



# ALBUQUERQUE-BERNALILLO COUNTY AIR QUALITY CONTROL BOARD



**Chair, Dr. Dona Upson, City**  
**Mr. Stephen S. Baca, County**  
**Dr. Naomi Kistin, County**

**Vice Chair, Dr. Margaret Menache, County**  
**Ms. Kelsey Curran, City**  
**Mr. Jack Sullivan, City**

**Non-voting members: BCPC Liaison-Mr. Lenton Malry; COA/EPCLiaison-vacant;**  
**Secretary to the Board-Ms. Margaret Nieto, COA/AQD**

**Date:** March 13, 2013 (Wednesday)  
**Time:** 5:30 p.m.

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

*General inquires regarding this agenda may be directed to Elizabeth Jones (505) 768-2601 (ejones@cabq.gov).*

For documents related to each agenda item, please go to

<http://www.cabq.gov/airquality/air-quality-control-board/events/air-quality-control-board-meeting-march-13-2013/>

## Regular Monthly Meeting Draft Agenda

### CALL TO ORDER

- Item #1** Approval of Agenda (Chair)
- Item #2** Approval of February 13, 2013 Meeting Minutes (Chair)

### PUBLIC COMMENT

### ACTION ITEMS

- Item #3** Hearing on Smith's Food and Drug Centers, Inc.'s Motion to Vacate Air Quality Control Board's Final Order for Lack of Majority Vote and possible reconsideration of the Proposed Final Order consistent with reasons for Reversal of COA's Issuance of Minor Source Air Quality Authority-to-Construct Permit No. 2037-M1 with Conditions to Smith's Food and Drug Centers, Inc.
- Item #4** Hearing on Smith's Food and Drug Centers, Inc.'s Motion for a Stay of Air Quality Control Board's Final Order
- Item #5** Acceptance of Final 2011 Regional Sulfur Dioxide (SO<sub>2</sub>) Emissions and Milestone Report – Neal Butt, EH Scientist, AQD
- Item #6** Request for a hearing in the matter of the Petition to Adopt a State Implementation Plan (SIP) for NO<sub>2</sub> to Address Sections 110(a)(1) and (2) of the Federal Clean Air Act (CAA), 42 U.S.C. § 7410(a)(1) and (2), hereafter referred to as the "NO<sub>2</sub> Infrastructure SIP" (AQCB Petition No. 2013-3) – Neal Butt, EH Scientist, AQD
- Item #7** Request for a hearing in the matter of the Petition to Amend the State Boards State Implementation Plan (SIP) to Satisfy the Requirements of the Clean Air Act Section 128(a)- State Boards [§7428, U.S.C.A.]; hereafter referred to as the "State

Boards SIP Revision” (AQCB Petition No. 2013-4) – Neal Butt, EH Scientist, AQD

**REPORTS** Division Report. Staff available for questions.

**OTHER BUSINESS**

**Item #8** Notification of Order Dismissing the Hearing on the Merits Regarding the Denial of a Wood Burning Exemption, Michael S. Fulp, Petitioner (AQCB Petition No. 2013-2) – Bill Grantham, Attorney for the AQCB

**Item #9** Reminder of Air Board elections at April 10 meeting for positions of Chair, Vice Chair, non-voting advisory member and alternate to Mid-Region Council of Governments (MRCOG) Transportation Program Task Group (TPTG) and Transportation Coordinating Committee (TCC), and Liaison to the Governor’s Task Force on Environmental Justice – Margaret Nieto, Secretary to the AQCB

**ADJOURNMENT**

**NEXT SCHEDULED BOARD MEETING and HEARING:** April 10, 2013 5:30 p.m.

Members of the public who wish to address the Board, may do so by signing up with the Board Clerk and indicating either the agenda item they intend to address, or whether they wish to make a general public comment. Sign up must occur prior to the Board’s consideration of each item. Each person will be given up to two minutes to speak.

*\*\*Notice to persons with disabilities: If you have a disability and require special assistance to participate in this process, please call 311 (Voice) and special assistance will be made available to you to receive any public meeting documents, including agendas and minutes. TTY users may request special assistance by calling 1-800-659-8331.\*\**