Wright, Janice C.

From: David Mitchell [davem@bernco.gov]
Sent: Friday, June 25, 2010 11:56 AM
To: Wright, Janice C.
Subject: RE: 20.11.2 NMAC, Fees-Stakeholder Meeting

AQD EXHIBIT 4a

Janice-
Is there a proposed fee change to the Programmatic Permit Fees? Ah yes. 27%, but you are not raising the maximum, so it won't affect my program.

I think a 27% hike is too much in any category.

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: Friday, June 25, 2010 11:30 AM
To: David Mitchell
Subject: 20.11.2 NMAC, Fees-Stakeholder Meeting

20.11.2 NMAC, *Fees*-Stakeholder Meeting

Dear Stakeholders:

The Air Quality Division of the City of Albuquerque's Environmental Health Department is proposing that the Albuquerque-Bernalillo County Air Quality Control Board amend regulation 20.11.2 NMAC, *Fees*. We are interested in your input as a stakeholder and would appreciate your review and comments prior to finalizing the draft. The Stakeholder Review Draft is available on the Air Quality Division's web site at http://www.cabq.gov/airquality/regulation-development/stakeholder-review-drafts.

A stakeholder meeting to present and review the current draft will be held on Tuesday, July 20,

2010, from 4:00 pm - 6:00 pm at the Los Griegos Family and Community Center, 1231 Candelaria NW, Albuquerque, NM 87107. Your attendance and participation would be appreciated.

The objective of 20.11.2 NMAC is to establish fees sufficient to cover the reasonable costs of implementing and enforcing the requirements of the Federal Clean Air Act; the New Mexico Air Quality Control Act, Chapter 74, Article 2, NMSA 1978; the City of Albuquerque and Bernalillo County Joint Air Quality Control Board Ordinances; and the Albuquerque-Bernalillo County Air Quality Control Board Regulations.

If you would like to provide written input regarding this regulation, please submit your comments by July 13, 2010 via e-mail to jcwright@cabq.gov, or by mail to c/o Janice C. Wright, City of Albuquerque, Environmental Health Dept., P.O. Box 1293, Albuquerque, NM 87103.

Thank you for your interest in this matter, and we look forward to hearing from you and/or seeing you at the meeting.

Sincerely,

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

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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*

regulation.

Thank you,

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

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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.