



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



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

**DRAFT MINUTES – June 30, 2015
Meeting/Hearing**

AQCB MEMBERS PRESENT

Kelsey Curran, CIH (CITY), Chair
Jens Deichmann, Ph.D. (COUNTY)
Robert Goldstein, M.D. (COUNTY)
Dona Upson, M.D. (CITY)
Lenton Malry, Ph.D. (BCPC LIAISON)

AQCB MEMBERS ABSENT

Jane Cudney-Black (CITY), Vice Chair
Augustine Grace III, P.E. (CITY)
Deborah L. Stover (COUNTY)
James Peck, BOMA Fellow, RPA, FMA
(EPC LIAISON)

EHD STAFF PRESENT

Andrew Daffern, AQCB Liaison
Regan Eyeran, EH Scientist
Ed Merta, Air Quality Regulation
Development Coordinator
Mary Lou Leonard, Director, EHD
Sue Malzahn, Business Technology
Specialist III
Danny Nevarez, Deputy Director, EHD
Margaret Nieto, EH Manager and AQCB
Secretary
Felicia Orth, Air Board Attorney and
Hearing Officer
Carol Parker, Assistant City Attorney
Damon Reyes, EH Manager
Isreal Tavarez, EH Manager

VISITORS PRESENT

Esther Abeyta, SouthWest Organizing
Project

Steven Abeyta
Javier Benavidez, SouthWest Organizing
Project, Executive Director
Lucille Cordova, Tax Payers Against Poison
Matt Cross-Guillen, Bernalillo County Place
Matters
Jacque Garcia, Bernalillo County Place
Matters
Nora Garcia, San Jose
Charles Griego
Gabriel E. Griego
Lucy Griego
Vern Hershberger
Rod Honstein, Honstein Oil and Distributing
Eric Jantz, New Mexico Environmental Law
Center, SouthWest Organizing Project,
and San Jose
George Lujan, SouthWest Organizing
Project and San Jose
Juan Reynosa, SouthWest Organizing
Project
Mark Rudd, Mountain View
Lauro Silva, Mountain View Neighborhood
Association, President
Raj Solomon, TRC Environmental
Corporation
Pat Toledo, North Valley
Patrick West, San Jose Neighborhood and
SouthWest Organizing Project
Ed Williams, KUNM

DRAFT MEETING MINUTES

CALL TO ORDER

The meeting was called to order by Chair Kelsey Curran at 5:35 p.m. on June 30, 2015 with four voting Board members present: Dona Upson, Jens Deichmann, Kelsey Curran, and Robert Goldstein; and one non-voting member present: Lenton Malry. Not present were voting members Jane Cudney-Black, Augustine Grace III, and Deborah L. Stover; and non-voting member James Peck.

Item #1 Approval of Agenda (Chair)

A motion to approve the agenda was made by Member Deichmann and seconded by Member Goldstein. The motion was approved unanimously by a vote of 4-0.

Item #2 Approval of April 30, 2015 Meeting Minutes (Chair)

A motion to approve the April 30, 2015 meeting minutes was made by Member Deichmann and seconded by Member Upson. The motion was approved unanimously by a vote of 4-0.

PUBLIC COMMENT

Public comment was offered by Matt Cross-Guillen and Pat Toledo.

HEARING

Item #3 In the matter of the Petition for a Hearing on the Merits regarding Air Quality Permit No. 3131 Issued to Honstein Oil & Distributing, LLC.; Southwest Organizing Project, by Juan Reynosa, Environmental Justice Organizer; and Esther and Steven Abeyta as Individuals and Representative Members of SWOP, Petitioners (AQCB Petition No. 2014-4) City of Albuquerque's Motion and Brief to Resolve the Merits of the Petition Using Summary Procedures or, in the Alternative, by Summary Judgment.

Hearing Officer Felicia Orth opened the Dispositive Motion Hearing at 5:44 p.m.

Carol Parker, Attorney for the Environmental Health Department Air Quality Program, and Eric Jantz, Attorney for Petitioners SouthWest Organizing Project [SWOP] By Juan Reynosa, Environmental Justice Organizer; Esther and Steven Abeyta, Members of SWOP, presented arguments in support of and against the City of Albuquerque's Motion and Brief to Resolve the Merits of the Petition Using Summary Procedures or, in the Alternative, by Summary Judgment. Mr. Honstein and his representative declined their opportunity to speak.

Hearing Officer Orth invited those in attendance that wished to make public comment relating to Agenda Item #3 to come to the podium and do so. Hearing Officer Orth swore in each person before they offered public comment. Public comment was offered by Steven Abeyta, Juan Reynosa, Nora Garcia, Lauro Silva, Lucille Cordova, Javier Benevidez, Patrick West, Esther Abeyta, and Jacque Garcia.

Hearing Officer Orth closed the Dispositive Motion Hearing Record at 8:06 p.m.

