



ALBUQUERQUE-BERNALILLO COUNTY AIR QUALITY CONTROL BOARD



REVISED DRAFT MINUTES – January 8, 2014 Regular Meeting

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

AQCB MEMBERS PRESENT

Ms. Kelsey Curran (City), Vice Chair
Ms. Jane Cudney-Black (City)
Dr. Jens Deichmann, PhD, (County)
Dr. Robert A. Goldstein, M.D. (County)
Dr. Naomi Kistin, M.D. (County)
Dr. Lenton Malry, PhD, (BCPC Liaison)

AQCB MEMBERS ABSENT

Dr. Dona Upton, M.D. (City), Chair

STAFF PRESENT

Mr. Neal Butt, EH Scientist, AQP
Mr. Bill Grantham, Air Board Attorney
Ms. Adelia Kearny, Deputy City Attorney
Mr. Fabian Macias, AQ Official, EHD
Mr. Danny Nevarez, Deputy Director, EHD
Ms. Margaret Nieto, AQCB Secretary, AQP Supervisor
Ms. Carol Parker, Assistant City Attorney
Mr. Dario Rocha, COA/VPMD
Mr. Isreal Tavarez, EH Manager, Permitting, AQP

VISITORS PRESENT

Mr. Andrew Daffern
Mr. Ray Holland, UNM student
Ms. Ashley Hooper, UNM student
Ms. Julie Luna, MRCOG
Mr. Chuck Malagodi, COA/Parks Dept.
Ms. Petra Morris, COA/Planning Dept.
Dr. Caroline Scruggs, UNM
Mr. Michel Wingard, UNM student

HEARING

In the Matter of the Petition to Amend 20.11.63 NMAC, *New Source Performance Standards for Stationary Sources*, and 20.11.64 NMAC, *Emissions Standards for Hazardous Air Pollutants for Stationary Sources*, and Request Updated Delegation of Authority from EPA
(AQCB Petition No. 2013-7)

Air Board Attorney and Hearing Officer, Bill Grantham called the hearing to order at 5:38 p.m. Present were Board members Vice Chair Ms. Kelsey Curran, Members Ms. Jane Cudney-Black, Dr. Jens Deichmann, Dr. Robert Goldstein, Dr. Naomi Kistin, and Dr. Lenton Malry. Absent was Chair Dr. Dona Upton. Neal Butt, Environmental Health Scientist presented testimony. There were no questions from the Board or the public and the Hearing Officer adjourned the hearing at 5:55.

DRAFT MEETING MINUTES

CALL TO ORDER

The meeting was called to order by Vice Chair Kelsey Curran at 5:55 p.m. on January 8, 2014 with five voting Board members present: Ms. Jane Cudney-Black, Vice Chair Ms. Kelsey Curran, Dr. Jens Deichmann, Dr. Robert Goldstein, M.D., Dr. Naomi Kistin M.D., and two non-voting members present: Dr. Lenton Malry, Ph.D., and Ms. Margaret Nieto. Absent from the meeting was Chair Dr. Dona Upson, M.D.

Item #1 Approval of Agenda (Chair)

Member Deichmann moved to approve the agenda, followed by a second to the motion by Member Goldstein. The motion was approved unanimously.

Item #2 Approval of December 11, 2013 Meeting Minutes (Chair)

A motion to approve the December 11, 2013 meeting minutes was made by Member Cudney-Black, seconded by Member Deichmann and was approved unanimously.

PUBLIC COMMENT

There was no public comment.

ACTION ITEMS

Item #3 Decision in the Matter of the Petition to Amend 20.11.63 NMAC, *New Source Performance Standards for Stationary Sources*, and 20.11.64 NMAC, *Emissions Standards for Hazardous Air Pollutants for Stationary Sources*, and Request Updated Delegation of Authority from EPA (AQCB Petition No. 2013-7; AQCB Resolution No. 2014-1) -- Neal Butt, EH Scientist, AQP

Member Cudney-Black moved approval of AQCB Resolution No. 2014-1, Adopting Amendments to Albuquerque-Bernalillo County Air Quality Control Board Regulations 20.11.63 NMAC, *New Source Performance Standards for Stationary Sources*, and 20.11.64 NMAC, *Emissions Standards for Hazardous Air Pollutants for Stationary Sources*, and Request Updated Delegation of Authority from EPA. Member Deichmann seconded the motion, which passed by a unanimous vote.

REPORTS Division Report. Staff available for questions.

Item #4 “Bikeshare Mobility – Exploring Cultural and Financial Viability in Albuquerque” by Dr. Caroline Scruggs, University of New Mexico

The Bikeshare Mobility presentation was made by Dr. Caroline Scruggs, UNM professor and UNM students Mr. Ray Holland, Ms. Ashley Hooper, and Mr.

Michel Wingard. A discussion followed with questions from the Board, particularly about possible funding for a bikeshare project, and participation from Mr. Chuck Malagodi, COA Parks and Recreation Department and Ms. Petra Morris, COA, Planning Department.

OTHER BUSINESS

Item #5 Executive Session: Decision on Board intervention in New Mexico Court of Appeals No. 32,790, Pena-Kues et al v. Smith's Food and Drug Inc. et al. – Bill Grantham, AQCB Attorney

Member Deichmann moved to close the meeting to go into closed Executive Session. The motion was seconded by Member Cudney-Black. The motion passed unanimously with the required roll call vote: For: Deichmann, Cudney-Black, Kistin, Goldstein, Curran. The meeting was then closed at 6:47.

The Board returned from closed session at 7:21 and Vice Chair Curran announced that the Board's decision on the question is not to intervene. She also stated that no other items besides the decision on Board intervention in the Court of Appeals case were discussed.

ADJOURNMENT

Vice Chair Curran acknowledged that this will be the last Air Board meeting for Deputy City Attorney Adelia Kearny before her retirement from City employment and wished her well.

Margaret Nieto announced that Danny Nevarez's title is now officially Deputy Director over Air Programs, Environmental Health Department (changed from Acting Deputy Director). She also stated that the AQCB Liaison position has been filled and the new Liaison, Andrew Daffern was in the audience and will be starting work on January 27, 2014.

Regarding Dr. Goldstein's question at the last Board meeting about whether there is a link from the County's website to the City's Air Board webpage, Ms. Nieto reported that there is a link on the top of the County's Air Board webpage to the City's Air Board webpage for access to meeting agendas, minutes, etc.

Vice Chair, Kelsey Curran adjourned the meeting at 7:24 p. m.

NEXT SCHEDULED BOARD MEETING AND HEARING: February 12, 2014 5:30 p.m.

SUBMITTED:

READ AND APPROVED:

Margaret Nieto 3/12/14

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

Kelsey Curran 3/12/14

Ms. Kelsey Curran
Vice Chair
Albuquerque – Bernalillo County Air Quality Control Board