145 (c) (1) for \$10,000.00

7. Board Comment

Hearing Member’s announcements, reports and updates, request for information or topics for future agendas. (No discussion among Board Members will take place on the item)

8. Public Comment

Action may not be taken on any matter raised during this public comment period until the matter is specifically listed on an agenda as an action item.

As required by the Governor’s Declaration of Emergency Directive 006 Section 2, members of the public can public comment by teleconference by logging into the ZOOM meeting via the above link. All public comment is limited to three minutes per person.

Public comment request must be submitted by email to jsmith@washoecounty.us before the scheduled meeting. Reasonable efforts will be made to hear all public comment during the meeting.

NOTE: The zoom option will require a computer with audio and video capabilities.

ADJOURNMENT. (FOR POSSIBLE ACTION)

Possible Changes to Agenda Order and Timing: Items on the agenda may be taken out of order, combined with other items, withdrawn from the agenda, moved to the agenda of another later meeting; moved to or from the Consent section, or they may be voted on in a block. Items with a specific time designation will not be heard prior to the stated time but may be heard later. Items listed in the Consent section of the agenda are voted on as a block and will not be read or considered separately unless withdrawn from the Consent agenda.

Special Accommodations: The Air Pollution Control Hearing Board Meetings are accessible to the disabled. Disabled members of the public who require special accommodations or assistance at the meeting are requested to notify Administrative Health Services in writing at the Washoe County Health District, 1001 E. 9th Street, Building B-171, Reno, NV 89512, or by calling 775.784-.7201, 24 hours prior to the meeting.

Public Comment: Members of the public may make public comment by submitting an email comment to jsmith@washoecounty.us before the scheduled meeting, which includes the name of the commenter and the agenda item number for which the comment is submitted. Reasonable efforts will be made to hear all public comment during the meeting. During the “Public Comment” items, emails may be submitted pertaining to any matter either on or off the agenda, to include items to be heard on consent. For the remainder of the agenda, public comment emails will only be heard during items that are not marked FOR POSSIBLE ACTION. All public comment should be addressed to the Air Pollution Control Hearing Board and not an individual member. The Hearing Board asks that your comments are expressed in a courteous manner. All public comment is limited to three minutes per person. Unused time may not be reserved by the speaker nor allocated to another speaker.

Response to Public Comment: The Air Pollution Control Hearing Board can deliberate or take action only if a matter has been listed on an agenda properly posted prior to the meeting. During the public comment period, speakers may address matters listed or not listed on the published agenda. The *Open Meeting Law* does not expressly prohibit responses to public comments by the Hearing Board. However, responses from the Hearing Board members to unlisted public comment topics could become deliberation on a matter without notice to the public. On the advice of legal counsel and to ensure the public has notice of all matters the Hearing Board will consider, Hearing Board members may choose not to respond to public comments, except to correct factual inaccuracies, ask for Health District staff action or to ask that a matter be listed on a future agenda. The Air Pollution Control Hearing Board may do this either during the public comment item or during the following item: “Board Comments – Hearing Board Member’s announcements, reports and updates, request for information or topics for future agendas. (No discussion among Hearing Board Members will take place on the item)”

Posting of Agenda; Location of Website:

Pursuant to NRS 241.020, Notice of this meeting was posted electronically at the following locations:

Washoe County Health District Website <https://www.washoecounty.us/health>

State of Nevada Website: <https://notice.nv.gov>

Under an emergency directive issued by Governor Sisolak on March 22, 2020, and extended by a subsequent directive issued on July 31, 2020, the physical location requirement has been suspended.

How to Get Copies of Agenda and Support Materials: Supporting materials are available to the public at the Washoe County Health District located at 1001 E. 9th Street, in Reno, Nevada. Ms. Susy Valdespin, Administrative Secretary to the District Board of Health is the person designated by the Washoe County District Board of Health to respond to requests for supporting materials. Ms. Valdespin is located at the Washoe County Health District and may be reached by telephone at (775) 328-2415 or by email at svaldespin@washoecounty.us. Supporting materials are also available at the Washoe County Health District Website <https://www.washoecounty.us/health> pursuant to the requirements of NRS 241.020.