

Doug Selby

From: Lori Wohletz
Sent: Friday, July 29, 2005 9:33 AM
To: Betsy Fretwell; Steve Houchens; Doug Selby
Cc: David L. Mendenhall
Subject: WPCF odors

I think that there is some confusion about odor easements and how they might apply to homes built adjacent to the WPCF. Odor is regulated by Clark County Air Quality under a one paragraph regulation contained in Section 43, which states:

An ODOR occurrence shall be deemed a violation when a complaint is received and substantiated within two hours by the CONTROL OFFICER. The CONTROL OFFICER shall deem the ODOR occurrence a violation if he is able to detect the ODOR twice within a period of one hour, if the ODOR is of such a nature as to cause a nuisance, and these detections being separated by at least 15 minutes.

Having the home owners sign odor easements will have absolutely no affect on Clark Counties obligation to enforce this regulation. This issue has been painfully demonstrated with the pig farm in the Northwest which has installed one expensive control after another trying to comply with section 43 as houses were built closer and closer to the farm. Those houses all were required to sign odor easements. When Section 43 came up for review a couple of years ago I tried to get language inserted into the reg about odor easements but was unsuccessful. Odor easements did not stop the WPCF from having to cover all of the basins prior to the last expansion. That was required by the Clark County Health District eventhough all of the surrounding houses had odor easements. We should also be very aware of the impact of placing houses adjacent to the plant boundary in the northwest corner of the facility. That is the only available space for the next expansion after that, we will need to purchase additional land for expansion space. With the current growth the WPCF will need to expand again within ten years. Expanding the plant will require a lengthily public notification and public hearing process for the facilities air pollution operating permit. If the facility cannot demonstrate compliance with Section 43 then, by law, Clark County Air Quality will not be able to issue an Authority to Construct for any expansion. Has anyone considered purchasing the golf course back to preserve it for future expansion and as a permanent buffer zone? That may be in the best interest of the public and the best means to provide for the future preservation of the WPCF.