



# ALBUQUERQUE-BERNALILLO COUNTY AIR QUALITY CONTROL BOARD



## DRAFT MINUTES – June 11, 2014 Regular Meeting

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

### AQCB MEMBERS PRESENT

Kelsey Curran, CIH (CITY), Chair  
Ms. Jane Cudney-Black (CITY) Vice Chair  
Jens Deichmann, Ph.D. (COUNTY)  
Robert Goldstein, M.D. (COUNTY)  
Dona Upson, M.D. (CITY)  
Lenton Malry, Ph.D. (BCPC LIAISON)  
Ms. Margaret Nieto, AQCB Secretary

### AQCB MEMBERS ABSENT

Augustine Grace III, P.E. (CITY)  
Ms. Deborah L. Stover (COUNTY)

### EHD STAFF PRESENT

Mr. Andrew Daffern, AQCB Liaison  
Ms. Regan Eyerman, EH Scientist  
Mr. Fabian Macias, Air Quality Official  
Mr. Danny Nevarez, Deputy Director, EHD  
Ms. Carol Parker, Assistant City Attorney  
Mr. Cale Swanson, EH Supervisor  
Mr. Isreal Tavarez, EH Manager, Permitting

### VISITORS PRESENT

Tim Atler, Sutin, Thayer & Browne  
Lorraine Hollingsworth, Domenici Law Firm  
Judy Bentley  
Frank Salazar, Sutin, Thayer & Browne

## DRAFT MEETING MINUTES

### CALL TO ORDER

The meeting was called to order by Chair Kelsey Curran at 5:34 P.M. on June 11, 2014 with four voting Board members present: Robert Goldstein, Jane Cudney-Black, Kelsey Curran, Jens Deichmann; and two non-voting members present: Lenton Malry, and Ms. Margaret Nieto. Not present were members Augustine Grace III, Deborah Stover, and Dona Upson.

#### **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 May 14, 2014 Meeting Minutes (Chair)**

A motion to approve the May 14, 2014 meeting minutes was made by Member Cudney-Black and seconded by Member Deichmann. The minutes were approved unanimously by a vote of 4-0.

## **PUBLIC COMMENT**

There was no public comment.

## **ACTION ITEMS**

**Item #3**      **AQCB Petition No. 2014-2, Request for a Hearing in the Matter of the Petition for a Hearing on the Merits Regarding Air Quality Permit No. 3135 – Petitioners: Pete Domenici, Jr. on behalf of Margaret M. Freed, Mary Ann Roberts, and Pat Toledo; Respondents: for City of Albuquerque, Carol Parker, Assistant City Attorney and Danny Nevarez, Air Quality Program, Deputy Director, Environmental Health Department; Permittees: Frank Salazar, Timothy Atler, Sutin Law Firm on behalf of Smith’s Food and Drug Centers, Inc.**

Note: Chair Curran announced that Member Upson entered the meeting at 5:37 P.M.

Ms. Lorraine Hollingsworth, Domenici Law Firm, on behalf of Margaret M. Freed, Mary Ann Roberts, and Pat Toledo requested a hearing on the merits regarding Air Quality Permit No. 3135.

A motion to appoint Ms. Felicia Orth as the hearing officer and to instruct the 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 Upson. The motion was approved unanimously by a vote of 5-0.

The hearing officer established, with the agreement of all parties, that the hearing will take place on September 10<sup>th</sup> and 11<sup>th</sup>, 2014, and that a pre-hearing conference call for the purpose of scheduling hearing deadlines will take place on June 18, 2014 at 3:00 P.M. Air Board staff will make the arrangements for the conference call.

**REPORTS**      **Air Program Report. Staff available for questions.**

## **OTHER BUSINESS**

## **ADJOURNMENT**

Chair Kelsey Curran adjourned the meeting at 5:47 P.M.

**NEXT SCHEDULED BOARD MEETING AND HEARING:** July 9, 2014 5:30 p.m.

