

Environmental Health Department

Mary Lou Leonard, Director



August 6, 2010

Bernalillo County Operations and Maintenance Department
Attn: David Mitchell
Director
2400 Broadway SE
Albuquerque, NM 87102

Dear Mr. Mitchell:

Attached is the City of Albuquerque, Air Quality Division's Response to Bernalillo County's comments to the 20.11.2 NMAC, *Fees Stakeholder Review Draft*. Thank you for your interest in this matter.

Sincerely,

Janice C. Wright
Air Quality Control Board Liaison and Hearing Clerk
City of Albuquerque
Environmental Health Department

PO Box 1293

Albuquerque

NM 87103

www.cabq.gov



Richard J. Berry, Mayor

City of Albuquerque
Environmental Health Department
Air Quality Division
One Civic Plaza NW, Room 3047
P.O. Box 1293
Albuquerque, NM 87103



Mary Lou Leonard, Director

August 6, 2010

**Air Quality Division's Response to the July 13, 2010 Bernalillo County
Comments on 20.11.2 NMAC, Fees Stakeholder Review Draft**

Director of Bernalillo County Operations and Maintenance Department David Mitchell's
Stakeholder Comment:

My understanding is that PM10 emissions are no longer regulated by EPA mandate because no significant health risks were determined.

Response: PM10 continues to be a federally regulated air pollutant by the Clean Air Act. There have been recent revisions to the standard, but it remains a regulated pollutant listed in 40 CFR Part 50.

Wright, Janice C.

From: David Mitchell [davem@bernco.gov]

Sent: Tuesday, July 13, 2010 12:43 PM

To: Wright, Janice C.

Subject: RE: Attn: 20.11.2 NMAC, Fees Stakeholders-Reasons for Proposed Changes to 20.11.2 NMAC, Fees
Janice-

My understanding is that PM10 emissions are no longer regulated by EPA mandate because no significant health risks were determined. Why then, would fees increase in this category? In addition, AQB staff are little more than pass-through providers for complaint calls about dusty public roads, per the current regulations. They have never gone out to the field to verify complaints or conduct stopwatch studies from the few complaints that have been forwarded to me or my staff. I would like to be on record as objecting to increases in dust control fees for public entity programs. In fact, my program is within a few miles of completely paving or permanently treating the populated valley floor unpaved roadways, yet I will continue to pay the maximum fee (which is not proposed for increase) based on the remote and relatively low population density, and now unregulated areas of the east mountain maintenance districts. I would request consideration of temporary treatment credits that could be used to spray dust control agents. In 8 to 10 years, there will be no more unpaved public roads in Bernalillo County jurisdiction and no fees from this program anyway. It is a good budget problem for AQD to have.

Sincerely,

DAVID K. MITCHELL, P.E.

Director, Operations and Maintenance

Bernalillo County Operations and Maintenance Department

2400 Broadway SE

Albuquerque, NM 87102

(505) 848-1543 Fax (505) 848-1510

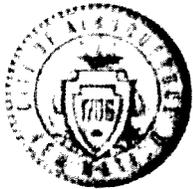
davem@bernco.gov

From: City of Albuquerque, Air Quality Division [mailto:jcwright@cabq.gov]

Sent: Tuesday, July 13, 2010 12:10 PM

To: David Mitchell

Subject: Attn: 20.11.2 NMAC, Fees Stakeholders-Reasons for Proposed Changes to 20.11.2 NMAC, Fees



Reasons for Proposed Changes to 20.11.2 NMAC, Fees

Dear Stakeholders,

Please see "[Reasons for Proposed Changes to 20.11.2 NMAC, Fees](#)" for information regarding the 20.11.2 NMAC, Fees

7/14/2010

regulation.

Thank you,

Janice C. Wright
Air Quality Control Board Liaison and Hearing Clerk
City of Albuquerque
768-2601

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