



# ALBUQUERQUE-BERNALILLO COUNTY AIR QUALITY CONTROL BOARD



MINUTES – August 13, 2014  
Regular Meeting

Vincent E. Griego Chambers  
Albuquerque-Bernalillo County Government Center  
One Civic Plaza NW, Albuquerque, NM 87102

### AQCB MEMBERS PRESENT

Ms. Jane Cudney-Black (CITY), Vice Chair  
Kelsey Curran, CIH (CITY), Chair  
Jens Deichmann, Ph.D. (COUNTY)  
Robert Goldstein, M.D. (COUNTY)  
Ms. Deborah L. Stover (COUNTY)  
Dona Upson, M.D. (CITY)  
Lenton Malry, Ph.D. (BCPC LIAISON)

### AQCB MEMBERS ABSENT

Augustine Grace III, P.E. (CITY)

### EHD STAFF PRESENT

Mr. Andrew Daffern, AQCB Liaison  
Ms. Regan Eyerman, EH Scientist  
Ms. Mary Lou Leonard, Director, EHD  
Mr. Travis Miller, EH Scientist  
Mr. Danny Nevarez, Deputy Director, EHD  
Ms. Margaret Nieto, EH Manager and AQCB  
Secretary  
Ms. Felicia Orth, Air Board Attorney  
Ms. Carol Parker, Assistant City Attorney  
Mr. Damon Reyes, EH Manager  
Mr. Dario Rocha, EH Supervisor  
Mr. Cale Swanson, EH Supervisor  
Mr. Isreal Tavarez, EH Manager

### VISITORS PRESENT

Kristen Woods, ABQ CiQlovia  
Alex Bazan, Representative Lujan Grisham's office

## MEETING MINUTES

### CALL TO ORDER

The meeting was called to order by Chair Kelsey Curran at 5:31 P.M. on August 13, 2014 with five voting Board members present: Jens Deichmann, Kelsey Curran, Jane Cudney-Black, Deborah Stover, and Robert Goldstein; and two non-voting members present: Lenton Malry and Margaret Nieto. Not present were Members Augustine Grace and Dona Upson.

### **Item #1      Approval of Agenda (Chair)**

A motion to approve the agenda was made by Member Cudney-Black and seconded by Member Goldstein. The motion was approved unanimously by a vote of 5-0.

**Item #2      Approval of July 9, 2014 Meeting Minutes (Chair)**

A motion to approve the July 9, 2014 meeting minutes was made by Member Deichmann and seconded by Member Cudney-Black. The motion was approved unanimously by a vote of 5-0.

**PUBLIC COMMENT**

There was no public comment.

Note: Chair Curran announced that Member Upson entered the meeting at 5:33 p.m.

**ACTION ITEMS**

There were no action items on the agenda.

**REPORTS      Air Program Report. Staff available for questions.**

**Item #3      Air Board's Adjudicatory and Rulemaking Functions – Felicia Orth, Air Board Attorney and Hearing Officer**

Information on the Air Board's Adjudicatory and Rulemaking Functions was presented by Felicia Orth, Air Board Attorney and Hearing Officer. Ms. Orth then answered questions from the Board.

**Item #4      Emissions Inventory and Air Quality – Travis Miller, EH Scientist, Vehicle Pollution Management Division, COA/AQP**

Information on Emissions Inventory and Air Quality was presented by Travis Miller, EH Scientist, Vehicle Pollution Management Division, COA/AQP. Mr. Miller, Director Leonard, and Deputy Director Nevarez then answered questions from the Board.

**OTHER BUSINESS**

- Kristen Woods from ABQ CiQlovia gave a presentation on the upcoming "ABQ CiQlovia" event scheduled to take place in Downtown and Old Town, Albuquerque, on September 21, 2014.
- Hearing Officer Orth discussed the request from counsel for Smith's Food & Drug Centers, Inc. to amend the schedule for the Hearing on the Merits in Smith's Montgomery to add time for a Motion Hearing. She asked for input from the Board regarding their availability for a rescheduled hearing that does not interfere with the schedule for the Hearing on the Merits regarding the Smith's 4<sup>th</sup> Street appeal. Hearing Officer Orth decided to reschedule the hearing from September 10<sup>th</sup> and 11<sup>th</sup>, 2014, to November 5<sup>th</sup> and 6<sup>th</sup>, 2014, and to reserve October 8, 2014, for a possible Motion Hearing in the Smith's Montgomery appeal at the regular Board meeting already scheduled for that date.

- Carol Parker, Assistant City Attorney for the Air Program raised a concern regarding the Petition for a Hearing on the Merits for Air Quality Permit #3131 issued to Honstein Oil. Her concern was that a waiver on the request for a hearing within thirty days of filing the petition needed to be secured. Chair Kelsey Curran, acting as Hearing Officer per 20.11.81 NMAC, *Adjudicatory Procedures*, asked Board Attorney Orth to serve as Hearing Officer and to organize a teleconference with all parties involved and work out a proposed hearing schedule to bring back for the Board's consideration at the September Board meeting when the Petition will be on the meeting agenda.


**ADJOURNMENT**

Chair Kelsey Curran adjourned the meeting at 6:34 P.M.

**NEXT SCHEDULED BOARD MEETING:** September 10, 2014 5:30 p.m.

SUBMITTED:

READ AND APPROVED:

  
Ms. Margaret Nieto 10/8/14 date  
Board Secretary/Env. Health Manager, Control Strategies Section,  
Air Quality Program, Environmental Health Department.

  
Kelsey Curran, CIH 10/8/14 date  
Chair  
Albuquerque – Bernalillo County Air Quality Control Board