



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 – March 16, 2016 Regular Meeting

AQCB MEMBERS PRESENT

Kelsey Curran, CIH (CITY), Chair
Jane Cudney-Black (CITY), Vice Chair
Jens Deichmann, Ph.D. (COUNTY)
Ben Everson (CITY)
Robert Goldstein, M.D. (COUNTY)
Deborah L. Stover (COUNTY)
Lenton Malry, Ph.D. (BCPC LIAISON)
James Peck, (COA/EPC LIAISON)

AQCB MEMBERS ABSENT

Augustine Grace III, P.E. (CITY)

EHD STAFF PRESENT

Andrew Daffern, AQCB Liaison
Ed Merta, Air Quality Regulation
Development Coordinator

Mary Lou Leonard, Director, EHD
Fabian Macias, Air Quality Official
Felicia Orth, Air Board Attorney
Carol Parker, Assistant City Attorney
Damon Reyes, EH Manager
Dario Rocha, EH Manager and AQCB
Secretary
Isreal Tavarez, EH Manager

VISITORS PRESENT

Vern Hershberger, Trinity Consultants
Lynn Mostoller, Sutin, Thayer & Browne
Law Firm
Frank Salazar, Sutin, Thayer & Browne Law
Firm
Pat Toledo

DRAFT MEETING MINUTES

CALL TO ORDER

The meeting was called to order by Chair Kelsey Curran at 5:31 p.m. on March 16, 2016 with five voting Board members present: Kelsey Curran, Robert Goldstein, Deborah L. Stover, Jane Cudney-Black, Ben Everson; and two non-voting members present: Lenton Malry and James Peck. Not present were members Jens Deichmann and Augustine Grace III.

Item #1 Approval of Agenda (Chair)

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

Note: Chair Curran announced that Member Deichmann entered the meeting at 5:32 p.m.

Item #2 Approval of December 9, 2015 Meeting Minutes (Chair)

A motion to approve the December 9, 2015 meeting minutes was made by Vice Chair Cudney-Black and seconded by Member Deichmann. The motion was approved unanimously by a vote of 6-0.

PUBLIC COMMENT

Public comment was offered by Mr. Pat Toledo.

AIR PROGRAM REPORT

Ms. Mary Lou Leonard, Environmental Health Department Director, presented the air program staff report.

ACTION ITEMS

Item #3 AQCB Petition No. 2016-1, Petition for a Hearing on the Merits Regarding Air Quality Permit No. 1655-M1-RV1, Smith's Food and Drug Centers, Inc. Petitioner: Pat Toledo, as an individual; Respondents: Carol Parker, Assistant City Attorney and Danny Nevarez, Environmental Health Department Deputy Director, City of Albuquerque Environmental Health Department, Air Quality Program; Permittee: Frank Salazar, Sutin, Thayer & Browne, on behalf of Smith's Food and Drug Centers, Inc.

Petitioner Pat Toledo, as an individual, requested a hearing on the merits regarding Air Quality Permit No. 1655-M1-RV1.

Ms. Carol Parker, Assistant City Attorney, on behalf of Respondent City of Albuquerque Environmental Health Department, Air Quality Program, requested that the Air Board assign a hearing officer and that the hearing officer schedule a teleconference with the parties for appropriate development of a schedule regarding the requested hearing on the merits for Air Quality Permit No. 1655-M1-RV1.

Mr. Frank Salazar, Sutin, Thayer & Browne, on behalf of Permittee Smith's Food and Drug Centers, Inc., requested that the Air Board assign a hearing officer and that the hearing officer schedule a teleconference with the parties for appropriate development of a schedule regarding the requested hearing on the merits for Air Quality Permit No. 1655-M1-RV1.

A motion to accept the petition, to appoint Ms. Felicia Orth as the hearing officer, and to instruct Air Program staff to secure a court reporter and to make all necessary arrangements for holding the hearing was made by Chair Curran and seconded by Member Deichmann. The motion was approved unanimously by a vote of 6-0.

REPORTS

OTHER BUSINESS

Item #4 DropBox Demonstration – Andrew Daffern, AQCB Liaison, COA/EHD

Andrew Daffern, AQCB Liaison, demonstrated the capabilities of Dropbox. Mr. Daffern then answered questions from the Board.

ADJOURNMENT

Chair Kelsey Curran adjourned the meeting at 6:19 p.m.

NEXT SCHEDULED BOARD MEETING: April 13, 2016, 5:30 p.m., Vincent E. Griego Chambers

SUBMITTED:

READ AND APPROVED:

Mr. Dario Rocha date
Board Secretary/Env. Health Manager, Control Strategies Division,
Air Quality Program, Environmental Health Department.

Kelsey Curran, CIH date
Chair
Albuquerque – Bernalillo County Air Quality Control Board