

AIR POLLUTION CONTROL HEARING BOARD

David Rinaldi, Chairman
Cathleen M. Fitzgerald, DEnv, P.E.
Jeanne Rucker, REHS
Jon S. Greene
Richard W. Harris
Jim Kenney
Joseph M. Serpa

NOTICE OF MEETING AGENDA

Washoe County Health District
Building B – South Auditorium
1001 East 9th Street, Reno, Nevada

September 3, 2013
6:00 p.m.

Pursuant to **NRS 241.020**, please be advised that the agenda for the **Air Pollution Control Hearing Board** meeting has been posted at the following locations: Washoe County Health District and Washoe County Administration Building, 1001 E. 9th Street, Reno, NV; Reno City Hall, 1 E. 1st Street; Sparks City Hall, 431 Prater Way; and the Air Quality Management Division, 1001 E 9th Street B171; and further, this agenda will be posted on the official website for the Washoe County Health District at www.washoecounty.us/health.

The Air Pollution Control Hearing Board may take action on those items denoted (**For Possible Action**).

NOTE: Items on the agenda may be taken out of order; combined with other items; withdrawn from the agenda; moved to the agenda of another later meeting; moved to or from the Consent section; or may be voted on in a block.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in the Consent section of the agenda are voted on as a block and will not be read or considered separately unless withdrawn from the Consent Section.

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, PO Box 11130 Reno, NV 89520-0027 or by calling (775) 328-2416 24-Hours prior to the meeting.

Time Limits: Public comments are welcomed during the Public Comment periods for all matters, whether listed on the agenda or not, all comments are limited to three (3) minutes per person. Additionally, public comment of three (3) minutes per person may be heard during individual action items on the agenda. Persons are invited to submit comments in writing on the agenda items and/or attend and make comment on that item at the Board meeting. Persons may not allocate unused time to other speakers.

Response to Public Comments. 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 Air Pollution Control Hearing Board. However, responses from the 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 Air Pollution Control Hearing Board will consider, 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 – Limited to Announcement or Issues for future Agendas.”

Supporting materials are available to the public at the Washoe County Health District located at 1001 E 9th Street, in Reno, Nevada. Ms. Mary Clauson is the person designated by the District Board of Health Air Pollution Control Hearing Board to respond to requests for supporting materials. Ms. Clauson is located at the Washoe County Health District Air Quality Management Division and may be reached by telephone at (775) 784-7201 or by email at mclauson@washoecounty.us.

- 6:00 p.m.
1. Call to Order; Pledge of Allegiance Led by Invitation
 2. Roll Call
 3. Public Comment (Discussion limited to individual comments or presentations of not more than 3 minutes on matters not addressed elsewhere on this agenda)
 4. Recommendations of Staff to Uphold Cases Appealed to the Air Pollution Control Hearing Board
 - (a) Recommendation of Staff to Deny the Appeal of Rainbow Market #6 and Uphold Case No. 1123, Citation No. 5326, Levying a Recommended Fine of \$1,500 (**For Possible Action**)
 - (b) Recommendation of Staff to Deny the Appeal of Ticor Title of Nevada Inc. and Uphold Case No. 1127, Citation No. 5280, Levying a Recommended Fine of \$ \$500 (**For Possible Action**)
 5. Board Comment – Limited to Announcements or Issues for future Agendas
 6. Public Comment (Discussion limited to individual comments or presentations of not more than 3 minutes on matters not addressed elsewhere on this agenda.)
 7. Adjournment (**For Possible Action**)