

SMITH'S FOOD & DRUG CENTERS, INC. ADMINISTRATIVE RECORD ("AR") INDEX Re Application for modification of Air Quality Permit No. 2037 (tracking # 2037-M1)		
Includes all Administrative Records as defined in 20.11.41.15.B NMAC (through & including the 4/17/12 participant notification lt. and the 4/18/12 E-mail w/ attached 4/17/12 participant notification lt.).		
This permitting action is subject to:		
40 CFR 63, Subpart CCCCC; New Mexico Air Quality Control Act, NMSA 74-2-1, et seq.		
City of Alb. Joint Air Quality Control Board Ordinance, 9-5-1-1 et seq. ROA 1994		
Air Quality Regulations for Albuquerque and Bernalillo County, adopted by the Albuquerque-Bernalillo County Air Quality Control Board, including 20.11.41 NMAC, 20.11.64 NMAC, 20.11.65 NMAC, 20.11.1 NMAC and 20.11.2 NMAC		
Admin Record (AR) Doc #	Sequential (Bate Stamp) page #	Document description
AR 1	1	8/19/09 Smith's Food & Drug Centers, Inc. (Smith's) <i>Application for ... Authority-to-Construct Permits for Fuel Dispensing Stations Located in Bernalillo County (... 20.11.41 NMAC)</i> at 1313 Carlisle NE, Albuquerque
AR 2	14	11/30/09 Air Quality Authority-to-Construct Permit #2037
AR 3	24	9/22/11 rec'd (Signed 9/16/11) Smith's <i>Application for ... Authority-to-Construct Permits for Fuel Dispensing Stations Located in Bernalillo County (... 20.11.41 NMAC)</i> [proposed mod. of Permit No. 2037]
AR 4	32	9/16/11 check for applic .review fee from Kroger and 9/22/11 receipt from the City
AR 5	33	10/24/11 Letter to Roger Gough/Smith's from AQD Program Manager I. Tavaréz stating applic. (tracking #2037-M1) was ruled complete on 10/21/11
AR 6	35	10/25/11 lt.to A. Carrasco from I. Tavaréz/AQD informing that Smith's applic. (tracking #2037-M1) ruled complete & informing of public notice/public comment period ending 12/21/11 w/ copy of <i>Public Notice</i> attached
AR 7	37	10/25/11 E-mail to Ms. Vancil fr. I Tavaréz to Ms. informing that Smith's applic. ruled complete &informing of public notice/public comment period ending 12/21/11 w/ copy of <i>Public Notice</i> attached
AR 8	39	10/25/11 E-mail to Ms. Hammer fr. I Tavaréz/AQD to Ms. Hammer informing that Smith's applic. ruled complete & informing of public notice/public comment period ending 12/21/11 w/ copy of <i>Public Notice</i> attached
AR 9	42	10/25/11 E-mail to K. Rasmussen/Pres. of Summit Park Neighborhood Association (AR) fr. I. Tavaréz/AQD <i>Re: Application Tracking #2037-M1</i> informing that Smith's applic. ruled complete & informing of public notice/public comment period ending 12/21/11, w/ copy of <i>Public Notice</i> attached
AR 10	45	10/28/11- Public notice published in the <i>ABQ Journal</i> 10/28/11 re Smith's application for modification of their Permit #2037-M1 for fuel dispensing station at 1313 Carlisle Blvd. NE w/ info re requested increases, pollutants, public comment, contact, etc.

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AR 11	46	10/28/11 E-mail to Kirk Randall; A. Lopez/AQD fr. I. Tavarez/AQD Re: <i>Smith's ... Permits – "Ruled Complete Letters & Associated Public Notices</i> informing that applcs. for modification of permits for 8 diff Smith's gas stations have been ruled complete (including application for proposed Permit #2037-M1) w/ related E-mail string; 10/24/11 lt. to R. Gough/Smith's re Permit #2037 w/ enclosed, related Public Notice
AR 12	50	10/28/11 E-mail to K. Randall; A. Lopez/AQD fr. I. Tavarez/AQD Re: <i>"Smith's ...- [application ruled complete] Notifications to the Neighborhood Assocs. (NA) & Interested Individuals.</i> Related E-mail string. Eight attached NA Notifications, E-mail to Vancil plus <i>Public Notice</i> referencing lts. to neighborhood assocs. Informing that applcs. for modification of permits for 8 different Smith's gas stations have been ruled complete (including proposed Permit #2037-M1) w/ related E-mail string; 10/25/12 lt. to A. Carrasco re applic. for proposed Permit #2037-M1 ruled complete w/ related Public Notice; 10/25/12 E-mail to Ms. Vancil, Ms. Hammer & Mr. Rasmussen w/ attached lt. informing that applic. for proposed Permit #2037-M1 has been ruled complete w/ attached, related Public Notice
AR 13	55	11/1/11 E-mail to Diane Dolan/City Council Policy Analyst for Councilor Isaac Benton from Damon Reyes/AQD re: <i>Air Quality Permit – Smiths @ Carlisle & Constitution</i> providing links to local air quality regs and regulation 20.11.41 NMAC. Attached 11/1/11 email fr. Dolan inquiring about Public Notice
AR 14	57	11/1/11 E-mail to Bill Westmoreland, Deputy Dir.EHD and Dario Rocha/AQD, Damon Reyes/AQD, Matt Stebleton/AQD fr. I. Tavarez/AQD re <i>Request fr. NA to Discuss Request for Modif. To Smith's ... for Permit #2037-M1.</i> Related Email attached fr. I. Tavarez re tele invite fr. Laurie Moye, Pres. McDuffie-Twin Parks NA AQD/EHD to participate in NA mtg.
AR 15	58	11/2/11 E-mail to Wende O'Brien, Asst. To Bernalillo Co. Commissioner Maggie Hart Stebbins fr. I. Tavarez/AQD –re <i>Air Quality Permit – Smiths @ Carlisle & Constitution</i> attaching Permit #2037 and Permit Applic., requesting info mtg. Attached E-mail string w/ Public Notice attached.
AR 16	61	11/4/11 E-mail to D. Reyes/AQD, D. Dolan/City Council; I Tavarez/AQD fr W.O'Brien/Bern. Co. Comm'n. re: <i>Air Quality Permit-Smiths@ Carlisle & Constitution</i> setting 11/9/11 mtg. Related Email string attached.
AR 17	66	11/4/11 AQD Program Manager Isreal Tavarez scheduled for mtg. w/ Diane Dolan/Council Policy Analyst for Isaac Benton- and Wende O'Brien/Assistant to Commissioner Maggie Hart Stebbins
AR 18	67	11/8/11 E-mail to I. Tavarez/AQD fr. L. Moye/McDuffie-Twin Parks NA re <i>McDuffie Twin Parks NA Hosting Air Quality Mtg. re Smith's Gas Station Permit</i> w/ attached email notice re 11/16/11 p.m. NA mtg. w/ air quality regulators present to explain permit, requirements, answer questions ab. process, impact.

AR 19	68	11/9/11 E-mail to B. Westmoreland/EHD and D. Reyes/AQD fr. I. Tavarez/AQD forwarding 11/16 McDuffie, Twin Parks NA mtg. info.
AR 20	70	11/9/11 IPRA request from A. Carrasco requesting most recent Inspect. Rpt; Notice of Violation (NOV) issued; Compliance Agreement
AR 21	71	11/9/11 E-mail to W. O'Brien/Bern. Co. Commissioner Heart Stebbens fr. D. Reyes/AQD confirming 11/9/11 conf. call
AR 22	72	11/9/11 E-mail to B. Westmoreland/EHD & D. Reyes/AQD fr. I. Tavarez/AQD w/ attached Julie and Doug Vancil's concerns/public comment ab. proposed Smith's permit modification
AR 23	74	11/10/11 Calendaring event to Westmoreland/EHD fr. I. Tavarez/AQD for Smith's Gas Station Session Neighborhood meeting; handout for meeting: <i>City ... Air Quality Permitting Process Timelines (90 days)</i>
AR 24	76	11/17/11 E-mail to I. Tavarez/AQD & D. Reyes/AQD fr. B. Westmoreland/EHD re 11/18 mtg w/ A. Carrasco
AR 25	77	11/18/11 E-mail to B. Westmoreland/EHD fr. I. Tavarez/AQD re <i>Accepted: Updated (mtg. re): Tapes of Smith's Violations from A. Carrasco</i>
AR 26	78	11/18/11 IPRA request from A. Carrasco requesting new modeling rpt; air quality report, complain(s) .. spill & alarm. (See 11/23/11 lt. to A. Carrasco fr. S. Hutchison/EHD w/ response to Carrasco 11/18/11 IPRA request.)
AR 27	79	11/21/11 E-mail to D. Reyes/AQD, S. Hutchison/EHD, I. Tavarez/AQD, M. Stebleton/AQD and M. Leonard/EHD fr. B. Westmoreland/EHD re A. Carrasco 11/18/11 records request & related email string
AR 28	81	11/22/11 E-mail to B. Westmoreland/EHD, cc D. Reyes/AQD and D. Rocha/AQD from I. Tavarez/AQD re tele. Call fr. Channel 7 News re Smith's Permit
AR 29	82	11/22/11 E-mail to M. Perez/EHD, S. Hutchison/EHD, B. Westmoreland/EHD, D. Reyes/AQD, and M. Stebleton/AQD fr. I. Tavarez/AQD re A. Carrasco 11/18/11 records request
AR 30	83	11/22/11 Lt. from James Wright requesting a public hearing re Smith's pending permit mod applic.
AR 31	84	11/23/11 lt. to fr. Altura Addition NA Board Pres. Denise Hammer requesting a public hr. re Smith's pending permit mod applic.
AR 32	85	11/23/11 lt. to A. Carrasco fr. S. Hutchinson/EHD w/ response to Carrasco 11/18/11 IPRA request
AR 33	86	11/28/11 E-mail to B. Westmoreland/EHD fr. S. Hutchison/EHD re attached 11/28/11 A. Carrasco request for a public hearing re Smith's pending permit mod applic. w/ Carrasco attachments 9/9/11 lt. to Curtright/Wrn. Refining Transportation fr. Capt. A. Chavez ABQ Fire Dept., 9/29/11 lt to A. Carrasco fr. Commander M. Geier APD
AR 34	91	11/30/11 E-mail to D. Reyes/AQD, I. Tavarez/AQD fr. B. Westmoreland/EHD re story on TV re Smith's & related E-mail
AR 35	92	11/30/11 E-mail to B. Westmoreland/EHD fr. S. Hutchison/EHD re

		<i>1313 Carlisle Request for Hr. w/ attached lt fr. James Wright requesting a public hearing re Smith's pending permit mod. applic.</i>
AR 36	94	12/1/11 lt. to AQD fr. Liz Ebel-Louth/Mossman NA Board requesting a public hearing re Smith's pending permit mod. applic.
AR 37	95	12/7/11 lt. to AQD fr. Bill Hoch, Pres. Dist. #7 Coalition of Neighborhoods requesting a public hearing with attachments: 8/18/09 lt to AQD fr. Kirk Randall/Great Basin Engineering-South re proposed new fuel center; 8/8/11 E-mail to Matthew Zidovsky fr. D. Dolan/Council w/ attached E-mails fr M. Riordan, Dir of City Dept. of Mun. Dev. committing to install vertical barriers on Constitution to prevent left-hand turns into gas station & E-mails re traffic congestion, etc.; 8/9/11 lt to S. Curtright/Wrn. Refining Transportaion fr. A. Chavez/Alb. Fire Dept.; 9/29/11 lt. to A. Carrasco fr. Commander M. Geier/APD
AR 38	102	12/8/11 lt. to AQD fr. Gail E. Jackson requesting a public hearing re Smith's pending permit mod applic.
AR 39	103	12/10/11 lt. to AQD fr. Rebecca Scheib requesting a public hr. re Smith's pending permit mod applic.
AR 40	104	12/10/11 lt.to Air Quality Control Hr. Officers from Jan Schuetz objecting to issuance of a permit mod. for Smith's gas station
AR 41	106	12/11/11 lt. to AQD fr. Andrew Burgess objecting to the mod. of Smith's permit
AR 42	107	12/11/11 Lt. from J. Jennings, Pres. Summit Park NA requesting a public hearing re Smith's pending permit mod applic.
AR 43	108	12/12/11 lt. to AQD fr. James Wright including info re VOCs & requesting public hr. re Smith's pending permit mod applic.
AR 44	110	12/12/11 lt. to whom it may concern fr. Tessa Wix objecting to the permit modification of Smith's gas station
AR 45	111	12/12/11 lt. to AQD fr. Sandi Gilley objecting to issuance of permit mod. for Smith's gas station
AR 46	113	12/12/11 lt. to whom it may concern fr. Linney Wix opposing to issuance of permit mod for Smith's gas station
AR 47	114	12/12/11 lt. to I. Tavarez/AQD fr. L. Moye/Pres. McDuffie Twin Parks NA requesting a public hearing re Smith's pending permit mod applic.
AR 48	115	12/12/11 lt. to AQD fr. City Councilors I. Benton & M. Cook requesting a public hr. re Smith's pending permit mod applic.
AR 49	116	12/13/11 date of receipt of lt. fr. Atalie Ives-Garcia & Delano Garcia objecting to permit mod. & requesting a public hearing re Smith's pending permit mod applic.
AR 50	122	1/3/12 E-mail to T. Tavarez/AQD, D. Reyes/AQD from B. Westmoreland/EHD re <i>Smith's Gas Station/Carrasco Update</i>
AR 51	123	1/6/12 memo to M. Leonard, Dir. EHD fr. I. Tavarez/AQD re: <i>90 Day Extension for 20.11.41 NMAC Air Quality Authority-to Construct Permits</i> . Granting additional 90 days as a result of public info hr.
AR 52	124	1/13/12 mtg. E-calendaring by B. Westmoreland/EHD re Carrasco requests, AQD's potential responses, including ltd. Jurisdiction, odors, equipment and hand written added notes: AQD inspectors &

		others have never smelled anything at the site; car idling/fuel odors possible; testing
AR 53	125	1/17/12 E-mail to L. Moyer/McDuffie Twin Parks NA fr. I. Tavarez/AQD <i>Re: Smith's Gas Station (1/25/12) Meeting (w/ City depts.)</i> confirming notification & attached E-mail fr. Moyer
AR 54	126	1/23/12 E-mail to B. Westmoreland/EHD fr. I. Tavarez/AQD <i>Re: Smith Gas Station Meeting Notice</i> and attached E-mail string.
AR 55	128	1/23/12 E-mail to J. Randall fr. I. Tavarez/AQD <i>Re: Smith Gas Station Meeting Notice</i> and attached E-mail string.
AR 56	130	1/25/12 E-mail to City depts.: J. Garcia, R. Dourte, J. Garcia, T. Duran, D. Stover, I. Tavarez, M. Geier, S. Pino, D. Dolan, M. Riordan, M. Lozoya fr. L. Moyer <i>Re: Smith's Gas Station mtg. notice</i> and attached E-mail string
AR 57	131	1/25/12 handwritten notes by B. Westmoreland/EHD taken during 1/25/12 public mtg. w/ City depts. & interested participants
AR 58	132	1/26/12 E-mail to City depts.: J. Garcia, R. Dourte, J. Garcia, T. Duran, D. Stover, I. Tavarez/AQD, M. Geier, S. Pino, D. Dolan, M. Riordan & M. Lozoya fr. L. Moyer <i>Re: Smith's Gas Station</i> thanking for attending mtg.
AR 59	133	1/27/12 E-mail to I. Tavarez/AQD fr. B. Westmoreland/EHD <i>Re: Smith's Gas Station</i> and attached string re Westmoreland attendance at mtg.
AR 60	134	1/30/12 E-mail to S. Hutchison/EHD from I. Tavarez/AQD <i>Re: Andy Carrasco inquiry</i> ab. Date for public info. Hr.
AR 61	135	2/1/12 E-mail to B. Westmoreland/EHD, I. Tavarez/AQD from D. Reyes/AQD <i>Re: Referred to Region-New Mexico-Reply</i> forwarding attached E-mail fr. R. Magyar/EPA w/ D. Hammer complaint.
AR 62	137	2/1/12 E-mail to B. Westmoreland/EHD, I. Tavarez/AQD fr. D. Reyes/AQD <i>Re: Reports Smith's Albuquerque Andy Carrasco</i> forwarding E-mail fr. T. Allen/EPA w/ J. Nelson complaint. W/ attached 9/29/11 lt. to A. Carrasco from APD, 9/9/11 lt. to S. Curtright/Wrn. Refining fr. A. Chavez/lb. Fire Dept., air quality Post Inspection Notification issued Sept. 9, 2011 to Smith's
AR 63	144	2/1/12 E-mail to M. Nieto/AQD from I. Tavarez/AQD <i>Re: Public Mtg. for the Air Quality Permit Mod. for Smith's Gas Station at Constitution & Carlisle</i> re scheduling
AR 64	145	2/1/12 E-mail to B. Westmoreland/EHD, I. Tavarez/AQD, and D. Reyes/AQD fr. M. Nieto/AQD <i>Re: Public Mtg. for the AQ Permit Mod. for Smith's Gas Station at Constitution & Carlisle</i> re scheduling w/ attached E-mail string
AR 65	146	2/2/12 E-mail to R. Pitre/EPA fr. I. Tavarez/AQD <i>Re: Smith Fuels at 1313 Carlisle Blvd. Albuquerque, NM</i> w/ attached copy Smith's current AQ Permit and draft proposed permit; 2/2/12 E-mail to I. Tavarez cc J. Robinson/EPA re EPA Enforcement Div. mtg. at Smith's 1313 Carlisle site, requesting documents
AR 66	163	2/2/12 E-mail to I. Tavarez/AQD, D. Rocha/AQD, D. Reyes/AQD, B. Westmoreland/EHD, N. Butt/AQD fr. M. Nieto/AQD <i>Re: Tentative</i>

		<i>Date: Smith's Gas Station Constitution & Carlisle w/ attached dr. hr. notice, related E-mail string</i>
AR 67	165	<i>2/2/12 E-mail to J. Randall fr. I. Tavarez/AQD Re: Call to Discuss Public Info. Hr. (PIH) for Smith's Tentatively Set for Mon. 2/27/12</i>
AR 68	166	<i>2/2/12 E-mail to D. Rocha/AQD fr. J. Block/NM Env. Law Center Re: Questions thanking for explanation of emission factor used to estimate gas vapor emissions fr. Gas stations; attached E-mail string</i>
AR 69	168	<i>2/2/12 E-mail to B. Westmoreland/EHD from A. Kearny/COA Legal Re: Pls reserve room for Fri 2/3 10:00 a.m. mtg w/ A. Carrasco re Smith's gas station applic. for permit modif.</i>
AR 70	169	<i>2/3/12 mtg E-calendaring fr. B. Westmoreland/EHD Re: Smith's gas station Carlisle & Const: mtg. w/ Andy Carrasco</i>
AR 71	170	<i>2/3/12 IPRA from A. Carrasco re fugitive dust permits, Authority to Construct permit, notifications, Title V. (See 2/8/12 E-mail lt. to A. Carrasco fr. I. Tavarez/AQD requesting clarifications.) (See 2/8/11 request for clarification & AQD 2/1612 response lt.)</i>
AR 72	171	<i>2/3/12 E-mail to I. Tavarez/AQD fr.M. Nieto/AQD Re: Smith's Gas Station Hearing</i>
AR 73	172	<i>2/3/12 E-mail to R. Petrie/EPA fr. I. Tavarez/AQD re Smith Fuels at 1313 Carlisle Blvd, Alb., NM sending applications for current Smith's permit and proposed permit mod. E-mail string attached</i>
AR 74	194	<i>2/6/12 E-mail to R. Pitre/EPA fr. I. Tavarez/AQD Re: Tentative Date for Smith's Gas Station Proposed AQ Permit Mod. & Decis. to Conduct a PIH</i>
AR 75	196	<i>2/6/12 E-mail to Charles Aragon/AQD, I. Tavarez/AQD, D. Rocha/AQD, D. Reyes/AQD, B. Westmoreland/EHD re Records Request for Andy Carrasco due by 2/8/12</i>
AR 76	197	<i>2/6/12 E-mail from I. Tavarez/AQD to B. Westmoreland/EHD Re: Outside Calls for Gas Station Permit Information</i>
AR 77	198	<i>2/6/12 E-mail from J. Block/Env. Law Center to A. Kearny/COA Legal and related string Re: Smith's Gas Station (Carlisle & Constitution)-application for AQ Permit; Send Technical Info Requests & All Other Communications To Me With Copy to Bill Westmoreland</i>
AR 78	201	<i>2/7/12 E-mail to I. Tavarez/AQD, D. Rocha/AQD, D. Reyes/AQD, B. Westmoreland/EHD, and N. Butt/AQD from M. Nieto/AQD Re: Tentative Date: Smith's Gas Station Constitution & Carlisle and legal ad deadline for publication & related E-mail string</i>
AR 79	205	<i>2/7/12 E-mail to D. Reyes/AQD fr. T. Allen/EPA Re: Tentative Date for Smith's Gas Station Proposed AQ Permit Modification and Decisions to Conduct a PIH thanking for teamwork, w/ E-mail string providing info, citations to EPA</i>
AR 80	208	<i>2/8/12 lt. to A. Carrasco fr. I. Tavarez/AQD requesting clarification of Carrasco 2/3/12request to inspect (IPRA) w/ copy of envelope and cert, ret. Receipt "mail returned".</i>
AR 81	211	<i>2/8/12 lt. to A. Carrasco (& to each of the attached list of interested participants) Re: Public Information Hearing-Authority-to-Construct</i>

		<i>Air Quality Permit Mod. Applic. #2037-M1 for Smith's ... 1313 Carlisle Blvd NE</i> re proposed, described throughput increase, 2/27/12 public info hr., location, time w/ enclosed PIH flyer & public notice; list of names & addresses of interested participants who were mailed the PIH lt. and enclosed PIH flyer & Public Notice
AR 82	215	2/9/12 E-mail to I. Tavarez/AQD fr. N. Parraz/EHD <i>Re: Information to be Added to AQD Home Page</i> w/ attached link; includes 2/27/12 PIH flyer, public notice for legal ad re 2/27/12 PIH; draft proposed Smith's gas station air quality permit 2037-M1, summary of fed. regs controlling air emissions fr. Gas Stations, 9/22/11 applic. for permit mod.
AR 83	236	2/9/12 posting: Copy of AQD Webpage with PIH links to documents (printed 2/24/12)
AR 84	240	2/10/12 E-mail to I. Benton and M. Cook/ City Councilors fr. I. Tavarez/AQD <i>Re: PIH – A-to-C Air Quality Permit Mod. Applic.#2037-M1 for Smith's...</i> w/ attached 2/8/12 lt. to Councilor Cook from B. Westmoreland/EHD (identical lt. sent to Councilor Benton) w/ info & PIH date, place, time w/ enc. public info hr. flyer, public notice of PIH for publication and names & addresses receiving lt. & docs.
AR 85	245	2/10/12 E-mail to P. Ennen/City Risk Mgm. fr. I. Tavarez/AQD <i>Re: 2/27/12 PIH re the Requested Air Quality Permit Mod. ... Smith's Gas Station</i> w/ attached lt. to Councilor Cook, lt. to Councilor Benton, PIH flyer, public notice
AR 86	251	2/10/12 E-mail to J. Randall/Wrn. Refining fr. Tavarez/AQD <i>Re: Extension of Deadline for Decision on Air Quality Permit and Notification of the 2/27/12 PIH on the 1313 Carlisle Smith's Gas Station Applic.</i> with attached 2/10/12 lt to R. Gough/Smith's fr. I. Tavarez/AQD, PIH flyer & public notice
AR 87	255	2/13/12 E-mail to I. Tavarez/AQD, D. Rocha/AQD and D. Reyes/AQD fr. M. Nieto/AQD <i>Re: Smith's Gas Station Hearing</i> w/ questions ab. mtg. arrangements
AR 88	256	2/15/12 E-mail to I. Tavarez/AQD and R. Pitre/EPA fr. M. Stebleton/AQD <i>Re: Smith Fuels Station</i> w/ attached E-mail string re Smith's must comply with Permit #2037 unless & until mod permit is issued
AR 89	258	2/16/12 lt. to A. Carrasco from I. Tavarez/AQD re <i>Request to Inspect Public Records-Response Following Oral Clarification</i> (re 2/3 request, 1/8 request that Carrasco clarify IPRA): existing records available for inspection, Carrasco oral clarify. re asbestos records; 2/16/12 email to A. Carrasco attaching 2/8/12 request for clarif. & 2/16/12 response lt.
AR 90	261	2/16/12 E-mail to D. Rocha/AQD, D. Reyes/AQD, M. Stebleton/AQD, J. Stonesifer/AQD, R. Eyeran/AQD, A. Lopez/AQD, L. Sims/AQD, D. Duran/AQD, C. Luna/AQD, K. Ziegler/AQD, P. Puckett/AQD, C. Aragon/AQD from I. Tavarez/AQD <i>Re: Request for Records Re 1313 Carlisle NE (Smith's Gas Station) Pertaining to Asbestos Notifications, Demolitions Notifications, and the Authority-to-Construct Permit</i>

AR 91	262	2/22/12 IPRA lt. to A. Carrasco from I. Tavarez/AQD re: <i>Follow up to 2/16/12 lt. Re2/3/12 IPRA and Later Oral Clarification; 2/12/12 E-mail w/ attached 2/22/12 lt.</i>
AR 92	264	2/27/12 PIH <u>Display Copies</u> on sign-in table: <i>Smith's Application for ... Authority-to-Construct Permits for Fuel Dispensing Stations Located in Bernalillo County; DRAFT AQ Authority to Construct Permit #2037-M-1. Handouts</i> available at PIH sign-in table: <i>ABQ Journal Legal Ad 10/28/11 re Application & re 2/12/12 re PIH; How Gasoline Fuel Dispensing Stations Are Regulated for Outdoor Air; EPA brochure: Summary of Regulations Controlling Air Emissions From Gasoline Dispensing Facilities (GDF); Notice of PIH for Proposed Authority-to Construct AQ Permit Modification Application #2037-M1 for Smith's Food & Drug Centers, Inc. Gas Station.</i> Sign-In Sheets from 2/27/12 PIH.
AR 93	292	2/27/12 B. Westmoreland /EHD E-calendar of 2/27/12 PIH, w/ Westmoreland's hand written notes taken at 2/27 PIH
AR 94	293	2/27/12 I. Tavarez/AQD hand written notes taken at 2/27 PIH
AR 95	298	2/27/12 D. Reyes/AQD hand written notes taken at 2/27 PIH
AR 96	306	2/27/12 three tapes recorded @ 2/27/12 PIH (Copies of tapes burned to single CD.)
AR 97	307	2/27/12 Exhibits submitted by participants at PIH at hr. open: Written comments by Judy Jennings, Pres. Summit Park NA Jennings; written comments by Georgianna E. Pena-Kues; 2/18/11 <i>State of NM Uniform Crash Report</i> provided by A. Carrasco; written comments by Becky Scheib; written comments by Delano Delano Garcia; testimony by Gail Jackson
AR 98	326	2/28/12 IPRA request fr. A. Carrasco re thoroughputs, "copy of hearing 2/27/12", manifests for Wrn. Refinery delivery, metering fr gas pumps. (See 3/2/12 lt. to A. Carrasco and J. Nelson from I. Tavarez/AQD responding to 2/28/12 IPRA request.)
AR 99	327	2/28/12 acceptance of I. Tavarez/AQD E-mail calendaring of 2/29/12 "debriefing on PIH for Proposed Smith's gas station AQ permit mod": D. Reyes/AQD, A. Kearny/COA Legal, B. Westmoreland/EHD
AR 100	330	2/29/12 handwritten notes by I. Tavarez/AQD made at AQD debriefing mtg. re 2/27/12 PIH
AR 101	331	2/29/12 handwritten notes by B. Westmoreland/EHD made at AQD mtg. w/ A. Carrasco, J. Nelson, G. Pena-Kues
AR 102	332	2/29/12 E-mail from S. Hutchison/EHD to AQD staff <i>Re: Records Request Due March 2nd</i> w/ 2/28/12 clarify. fr. A. Carrasco
AR 103	333	2/29/12 IPRA request from G. Pena-Kues and A. Carrasco for process to ask for new hr or extension; audio and written record of 2/27/12 hr. (See 3/2/12 IPRA response lt. to Pena-Kues & Carrasco fr. I. Tavarez/AQD <i>Re: 2/29/12 Request to Inspect Public Records</i>)
AR 104	334	2/29/12 IPRA request fr. G. Pena-Kues for all audio and printed materials re 2037-M1 permit mod. (See 3/2/12 lt. to G. Pena-Kues fr. I. Tavarez/AQD re 2/29/12 <i>Request to Inspect Public Records</i> ,

		requesting clarification ; 3/2/12 IPRA response lt. to Pena-Kues & A. Carrasco.)
AR 105	335	2/29/12 E-mail to & acceptance by B. Westmoreland/EHD, A. Kearny/COA Legal and D. Reyes/AQD from I. Tavaréz/AQD <i>Re: Follow Up to the 2/ 29/12 Debriefing Meeting for the 2/27/12 PIH Re the Proposed Modification to the Smith's Gas Station at Carlisle and Constitution</i>
AR 106	336	2/29/12 E-mail to I. Tavaréz/AQD from J. Jennings/Pres. Summit Park NA <i>Re: Summary of Testimony Given 2/27/12-Smith's Request to Increase Fuel w/ related E-mail string attaching summary of Jennings' 2/27/12 PIH testimony</i>
AR 107	338	3/1/12 IPRA request fr. G. Pena-Kues for "all fuel throughput records for gas station...1313 Carlisle Blvd, NE" (See 3/6/12 IPRA response lt. to G. Pena Kues fr. I. Tavaréz/AQD re 3/1/12 <i>Request to Inspect Public Records.</i>)
AR 108	339	3/1/12 E-mail to A. Kearny/COA Legal, I. Tavaréz/AQD, and D. Reyes/AQD fr. B. Westmoreland/EHD <i>Re: Request for Docs w/ attached 3/1/12 email to B. Westmoreland/EHD, Dane Wyatt re 3/1/12 IPRA request by J. Nelson for inspections/copies & non-air-quality, non- IPRA questions. (See 3/6/12 & 3/7/12 IPRA and non-IPRA response lt to J. Nelson fr. I. Tavaréz re 3/1/12 Request to Inspect Public Records; 3/6/12 & 3/7/12 E-mails to J. Nelson fr. I. Tavaréz/AQD with attached 3/6/12 & 3/7/12 response & corrected response lts.)</i>
AR 109	340	3/1/12 file stamped request from A. Carrasco for extension of or new PIH
AR 110	341	3/2 lt to G. Pena-Kues fr. I. Tavaréz/AQD re 2/29/12 <i>Request to Inspect Public Records</i> ("all audio & printed materials related to 2037-M1-permi mod. ...") requesting clarification
AR 111	342	3/2/12 E-mail to A. Carrasco & J. Nelson w/ attached lt. re 2/28/12 request.
AR 112	344	3/2/12 lt to G. Pena-Kues & A. Carrasco fr. I. Tavaréz/AQD re 2/29/12 <i>Request to Inspect Public Records</i> , re "process to ask for a new hr or a hearing extension" & "audio & written record of hr."
AR 113	346	3/6/12 E-mail to J. Nelson with attached 3/6/12 response lt. fr. I. Tavaréz/AQD re 3/1/12 <i>Request to Inspect Public Records</i>
AR 114	347	3/6/12 IPRA response lt. to G. Pena-Kues fr. I. Tavaréz/AQD re 3/1/12 <i>Request to Inspect Public Records</i> re "all fuel throughput records ..."
AR 115	348	3/6/12 E-mail to J. Nelson & Carrasco Properties fr. I. Tavaréz w/ attached 3/2/12 IPRA response lt.
AR 116	352	3/7/12 E-mail from J. Nelson to I. Tavaréz/AQD <i>Re: AQD Response to March 1, 2012 Email to Bill Westmoreland</i>
AR 117	353	3/8/12 E-mail to J. Nelson fr. B. Westmoreland/EHD re 311 request for mtg., prior mtgs., negotiation w/ Smith's, etc.
AR 118	355	3/8/12 IPRA E-mail to B. Westmoreland/EHD fr. J. Nelson w/ attached 3/8/12 E-mail to J. Nelson fr. B. Westmoreland/EHD re

		<i>Smith's-311 request by Nelson for mtg.-BW 3-7-12 response.docx, w/ attached 3/7/12 lt. to J. Nelson fr. B. Westmoreland/EHD re 311 request for mtg., prior mtgs., negotiation w/ Smith's , etc.</i>
AR 119	358	<i>3/8/12 E-mail to I. Tavarez/AQD and D. Reyes/AQD fr. G. Jackson Re: Addition to Testimony re. AQ Permit Modification Application #2037-M1;</i>
AR 120	359	<i>3/8/12 lt. to A. Carrasco, J. Nelson fr. M. Leonard/EHD Re: Request for Continued, Reopened or Additional PIH and Request for Extension of Deadline for Submitting Documents Regarding the PIH; 3/8/12 E-mail to J. Nelson w/ attached 3/8/12 lt. fr. Leonard/EHD</i>
AR 121	362	<i>3/12/12 lt. to D. Hammer, Pres. Altura Addition NA fr. B. Westmoreland/EHD Re: EHD Dir's Decis to Extend Deadline for Submitting Docs that will be Made Part of Record of the 2/27/12 PIH - ..." extending deadline to 4:30 P.M. Wed. 3/21/12; list of names & addresses of interested participants who were sent the same letter via E-mail</i>
AR 122	365	<i>3/12/12 lt. to R. Chene fr. B. Westmoreland/EHD Re: EHD Dir's Decis to Extend Deadline for Submitting Docs that will be Made Part of Record of the 2/27/12 PIH - ..." extending deadline to 4:30 P.M. Wed. 3/21/12; list of names & addresses of interested participants who were sent the same letter via regular mail</i>
AR 123	368	<i>3/14/12 E-mail to I. Tavarez/AQD from J. Jennings/Pres. Summit Park NA Re: Extension of Deadline for Submittal to the Hearing Record for the February 27, 2012 PIH ... re Jennings' research re zoning, etc.; attached 3/12/12 E-mail to Jennings fr. I. Tavarez/AQD attaching 3/12/12 lt re extended deadline for PIH record.</i>
AR 124	370	<i>3/14/12 E-mail to J. Nelson fr. I. Tavarez re Corrected Response to 3/1/12 Email to Bill Westmoreland-FW AQD Response to 3/1/12 Email to B. Westmoreland/EHD w/ related E-mail string</i>
AR 125	375	<i>3/20/12 lts. to B. Westmoreland/EHD from interested participants opposing the Smith's Gas Station Permit Modification: Pat Toledo & Anna-Lena Toledo, D. Espinosa, Pat Toledo, Pat Toledo, Simon A _____, Rosemarie Espinosa, Rob Horowitz, Linney Wix, Bud Hemple, Cindy Ruppert)</i>
AR 126	385	<i>3/21/12 lt to B. Westmoreland/EHD from Julie & Doug Vancil opposing the Smith's Gas Station Permit Modification</i>
AR 127	386	<i>3/21/12 - CD and documents submitted by A. Carrasco on 3/21/12 to EHD in separate groupings indicated below by semi colons: Two original CDs labeled by AQD "3/21/12-Carrasco for PIH record". (Copies burned to single CD.) ; 3/21/12 handwritten lt. from A. Carrasco ; 11/10/11 Compliance Ag; one-pg. doc. Dated 10/11/11; 8/29/11 David Duran/AQD throughput 12-month rolling total calculation doc dated 8/29/11 ; call summary 6/1/10 – 7/26/11 for 3500 Const. NE, 3420 Const. NE, 1313 Carlisle NE, July 2010 – June 2011 D. Duran/AQD monthly throughput calculation on rolling 30 day average, Police call history 9/6/11, 9/4/11, 7/19/11, 6/14/11, 5/13/11; Police call history 1/1/11 – 1/30/12; undated typed page</i>

	<p>with list of issues & questions, undated newspaper article; pages fr. 2003 International Fire Code, Chap. 22 re Motor Fuel-Dispensing Facilities and Repair Garages ; 11/18/09 memo to Permit File & Enforcem. File fr. T. Shifani, AQD Env. Health Scientist, 12/11/11 lt fr A. Burgess, 12/11/11 lt fr. J. Jennings; 12/13/11 lt fr. Atalie Ives-Garcia, 12/12/11 lt. fr. J. Wright, 2/28/12 A. Carrasco Request to Inspect Public Records, 11/22/11 lt fr. J. Wright, 2/6/12 lt fr. D. Hammer, phone call message info by T. Schifani/AQD re 10/5/09 & 10/8/09, 10/05/08 AFS Data Entry Sheet-Permitting, 8/18/09 – 11/30/09 AQD Permitting Checklist, Talking Points 2011, 2/27/12 B. Scheib comments at PIH; 2009 Operations and Maintenance Plan diagram w/ handwritten notes, 5/5/11 311 call fr. A. Carrasco, pg. 1 only of Smith’s Permit #2037 re 1313 Carlisle NE issued 11/30/09, 10/25/11 lt to A. Carrasco fr. I. Tavaréz re mod applic. ruled complete & copy of public notice enclosed, 10/26/11 E-mail string fr Alb Publ Co. & to I/ Tavaréz re Public Notice order, 10/27/11 Email string from K. Randall/Smith’s engineering firm & to A. Lopez/AQD, 10/28/11 E-mail string fr. I/ Tavaréz/AQD to A. Lopez/AQD; 2/15/10 Agreement & Covenant re alley (duplicates of pg. 2), diagram Ex. A, 8/26/11 handwritten complaint re Smith’s (no addressee) fr. “Andy Carrasco owner of Midtown Medical Center”, drawing of Smith’s facility at Carlisle & Constitution; City Plan Check/Bldg Permit sign-off sheet page, 6/25/10 lt. to Wahlen/Great Basin Engineering re request for Permanent Cert. of Occupancy-Approved T. Sims, Plan Checker-Hydrology Section, 6/25/10 lt to Wahlen fr. Salgado-Fernandez, Sr. Traffic Engineer re 120 day Temp. Cert of Occupancy by Bldg & Safety Div, Planning, 6/30/10 120 day Temp Cert of Occupancy, 4/20/11 lt. to Wahlen fr. K. Metro, Traffic Engineer, Planning re Permanent Cert. of Occupancy, 4/22/11 Cert Of Occupancy; Operations & Maintenance Plan Feb. 2009 Draft and ___ber 2009 UST (Underground Storage Tank) Facility w/ selected pages, out of sequence; 9/9/11 lt to Curtright/Wrn. Refining fr. Alb Fire Dept. (first pg. only) ; 8/26/11 handwritten lt fr. A. Carrasco “owner of Midtown Medical Center”, 8/8/11 E-mail to Matthew Zidovski fr. D. Dolan/ City Council staff re <i>Carlisle and Constitution</i> re Dir. Of City Dept. of Mun. Development commitment to “installation of vertical barriers on Constitution west of Carlisle to prevent left-hand turns into the gas station” & related E-mail string, receipt stamp 2/30/12 handwritten request fr. A. Carrasco for extension on (PI) hearing, 2/27/12 D. Reyes/AQD hand written notes taken at 2/27/12 PIH, 2/27/12 I. Tavaréz/AQD hand written notes taken at 2/27/12 PIH, 3/16/12 lt to US Senator Bingaman fr. J. Nelson “requesting a Federal Investigation” re “the entire permit process re the Smiths Gas Station located at 1313 Carlisle NE...”, 2/23/12 email to J. Nelson fr Jamo & Denise, 4/16/12 Alb. Fire Dept Referral Form complaint by A. Carrasco, NM Dept. of Public Safety Sp. Investigations Div. Request for Service fr. A. Carrasco, 5/3/11 request handwritten by City Clerk’s Office on behalf of A. Carrasco for files for risk mgm. claim and thru</p>
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		<p>311, 2/28/11 Alb. Police Dept. Uniform Crash Rpt., 4/26/11 Alb. Police Dept. Uniform Crash Rpt., Call summary for 2/28/11 – 6/1/11, pg 2 of 3-page 2/20/12 lt. or report referring to USTs; Police Calls detailed history : created & closed 9/8/11, 9/4/11, 9/10/11, 9/26/11, 9/22/11, Duplicate partial copy of 8/8/11 E-mail to Matthew Zidovski fr. D. Dolan/ City Council staff re <i>Carlisle and Constitution</i> re Dir. Of City Dept. of Mun. Development commitment to “installation of vertical barriers on Constitution west of Carlisle to prevent left-hand turns into the gas station” & related E-mail string, 8/18/09 lt. to AQD fr. Randall/Great Basin Eng-South, Police Call detailed history 12/17/11 & 1/11/12, undated handwritten note from owner of Lucky Boy; 496 Gallons-365 Day Rolling Average - 6/29/10 – 2/2/12 submitted by David Harris/Smith’s; 9/12/11 lt to City, Smith’s, Wrn. Refinery fr. Julie Vancil, undated lt. to Calle del Ranchero/Constitution block neighbors fr. A. Burgess, 2/6/12 lt to A. Carrasco fr. D. Hammer, undated email to K. Curran fr. Robert Gilando, City Risk Mgm. re <i>A. Carrasco- Carlisle and Constitution</i>; undated photos submitted on 3-21-12 by A. Carrasco</p>
AR 128	543	<p>3/21/12 (received) - CD and documents submitted by G. Pena-Kues to EHD in separate groupings indicated below by semi colons: CD labeled “120302-0855” “containing fuel throughput data obtained using an information request to AQD dated 3/1/12” per the following 3/21/12 memo received 3/21/12 fr. G. Pena-Kues: “3/21/11” (sic) memo received 3/21/12 fr. Pena-Kues to AQD re <i>Add’l testimony re Permit 2037-M1</i>; “3/20/11” (sic) 3-pg. “additional testimony” re apparent permit errors & inconsistencies; FI Fuel Inventory Report 6/19/11 to 7/1/11 & 8/19/11 submitted to AQD by Anne Guyel/Kroger accounting; Store 496 tank 1 & 2 data 1/1/11 – 7/31/11 & 1/7/12/10 – 12/31/10 submitted to AQD by David Harris/Smith’s ; Fuel Gallons by Grade Smiths 00496 by Date 7/1/11 – 2/9/12 submitted to AQD by D. Harris/Smith’s ; 7/1/10 – 6/18/11 detailed inventory by fuel type submitted by Smith’s. (Wide spreadsheet printed from CD on 8 ½” x 11” pa per to be assembled four across. Compiled in the Admin Record in four sections consisting of 21 pages each. First in the Admin. Record, the left-side section, then the middle left section, then the middle right section, then the right-side section.)</p>
AR 129	647	<p>3/21/12 E-mail to I. Tavarez fr. J. Nelson re <i>Corrected Response to 3/1/12 Email to B. Westmoreland...</i> w/ related E-mail string , attached 3/1/12 letter sent by surface mail to Nelson on 3/1/12</p>
AR 130	649	<p>3/21/12 Two-pg. lt. to M. Leonard/ EHD Dir. fr. J. Nelson re PIH and public safety issues, etc.</p>
AR 131	651	<p>3/21/12 E-mail to I. Tavarez/AQD fr. J. Nelson attaching 3/21/12 two-page lt. to M. Leonard/EHD w/ ea. pg. as a separate attachment; related e-mail string</p>
AR 132	654	<p>3/27/12 E-mail to M. Leonard/EHD, B. Westmoreland/EHD, and A. Kearny/COA Legal fr. I. Tavarez/AQD Re: <i>Corrected Response to</i></p>

		March 1, 2012 Email to Bill Westmoreland—FW: AQD Response to March 1, 2012 Email to Bill Westmoreland and related string w/ attached 3/26/12 one-pg. lt. to M. Leonard/EHD from J. Nelson requesting hr. w/ attached 2/12/12 Legal ad
AR 133	660	4/5/12 IPRA request from G. Pena-Kues re gasoline throughput data April 2007 to present for Costco Renaissance Blvd, Circle K Carlisle, Alam LLC Economy Gasoline Carlisle (See 4/10/12 response lt. from S. Hutchison/EHD w/ attachments <i>Re: Public Records</i>)
AR 134	661	4/10/12 IPRA response lt. from S. Hutchison/EHD w/ attachments <i>Re: Public Records Request</i> (rec'd 4/5/12). (See 4/16/12 IPRA response lt. to A. Carrasco fr. S. Hutchison/EHD.)
AR 135	664	4/11/12 IPRA request from A. Carrasco for fines/violations Smith's 1313 Carlisle NE, fines/violations any Smith's Albuquerque gas stations, all throughputs of fuel; 4/11/12 E-mail to Hutchison/EHD from I. Tavarez/AQD <i>Re: 1313 Carlisle/Andy Carrasco Records Request</i> ; 4/11/12 E-mail to Hutchison/EHD fr. M. Stebleton/AQD <i>Re: 1313 Carlisle/Andy Carrasco Records Request</i>
AR 136	667	4/11/12 e-mail to I. Tavarez/AQD, D. Reyes/AQD, M. Stebleton/AQD, D. Rocha/AQD, B. Westmoreland/EHD fr. S. Hutchison/EHD re <i>1313 Carlisle/Andy Carrasco Records Request</i>
AR 137	668	4/13/12 IPRA request from G. Pena-Kues; re permit #s re gas throughputs for a Circle K gas station, with address & for gas station SW corner of Ind. School Rd & Carlisle Blvd NE; 4/13/12 email from S. Hutchison/EHD to AQD Staff <i>Re: Records Request Due 4/18/12</i> ; 4/16/12 e-mail from M. Stebleton/AQD <i>Re: Records Request Due 4/18/12</i> ; 4/16/12 e-mail from I. Tavarez/AQD <i>Re: Records Request Due 4/18/12</i> ; 4/18/12 IPRA response lt. from S. Hutchison/EHD <i>Re: 4/13/12 Request to Inspect Public Records</i>
AR 138	673	4/16/12 IPRA response lt. to A. Carrasco fr. S. Hutchison/EHD re fines/violations, throughputs; letter included attached single page submitted by Kerry Busey/Smith's and CD labeled "Permit No. 2037 Record Request- Smiths Gas Station Updated Throughputs as of 4/2/12 - 1313 Carlisle NE"
AR 139	676	4/16/12 lt. from A. Carrasco (receipt stamp 4/17/12) seeking an injunction to prevent AQD fr. issuing mod of permit 2037.
AR 140	677	4/16/12 Final File Memo to AQD Permit File & AQD Enforcement File from I. Tavarez/AQD <i>Subject: Smith's Food & Drug Centers, Inc. - Permit Application and Cert. of Registration #2017-M1 ...</i>
AR 141	681	4/17/12 Lt. to R. Gough/Smith's from I. Tavarez/AQD <i>Re: AQ Tracking #2037-M1-Fuel Dispensing Station at 1313 Carlisle Blvd. NE, Albuquerque, NM -Authority-to-Construct Permit</i> enclosing Air Quality Authority-to-Construct Permit #2037-M1
AR 142	682	4/17/12 Air Quality Authority to Construct Permit #2037-M1
AR 143	688	4/17/12 Participant notification lt. to J. Jennings, Pres, Summit Park NA fr. I. Tavarez/AQD re <i>Air Quality Permit No. 2037-M1 – Smith's Food & Drug Centers, ng. (Smith's) – Permit Modification</i> , includes review of regulated air pollutants, basis of decision, PIH,

		administrative record, AQD staff review, communications, evaluation and consideration of air quality & other issues, notice and information distribution, additional operational requirements included by AQD in permit mod; info re contacts and petition for Air Bd. Hearing on the merits, etc.; list of names & addresses of interested participants who were sent the same letter
AR 144	695	4/18/12 E-mail to D. Hammer fr. I. Tavaréz/AQD <i>Re: Final Decision Regarding AQ Permit Modification for Smith's Food & Drug Centers, Inc. - Gas Station at 1313 Carlisle Blvd NE</i> ; w/ attached 4/17/12 participant notification letter; list of names & addresses of interested participants who were sent the same letter