

New Air Board Member Orientation

Monday, March 30, 2009
“Authority and Roles of the
Air Quality Division” and its attorney

Authority & Roles of the EHD & the Air Quality Control Division

The City's Environmental Health Dept. is the "local agency" for Air Board. Throughout Bernalillo County, EHD/AQD administers and enforces the federal Clean Air Act, the NM Air Quality Control Act, and the programs and regulations of the Air Board. EHD's authority & roles are delegated and limited by the Air Act and include:

Authority & Roles of the EHD & the Air Quality Control Division, cont.

- Monitoring air quality and reporting to the EPA & public
- Providing public notice, education and opportunities for meaningful public participation
- Meeting with people proposing to construct air contaminant sources. Issuing permits. Investigating. Instituting legal proceedings for violations & working with Legal to attain compliance and resolve the enforcement actions
- Operating the Vehicle Pollution Mgm Div & programs
- Classifying & recording air contaminant sources, and developing & presenting to the Board plans & regulations for controlling, preventing & abating air pollution

Duties of AQD attorney

The roles of AQD attorney include:

- Analyzing federal, state & local air quality laws
- With the Division's regulation development committee, reviewing and editing new regulations and amendments to present to the Air Board at hearings
- Representing AQD in enforcement actions involving violations of air quality permits and regulations
- Representing AQD before the Board

NOTE: The AQD attorney does NOT provide legal advice to the Air Board. The AQD attorney attends Air Board meetings and represents AQD's positions on a variety of issues.

Assistant City Attorney Donna Griffin is lawyer for the EHD Vehicle Pollution Management Division, and has handled certain air quality matters, although primarily is the lawyer for the non-air quality divisions of EHD