

**Minutes of the State of Nevada
Board of Registered Environmental Health Specialists Meeting
(REHS)
February 10, 2014**

Location: Southern Nevada Health District
330 S. Valley View Blvd., EH Conference Room 2
Las Vegas, Nevada 89107
Monday February 10, 2014
10:00 am

REHS Quorum Present: Tony Macaluso, REHS, Chairman
Larry Law, REHS, Secretary
Bob Stulac, REHS, Member
Drew Skeen, FMP, Member

REHS Absent: None

Other Attendees: Kris Schamaun, Recording Secretary, Daniel Burns

- 1.* Call to Order – Tony Macaluso, Chairman.**
Chairman Tony Macaluso called the meeting to order at 10:10 am.
- 2.* Roll Call/Quorum – Tony Macaluso, Chairman.**
Chairman Macaluso called roll as indicated by the “REHS Quorum Present and REHS Absent” as listed above. A quorum was present and the meeting had been duly noticed.
- 3.* Public Comment: Please note that no action may be taken on any matter raised during the public comment period, unless such matter itself has been specifically listed above as an action item. Public comment is limited to two minutes per person.**
No comments.
- 4. * Approval of Minutes from the November 13, 2013 Board Meeting.**
The minutes were not available for approval and will be placed on the next agenda for approval.
- 5. * Discussion and possible action regarding Daniel Burns request to change status from REHS Trainee to an REHS.** Secretary Law received a letter from Mr. Burns’s former employer Kleinfelder as well as an Affidavit of Training signed by his current supervisor to show almost 10 months with the Southern Nevada Health District. Mr. Burns stated he has almost six years with Kleinfelder doing various things related to Environmental Health. Lead based paint, waste disposal characterizations, underground storage tanks, and environmental site assessments. Chairman Macaluso stated looking at NRS 625A.110 Mr. Burns would fall under (a), he asked Mr. Burns if he had a B.S. degree. Mr. Burns stated he has a bachelorette in Geology and in Environmental (inaudible) and

has passed the exam. Chairman Macaluso asked if Kleinfelder has REHS, Mr. Burns stated no. Chairman Macaluso did email with Henna at the Attorney General's office, she stated the Board can decide if the previous employer can be considered in the two year experience requirement. According to NRS 625A.115 it says to be a trainee you need to have two years experience under an REHS, Secretary Law agreed. Mr. Burns stated he feels 625A.110 and 625A.115 are two distinct and separate provisions, 110 itself does not say anything about needing the have training under an REHS, you just have to have two years of experience practicing Environmental Health approved by the board. Mr. Burns stated his last employer has documented six years but has been in Nevada since January 1999 and has been doing environmental work since 1989. Chairman Macaluso asked what other type of work Mr. Burns has done. He stated it has been all the same type of work. Secretary Law says according to the job description of an Environmental Health Specialist it covers all aspects of Environmental Health. The exam covers all aspects from food to institutions to solid waste. Member Stulac asked Secretary Law if at Southern Nevada Health District if they have EHS under those division such as Solid Waste. Mr. Burns said he took and passed the exam as soon as he was comfortable and passed. He stated he always felt the two different NRS codes were distinct and separate. Member Stulac asked if when Mr. Burns was hired at SNHD if he was aware of the requirement to obtain the REHS status, Mr. Burns stated he was. Member Stulac has concern with approving the request. He feels this will open up other issues with trainees without being underneath an REHS. Mr. Burns stated that should be a case by case situation and ask if his documentation fit under 625A.110. If it does how can the Board justify not granting his request. Member Stulac stated the two NRS's are connected. Chairman Macaluso states the issue is what dictates training. The NRS 110 says training needs to be under someone who is registered. The NRS gives the Board a standard of what is acceptable with classes and training. Secretary Law said the only standard in the NRS states the training needs to be under an REHS. National's requirements do not require an REHS since they encompass multiple states. Chairman Macaluso said a decision would be based on what is the precedence, what does the law say, and if we don't have a standard, what is the standard going to be. If we were going to take number 4 is strictly based on without 115 we would have to have a standard. Secretary Law agreed. Secretary Law and member Stulac are concerned if the board does not stick with the two years under an REHS will the board have several people coming before the board with work from the consulting side or not under and REHS. Secretary Law states under 625A.115 it talks about trainees. NRS 625A.110 talks about people with Environmental Health degrees, masters, or reciprocity. Member Stulac asked if Mr. Burns submitted his application as a trainee, he confirmed he did. Since he was not applying reciprocity he had to apply as a trainee. Member Stulac said the only exception is in number 3 and that is regarding an extension. The statute under 115 is clear, would we have to change the statute of we strayed from that. Chairman Macaluso stated you'd have to change the statute first. Member Stulac motioned to deny Daniel Burns request based on NRS 625A.115 Member Skeen seconded the motion. The motion carried unanimously. Mr. Burns asked if the denial was based on 625A.110 number 4 being tied to 625A.115? Chairman Macaluso stated yes, since the only standard the Board has for the training is to fall back on the 115 under and REHS. Member Stulac also stated Mr. Burns is a trainee and applied originally as a trainee.

- 6.* **Closed session pursuant to 241.030(1) to review recent applications for registration, testing or reciprocity of the following pending applications for registration:** There was no discussion during closed session.
- 7.* **Discussion and possible action regarding applications submitted under Closed Session.** Secretary Law motioned and Member Stulac seconded the motion to accept and approve applicant Nicole Reim as REHST, applicant Gary Robinson as REHST, and Thomas San Nicolas, the motions carried unanimously.
- 8.* **Discussion and possible action regarding REHS office space and the purchase of office equipment and/or furniture – Tony Macaluso.** Chairman Macaluso filled out the information for the office space but has not sent it in. Dr. Iser with Southern Nevada Health District said he has no issue with allowing space at SNHD. Chairman Macaluso will meet with Dr. Iser after the board meeting. Recording Secretary Kris Schamaun said she did speak with security at SNHD, weekend access is no longer available however, there are still hours before and after her normal shift that are available. A laptop would allow more flexibility and also be able to be locked up if left at SNHD. Costs of laptops range from \$348.00 to \$900.00. With the computer and software the estimated cost would be range \$725.00 to \$1100.00 max depending on software and computer. A copier may be necessary but it will depend office location. Including furniture the estimated budget would be \$2000.00. Member Skeen and Secretary Law seconded the motion to approve a budget up to \$2000.00. The motion carried unanimously.
- 9.* **Secretary’s Report (for possible action) – Larry Law.** The balance as February 10, 2014 is \$39,220.59. We started with 227 registrants to renew. As of today we have received 201 renewals, of the 200 renewals four registrants are missing required information and have been notified to submit the missing information by Feb. 28 to avoid suspension and 1 registrant had a returned check and we are awaiting a replacement payment. A letter was sent to the registrant to replace the \$65.00 returned check as well as the \$25.00 returned check fee no later than Feb. 28, 19 registrants have not responded at all. One registrant has refused to supply proof of CEU’s and will not be renewing. Four registrants have had returned mail and one registrant passed away. The final registrant has submitted their fee of \$65.00 along with a letter requesting the board to grant a one-time CEU exemption as this registrant is now retired, that request will be placed on the next Board agenda as the request was not received until Feb. 9, 2014 therefore, it was not in sufficient time to be placed on the agenda for today. That application will still need to submit additional required forms, a letter will be sent to them today requesting those documents and informing them the item will be placed on the next agenda.
- 10.* **Public Comment: Please note that no action may be taken on any matter raised during the public comment period, unless such matter itself has been specifically listed above as an action item. Public comment is limited to two minutes per person.** There were no public comments.

11* Set Next Meeting date and location.

Member Stulac motioned and Secretary Law seconded to set the next meeting for May 12, 2014 at 10:00 am in Las Vegas, NV at the Southern Nevada Health District, room to be determined. The motion carried unanimously.

12.* Adjourn

There being no further business, the meeting was adjourned at 11:20a.m.

Respectfully submitted,
Kris Schamaun, Recording Secretary