

**STATE OF NEW MEXICO
ALBUQUERQUE-BERNALILLO COUNTY AIR QUALITY CONTROL BOARD**

IN THE MATTER OF THE PETITION FOR
A HEARING ON THE MERITS REGARDING
AIR QUALITY PERMIT NO. 3136

Arthur Gradi, Ruth A. McGonagil, Jerri
Paul-Seaborn, Bernice Ledden, Americo
Chavez, Pat Toledo, as individuals,

Petitioners,

v.

City of Albuquerque Environmental Health
Department, Air Quality Program, and
Smith's Food & Drug Centers, Inc.,

Respondents.

AQCB Petition No. 2014-3

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ORDER ON APPELLATE MANDATE

This matter comes before the Board on the Mandate of the New Mexico Court of Appeals dated September 2, 2015. The Mandate attaches a copy of the Court's June 18, 2015 Order of Dismissal ("Order"), which dismissed Petitioners' appeal of the Board's December 1, 2014 Order Granting Dismissal ("Final Order"), and which directs the Board to conduct "any further proceedings consistent with said [O]rder." Because the Court's Order does not disturb the Board's Final Order, the Board finds it unnecessary to take further action at this time.



Kelsey Curran, Chair
Albuquerque-Bernalillo County
Air Quality Control Board

Submitted by:

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A Professional Corporation

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