



**ALBUQUERQUE-BERNALILLO COUNTY
AIR QUALITY CONTROL BOARD**



**DRAFT MINUTES – April 13, 2011
Regular Meeting and Hearing
Vincent E. Griego Chambers
Albuquerque-Bernalillo County Government Center
400 Marquette NW, Albuquerque, NM 87102**

AQCB MEMBERS PRESENT

Mr. George Castillo (BCPC Liaison)
Dr. Margaret Menache, Chair (County)
Mr. Art Sharpe (City)
Mr. Jack Sullivan (City)
Dr. Dona Upson (City)

AQCB MEMBERS ABSENT

Mr. Steve Baca, Vice Chair (County)
Mr. Augustine Grace III (City)

STAFF PRESENT

Mr. Neal Butt, Env. Health Scientist, AQD
Mr. Glen Dennis, Mgr. Vehicle Pollution Mgt.
Div. (VPMD)
Ms. Donna Griffin, Assistant City Attorney
Mr. Bill Grantham, Board Attorney

Ms. Mary Lou Leonard, Director, Env. Health
Dept.
Mr. Fabian Macias, Env. Health Mgr., AQD
Ms. Margaret Nieto, AQCB Secretary, Env.
Health Supervisor, AQD
Mr. Isreal Tavarez, Env. Eng. Mgr., AQD
Mr. Dario Rocha, Env. Health Supervisor,
AQD

VISITORS PRESENT

Ms. Melissa Clark, Kirtland AFB
Mr. Matt Cross-Guillen, Bernalillo County
Env. Health
Ms. Kelsey Curran, Sandia National Labs
Ms. Cecilia Ojeda, College of Nursing
Ms. Ashley LaBree, College of Nursing
Ms. Jessary Phillips, College of Nursing
Ms. Briana Castillo, College of Nursing
Ms. Amanda Arellano, College of Nursing

Draft Minutes

Hearing

In the matter of the Petition to Amend 20.11.46, *Sulfur Dioxide Emissions Inventory Requirements; Western Backstop Sulfur Dioxide Trading Program*, and Incorporate Said Amendments into the New Mexico State Implementation Plan (SIP) for Air Quality (AQCB Petition No. 2011-1)

Hearing Officer Bill Grantham opened the hearing at 5:38 p.m. AQD Environmental Health Scientist Neal Butt provided testimony and answered questions regarding the proposed amendments. After hearing testimony and discussion, the Hearing Officer adjourned the hearing at 5:56 p.m.

CALL TO ORDER

The meeting was called to order by Vice Chair Menache at 5:57 p.m. on April 13, 2011 with Board members Menache, Sharpe, Sullivan, Upson and Castillo (four voting, one non-voting) present. Members Baca and Grace were absent. Vice Chair Menache presided.

Item #1 Approval of Agenda (Vice Chair)

A motion was made by Member Sharpe to approve the agenda, seconded by Member Upson. Motion was carried by a vote of 4-0.

Item #2 Approval of March 9, 2011 Meeting Minutes (Vice Chair)

A motion was made to approve the minutes by Member Sullivan, seconded by Member Upson and the motion was carried by a vote of 4-0.

PUBLIC COMMENT

There was no public comment.

ACTION ITEMS

Item #3 Election of Chair and Vice Chair for 2011-2012.

Vice Chair Dr. Menache opened the floor for nominations for the office of Air Board Chair. Member Sullivan nominated Dr. Menache for the office of Chair. There were no other nominations. Dr. Menache was elected to the office of Chair by a unanimous vote of 4-0.

Chair Dr. Menache opened the floor for nominations for the office of Vice Chair. Member Sullivan nominated Member Steve Baca for the office of Vice Chair. He reported that although Member Baca is not present at tonight's meeting, he had agree earlier in the week that he would be willing to serve as Vice Chair if elected. Member Steve Baca was elected to the office of Vice Chair by unanimous vote of 4-0.

Item #4 Election of Board member as non-voting advisory member and alternate to Mid-Region Council of Governments (MRCOG) Transportation Program Task Group (TPTG) and Transportation Coordinating Committee (TCC).

Chair Dr. Menache opened the floor for nominations for the position of non-voting advisory member of the Mid-Region Council of Governments (MRCOG) Transportation Program Task Group (TPTG) and Transportation Coordinating Committee (TCC). The member currently in the position, Dr. Upson described the duties. Member Sullivan volunteered for the position, and there were no other nominations. He was elected by unanimous vote of 4-0. There was no discussion regarding the alternate position.

Item #5 Selection of Board member to serve as Liaison to the Governor's Task Force on Environmental Justice.

Chair Dr. Menache opened the floor for nominations for the position of Liaison to the Governor's Task Force on Environmental Justice. She explained that she currently holds the position but the group had not met in the last year, but might be meeting in late summer. Dr.

Upson volunteered for the position, and there were no other nominations. Dr. Upson was elected by unanimous vote of 4-0.

Item #6 Decision on Petition to Amend 20.11.46, *Sulfur Dioxide Emissions Inventory Requirements; Western Backstop Sulfur Dioxide Trading Program*, and Incorporate Said Amendments into the New Mexico State Implementation Plan (SIP) for Air Quality (AQCB Petition No. 2011-1) AQCB Resolution #2011-3.

Chair Dr. Menache moved Resolution #2011-3 for approval, seconded by Dr. Upson. The motion passed by a unanimous vote of 4-0.

Item #7 Request to submit 20.11.2 NMAC, *Permit Fees (AKA Fees)*, filed on May 16, 2001, to EPA as a revision to the New Mexico State Implementation Plan (SIP) for Air Quality.

AQD Environmental Health Scientist Neal Butt explained the nature of the request to the Board, stating that the SIP revision adopted by the Air Board in 2001 had not been submitted to EPA and that they require it in order to establish a baseline for approval of subsequent SIP revisions in 2004, 2006, and 2010. Member Sharpe moved approval of the request, seconded by Member Sullivan. The motion passed unanimously by a vote of 4-0.

REPORTS Division Report and monthly Air Quality website update. Staff available for questions.

Chair Dr. Menache requested more information about the April 22 Earth Day event to which the Board had been invited. EHD Director, Mary Lou Leonard reported that Mr. Larry Gordon will be the guest speaker for the event. Mr. Gordon helped create the nation's first local environmental health department in Albuquerque, served as director for Albuquerque Environmental Health Department from 1955-1968, and was director of what is now the New Mexico Environment Department from 1971-1973. She expressed that she thinks it will be an enjoyable time and hopes that as many of the Board members who care to will join the Department on that day.

OTHER BUSINESS

Item #8 "Burn Pits linked to health crisis" presentation – Dr. Dona Upson

Board Member Dr. Upson presented information regarding lung injury, neurological disorders and cancers in Iraq and Afghanistan to U. S. troops following exposure to burn-pit smoke. Burn pits are the waste disposal method being used at military installations in Iraq and Afghanistan. Dr. Upson reviewed data and described efforts being made to improve the situation.

Item #9 Discussion on how to proceed with hearing on 20.11.21 NMAC, *Open Burning*

Board Attorney/Hearing Officer Bill Grantham reviewed the hearing order he issued regarding the hearing in the matter of Petition to Amend 20.11.21 NMAC, *Open Burning*. The order was issued to clarify any ambiguity regarding further proceedings for this hearing. Member Sullivan asked what would be the recommended action if a Board member does have concerns about anything else in the regulation. Should they contact staff directly or wait until the hearing? Hearing Officer Grantham responded that as long as the Board member includes the rest of the Board in that communication, that should be sufficient and would allow staff time to address the

concern prior to the hearing. He stated that if he decides otherwise after the meeting, he will inform the Board and the staff.

Item #10 Report on status of Air Board appointments – Margaret Nieto, AQD

Ms. Nieto reported that on Tuesday, April 12, 2011 the Bernalillo County Commission appointed Dr. Naomi Kistin to the County Air Board position vacated by Jens Deichmann. Dr. Kistin was not able to attend tonight's meeting, but had received a brief orientation earlier in the day and will be ready for the May meeting. Regarding the two City of Albuquerque positions, several names of willing individuals have been submitted and action on the appointments is pending. The two City positions are those being filled by Members Grace and Sharpe, who have both agreed to continue serving until their positions are filled.

ADJOURNMENT

Newly elected Chairman Dr. Margaret Menache adjourned the meeting at 6:50 p.m.

NEXT SCHEDULED BOARD MEETING AND HEARING: May 11, 2011 5:30 p.m.

SUBMITTED:

Margaret Nieto 5/11/11

Ms. Margaret Nieto
Board Secretary/Env. Health Supervisor, Control Strategies Section,
Air Quality Division, Environmental Health Department

READ AND APPROVED:

Margaret Menache 11 May 2011

Dr. Margaret Menache
Chair
Albuquerque-Bernalillo County Air Quality Control Board