

The logo of Clark County, Nevada, is a diamond-shaped emblem. It features a blue outer ring with the words "CLARK COUNTY" at the top and "NEVADA" at the bottom in yellow capital letters. Inside the ring is an orange circle containing a yellow spiral and several black stick figures holding hands in a circle.

Clark County Air Pollution Control Hearing Board

*Clark County Building Services
Presentation Room*

August 5, 2026 at 1:30 p.m.



togetherforbetter

Clark County Air Pollution Control Hearing Board

Clark County Building Department

Presentation Room

4701 West Russell Road

Las Vegas, NV 89118

August 5, 2026 – 1:30 PM

Agenda

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 people 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 Pamela Thompson, Administrative Secretary, agenforcement@clarkcountynv.gov or (702) 455-5942.
- Supporting material is also available at the Clark County Department of Environment & Sustainability, 4701 West Russell Road, 2nd 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-notice

Hearing Board Members

Daniel Sanders, Chair
Ryan L. Dennett, Esq., Vice-Chair
Daniel Bartlett
Donald Bordelove
Troy Hildreth
Amy Lahav

Hearing Board Counsel

Nichole Kazimirovicz

Air Quality Staff

Marci Henson, Director
Shibi Paul, Deputy Director
Anna Sutowska, Compliance Manager

Department Counsel

Devon Brown

Administrative Secretary

Pamela Thompson, Phone: 702-455-5942; Email
agenforcement@clarkcountynv.gov
Business Address: Clark County Department of Environment & Sustainability,
4701 W. Russell Road, 2nd Floor, Las Vegas NV 89118

1. **CALL TO ORDER**

2. **PUBLIC COMMENT**

This is a period devoted to comments by the general public about items on this agenda. No discussion, action, or votes may be taken on this agenda item. You will be afforded the opportunity to speak on individual Public Hearing Items at the time they are presented. If you wish to speak to the Board about items within its jurisdiction but not appearing on this agenda, you must wait until the "Comments by the General Public" period listed at the end of this agenda. Comments will be limited to three (3) minutes. Please step up to the speaker's podium, if applicable, clearly state your name and address and please **spell** your last name for the record. If any member of the Board wishes to extend the length of a presentation, this will be done by the Chairperson or the Board by majority vote.

3. **OATHS OF OFFICE**

Daniel Bartlett (Engineer Member)

Term of Office: March 17, 2026 through March 16, 2029

4. **APPROVAL OF MINUTES**

Approval of February 4, 2026 meeting minutes.

(For possible action)

5. **APPEAL OF HEARING OFFICER DECISION**

LANZ CONSTRUCTION LLC AND BULMARO CRUZ, INDIVIDUALLY (Construction Project #60205, DCOP #none)

NOV #10307 – On May 21, 2026, the Hearing Officer found Lanz Construction LLC and Bulmaro Cruz, individually, in violation of Air Quality Regulation Sections 94.13(a) and (b) for failing to employ Best Available Control Measures and comply with soil stabilization standards 24 hours a day, 7 days a week, as identified by Air Quality Specialist Mike Englehart, Senior Air Quality Specialist Andrew Kirk, and Air Quality Specialist Marc Miller while performing a complaint investigation during a Construction Notice period on April 3, 2026, and follow-up inspections on April 6 and 7, 2026, at the Dirt Removal construction project (Assessor's Parcel Number 125-24-304-007), located at 5521 Ano Drive, in Clark County, Nevada. The Hearing Officer assessed a penalty amount of \$4,000.00. Respondent Bulmaro Cruz appealed.

Conduct Hearing and Render Decision

(For possible action)

6. **REPORT BY DEPARTMENT OF ENVIRONMENT & SUSTAINABILITY STAFF**

General update.

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

8. PUBLIC COMMENT

A period devoted to comments by the general public about matters relevant to the Board's jurisdiction will be held. No vote may be taken on a matter not listed on the posted agenda. Comments will be limited to three (3) minutes. Please step up to the speaker's podium, if applicable, clearly state your name and address and please **spell** your last name for the record. If any member of the Board wishes to extend the length of a presentation, this will be done by the Chairperson or the Board by majority vote.

9. ADJOURNMENT

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) 455-3126 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://www.clarkcountynv.gov/government/departments/environment_and_sustainability/compliance/hearings-notice 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)



togetherforbetter

Minutes

Regular Meeting of the Clark County Air Pollution Control Hearing Board

February 4, 2026

**Clark County Building Services
Presentation Room
4701 West Russell Road
Las Vegas, NV**

1. CALL TO ORDER

Chair Sanders called the meeting of the Air Pollution Control Hearing Board to order at the hour of 1:30 p.m. A quorum was present, and Affidavits of Posting of the agenda were provided as required by the Nevada Open Meeting Law. The Affidavits will be incorporated into the official record.

PRESENT: Daniel Sanders, Chair
Daniel Bartlett
Donald Bordelove
Troy Hildreth

ABSENT: Ryan L. Dennett, Vice-Chair
Amy Lahav

**HEARING BOARD
COUNSEL:** Nichole Kazimirovicz, Deputy District Attorney

DAQ STAFF: Marci Henson, Director
Shibi Paul, Deputy Director
Anna Sutowska, Compliance Manager
Sheenaleigh Lucas, Sr. Air Quality Specialist

**DEPARTMENT
COUNSEL:** Timothy J. Allen, Deputy District Attorney

2. PUBLIC COMMENT

Chair Sanders asked if there were any persons present in the audience wishing to be heard. There being no one, Chair Sanders closed the public comments.

3. APPROVAL OF MINUTES OF THE DECEMBER 3, 2025, MEETING (For possible action)

Chair Sanders called for comments, changes, or corrections to the December 3, 2025 minutes. Being none, he called for a motion.

FINAL ACTION: It was moved by Board Member Hildreth, seconded by Board Member Bartlett, that the subject minutes be approved.

Motion carried by the following vote:

Voting Aye: Daniel Sanders, Daniel Bartlett, Donald Bordelove, Troy Hildreth
Voting Nay: None
Abstaining: None
Absent: Ryan Dennett, Amy Lahav

4. ACCEPT HEARING BOARD ORDERS

Review competing hearing board orders from hearing conducted on December 3, 2025, in the matter of Notice of Violation #10161 issued to Tonopah & Tidewater Railroad Co., Environmental Transportation of Nevada, LLC d/b/a ETON, and Mitchell Truman (Assessor's Parcel Numbers 161-07-103-014, 161-07-103-015, and 161-07-103-016), and decide which proposed orders, or parts thereof, to accept.
(For possible action)

Attorney Russell Gubler, representative for appellants, was not in attendance, but had submitted a competing hearing board order for consideration by the Board.

FINAL ACTION: It was moved by Board Member Sanders, seconded by Board Member Bartlett, to approve the Hearing Board Order, in its original form, as submitted by Air Quality from the December 3, 2025, meeting in the matter of Notice of Violation #10161 issued to Tonopah & Tidewater Railroad Co., Environmental Transportation of Nevada, LLC d/b/a ETON, and Mitchell Truman.

Motion carried by the following vote:

Voting Aye: Daniel Sanders, Daniel Bartlett, Donald Bordelove, Troy Hildreth
Voting Nay: None
Abstaining: None
Absent: Ryan Dennett, Amy Lahav

5. APPEAL OF HEARING OFFICER DECISION

A. PALM PROPERTIES, LLC AND ROBERT LAUER (APNs: 161-08-810-082 and 161-08-810-083)

NOV #10150 – On July 17, 2025, the Hearing Officer found Palm Properties, LLC and Robert Lauer, individually, in violation of Section 92.3.1 for operating an unpaved parking lot/storage yard on the property from January 9, 2025, through February 7, 2025, as identified by Air Quality Specialist Allan Gutierrez while performing a routine inspection on September 18, 2024, and follow-up inspections on November 19, 2024, December 5, 2024, and January 9, February 24, and March 18, 2025, at the unpaved parcels of land (Assessor's Parcel Numbers 161-08-810-082 and 161-08-810-083) located at 3125 South Nellis Boulevard, in Clark County, Nevada. The Hearing Officer assessed a penalty amount of \$7,500.00. Respondents appealed.

Continued from 12/3/2025

Conduct Hearing and Render Decision
(For possible action)

Attorneys for both parties introduced themselves.

Amy Sugden, State Bar No. 9983, 375 East Warm Springs, Suite 104, Las Vegas, NV 89119, Attorney for the Respondents, Palm Properties, LLC, Leading Edge Ventures, LLC, and Robert Lauer.

Timothy Allen, Deputy District Attorney, State Bar No. 14818, 500 South Grand Central Parkway, Las Vegas, NV 89155, Attorney for Clark County Department of Environment and Sustainability, Division of Air Quality (Air Quality).

Ms. Sugden requested to consolidate both NOVs #10150 and #10163.

Chair Sanders swore the following person in to provide testimony:

Robert Lauer, 3125 S. Nellis Blvd., Las Vegas, NV 89121

Ms. Sugden presented her client's case.

Mr. Allen presented Air Quality's case for NOVs #10150 and #10163.

Chair Sanders swore the following people in to provide testimony:

Allan Gutierrez, Air Quality Specialist, Dust Section

Anna Sutowska, Air Quality Compliance Manager, Compliance & Enforcement Section

Mr. Allen and Ms. Sugden questioned both witnesses.

Mr. Allen requested Exhibit AA – NOFA Request APNs email from Jennifer Ammerman dated May 21, 2025, be submitted as additional evidence.

The Board accepted the exhibit for the record.

General discussion ensued amongst the Board.

FINAL ACTION: It was moved by Board Member Sanders, seconded by Board Member Bartlett, to deny the appeals and affirm the Hearing Officer Orders in the matter of NOVs #10150 and #10163 as they relate to the findings of violation.

Motion carried by the following vote:

Voting Aye: Daniel Sanders, Daniel Bartlett, Donald Bordelove, Troy Hildreth
Voting Noe: None
Abstaining: None
Absent: Ryan Dennett, Amy Lahav

FINAL ACTION: It was moved by Board Member Sanders, seconded by Board Member Hildreth, to modify the Hearing Officer Orders as to the penalty assessed. An administrative penalty of fifteen thousand and no/100 dollars (\$15,000.00) was assessed in the matter of NOV #10150. An administrative penalty of fifteen thousand and no/100 dollars (\$15,000.00) was assessed in the matter of NOV #10163 with the full amount of \$15,000.00 to be held in abeyance for 180 days. If appellants sufficiently pave the property or discontinue use of the property as an unpaved parking lot or storage yard by August 3, 2026, the penalty that is held in abeyance shall be waived. If appellants continue to use the property as an unpaved parking lot or storage yard after August 3, 2026, the penalty that is held in abeyance will be due.

Motion carried by the following vote:

Voting Aye: Daniel Sanders, Daniel Bartlett, Donald Bordelove, Troy Hildreth
Voting Noe: None
Abstaining: None
Absent: Ryan Dennett, Amy Lahav

B. PALM PROPERTIES, LLC AND ROBERT LAUER (APNs: 161-08-810-082 and 161-08-810-083)

NOV #10163 – On July 17, 2025, the Hearing Officer found Palm Properties, LLC and Robert Lauer, individually, in violation of Section 92.3.1 for operating an unpaved parking lot/storage yard on the property from February 8, 2025, through March 9, 2025, as identified by Air Quality Specialist Allan Gutierrez while performing follow-up inspections on January 9, February 24, March 18, April 2, and May 6, and May 27, 2025, and a complaint investigation on April 15, 2025, at the unpaved parcels of land (Assessor's Parcel Numbers 161-08-810-082 and 161-08-810-083) located at 3125 South Nellis Boulevard, in Clark County, Nevada. The Hearing Officer assessed a penalty amount of \$7,500.00. Respondents appealed.

Continued from 12/3/2025

Conduct Hearing and Render Decision
(For possible action)

Attorneys for both parties introduced themselves.

Amy Sugden, State Bar No. 9983, 375 East Warm Springs, Suite 104, Las Vegas, NV 89119, Attorney for the Respondents, Palm Properties, LLC, Leading Edge Ventures, LLC, and Robert Lauer.

Timothy Allen, Deputy District Attorney, State Bar No. 14818, 500 South Grand Central Parkway, Las Vegas, NV 89155, Attorney for Clark County Department of Environment and Sustainability, Division of Air Quality (Air Quality).

Ms. Sugden requested to consolidate both NOVs #10150 and #10163.

Chair Sanders swore the following person in to provide testimony:

Robert Lauer, 3125 S. Nellis Blvd., Las Vegas, NV 89121

Ms. Sugden presented her client's case.

Mr. Allen presented Air Quality's case for NOVs #10150 and #10163.

Chair Sanders swore the following people in to provide testimony:

Allan Gutierrez, Air Quality Specialist, Dust Section

Anna Sutowska, Air Quality Compliance Manager, Compliance & Enforcement Section

Mr. Allen and Ms. Sugden questioned both witnesses.

Mr. Allen requested Exhibit AA – NOFA Request APNs email from Jennifer Ammerman dated May 21, 2025, be submitted as additional evidence.

The Board accepted the exhibit for the record.

General discussion ensued amongst the Board.

FINAL ACTION: It was moved by Board Member Sanders, seconded by Board Member Bartlett, to deny the appeals and affirm the Hearing Officer Orders in the matter of NOVs #10150 and #10163 as they relate to the findings of violation.

Motion carried by the following vote:

Voting Aye:	Daniel Sanders, Daniel Bartlett, Donald Bordelove, Troy Hildreth
Voting No:	None
Abstaining:	None
Absent:	Ryan Dennett, Amy Lahav

FINAL ACTION: It was moved by Board Member Sanders, seconded by Board Member Hildreth, to modify the Hearing Officer Orders as to the penalty assessed. An administrative penalty of fifteen thousand and no/100 dollars (\$15,000.00) was assessed in the matter of NOV #10150. An administrative penalty of fifteen thousand and no/100 dollars (\$15,000.00) was

assessed in the matter of NOV #10163 with the full amount of \$15,000.00 to be held in abeyance for 180 days. If appellants sufficiently pave the property or discontinue use of the property as an unpaved parking lot or storage yard by August 3, 2026, the penalty that is held in abeyance shall be waived. If appellants continue to use the property as an unpaved parking lot or storage yard after August 3, 2026, the penalty that is held in abeyance will be due.

Motion carried by the following vote:

Voting Aye:	Daniel Sanders, Daniel Bartlett, Donald Bordelove, Troy Hildreth
Voting Noe:	None
Abstaining:	None
Absent:	Ryan Dennett, Amy Lahav

6. REPORT BY DEPARTMENT OF ENVIRONMENT & SUSTAINABILITY STAFF

A. General Update

DISCUSSION: Director Marci Henson gave an update on the activities of the Department of Environment and Sustainability for the period of July 1, 2025 through December 31, 2025. Ms. Henson also reported that Anna Sutowska had been promoted to the position of Compliance Manager for the department.

7. IDENTIFY EMERGING ISSUES TO BE DISCUSSED BY THE BOARD AT FUTURE MEETINGS

There were no emerging issues identified by the Board.

8. PUBLIC COMMENT

Chair Sanders asked if there were any persons present in the audience wishing to be heard. There being no one, Chair Sanders closed the public comments.

9. ADJOURNMENT

Being no further business, Chair Sanders adjourned the meeting at 3:58 p.m.

Approved:

Daniel Sanders, Chair

Date

**Lanz Construction LLC and
Bulmaro Cruz, Individually
(Construction Project #60205, Assessor's Parcel Number 125-24-304-007)**

Appeal of NOV #10307

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FEDERAL EXPRESS TRK#8741 9082 9245

Nick Pressimone, Project Manager

E-mail: nick@lanzconstructionllc.com

Freddy Gutierrez, Construction Manager and Responsible Official

E-mail: Freddy@lanzconstructionllc.com

Lanz Construction LLC

2140 Marion Drive

Las Vegas, NV 89115

FEDERAL EXPRESS TRK#8741 9101 9525

Bulmaro Cruz, Owner

E-mail: cruz.bulmaro@yahoo.es

E-mail: belencruzlvrealty@gmail.com

4055 West Hammer Lane

North Las Vegas, NV 89031

Re: Appeal of Notice of Violation #10307
Construction Project #60205, DCOP # n/a - Assessor's Parcel Number 125-24-304-007, Dirt Removal, 5521
Ano Drive

Dear Messrs. Pressimone, Gutierrez, and Cruz:

We are in receipt of Bulmaro Cruz's Request for Hearing before the Air Pollution Control Hearing Board, wherein you are appealing the Hearing Officer's Order on Notice of Violation #10307.

This will confirm that the above-entitled matter has been scheduled for hearing before the Air Pollution Control Hearing Board on Wednesday, August 5, 2026, at 1:30 p.m., in the Clark County Building Department – Presentation Room, located at 4701 West Russell Road, Las Vegas, Nevada.

Any additional support documentation you intend to present to the board regarding this matter must be submitted to me by 5:00 p.m., Monday, July 20, 2026, so that it can be copied and placed in the board books for distribution to the respective Board Members. You may email the documents to me at agenforcement@clarkcountynv.gov or send them via fax at (702) 383-9994. Should you decide to bring copies to the meeting, please provide fifteen (15) copies for distribution to staff, board members, and members of the public. Failure to comply with these options may preclude you from presenting these documents to the board at the meeting

If you have any questions, please contact me at (702) 455-3126.

Sincerely,

Pamela Thompson, Senior Secretary
Division of Air Quality – Enforcement Section

PRT:pt



July 13, 2026

Dear Customer,

The following is the proof-of-delivery for tracking number: 874190829245

Delivery Information:

Status:	Delivered	Delivered To:	Residence
Signed for by:	Signature not required	Delivery Location:	
Service type:	FedEx Standard Overnight		
Special Handling:	Deliver Weekday; Residential Delivery		LAS VEGAS, NV,
		Delivery date:	Jul 10, 2026 15:10

Shipping Information:

Tracking number:	874190829245	Ship Date:	Jul 9, 2026
		Weight:	0.5 LB/0.23 KG
Recipient:		Shipper:	
LAS VEGAS, NV, US,		LAS VEGAS, NV, US,	

Reference	Confirm 8/5/2026 H/B Mtg
Purchase Order	4500407596-002
Department Number	2270.000-1300213000-679610

Proof-of-delivery details appear below; however, no signature is available for this FedEx Express shipment because a signature was not required.

Transaction Record



TRACKING NO.:
874190829245

SHIP DATE:
Jul 9, 2026

ESTIMATED TOTAL COST:
9.22 USD

From address

PAMELA THOMPSON
CC Dept of Env&Sustainability
4701 WEST RUSSELL ROAD
SUITE 200
89118 NV LAS VEGAS
US
Phone: 7024555942
PAMELA.THOMPSON@CLARKCOUNTYNV.GOV

To address

Nick Pressimone/Freddy Gutierrez
Lanz Construction LLC
2140 Marion Drive
89115 NV LAS VEGAS
US
Phone: 7024553126
nick@lanzconstructionllc.com

Package information

Pieces	Weight	Dimensions (LxWxH)	Carriage value	Package options
1 x	0.50 lb			n/a
Packaging type: FedEx Envelope		Service: FedEx Standard Overnight	Pickup / drop-off type: Schedule a new pickup	

Billing information

Bill transportation cost to:	*****381	P.O. No.:	4500407596-002
Bill duties, taxes and fees to:		Invoice No.:	
Your reference:	Confirm 8/5/2026 H/B Mtg	Department No.:	2270.000-1300213000-679610

Please note: This transaction record is neither a statement nor an invoice, and does not confirm shipment tendered to FedEx or payment. FedEx will not be responsible for any claim in excess of \$100 per package, whether the result of loss, damage, delay, non-delivery, misdelivery, or misinformation, unless you declare a higher value, pay an additional charge, document your actual loss and file a timely claim. Limitations found in the current FedEx Service Guide apply. Your right to recover from FedEx for any loss, including intrinsic value of the package, loss of sales, income interest, profit, attorney's fees, costs, and other forms of damage whether direct, incidental, consequential, or special is limited to the greater of \$100 or the authorized declared value. Recovery cannot exceed actual documented loss. Maximum for items of extraordinary value is \$1000, e.g., jewelry, precious metals, negotiable instruments and other items listed in our Service Guide. Written claims must be filed within strict time limits; Consult the applicable FedEx Service Guide for details. The estimated shipping charge may be different than the actual charges for your shipment. Differences may occur based on actual weight, dimensions, and other factors. Consult the applicable FedEx Service Guide or the FedEx Rate Sheets for details on how shipping charges are calculated.



July 13, 2026

Dear Customer,

The following is the proof-of-delivery for tracking number: 874191019525

Delivery Information:

Status:	Delivered	Delivered To:	Residence
Signed for by:	Signature not required	Delivery Location:	
Service type:	FedEx Standard Overnight		
Special Handling:	Deliver Weekday; Residential Delivery		NORTH LAS VEGAS, NV,
		Delivery date:	Jul 10, 2026 10:40

Shipping Information:

Tracking number:	874191019525	Ship Date:	Jul 9, 2026
		Weight:	0.5 LB/0.23 KG
Recipient:		Shipper:	
NORTH LAS VEGAS, NV, US,		LAS VEGAS, NV, US,	

Reference	Confirm 8/5/2026 H/B Mtg
Purchase Order	4500407596-002
Department Number	2270.000-1300213000- 679610

Proof-of-delivery details appear below; however, no signature is available for this FedEx Express shipment because a signature was not required.

Thank you for choosing FedEx

004

Transaction Record



TRACKING NO.:
874191019525

SHIP DATE:
Jul 9, 2026

ESTIMATED TOTAL COST:
9.22 USD

From address

PAMELA THOMPSON

CC Dept of Env&Sustainability

4701 WEST RUSSELL ROAD

SUITE 200

89118 NV LAS VEGAS

US

Phone: 7024555942

PAMELA.THOMPSON@CLARKCOUNTYNV.GOV

To address

Bulmaro Cruz, Owner

4055 West Hammer Lane

89031 NV NORTH LAS VEGAS

US

Phone: 7024553126

cruz.bulmaro@yahoo.es

Package information

Pieces	Weight	Dimensions (LxWxH)	Carriage value	Package options
1 x	0.50 lb			n/a
Packaging type: FedEx Envelope		Service: FedEx Standard Overnight	Pickup / drop-off type: Schedule a new pickup	

Billing information

Bill transportation cost to:	*****381	P.O. No.:	4500407596-002
Bill duties, taxes and fees to:		Invoice No.:	
Your reference:	Confirm 8/5/2026 H/B Mtg	Department No.:	2270.000-1300213000-679610

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REQUEST FOR HEARING BEFORE THE CLARK COUNTY AIR POLLUTION CONTROL HEARING BOARD

RECEIVED CC DAO
2026 JUN 8 PM3:51

mg

Appeal of Hearing Officer's Order

1. **Date of Appeal:** June 3, 2026
(Must be within 10 days of receipt of Hearing Officer Order)
Notice of Violation # 10307 Hearing Date: May 27, 2026
Hearing Officer: David Anderson

2. **Name, address, telephone number of Appellant:**

Name: Bulmaro Cruz
(Please print)
Address: 4055 W Hammer Ln
Telephone: (702)236-8935 Fax: _____
Email: cruz.bulmaro@yahoo.es

3. **Other person or persons authorized to receive service of notice:**

Name: Belen Cruz
(Please print)
Address: 4055 W Hammer Ln
Telephone: (702)283-7671 Fax: _____
Email: belencruzlvrealty@gmail.com

4. **Type of business or activity and location of activity involved in the request:**

Vacant lot, dirt removal. 5521 Ano Drive

5. **Reason for appeal:** ☐ Facts alleged ☒ Penalty assessed ☐ Both

Provide a detailed explanation of the reason for your appeal:

The reason for my appeal is to clarify responsibility for the penalty. I understand that I
may be responsible for a portion of it, and I believe I am responsible for half. However,

I like to ensure that responsibility is accurately assigned and clearly documented.

6. An application filing fee of \$140.00 must accompany this application. This fee is non-refundable. Please make check payable to Division of Air Quality or DAQ and mail to 4701 W. Russell Road, Suite 200, Las Vegas, NV 89118.

The appellant or a representative of the appellant must be present at the hearing board meeting to answer any questions by the Air Pollution Control Hearing Board Members. **Please include any supporting documentation with this form for distribution to the respective board members.**

I affirm that all statements made on this application are true and complete to the best of my knowledge.

Signature:  Date: June 3, 2026
Printed Name: Bulmaro Cruz
Title: Land Owner

FOR OFFICE USE ONLY

Application Received on 6/8/2026
Application Fee \$140.00 - Check ✓ Received Date: 6/8/2026



Clark County Nevada Department of Environment and Sustainability
4701 W Russell Road, Suite 200, Las Vegas, NV 89118
Phone (702) 455-5942 Fax (702) 383-9994
AirQuality@clarkcountynv.gov

RECEIPT

LANZ CONSTRUCTION LLC AND BULMARO CRUZ
2140 MARION DRIVE
LAS VEGAS, NV 89115, NV 89115

Invoice #	Invoice Date	Invoice By	Invoice Type	Due Date
082518	6/8/2026	GREEN	ASBESTOS ENFORCEMENT	6/8/2026

Quantity	Description	Fee Code	Fee	Total
1.00	HEARING BOARD REQUEST	AGHB01	\$140.00	\$140.00
	06/08/2026 CHECK (140.00)	PAYMENT		(\$140.00)

Notes: NOV #10307, Construction Project #60205, DCOP #n/a, Assessor's Parcel Number 125-24-304-007, located at 5521 Ano Drive, Hearing Officer Appeal, Submitted 6/8/2026

Subtotal:	\$140.00
Paid:	(\$140.00)
Adjustments:	\$0.00
Balance Due:	\$0.00



May 27, 2026

CERTIFIED MAIL #9214 8902 9562 6590 1611 0905 48

Freddy Gutierrez, Construction Manager and Responsible Official

E-mail: Freddy@lanzconstructionllc.com

Lanz Construction LLC

2140 Marion Drive

Las Vegas, NV 89115

CERTIFIED MAIL #9214 8902 9562 6590 1612 9214 76

Bulmaro Cruz, Owner

E-mail: cruz.bulmaro@yahoo.es

E-mail: belencruzlvrealty@gmail.com

4055 West Hammer Lane

North Las Vegas, NV 89031

Re: Notice of Violation (NOV) #10307

DCOP #60205, Assessor's Parcel Number 125-24-304-007 – Dirt Removal, 5521 Ano Drive

Dear Mr. Gutierrez and Mr. Cruz:

Enclosed please find Invoice #082326 in the amount of \$4,000.00, representing the penalty assessed in the above-described matter at the May 21, 2026 Hearing Officer meeting. A copy of the Hearing Officer's Order is enclosed for your records.

Payment is due on or before June 26, 2026. Please send your check to the Department of Environment and Sustainability, Division of Air Quality (DAQ), 4701 W. Russell Road, Suite 200, Las Vegas NV 89118. **Checks must be made payable to the Division of Air Quality or DAQ and need to have the invoice number written on the check. Any checks made payable to any other name will be returned.** Payment can also be made by Credit Card or ACH/eCheck payments made in person or via the Payment Portal on the DES website. If you have invoice questions, please contact John Hill at JHill@ClarkCountyNV.gov or 702-455-0150.

The Department of Environment and Sustainability (DES) has partnered with a third-party service provider to provide you with convenient, online payment services via credit card. In order to use this service, a convenience fee is included in addition to the invoice amount(s) owed to DES. To pay your DAQ invoice online using Visa or MasterCard, please visit our website at:

https://www.clarkcountynv.gov/government/departments/environment_and_sustainability/index.php.

If you have any questions, please don't hesitate to contact me at (702) 455-5942 or via email at agenforcement@clarkcountynv.gov.

Sincerely,

Pamela Thompson, Senior Secretary

Division of Air Quality – Enforcement Section

Attachment(s):

1. Hearing Officer's Order
2. Invoice 082326



June 04, 2026

Dear NOV 10307 DAQ:

The following is in response to your request for proof of delivery on your item with the tracking number:
9214 8902 9562 6590 1611 0905 48.

Item Details

Status:	Delivered, Front Desk/Reception/Mail Room
Status Date / Time:	May 29, 2026, 11:03 am
Location:	LAS VEGAS, NV 89115
Postal Product:	First-Class Mail®
Extra Services:	Certified Mail™ Return Receipt Electronic
Recipient Name:	Clark County

Shipment Details

Weight:	1.0oz
----------------	-------

Recipient Signature

Signature of Recipient:

Address of Recipient:

2140 MARION DR, LAS VEGAS,
NV 89115

Note: Scanned image may reflect a different destination address due to Intended Recipient's delivery instructions on file.

Thank you for selecting the United States Postal Service® for your mailing needs. If you require additional assistance, please contact your local Post Office™ or a Postal representative at 1-800-222-1811.

Sincerely,

United States Postal Service®
475 L'Enfant Plaza SW
Washington, D.C. 20260-0004



June 04, 2026

Dear NOV 10307 DAQ:

The following is in response to your request for proof of delivery on your item with the tracking number:
9214 8902 9562 6590 1612 9214 76.

Item Details

Status: Delivered, Left with Individual
Status Date / Time: May 29, 2026, 01:13 pm
Location: NORTH LAS VEGAS, NV 89031
Postal Product: First-Class Mail®
Extra Services: Certified Mail™
Return Receipt Electronic
Recipient Name: Clark County

Shipment Details

Weight: 1.0oz

Recipient Signature

Signature of Recipient:

Address of Recipient:

4055 W HAMMER LN, NORTH
LAS VEGAS, NV 89031

Note: Scanned image may reflect a different destination address due to Intended Recipient's delivery instructions on file.

Thank you for selecting the United States Postal Service® for your mailing needs. If you require additional assistance, please contact your local Post Office™ or a Postal representative at 1-800-222-1811.

Sincerely,

United States Postal Service®
475 L'Enfant Plaza SW
Washington, D.C. 20260-0004

BEFORE THE AIR POLLUTION CONTROL HEARING OFFICER
CLARK COUNTY, NEVADA

In the Matter of the Notice of Violation #10307) ORDER
Issued to)
LANZ CONSTRUCTION LLC and)
BULMARO CRUZ, Respondents.)
_____)

The above-entitled matter was heard on May 21, 2026, before Hearing Officer David O. Anderson on the Contested Docket. Representatives of both the Clark County Department of Environment and Sustainability, Division of Air Quality (**Air Quality**) and LANZ CONSTRUCTION LLC (**LANZ CONSTRUCTION**) appeared, testified and submitted evidence for consideration by the Hearing Officer. A representative for BULMARO CRUZ (**CRUZ**) did not appear. Having considered the evidence presented at the hearing, the Hearing Officer hereby finds and orders as follows:

1. Notice of Violation (**NOV**) #10307 was issued by Air Quality to Respondents LANZ CONSTRUCTION and CRUZ on April 30, 2026, for alleged violation(s) of the Clark County Air Quality Regulations (**AQRs**) at the Dirt Removal construction site, project #60205 located at 5521 Ano Drive, in Clark County, Nevada. The violation(s) alleged in the NOV include:

(a) Violation of AQR Sections 94.13(a) and (b) for failing to implement Best Available Control Measures (**BACM**) and comply with soil stabilization standards 24 hours a day, 7 days a week.

2. The penalty recommended by Air Quality in NOV #10307 was \$4,000.00.

3. The Hearing Officer finds that the violation(s) alleged in NOV #10307 occurred in that LANZ CONSTRUCTION and CRUZ violated AQR Sections 94.13(a) and (b) on April 3, 6, and 7, 2026.

///

4. **IT IS HEREBY ORDERED** that LANZ CONSTRUCTION and CRUZ pay a penalty of Four Thousand and no/100 Dollars (\$4,000.00) within 30 days of the date of this ORDER.

5. LANTZ CONSTRUCTION and CRUZ have the right to appeal this ORDER to the Clark County Air Pollution Control Hearing Board. Any appeal of this ORDER shall be: (1) on a form provided by Air Quality specifying the reason(s) for the appeal, (2) accompanied by a filing fee of One Hundred Forty and no/100 Dollars (\$140.00), and (3) received by Air Quality within ten (10) days of LANTZ CONSTRUCTION and CRUZ's receipt of this ORDER.

DATED this 27th day of May, 2026.

David O. Anderson

David O. Anderson
Hearing Officer



**Clark County
Environment & Sustainability**

Division of Air Quality
4701 W. Russell Road 2nd Floor
Las Vegas, NV 89118-2231
Phone: (702) 455-5942 • Fax: (702) 383-9994
Marci Henson, Director

Notice of Violation Response Form

Issued to: Lanz Construction LLC

NOV #: 10307 Return form by: 5/7/2026

Items below are to be completed by the Respondent

Responsible

Official: Freddy Gutierrez

Title: Construction Manager

Phone Number: 702-544-6202

Email Address: Freddy@Lanzconstructionllc.com

Mailing Address: 2140 Marion Dr, Las Vegas, NV 89115

Please check applicable boxes below

☐

We do not contest the Notice of Violation (Attendance is not required)

We accept responsibility for this violation. Instructions for payment of the recommended penalty will be provided after the Hearing Officer meeting.

☒

We are contesting the Notice of Violation and request to appear before the Hearing Officer (Attendance by the Responsible Official or a representative of the company is strongly recommended to contest the violation)

Please attach a written explanation, including supporting documentation, of why you are contesting the NOV. This information will be provided to the Hearing Officer prior to the Hearing.

We will be contesting the:

☒

Facts

☐

Penalty

☐

Both

Signature of Authorized Person

Date: 5-7-2026

Completed forms can be submitted to Pam Thompson via mail at Clark County Department of Environment and Sustainability, Division of Air Quality, 4701 West Russell Road, Suite 200, Las Vegas, NV 89118-2231, fax at (702) 383-9994, or via email at aqenforcement@clarkcountynv.gov.

LANZ CONSTRUCTION LLC

Freddy Gutierrez
2140 Marion Drive
Las Vegas, NV 89115
Phone: (702) 544-6202
Email: Freddy@lanzconstructionllc.com

May 7, 2026

Clark County Department of Environment & Sustainability
Division of Air Quality
4701 West Russell Road, 2nd Floor
Las Vegas, NV 89118-2231

RE: Notice of Violation #10307 – Official Response

Project Location: 5521 Ano Drive, Las Vegas, NV 89131

Parcel: 125-24-304-007

To Whom It May Concern:

Lanz Construction LLC respectfully submits this written response contesting Notice of Violation #10307. After reviewing the circumstances surrounding the April 3–7, 2026 inspections, Lanz Construction asserts that the activities observed by Air Quality personnel were **not initiated, directed, supervised, or authorized by Lanz Construction** at any time during the referenced period.

Our internal review confirms that the soil-moving activity was **initiated solely by property owner Bulmaro Cruz**, who independently arranged for a **third-party trucking contractor** to remove and relocate soil to his personal lot. These exporting and loading operations were **not contracted through Lanz Construction**, and the company had **no prior knowledge** that Mr. Cruz had instructed a third-party hauler to begin work on the parcel.

Although Lanz Construction personnel were present on the property under the belief that a legitimate contract existed, **no employee or subcontractor under our control was performing soil-disturbing activity** during the times cited in the NOV. Equipment and operators were made available based on representations made by Mr. Cruz, which we later learned did not reflect an authorized or permitted project.

When our project manager, Nick Pressimone, was contacted by Air Quality on April 3, he was **unaware that Mr. Cruz had independently initiated exporting activity**. Upon receiving this information, Mr. Pressimone immediately advised Mr. Cruz that a Dust Control Operating Permit (DCOP) was required and that **all activity must cease immediately** until proper compliance measures were in place.

The unstable soil conditions observed on April 3, 6, and 7 were the direct result of **unauthorized third-party operations** occurring outside of Lanz Construction's control. Lanz

Construction did not direct the work, did not authorize soil disturbance, and did not supervise the third-party trucking contractor hired by Mr. Cruz.

Once Mr. Cruz submitted the DCOP application, Lanz Construction—still operating under the belief that the project would be formalized properly—cooperated fully with Air Quality to ensure the site was stabilized. Compliance was confirmed during the April 8 inspection.

Please note that on April 30th, 2026 we received a letter of notification by email. With this following information.

NOTICE OF VIOLATION #10307

FEDERAL EXPRESS TRK #8712 8584 3438

Neil Pressimone, Project Manager

E-mail: nick@lanzconstructionllc.com

Lanz Construction LLC

2140 Marion Drive

Las Vegas, NV 89115

Please be advised that there is no Neil Pressimone employed at Lanz construction. However, He is an associate of the owner of the company but lives in Boise Idaho. The brother of one of our superintendents. When we received this mail for Neil. We did not open it. It sat until this email came through and we could see the issue. This official notification with this FedEx Express tracking number is addressed to the wrong person.

For these reasons, Lanz Construction respectfully contests the factual basis of the violation as it applies to our company and requests that the Notice of Violation be reconsidered with respect to Lanz Construction's responsibility.

Sincerely,

Freddy Gutierrez
Construction Manager
Lanz Construction LLC



Clark County Environment & Sustainability

Division of Air Quality
4701 West Russell Road, 2nd Floor
Las Vegas 89118-2231
Phone (702) 455-5942 • Fax (702) 383-9994
Marci Henson, Director

April 30, 2026

FEDERAL EXPRESS TRK #8712 8584 3438

Neil Pressimone, Project Manager

E-mail: nick@lanzconstructionllc.com

Lanz Construction LLC

2140 Marion Drive

Las Vegas, NV 89115

FEDERAL EXPRESS TRK #8712 8593 4734

Felix Lanz, Managing Member

Jorgedaniel Javier Lanz, Managing Member

Lanz Construction LLC

6215 Bryce Canyon Avenue

Las Vegas, NV 89156

FEDERAL EXPRESS TRK #8712 8601 6862

Bulmaro Cruz, Owner and Responsible Official

E-mail: cruz.bulmaro@yahoo.es

E-mail: belencruzlvrealty@gmail.com

4055 West Hammer Lane

North Las Vegas, NV 89031

NOTICE OF VIOLATION #10307

Clark County Department of Environment and Sustainability, Division of Air Quality (**Air Quality**) provides this notice to Lanz Construction LLC (**Lanz Construction**), and Bulmaro Cruz (**Cruz**), individually, for the violation of the Clark County Air Quality Regulations (**AQRs**) as alleged below and recommends a civil penalty of Four Thousand and no/100 Dollars (\$4,000.00) be assessed as shown in the penalty calculation table attached hereto as **Exhibit A** and incorporated herein.

I. FACTS

- A. Air Quality Specialist Mike Englehart (**Englehart**), Senior Air Quality Specialist Andrew Kirk (**Kirk**), and Air Quality Specialist Marc Miller (**Miller**) discovered the alleged violations while performing a complaint investigation during a Construction Notice period on April 3, 2026, and follow-up inspections on April 6 and 7, 2026, at the Dirt Removal construction project

(Assessor's Parcel Number 125-24-304-007), located at 5521 Ano Drive, in Clark County, Nevada.

- B. On Thursday, April 2, 2026, at approximately 9:11 a.m., Air Quality issued a Construction Notice to all Dust Control Operating Permit Holders, Contractors, and Stationary Sources informing them the National Weather Service and weather models used by Air Quality forecast sustained winds of 20 mph, with gusts over 30 mph, for Friday, April 3, 2026, beginning at 8:00 a.m. and lasting through 4:00 p.m. Air Quality directed all permittees to inspect their site(s) and employ Best Available Control Measures to stabilize all disturbed soils. The Construction Notice is attached hereto as **Exhibit B** and incorporated herein.
- C. On Friday, April 3, 2026, at approximately 8:26 a.m., Air Quality received a complaint (#77903) alleging a side dump truck and bulldozer was loading and hauling out loads of dirt and dirt was blowing everywhere at 5521 Ano Drive, a vacant lot. The complaint report is attached hereto as **Exhibit C** and incorporated herein. At approximately 9:15 a.m., on the same day, Englehart arrived at the Dirt Removal construction project to investigate the complaint. The inspection report is attached hereto as **Exhibit D** and incorporated herein. Englehart assigned construction project #60205 to the inspection for tracking purposes. During the investigation, Englehart observed a wheel loader loading soil into a haul truck for export from 5521 Ano Drive. The vacant parcel contained multiple soil stockpiles, approximately 0.75 acres of dry, loose, and powdery site soil conditions and greater than 0.25 acres of construction activities occurring without a Dust Control Operating Permit (DCOP) as shown in Photographs 1 and 2, and Map 1, attached hereto as **Exhibits E and F**, respectively, and incorporated herein. While onsite, Englehart spoke by phone with Nick Pressimone (**Pressimone**), Project Manager for Lanz Construction, concerning his observations of noncompliance and the issuance of a Notice of Noncompliance (**NON**). The NON was emailed to Pressimone and is attached hereto as **Exhibit G** and incorporated herein. Englehart also observed that the noncompliance issue occurred within 1,000 feet of a residential area, as shown in Map 2, attached hereto as **Exhibit H** and incorporated herein. Englehart concluded his inspection at approximately 10:15 a.m.

At 10:45 a.m., on the same day, Belen Cruz (**B. Cruz**), daughter of Cruz, submitted a DCOP application #28694 to Air Quality for 1.0 acre of the unpermitted area. During the review process, B. Cruz updated the permitted area to 1.2 acres.

- D. On Monday, April 6, 2026, at approximately 2:05 p.m., Kirk arrived at the Dirt Removal construction project to conduct a follow-up inspection. The inspection report is attached hereto as **Exhibit I** and incorporated herein. During the inspection, Kirk observed approximately 0.75 acres of dry, loose, and powdery site soil conditions, as shown in Photographs 3 through 7 (**Exh. E**). Kirk noted that Lanz Construction notified Cruz that he needed to apply for a DCOP since an application had been submitted after the first inspection. While onsite, Kirk left a phone message with Cruz, and spoke by phone with B. Cruz, concerning his observations of noncompliance. Kirk also observed that the noncompliance issue occurred within 1,000 feet of a residential area, as shown in Map 3, attached hereto as **Exhibit J** and incorporated herein. Kirk concluded his inspection at approximately 2:25 p.m.

- E. On Tuesday, April 7, 2026, at approximately 11:18 a.m., Kirk sent an email to Cruz regarding the construction activities occurring on the site and the conversation with B. Cruz concerning the NON issued on Friday, April 3, 2026. Kirk stated that based on the aerial map of the site (**Exh. F**), exporting activities were occurring for a while, and a DCOP was required to continue. Kirk also stated that the site soils must be stable 24 hours a day, 7 days a week. The email correspondence is attached hereto as **Exhibit K** and incorporated herein.

At approximately 12:00 p.m., on the same day, Miller arrived at the Dirt Removal construction project to conduct a follow-up inspection. The inspection report is attached hereto as **Exhibit L** and incorporated herein. During the inspection, Miller observed approximately 0.75 acres of dry, loose, and powdery site soil conditions, as shown in Photographs 8 through 10 (**Exh. E**). Miller observed no exporting activities, but there were stockpiles onsite and a loader located on the western end of the site. While onsite, Miller left a phone message with Cruz, concerning his observations of continued noncompliance. Miller also observed that the noncompliance issue occurred within 1,000 feet of a residential area, as shown in Map 4, attached hereto as **Exhibit M** and incorporated herein. Miller concluded his inspection at approximately 12:15 p.m.

- F. On Wednesday, April 8, 2026, at approximately 10:00 a.m., Miller arrived at the Dirt Removal construction site to conduct a follow-up inspection. The inspection report is attached hereto as **Exhibit N** and incorporated herein. During the inspection, Miller observed the site was in compliance with AQRs. Miller concluded the inspection at approximately 10:15 a.m.
- G. On Tuesday, April 14, 2026, the application was approved by Air Quality, and an invoice was issued to Cruz for the fees associated with the DCOP. Cruz submitted payment for the DCOP on Friday, April 17, 2026, at which time DCOP #60205 was issued.

II. VIOLATION(S)

Violation 1:

By failing to employ Best Available Control Measures (**BACM**) and comply with soil stabilization standards 24 hours a day, seven days a week, Lanz Construction and Cruz violated AQR Sections 94.13(a) and (b).

AQR Sections 94.13(a) and (b) state:

- “(a) Any person who engages in a construction activity or temporary commercial activity with or without a DCOP that causes or may cause fugitive dust emissions, shall employ BACM and comply with the soil stabilization standards in Section 94.12 and emissions standards in Section 94.14.
- (b) Control measures in a DCOP, and other measures as needed for the purpose of maintaining dust control, shall be implemented 24 hours a day, 7 days a week, until the DCOP is closed in accordance with Section 94.5(o)(2).”

III. RECOMMENDED CIVIL PENALTY

Pursuant to AQR Section 9.1, any person who violates any provision of the AQRs, including any permit condition; is guilty of a civil offense and shall pay a civil penalty not to exceed \$10,000 per violation. Each day of violation constitutes a separate offense.

Air Quality considered the following in calculating the recommended penalty:

- Violation occurred during a Construction Notice period (**Exh. B**); and
- Violation occurred within 1,000 feet of the outer boundary of a residential area as described in Paragraphs I.C, I.D and I.E above (**Exhibits H, J and M**).

Air Quality recommends a civil penalty in the amount of \$4,000.00 (**Exh. A**).

IV. HEARING

Air Quality has scheduled a hearing for **Thursday, May 21, 2026, at 9:00 a.m.** before the Air Pollution Control Hearing Officer to adjudicate the alleged violation(s) and, if appropriate, to levy the recommended penalty. Please complete the enclosed **“Notice of Violation Response Form”** and return it to Air Quality by May 7, 2026. At the hearing, the Hearing Officer will hear evidence on the alleged violation(s) and render a decision. The hearing will be held at the Clark County Building Services Presentation Room, located at 4701 West Russell Road, Las Vegas, Nevada.

If you intend to present any documentary evidence at the hearing, please provide copies of your evidence to Air Quality with the completed Notice of Violation Response Form. If you fail to provide copies of your evidence prior to the hearing, please be advised that Air Quality may request a continuance to have time to review any evidence you bring to the hearing, which will result in the hearing being postponed and rescheduled to a later date.

If the Hearing Officer finds you in violation and levies a penalty, Air Quality staff will mail the Hearing Officer’s order to you along with instructions on remittance of the penalty.



Anna Sutowska
Compliance and Enforcement Manager

Exhibits:

- A. Penalty Calculation Table, NOV #10307
- B. Air Quality Construction Notice for April 3, 2026
- C. Air Quality Complaint Report #77903, dated April 3, 2026
- D. Air Quality Construction Site Inspection Form #158296, dated April 3, 2026
- E. Digital Photographs 1 through 10
- F. Map 1: Aerial photo showing numerous stockpiles without a Dust Control Operating Permit, taken on January 31, 2026
- G. Air Quality Notice of Noncompliance for April 3, 2026
- H. Map 2: Showing location of unstable soils within 1,000 feet of a residential area on April 3, 2026
- I. Air Quality Construction Site Inspection Form #158317, dated April 6, 2026
- J. Map 3: Showing location of unstable soils within 1,000 feet of a residential area on April 6, 2026
- K. Email Communication dated April 7, 2026
- L. Air Quality Construction Site Inspection Form #158357, dated April 7, 2026
- M. Map 4: Showing location of unstable soils within 1,000 feet of a residential area on April 7, 2026
- N. Air Quality Construction Site Inspection Form #158359, dated April 8, 2026

sl

Exhibit A

NOV #10307
Penalty Calculation Table
Lanz Construction LLC and Bulmaro Cruz



Clark County Environment & Sustainability

Division of Air Quality
 4701 West Russell Road, 2nd Floor
 Las Vegas 89118-2231
 Phone (702) 455-5942 • Fax (702) 383-9994
 Marci Henson, Director

Viol.	Date(s)	Violation Description	AQR Section	Exhibit / Evidence	Base Penalty	Days	Aggravating Description	Agg. Factor	Agg. Amount	Penalty
1	4/3/2026	Failed to employ Best Available Control Measures and comply with soil stabilization standards 24/7.	94.13(a) and (b)	Exh. B, Construction Notice Exh. E, Photos 1 and 2 Exh. H, Map 2	\$ 1,000	1	1) Occurred during a Construction Notice period (+25%) 2) Occurred within 1,000 feet of a residential area (+25% per day)	50%	\$ 500.00	\$ 1,500.00
	4/6/2026			Exh. E, Photos 3 thru 7 Exh. J, Map 3		1	Occurred within 1,000 feet of a residential area (+25% per day)	25%	\$ 250.00	\$ 1,250.00
	4/7/2026			Exh. E, Photos 8 thru 10 Exh. M, Map 4		1	Occurred within 1,000 feet of a residential area (+25% per day)	25%	\$ 250.00	\$ 1,250.00

Total Penalty: \$ 4,000.00

Regulatory maximum: \$10,000 per day, per violation

[AQR Section 9.1 & NRS 445B.640]

Exhibit B

From: AQDCP <AQDCP@ClarkCountyNV.gov>

Sent: Thursday, April 2, 2026 9:11 AM

To: AQDCP <AQDCP@ClarkCountyNV.gov>

Subject: Clark County Air Quality is Issuing a Construction Notice



togetherforbetter

Environment & Sustainability

Division of Air Quality

CONSTRUCTION NOTICE

for Friday, April 3, 2026

Attention Dust Control Permit Holders, Contractors, and Stationary Sources

National Weather Service and the weather models used by the Division of Air Quality (DAQ) show the potential for high winds beginning at 8:00 AM and lasting through 4:00 PM. The forecast is for **sustained winds of 20 mph**, with gusts **over 30 mph**.

DAQ directs all permittees to inspect their site(s) and employ Best Available Control Measures to stabilize all disturbed soils. Permittees with multiple sites should contact each site superintendent or dust monitor to ensure compliance with the Clark County Air Quality Regulations.

BLASTING: This forecast is for wind gusts over 30 mph or more. Project operators should not load blasting materials or perform any blasting operations. You are required to monitor National Weather Service reports for wind speeds; if wind gusts above 25 mph are forecast, discontinue charging additional blast holes. Limit the blast to holes charged at the time the wind report is made.

DAQ will continue to monitor these forecasts for any further wind developments. If the weather forecast is upgraded and conditions warrant, you will be notified of a Dust Advisory.

It is important this Construction Notice be sent to all supervisors, foremen, and subcontractors working on your construction projects and at PM₁₀ stationary sources.

Please direct questions about this Construction Notice to a DAQ compliance supervisor at (702) 455-5942.

Issued: 4/2/2026

You are receiving this notice because you have asked to be on our mailing list or your e-mail address is listed as the point of contact on an active Dust Control Permit.

UNSUBSCRIBE: If you do not want to continue receiving these notices and wish to be removed from the DAQ e-mail notification system, reply to this message or email AQDCP@ClarkCountyNV.gov with the subject line **Remove From Email List**. Include your name and company. If possible, send your request from the email address to be removed. If your email address is the only contact on a Dust Control Permit, you will receive a request for a replacement contact. If you do not provide one, all email information will be removed from your permit record and further contact will be by telephone and/or U.S. mail only.

From: Microsoft Outlook

<MicrosoftExchange329e71ec88ae4615bbc36ab6ce41109e@ClarkCountyNV.onmicrosoft.com>

Sent: Thursday, April 2, 2026 9:19 AM

To: AQDCP

Subject: Relayed: Clark County Air Quality is Issuing a Construction Notice

Delivery to these recipients or groups is complete, but no delivery notification was sent by the destination server:

jorge@lanzconstructionllc.com

Subject: Clark County Air Quality is Issuing a Construction Notice

Exhibit C

Complaint No. 77903

Observed On

Apr 3, 2026 8:26 AM

Reported On

Apr 3, 2026 8:26 AM

Complaint Description

Side dump truck and bulldozer at vacant lot at 5521 Ano Drive. Loading and hauling out loads of dirt. No water truck on site and dirt is blowing everywhere

Intake Method

Telephone

Referred From

—

Taken By

Sherrie Rogge

Type

Fugitive Dust

Is the fugitive dust occurring now?

Yes

Do you know what is creating the fugitive dust?

People hauling dirt off vacant lot

Category

Dust Control Program

Assigned To

Mike Englehart

Response

Responded On

Apr 3, 2026 9:15 AM

Closed On

Apr 3, 2026 10:15 AM

Location

Construction Project

[Dirt Removal \(60205\)](#)

[5521 Ano Drive, Las Vegas, NV 89131](#)

[Bradley Rd/Rome Blvd, W](#)

[Project Attributes](#)

[Residential Construction, Staging/Stockpiling](#)

[Region](#)

[WNW - West/Northwest](#)

[Hydrographic Area](#)

[212 Las Vegas Valley](#)

[Parcel Number](#)

[125-24-304-007](#)

Address

5521 Ano Drive, Las Vegas, NV 89131

Parcel Number

125-24-304-007

Major Cross Streets

N Jones and W. Centennial Pkwy

Complainant

Name

Anonymous

Email

—

Complainant Wants Investigation Findings?

No



CONSTRUCTION SITE INSPECTION REPORT

Inspection No. 158296

Officer:	Date:	Start Time:	End Time:	Type:	Complaint No.:	Permit No.:		
Mike Englehart	Apr 3, 2026	9:15 AM	10:15 AM	Complaint	77903	60205		
Permittee:	Project Name:		Project Location:					
	Dirt Removal		5521 Ano Drive, Las Vegas, NV 89131					
Weather:	Rain:	Temperature:	Wind Speed:	Wind Gust:	Wind Direction:	Site Status:		
Clear	No	59 degrees	15-19 mph	20 mph	N	Active		
PCF Submitted:	Workers Present:	Spoke With:	Title:	Comm. Method:				
	Yes	Nick Pressimone 725.910.5430	Project Manager	Phone				
		Spoke With:	Title:	Comm. Method:				
Is the project in compliance with all air quality requirements?						No		
Action Taken:	Issued NON With Possible NOV		Violation in 1000 feet of:	Residential				
Emission Compliance:						Yes		
Fugitive Dust Source:	Haul Truck		Plume Length:	75 Feet				
Opacity:			Opacity Test Method:					
BMP Compliance:						No		
Project Soils:	Unstable		Size of Instability:	0.75 acres				
Trackout Device:	No - Needed		Has Trackout:	No				
Mitigation Equipment:	Inadequate		Soil Crust Determination:	Not Necessary/Not Performed				
Admin Compliance:						No		
Acreage Permitted:	Observed Acreage:		Project Size:					
Staging/Parking Area:	DCOP Sign:		No	DCOP Onsite:	No			
SS Permit(s):	No Equipment	SS Permit No.	Equipment Onsite:					
Inspector Notes:			Approved By:	Katrinka Byers				
I conducted a dust complaint investigation during a Construction Notice period and observed a wheel loader loading soil into a haul truck for soil export at 5521 Ano Drive. The vacant parcel contains multiple soil stockpiles and the soil disturbance is greater than 1/4 acre, requiring a dust permit. The soil was observed to be dry, powdery, and unstable and when haul trucks drove through these soils, fugitive dust was emitted. No water source in use onsite now, or since start of work this morning. No trackout control device is onsite. I met onsite with the loader operator, who put me in contact with his Supervisor, Nick Pressimone, with Lanz Construction LLC. I informed Mr. Pressimone about the complaint and asked if he had applied for a dust permit. He had not. I issued a Notice of Noncompliance with possible NOV, to immediately stabilize all site soils; submit an application for a DCOP to Air Quality by 4/4/26 and install a trackout control device by 4/7/26. Mr. Pressimone said he understood the NON with possible NOV and will stop all work immediately and get a water truck out to wet down the site ASAP.								

Exhibit E

Digital Photographs

Construction Project #: **60205** Responsible Parties: **Lanz Construction LLC and Bulmaro Cruz**

Project Name: **Dirt Removal**

Photos taken by: **See photo description**



Photograph # 1

Alleged Violation # 1

View looking south at loader dropping soils into a haul truck and wind blown fugitive dust caused by unstable soil conditions on a site with no Dust Control Operating Permit during a construction notice. Photo taken by Mike Englehart.



Photograph # 2

Alleged Violation # 1

View looking south at dry, loose, powdery soils and wind blown fugitive dust observed during a construction notice on a site with no Dust Control Operating Permit. Photo taken by Mike Englehart.



Photograph # 3

Alleged Violation # 1

View looking south at dry, loose, powdery soils and no trackout control device observed on the southern end of the property during a follow-up inspection. Photo taken by Andrew Kirk.



Photograph # 4

Alleged Violation # 1

View looking north at dry, loose, powdery soils observed on the southern end of the property during a follow-up inspection. Photo taken by Andrew Kirk.



Photograph # 5

Alleged Violation # 1

View looking south at dry, loose, powdery soils observed on the northern end of the property during a follow-up inspection. Photo taken by Andrew Kirk.



Photograph # 6

Alleged Violation # 1

View looking west at dry, loose, powdery soils observed on the northwestern end of the property during a follow-up inspection. Photo taken by Andrew Kirk.



Photograph # 7

Alleged Violation # 1

View looking south at dry, loose, powdery soils observed on the northern end of the property during a follow-up inspection. Photo taken by Andrew Kirk.



Photograph # 8

Alleged Violation # 1

View looking east at dry, loose, powdery soils observed on the central portion of the property during a follow-up inspection. Photo taken by Marc Miller.



Photograph # 9

Alleged Violation # 1

Close-up view of dry, loose, powdery soils observed on the central portion of the property during a follow-up inspection. Photo taken by Marc Miller.



Photograph # 10

Alleged Violation # 1

A closer view of dry, loose, powdery soils observed on the central portion of the property during a follow-up inspection. Photo taken by Marc Miller.

Exhibit F

January 31, 2026



Map 1 - Aerial photo showing numerous stockpiles without a Dust Control Operating Permit



NOTICE OF NONCOMPLIANCE

Issued To: Lanz Construction LLC

Project Name: NO DCOP / Lanz Construction LLC

Location: 5521 Ano Drive, Las Vegas, NV 89131

Dust Control Permit No: 60205

Date: Apr 3, 2026

Time: 10:15 AM

This notice is to advise you that an inspection of your site has found it in noncompliance of the conditions specified in your Dust Control Permit and/or Clark County Air Quality Regulations (AQRs).

Unstable Soil Conditions – Provide and maintain adequate measures to prevent fugitive dust by maintaining all project soils in a visibly damp, crusted, or otherwise stabilized condition per AQR Section 94.12. This applies 24 hours a day 7 days a week.

Trackout

Install / Repair trackout control device.

No Valid Dust Control Permit – Submit a complete application for a Dust Control Permit to the Division of Air Quality. Comply by close of business on Apr 4, 2026. Permit late fees will apply.

No / Improper Signage – Install and maintain a Dust Control Permit Sign in compliance with AQR Section 94.11.

Additional Instructions / Other Noncompliance Items

Observed Construction Activity greater than 1/4 acre without a DCOP at 5521 Ano Drive.

- Immediately stabilized all unstable site soils onsite.
- Submit a new DCOP application for vacant parcel APN: 125-24-304-007 by end of day, 4/4/26.
- Install a functional trackout control device at the site exit by end of day, Tuesday, 4/7/26.

Pursuant to AQR Section 4.3, the noncompliance status detailed above may result in the issuance of a Notice of Violation, which includes the imposition of civil penalties.

- **Failure to comply with this notice may result in additional enforcement action that includes a Notice of Violation.**
- **Please contact DAQ representative below regarding questions related to this notice.**

Person Notified:

Nick Pressimone

Project Manager

Lanz Construction LLC

(Printed Name)

(Title)

(Company)

Nick@LanzConstructionllc.com

(Email Address)

Person Notified:

(Printed Name)

(Title)

(Company)

(Email Address)

DAQ Representative:

Mike Englehart

702-249-8594

(Printed Name)

(Phone Number)

Approved By: Katrinka Byers

From: Mike Englehart

Sent: Friday, April 3, 2026 12:10 PM

To: 'Nick@LanzConstructionllc.com' <Nick@LanzConstructionllc.com>

Cc: Andrew Kirk <Andrew.Kirk@ClarkCountyNV.gov>; Sheenaleigh Lucas

<Sheenaleigh.Lucas@ClarkCountyNV.gov>; Marc Miller

<Marc.Miller@ClarkCountyNV.gov>

Subject: Re: Action Needed for Notice of Noncompliance for NO DCOP (assigned 60205)

Importance: High

Dear Nick Pressimore,

Thank you for speaking with me regarding the soil exporting activity on the vacant land parcel 125-24- 304-007, located at 5521 Ano Drive, in Las Vegas.

This activity will require a new dust permit and for your convenience I have drawn a map that you may use to submit with the dust permit application. Since speaking with you I have observed that the actual parcel map for the property does not reach the paved street so I extended the footprint of the area needed to reach the street. See the attached map. Also, for this project, Air Quality has assigned a new dust permit # 60205 so please reference this number with your application.

Please review the attached Notice of Noncompliance (NON) with Air Quality Regulations (AQRs) for the (name TBD) project, DCOP# 60205, and comply with the requirements by the specified dates.

Please send a reply to acknowledge you received this message and understand what is required to comply with the applicable Air Quality Regulations. This NON may result in a Notice of Violation (NOV) that may result in civil penalties. We appreciate your cooperation in maintaining compliance on this project. We will continue to conduct inspections to verify compliance on this project. If you have any questions regarding this message, feel free to contact me.

Sincerely,

Mike Englehart

Air Quality Specialist II

Department of Environment and Sustainability

Division of Air Quality

4701 W. Russell Rd, Suite 200

Las Vegas, NV 89118

Phone: 702-249-8594

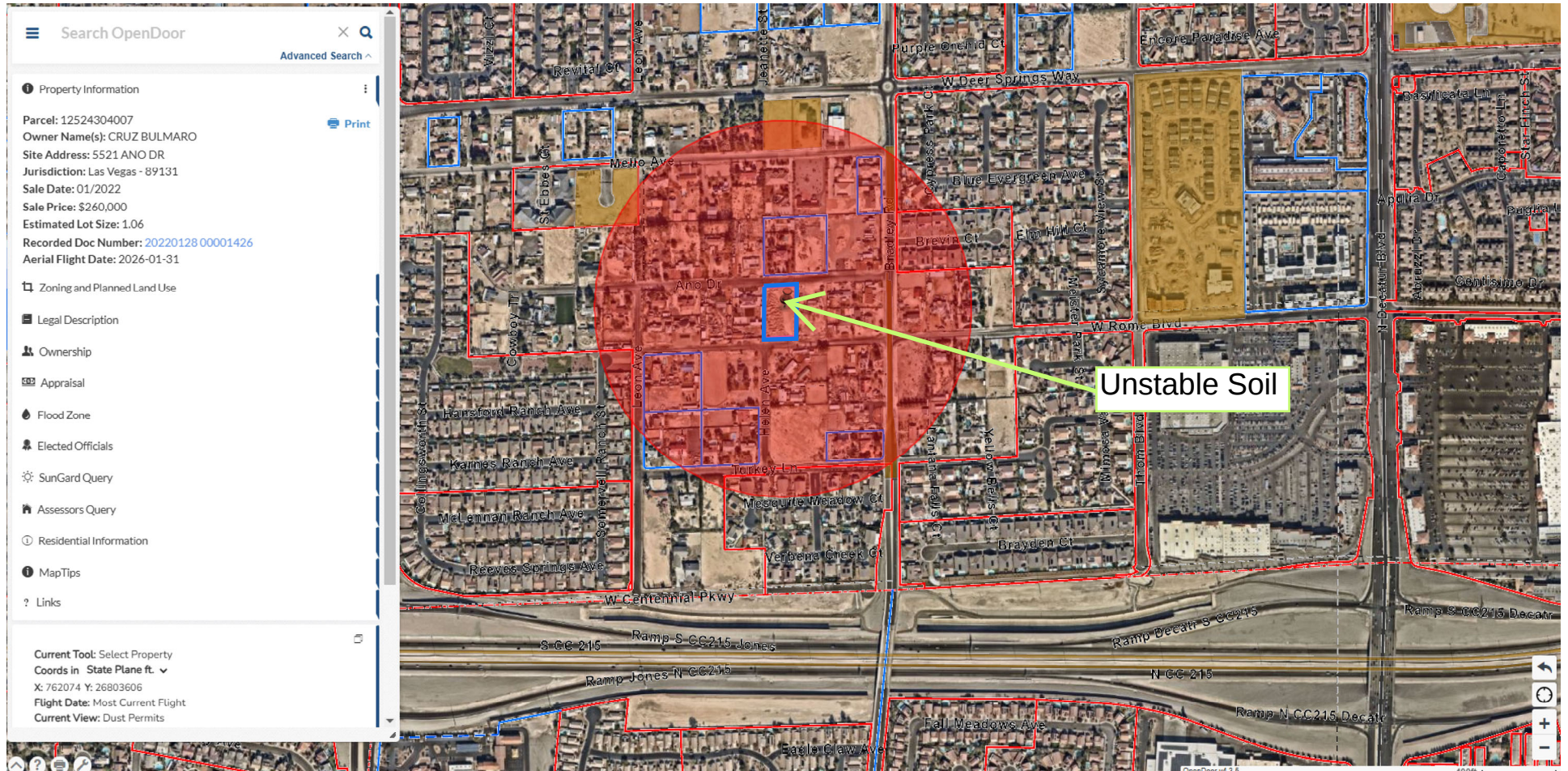
Email: Englehart@Clarkcountynv.gov

Work Schedule: Tuesday thru Friday 7am to 5:30pm

Link to Air Quality Website: [Dust Control Permitting Portal, Forms & Requirements](#)

Exhibit H

April 3, 2026



Map 2 - Showing location of unstable soil within 1,000 feet of a residential area

CONSTRUCTION SITE INSPECTION REPORT

Inspection No. 158317

Officer:	Date:	Start Time:	End Time:	Type:	Complaint No.:	Permit No.:	
Andrew Kirk	Apr 6, 2026	2:05 PM	2:25 PM	Follow-up		60205	
Permittee:		Project Name:		Project Location:			
		Dirt Removal		5521 Ano Drive, Las Vegas, NV 89131			
Weather:	Rain:	Temperature:	Wind Speed:	Wind Gust:	Wind Direction:	Site Status:	
Partly Cloudy	No	85 degrees	00-04 mph	10 mph	Variable	Active	
PCF Submitted:	Workers Present:	Spoke With:	Title:	Comm. Method:			
No	No	Bulmaro Cruz	Owner	Phone Message			
		Spoke With:	Title:	Comm. Method:			
		Belen Cruz	Owner	Phone			
Is the project in compliance with all air quality requirements?							No
Action Taken:	Possible NOV		Violation in 1000 feet of:		Residential		
Emission Compliance:							Yes
Fugitive Dust Source:			Plume Length:				
Opacity:			Opacity Test Method:				
BMP Compliance:							No
Project Soils:	Unstable		Size of Instability:		0.75 acres		
Trackout Device:	No - Needed		Has Trackout:		No		
Mitigation Equipment:	Inadequate		Soil Crust Determination:		Not Necessary/Not Performed		
Admin Compliance:							Yes
Acreage Permitted:		Observed Acreage:		Project Size:			
Staging/Parking Area:		DCOP Sign:		DCOP Onsite:			
SS Permit(s):	No Equipment	SS Permit No.		Equipment Onsite:			
Inspector Notes:				Approved By:		Andrew Kirk	
I conducted a follow-up inspection and observed approximately 0.75 acres of dry, loose, powdery soils. This follow-up inspection was completed based on a Notice of Non-Compliance (NON) that was sent to Lanz Construction on 4/3/2026, for exporting soil without a DCOP causing unstable site soils. Apparently, after Lanz Construction received the NON, they called the property owner, Mr. Bulmaro Cruz, and told him that he needed to get a dust permit and stabilize the site soils; the application was submitted on 4/3/2026 by the property owner. After my follow-up inspection today, I left a message for Mr. Cruz and about 5 minutes later, his daughter, Ms. Belen Cruz called me so I discussed the non-compliance issues and told her that she needed to stabilize site soils immediately and keep them moist or crusted 24/7, install a dust sign by close of business 4/14/2026, sign up for a dust class (or hire someone that has certification), and install a trackout control device by 4/8/2026. Ms. Cruz stated that she didn't know how to get a water source out to the property, get a dust sign made, or what a trackout control device was so I recommended that she call Lanz Construction to have them help stabilize the soils and explain everything because they know our Regulations since they do construction in Las Vegas and deal with Air Quality on a regular basis. I once again made it very clear that the first step was to get all of the soils stabilized immediately and she then went on to explain that they only needed to export a small amount of soil and nothing more would be done for about a year. I let her know that if this was the case, then she would need to block access to her property after stabilizing the soils to avoid any illegal dumping that might occur over the next year while the project was on hold. I let her know							

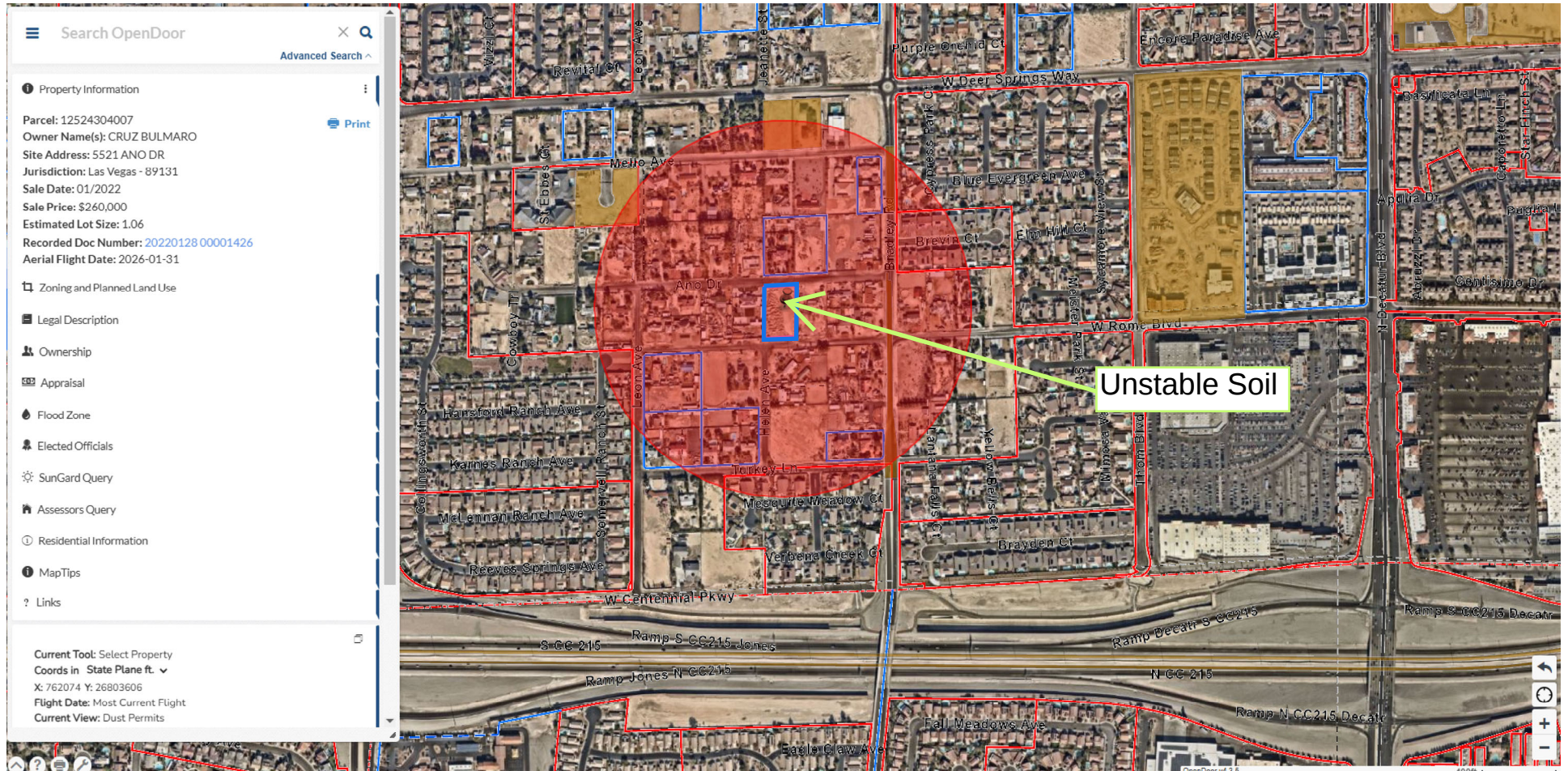


Clark County
Environment & Sustainability

Division of Air Quality
4701 W. Russell Rd. Suite 200 2nd Floor
Las Vegas, NV 89118
Main Number: (702)455-5942
Fax Number: (702)383-9994

that she still needs to take the dust class or hire someone with a certification and install a dust control sign but could wait until next year to install a trackout control device since she will be blocking access. Ms. Cruz stated that she understood what I had explained to her and would make sure to relay all of this information to her father. I once again made it very clear that the soils need to be stabilized right away because we will be completing follow-ups every day until the site is back into compliance.

Exhibit J
April 6, 2026



Map 3 - Showing location of unstable soil within 1,000 feet of a residential area

Exhibit K

From: Belen Cruz <belencruzlvrealty@gmail.com>
Sent: Tuesday, April 7, 2026 11:53 AM
To: Andrew Kirk <Andrew.Kirk@ClarkCountyNV.gov>
Cc: Mike Englehart <Englehart@ClarkCountyNV.gov>; Katrinka Byers <Katrinka.Byers@ClarkCountyNV.gov>; SNVBULMARO@gmail.com
Subject: Re: Notice of Non-Compliance (NON) for 5521 Ano Drive

Hello Mr.Kirk,

Thank you for your patience. I spoke with my father and he informed me that the company who transported the dirt made a mistake and dumped excessive amounts. A lot more than what was agreed upon. Now, they are planning to remove some of it.

Mr. Nick Pressimone is the one in charge of this operation. I believe he already spoke to Mr. Englehart about this earlier today.

Regarding the permit, I will be continuing the application and taking the class myself for future needs. However, for this current project, can we use Mr.Pressimones company for the permit? Since he already has taken the class.

This is his information: Nick Pressimone | 725-910-5430 | nick@lanzconstructionllc.com

We want to ensure that everything is handled properly and in accordance with all the guidelines and requirements moving forward.

Please advise,

Thank you!

Belen Cruz

REALTOR | S.0202518

Infinity Brokerage

(702) 283-7671

belencruzlvrealty@gmail.com



On Tue, Apr 7, 2026 at 11:18 AM Andrew Kirk <Andrew.Kirk@clarkcountynv.gov> wrote:

Good morning Mr. Cruz,

My name is Andrew Kirk, and I work for Clark County Air Quality. I'm writing this e-mail to you in regard to the construction activities that are occurring at your property, 5221 Ano drive, and the conversation that I had with your daughter yesterday. I was letting her know what had happened last week, when another one of our inspectors, Mike Englehart, was following up on a complaint regarding fugitive dust on your property and saw Lanz Construction exporting soils without a Dust Control Operating Permit (DCOP), causing unstable soils. Mr. Englehart issued a Notice of Non-Compliance (NON) to Lanz Construction on Friday, 4/3/2026 and I guess they called you and told you that you needed a DCOP. Your daughter applied for one already but there are things that need to be fixed before it can be approved, so check your e-mails for communication from us.

Furthermore, some of the information that your daughter gave me yesterday was not accurate (I know she is not involved with this work and might not know what is going on) so I just need for you to explain what you are doing. I was told that work was complete and you would not be touching the property again for at least a year when you will be building a home. I was also told that this was a 1-day activity but based on my aerial photo review of your property, there has been exporting occurring before last Friday (see aerial photo below), which also needed a DCOP to do. This aerial was taken on 1/31/2026 and there are stockpiles all over your site. Based on the number of stockpiles (way less) I saw yesterday,

you have been exporting soil for a while. I also saw a loader on-site, which tells me that additional work will be completed, which is ok once the DCOP is approved and has been given to you, but soil stabilization is required 24/7.

I wanted to let you know so that you are fully aware that anytime that you disturb soils, whether it's to build something or to import/export soil, a DCOP is required and soils must be kept stable so that fugitive dust does not occur. It appears that there is more exporting that needs to be done before you halt activities for a year to build your home. Once your DCOP is approved, you will get a copy by e-mail, and at that time you will be able to continue construction activities. The NON that was sent to Lanz Construction on Friday has been included in this e-mail for you to review. As the DCOP holder, you are responsible to adhere to everything listed within this NON. You will need to have someone attend a dust class, install a dust control sign, keep the soils stable 24/7, install a trackout control device, and implement BMP-11 Long-Term Stabilization on your property if your construction activities cease for more than 30 days. This means that you will need to block access to your property so that during your down time (a year until you build), other companies do not illegally dump on your site. I recommended to your daughter that you use some of the soil on-site to build a minimum 4-foot berm around the north and south sides (with no trespassing signs) to prevent access and make sure all soils are stable after installation. I want to make it clear that anything that happens to your property while under this DCOP, is your responsibility and that is exactly why we require it to be blocked off so that people are not disturbing the soil without your knowledge. If you change your mind and decide to build right now, you are obviously free to do so once that DCOP has been approved and given to you. Please ensure that all soils are stabilized immediately and maintained 24/7. The soils on your property most likely do not absorb water very well (based on other sites we patrol in your area), so every time you drive on it, the soils will become dry, loose, and powdery and you will need to stabilize it.

Please explain your plans and that you understand what is required. The trackout control device needs to be installed by close of business 4/8/2026 and the dust sign needs to be installed by close of business 4/14/2026. Once all construction activities are complete and no additional work will be done, you will have 30 days in block access to your site and install the signs to cover you until you start work again. Please do not forget to renew your DCOP before it expires next year if you still plan and developing it. If you have any questions feel free to call myself or the inspector for your area, Mike Englehart at (702) 249-8594. Thank you,

Property Information

Parcel: 12524304007
Owner Name(s): CRUZ BULMARO
Site Address: 5521 ANO DR
Jurisdiction: Las Vegas - 89131
Sale Date: 01/2022
Sale Price: \$260,000
Estimated Lot Size: 1.06
Recorded Doc Number: 20220128 00001426
Aerial Flight Date: 2026-01-31

Zoning and Planned Land Use

Legal Description

Ownership

Appraisal

Flood Zone

Elected Officials

SunGard Query

Assessors Query

Downloaded Information



Andrew M. Kirk

Senior Air Quality Specialist

Clark County Division of Air Quality

4701 W. Russell Road, Suite 200

Las Vegas, NV 89118

(702) 455-3529 Office

(702) 306-0257 Cell

Andrew.Kirk@ClarkCountyNV.Gov

My working hours are Monday – Thursday, 7:00 AM – 5:30 PM

For Dust Control Applications and Forms, click on this link: [Dust Control Permitting](#)

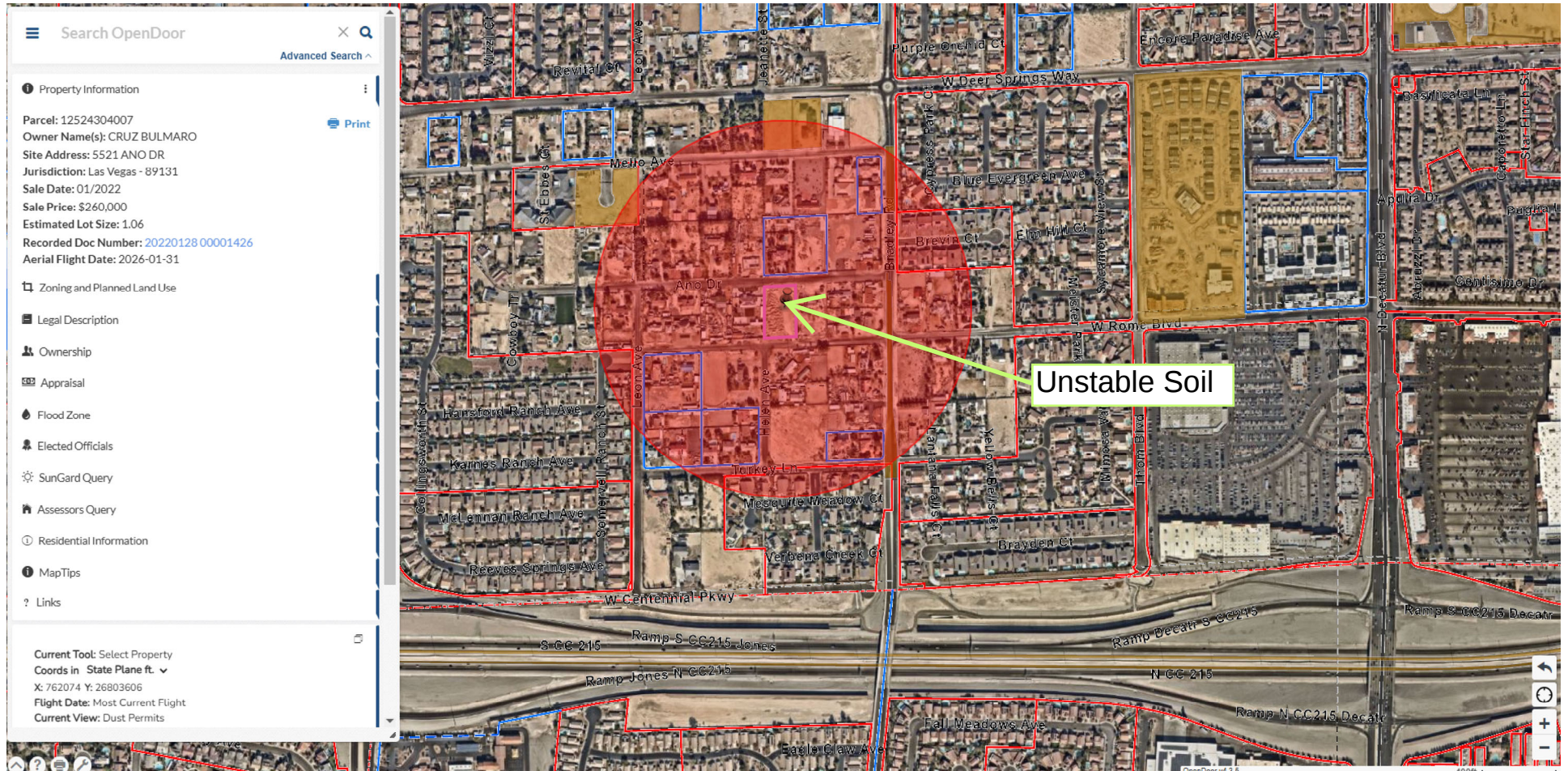


CONSTRUCTION SITE INSPECTION REPORT
Inspection No. 158357

Officer:	Date:	Start Time:	End Time:	Type:	Complaint No.:	Permit No.:
Marc Miller	Apr 7, 2026	12:00 PM	12:15 PM	Follow-up		60205
Permittee:	Project Name:		Project Location:			
	Dirt Removal		5521 Ano Drive, Las Vegas, NV 89131			
Weather:	Rain:	Temperature:	Wind Speed:	Wind Gust:	Wind Direction:	Site Status:
Clear	No	81 degrees	00-04 mph	5 mph	Variable	Active
PCF Submitted:	Workers Present:	Spoke With:	Title:	Comm. Method:		
No	No	Bulmaro Cruz	Responsible Official	Phone Message		
		Spoke With:	Title:	Comm. Method:		
Is the project in compliance with all air quality requirements?						No
Action Taken:	Possible NOV	Violation in 1000 feet of:	Residential			
Emission Compliance:						Yes
Fugitive Dust Source:		Plume Length:				
Opacity:		Opacity Test Method:				
BMP Compliance:						No
Project Soils:	Unstable	Size of Instability:	0.75 acres			
Trackout Device:	No - Needed	Has Trackout:	No			
Mitigation Equipment:	Inadequate	Soil Crust Determination:	Not Necessary/Not Performed			
Admin Compliance:						Yes
Acreage Permitted:	Observed Acreage:	Project Size:				
Staging/Parking Area:	N/A	DCOP Sign:	No	DCOP Onsite:	Not Verified	
SS Permit(s):	No Equipment	SS Permit No.	Equipment Onsite:			
Inspector Notes:						Approved By: Andrew Kirk
I conducted a follow-up inspection and observed approximately 0.75 acres of dry, loose, powdery soils. I observed no exporting activities being done at the moment, but there were still stockpiles on-site and a loader located on the western end of the property. This loader being on-site makes it seem as though exporting of soil still needed to be completed, even though Mr. Cruz's daughter, Ms. Belen Cruz, told Senior Air Quality Specialist, Andrew Kirk, on 4/6/2026, that exporting was complete. In order to find out more information about this site, I contacted Bulmaro Cruz, Responsible Official, via voicemail and informed him that this is another day of Noncompliance and that the soils needed to be stabilized immediately and kept moist or crusted 24/7.						

Exhibit M

April 7, 2026



Map 4 - Showing location of unstable soil within 1,000 feet of a residential area



CONSTRUCTION SITE INSPECTION REPORT

Inspection No. 158359

Officer:	Date:	Start Time:	End Time:	Type:	Complaint No.:	Permit No.:
Marc Miller	Apr 8, 2026	10:00 AM	10:15 AM	Follow-up		60205
Permittee:	Project Name:		Project Location:			
	Dirt Removal		5521 Ano Drive, Las Vegas, NV 89131			
Weather:	Rain:	Temperature:	Wind Speed:	Wind Gust:	Wind Direction:	Site Status:
Clear	No	79 degrees	00-04 mph	5 mph	Variable	Active
PCF Submitted:	Workers Present:	Spoke With:	Title:	Comm. Method:		
No	Yes					
		Spoke With:	Title:	Comm. Method:		
Is the project in compliance with all air quality requirements?						No
Action Taken:	No Action Taken		Violation in 1000 feet of:	Not Applicable		
Emission Compliance:						Yes
Fugitive Dust Source:			Plume Length:			
Opacity:			Opacity Test Method:			
BMP Compliance:						Yes
Project Soils:	Stable		Size of Instability:			
Trackout Device:	Yes - Effective		Has Trackout:		No	
Mitigation Equipment:	Adequate		Soil Crust Determination:		Not Necessary/Not Performed	
Admin Compliance:						No
Acreage Permitted:	Observed Acreage:		Project Size:		Less than or equal to permitted	
Staging/Parking Area:	On-Site	DCOP Sign:	No	DCOP Onsite:	Not Verified	
SS Permit(s):	No Equipment	SS Permit No.	Equipment Onsite:			
Inspector Notes:						Approved By: Andrew Kirk
I conducted a follow up inspection and observed the site soils to be stable and a trackout pad installed on the southern end of the site. They still have until close if business 4/14/2026, to install the DCOP sign.						



July 24, 2026

Dear Customer,

The following is the proof-of-delivery for tracking number: 871285843438

Delivery Information:

Status:	Delivered	Delivered To:	Shipping/Receiving
Signed for by:	J.Enny	Delivery Location:	
Service type:	FedEx Standard Overnight		
Special Handling:	Deliver Weekday		LAS VEGAS, NV,
		Delivery date:	May 1, 2026 10:47

Shipping Information:

Tracking number:	871285843438	Ship Date:	Apr 30, 2026
		Weight:	0.5 LB/0.23 KG
Recipient:		Shipper:	
LAS VEGAS, NV, US,		LAS VEGAS, NV, US,	

Reference	NOV 10307
Purchase Order	4500407596-002
Department Number	2270.000-1300213000- 679610

FedEx Express proof-of-delivery details appear below; however, no signature is currently available for this shipment. Please check again later for a signature.



July 24, 2026

Dear Customer,

The following is the proof-of-delivery for tracking number: 871286016862

Delivery Information:

Status:	Delivered	Delivered To:	Residence
Signed for by:	Signature not required	Delivery Location:	
Service type:	FedEx Standard Overnight		
Special Handling:	Deliver Weekday; Residential Delivery		NORTH LAS VEGAS, NV,
		Delivery date:	May 1, 2026 10:46

Shipping Information:

Tracking number:	871286016862	Ship Date:	Apr 30, 2026
		Weight:	0.5 LB/0.23 KG

Recipient:	Shipper:
NORTH LAS VEGAS, NV, US,	LAS VEGAS, NV, US,

Reference	NOV 10307
Purchase Order	4500407596-002
Department Number	2270.000-1300213000- 679610

Proof-of-delivery details appear below; however, no signature is available for this FedEx Express shipment because a signature was not required.



togetherforbetter

Environment & Sustainability

REPORT BY DEPARTMENT OF ENVIRONMENT AND SUSTAINABILITY STAFF (January 1, 2026 – June 30, 2026)

➤ Planning

▪ Criteria Pollutants

○ Carbon Monoxide (CO) - attainment/maintenance

○ Ozone (O₃)

• 1997 O₃ NAAQS- attainment/maintenance:

- 2nd 10-year maintenance plan was approved by EPA in April 2024.

• 2015 O₃ NAAQS:

- Since April 15, 2025, DAQ has worked closely with consultants to develop the 2015 Ozone National Ambient Air Quality Standards (NAAQS) Serious Attainment Plan.
- The plan underwent the full public participation process, including a public hearing on July 7, 2026, at which the Board of County Commissioners (BCC) adopted the plan and approved its submittal to the Nevada Division of Environmental Protection (NDEP).
- All SIP elements have been transmitted to NDEP for incorporation into the State Implementation Plan package. NDEP is expected to submit the package to EPA in early August 2026.
- SIP development included several regulatory actions, including new emission controls for coating operations, revised permitting requirements, additional Reasonably Available Control Technology (RACT) requirements for major stationary sources, and a contingency measure to reduce emissions from emulsified asphalt operations if the area fails to attain the standard by the statutory deadline.
- The SIP also includes a Clean Air Act Section 179B demonstration showing that international emissions could prevent Clark County from attaining the ozone standard by the statutory deadline. This demonstration serves as a contingency to the primary attainment demonstration should EPA not concur with the treatment of wildfire emissions as exceptional events.
- Information on the plan's development, including workshops, rulemakings, public notices, and supporting documents, is available on the [Ozone Serious Attainment Plan](#) webpage.



Environment & Sustainability

- **PM₁₀- attainment/maintenance**
 - The Second PM₁₀ Ten-Year Maintenance Plan is currently undergoing final review by the EPA. The plan demonstrates that DES will continue to maintain compliance with the PM₁₀ National Ambient Air Quality Standards through 2034.
- **PM_{2.5}- attainment**
 - DES is currently attaining the 2024 PM_{2.5} annual NAAQS. Recommendations were submitted to NDEP/EPA within the regulatory deadline and we're awaiting final designations.
- **Nitrogen dioxide (NO₂) – attainment**
- **Sulfur dioxide (SO₂) – attainment**
 - **Attainment** of the primary NAAQS.
 - Clark County is currently attaining the 2024 SO₂ secondary NAAQS. An SO₂ area designation letter was submitted to NDEP in September and was subsequently submitted to EPA on October 15, 2025. DAQ recommended a designation of “attainment” for Hydrographic Area 212 (the Las Vegas Valley) and “attainment/unclassifiable” for the remaining areas in Clark County. The associated Infrastructure SIP for the newly promulgated standard is due December 2027.
- **Lead (Pb) – attainment**
- **Studies**
 - The multi-year VOC smoke tracer study has continued, and sampling for 2026 has begun. The study supports anticipated exceptional events demonstrations and ozone SIP efforts.
 - The residential wood combustion and construction equipment emissions study has begun.
- **Modeling**
 - Increment Modeling: Approx. 14 major, 75 minor source reviews.
 - Photochemical modeling was completed to support the ozone SIP requirements for the 2015 NAAQS.
- **Smog Free Clark County**

Began in 2023, the Smog Free Clark County (SFCC) program is designed to improve air quality by reducing motor vehicle emissions. Owners of eligible vehicles from model years 1968 to 2006 may qualify for up to \$975 in emissions-related repairs. Beginning July 1, 2026, vehicles with model year 2010 or older are



Environment & Sustainability

eligible for participation into the program. Table 1 summarizes the vehicle repairs of this program through the end of FY '26.

Table 1: Smog Free Clark County Program StatisticsMetric	Jan 2023 – Jun 2024 (Pilot Phase)	Jul 2024-Jun 2025	Jul 2025-Jun 2026*
Applications Received	265	1,131	1,359
Repair Vouchers Issued	180	766	902
Repairs Completed	164	594	685
Voucher Redemption Rate	91.1%	77.5%	75.9%
Repair Assistance Invested	\$148,547	\$535,000	\$581,233
Average Repair Amount	\$906	\$901	\$849

*Totals shown are projections through the end of the fiscal year.

➤ Monitoring

- Implemented 2026 Annual Monitoring Network Plan
 - Stations located in neighbourhoods to assess exposure levels to the general population (18 AQ stations).
 - Network characterized pollution transported into Clark County and background levels natural to Clark County.
 - Deployed Photochemical Assessment Monitoring Station (PAMS) to monitor ozone precursors (NO₂ and VOCs), carbonyls, mixing layer, and solar/UV radiation.
 - Conducted additional ozone monitoring at Apex, Spring Mountain Youth Camp (SMYC) and Indian Springs during ozone season (April 1st – September 30th).
 - Deployed trace CO monitor SMYC during ozone season (April 1st – September 30th).
 - Continues sampling for County-wide monitoring study of wildfire tracers including acetonitrile, VOCs, carbonyls, and L-glucosan (April 1st – September 30th).
- Completed 2027 ozone monitoring waiver and obtained EPA approval
 - EPA granted ozone monitoring exemption for Indian Springs and Apex in 2026 (off ozone season).
- Replacement of aging AQ monitoring stations continues under EPA 103 Inflation Reduction Act (IRA) Grant. The project managed by Real Property Management (RPM) began in July 2025 and remains on schedule.



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- Hired new AQ Forecaster (July 2026) to support succession planning and ensure continuity of operations.
- Recruitment continues for AQ Monitoring Technicians to fill remaining vacancy and maintain staffing levels.
- Presented scientific poster at the Air & Waste Management Association (AWMA) National Conference in Austin, TX in June 2026.

➤ Stationary Source Permitting

- From January through June 2026, the department received 286 stationary source permit applications and issued 286 permits. This includes four renewals and two significant revisions of Title V operating permits. Of the total number of permits issued, 96.15% were completed within required regulatory timelines, exceeding the department's performance goal of 90%.
- As of June 30, 2026, there were 1,211 active stationary source operating permits, including 34 Title V operating permits.
- A total of 54 sources are currently registered across all CTG categories, the majority of which are Gasoline Dispensing Facilities (GDFs) with annual throughput below 120,000 gallons.
- Program Highlights (January through June 2026)
 - To proactively manage Title V operating permit renewals and prevent backlog, DES contracted local environmental consultant Broadbent & Associates. Under this three-year agreement, the firm will draft up to 10 renewal permits.
 - In response to recent revisions to Air Quality Regulation (AQR) Section 102: Gasoline Dispensing Facilities, DAQ updated its GDF minor source and general permits. Existing GDF general permit holders will receive their revised permit, along with their Authority to Operate (ATO), in the coming months.
 - DAQ started implementing AQR 122 control requirements in applicable Title V operating permits. AQR 122 establishes and implements Reasonably Available Control Technology (RACT) requirements for existing major stationary sources of nitrogen oxide (NO_x) and/or volatile organic compounds (VOCs) as required by Section 182(b)(2) of the Clean Air Act (Act).



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➤ Compliance: Dust Permits and Vacant Land

- Issued 1,427 dust permits from January 1, 2026, through June 30, 2026; averaged 2.65 days to issue a dust permit.
- Conducted 3,511 construction inspections from January 1, 2026, through June 30, 2026.
- As of June 30, 2026, there were 1,776 active permits with a total of 26,445.92 acres of permitted area.
- Held 27 dust classes with a total of 1,022 attendees.

➤ Compliance: Stationary Sources, Complaints and Enforcement

- Conducted 636 stationary source inspections from January 1, 2026, through June 30, 2026.
- Received and responded to 528 complaints from January 1, 2026, through June 30, 2026; responded to 527 (99.8%) complaints within 24-hrs.
- 67 Notices of Violation (NOVs) issued from January 1, 2026, through June 30, 2026:
 - 22 for construction/vacant land
 - 37 for stationary sources
 - 7 for asbestos
 - 1 for vacant land
- Recommended \$516,300.00 in penalties from January 1, 2026, through June 30, 2026. Hearing Officer levied \$360,235.00.
 - \$118,460.00 has not yet been adjudicated.
 - Out of the 67 NOVs issued between January 1, 2026, through June 30, 2026, 17 resulted from complaints which is approximately 25%.

➤ Small Business Assistance Program

- SBAP staff responded to 1,068 requests for assistance (529 for permitting assistance and 539 for compliance assistance) from January 2026 through June 2026.
- Environmental Review/Analysis of agency air quality actions: 59
- SBAP staff provided the following virtual workshops:
 - Annual Reports for Minor Sources 1/27/2026



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- Gasoline Dispensing Facilities (GDF) Daily Inspections 2/17/2026
 - Compliance Boot Camp 3/17/2026
 - Gasoline Dispensing Facility (GDF) Daily Inspections 4/21/2026
 - Permitting 101 for Minor Sources 5/19/2026
 - Gasoline Dispensing Facilities (GDF) Daily Inspections 6/16/2026
- The SBAP staff work primarily from the office. We are meeting with customers with walk-in questions, visiting their businesses, and continue offering assistance via phone calls, emails, and virtual meetings.

➤ Regulations Updates

- DES amended existing Air Quality Regulations (AQRs) for various reasons including incorporating EPA feedback and 2015 O₃ Serious Attainment SIP requirements, updating language for clarity, and correcting citations.
 - Section 12.0, “Applicability and General Requirements for Permitting Stationary Sources,” amendment effective 4/1/2026
 - Section 12.2, “Permit Requirements for Major Sources in Attainment Areas (Prevention of Significant Deterioration),” amendment effective 6/3/2026
 - Section 12.3, “Permit Requirements for Major Sources in Nonattainment Areas,” amendment effective 6/3/2026
 - Section 12.4, “Authority to Construct Application and Permit Requirements for Part 70 Sources,” amendment effective 6/3/2026
 - Section 12.5, “Part 70 Operating Permit Requirements.” amendment effective 6/3/2026
- DES promulgated new AQRs to satisfy requirements for the 2015 O₃ Serious Attainment plan.
 - Section 131, “VOC Emissions Control for Emulsified Asphalt,” adoption effective 4/1/2026 - a contingency measure that has not been triggered
 - Section 108, “VOC Emissions Control for Film, Foil, Paper, Fabric, and Vinyl Coating Operations,” adoption effective 6/17/2026
 - Section 122, “Reasonably Available Control Technology for Major Sources in HA 212,” was adopted and replaced the repealed Section 121, “Reasonably Available Control Technology Determinations for Specific Major Stationary Sources in the 2015 8-Hour Ozone NAAQS Moderate Nonattainment Area HA 212,” effective 6/17/2026
- DES submitted general SIP revision packets for AQR amendments and adoptions to NDEP that will be forwarded to EPA for incorporation into the Nevada SIP.
 - Amendments to Sections 12.1 and 102 were submitted to NDEP on 5/14/2026 and are pending submittal by NDEP to the EPA
 - Amendments to Sections 12.0 and adoption of Section 131 were submitted to NDEP on 6/10/2026 and are pending submittal by NDEP to the EPA.



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➤ Desert Conservation Program

- MSHCP Permit Amendment
 - On July 21, 2026, the MSHCP Amendment goes before the Board of County Commissioners for authorization to submit the application package to the U.S. Fish and Wildlife Service. The MSHCP Amendment will allow the County to continue to provide non-federal development activities a streamlined permitting process under the Endangered Species Act for an additional term of 50 years.
 - A nomination package has been submitted to the Bureau of Land Management to establish nine new areas of critical environmental concern (ACECs), which will form the basis of the mitigation strategy under the MSHCP Amendment.
- In-Lieu Fee Program
 - DCP is coordinating with Clark County Regional Flood Control District to establish an in-lieu fee mitigation program that will provide project proponents an option to purchase credits to meet mitigation requirements for permits issued under Section 404 of the Clean Water Act. The U.S. Army Corps of Engineers has approved the Enabling Instrument for the establishment of this program.
- Annual Project Progress Symposium
 - On August 31, 2026, the DCP will host its Annual Project Progress Symposium at the Silverado Ranch Community Center. Agency partners, stakeholders, and interested parties are invited to attend and receive an annual update on work toward implementing the Clark County MSHCP.

➤ Office of Sustainability

- Finalized the interagency report *Regional Priorities and Considerations: Assembly Bill 96 Heat Mitigation Master Plan Integration*. It has been circulated across Southern Nevada as a resource to support regional alignment across AB 96-required Master Plan Updates.
- Continues to host and lead the Southern Nevada Clean Cities Coalition (SNCC), a Department of Energy-designated coalition that promotes and educates the Clark County community on Sustainable Transportation. It has developed core initiatives including student-led idling campaigns and fleet manager roundtables. Currently, there are 274 SNCC members and 2026 events have been attended by approximately 420 people.
- Continues to lead the Regional Climate Collaborative (RCC), a collaborative under interlocal agreement that works together to safeguard long-term social, environmental, and economic resilience of the region. In addition to quarterly collaborative meetings, the RCC's 3 working groups are responsible for providing impactful programming and resources for the region. Examples of impact include



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the development of a tree planting initiative tracker and interim legislative session sustainability issues tracking.

- Continues the Community Canopy program which will enter its 4th year in 2027. In partnership with the Arbor Day Foundation, the program provides approximately 4,500 trees annually to Clark County residents with priority given to heat-vulnerable residents. As of July 2026, the program has cumulatively provided 9,625 trees with 58% of all trees distributed to individuals in urban heat island-vulnerable zip codes.
- Provides extreme heat resiliency support across Southern Nevada. The office is providing of 1,300 Regional Transportation Commission (RTC) of Southern Nevada bus passes to promote access to cooling stations during extreme heat. Passes are provided to cooling station staff and HELP of Southern Nevada. Efforts also include providing education to cooling station staff, developing flyers and fact sheets, distributing energy efficiency guides and cooling towels, and the establishment of a Southern Nevada Heat Resources Map.
- Continues the climate ambassador program through County Fiscal Year 2027, employing up to 12 part time outreach staff. As of July 2026, The Office of Sustainability's education and outreach efforts have reached over 6,000 residents across urban and rural Southern Nevada.

➤ Public Information and Outreach

The following data reflects activity from Jan. 1 – July 21, 2026.

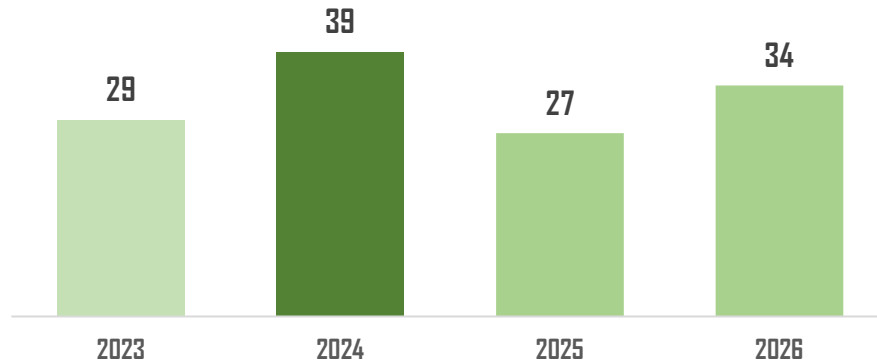
- **Media relations**
 - To date in 2026, DES has issued **15 news releases, media advisories and air quality advisories**, which yielded **34 media mentions**, news articles and radio/television segments.



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Year-over-year media mentions from Jan 1 to July 21 increased in 2026, compared to 2025 and 2023.



- **Partnerships**

- DES Partnered with the American Lung Association Nevada for its annual Scale the Strat, Climb for Air event in February 2026.

- **Public Engagement**

- Via our PublicInput engagement platform, DES sent more than 123,000 email messages across multiple projects. We have added 846 new contacts this year and more than 1,300 people have participated in our online meetings and webinars.



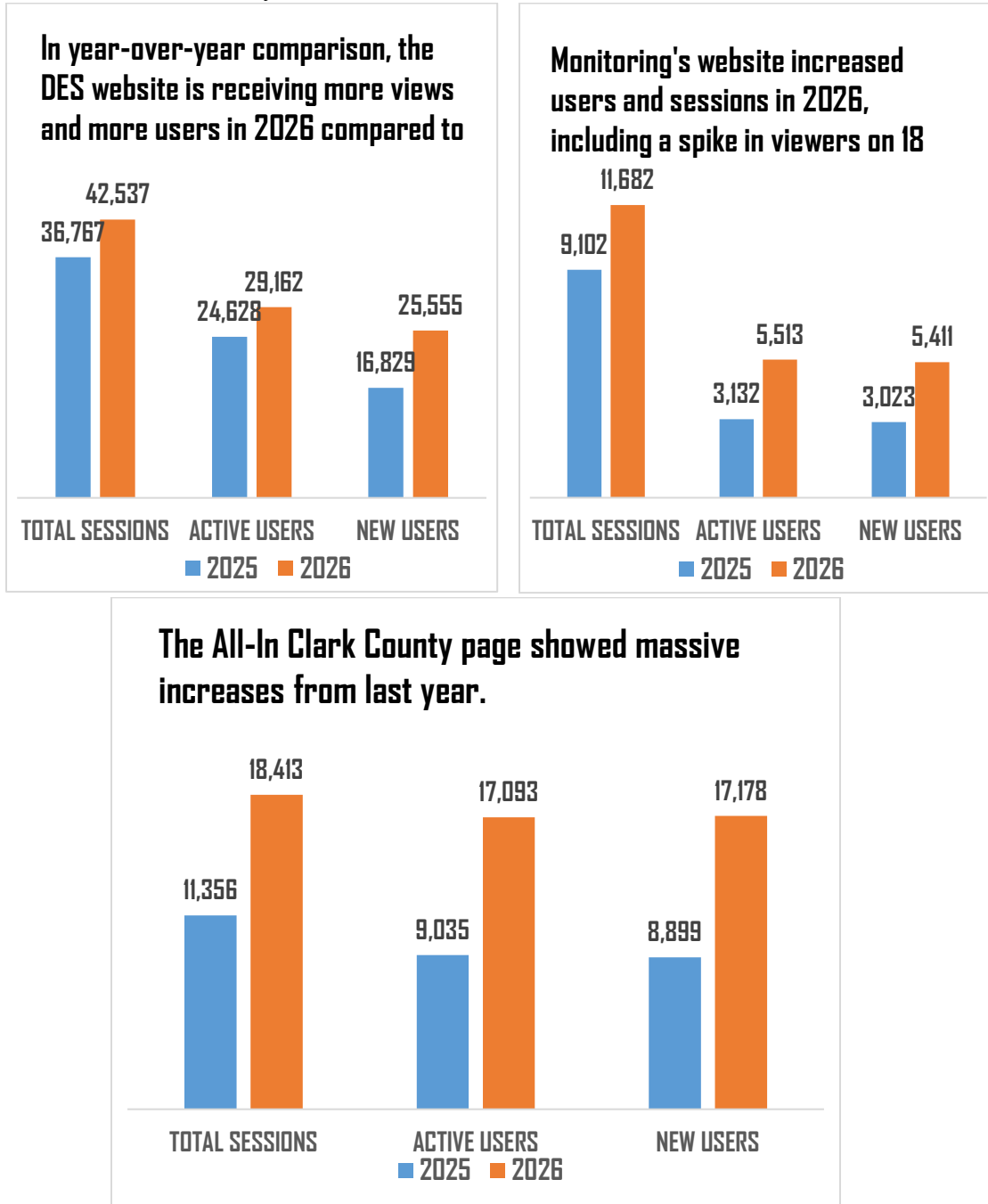


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- Website

- The following charts depict year-over-year metrics for DES websites, from Jan. 1 – July 1.





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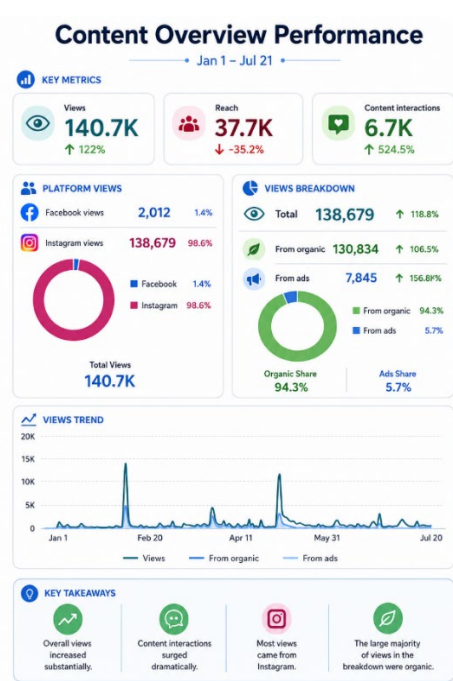
■ Social media

- The following info graphics chart performance of DES's three social media channels—Facebook, Instagram and X—From Jan. 1 – July 21.

Facebook



Instagram



Twitter/X

