



Albuquerque-Bernalillo County Air Quality Control Board



Angel Martinez Jr., Director

MINUTES –October 12, 2022 Regular Virtual Meeting

AQCB MEMBERS PRESENT

Ms. Lauren Meiklejohn (CITY), Chair
Ms. Maxine Paul (CITY), Vice Chair
Ms. Judy Calman (COUNTY)
Dr. Elis Eberlein (CITY)
Dr. Johnnye Lewis (COUNTY)
Ms. Kitty Richards (COUNTY)

AQCB MEMBERS ABSENT

Ms. Elizabeth Reitzel (CITY)

AQCB LIAISONS ABSENT

Ms. Connie Chavez (Bernalillo County Planning Commission Liaison)
Mr. Joseph Cruz Jr. (City of Albuquerque Environmental Planning Commission Liaison)

STAFF PRESENT

Mr. Chris Albrecht, Associate Director
Mr. Albert Chang, Deputy Director
Ms. Maria Gallegos, Community Liaison
Ms. Yvette Garcia, Executive Assistant
Mr. Ken Miller, Acting AQCB Liaison
Mr. Travis Miller, Env Health Manager
Mr. Damon Reyes, Env Health Manager
Ms. Antoinette Sedillo Lopez, AQCB Atty.
Ms. Lisa Serna-Cordova, Program Data Analyst
Ms. Kelsea Sona, Asst. City Attorney

MEMBERS of the PUBLIC PRESENT

Mr. Elias Abrego
Mr. Xavier Barraza
Mr. Russell Brito
Ms. Elaine Cimino
Ms. Lindsay Cutler
Ms. Theresa DuBois
Ms. Nora Garcia
Dr. Charles Gasparovic
Mr. Alex Hamilton
Ms. Anni Hanna
Mr. Eric Jantz
Ms. Jazmine Johnston
Ms. Maslyn Locke
Ms. Ramona Montoya
Mr. Richard Moore
Ms. Nicole Olonovich
Ms. Marla Painter
Ms. Rosemary Romero
Ms. Sue Schuurman
Mr. Lauro Silva
Ms. Nancy Singham
Mr. David Wood
Jenn
Penny
Robert
Sara

Due to COVID-19 this meeting was held via Zoom video conference.

1. CALL TO ORDER

Chair Meiklejohn called the meeting to order at 5:32 p.m.
Member Reitzel was absent.
Member Lewis joined late, at approximately 5:42 p.m.

2. CONSENT AGENDA

- a. Approval of the agenda
- b. Approval of the September 14, 2022 meeting minutes

Member Richards moved to approve the items on the consent agenda. Vice Chair Paul seconded. The motion passed by a vote of 5-0.

3. AIR PROGRAM REPORT

Member Richards requested an update on the City's cumulative impacts and environmental justice work in a future report. She then asked for clarification regarding the statement that EHD has not monitored for VOCs for several years, which seemed at odds with the fact that ozone monitoring data was provided elsewhere in the report. Deputy Director Chang explained that the department currently monitors for ozone in ambient air, but because ozone is usually controlled by controlling emissions of VOCs and NOx, which are ozone precursors, the department is developing a plan to begin collecting VOC data to use in conjunction with the NOx data it already collects to design control strategies targeted at reducing ozone in the most effective way possible. Finally, Member Richards asked whether EHD is still waiting to hear back from EPA regarding DART. Chair Meiklejohn interjected with the clarification that DART was a one-day trial and not an ongoing program and asked whether EHD knew when the results would be available. Mr. Miller responded that no timeline has been provided by EPA.

Chair Meiklejohn thanked Director Martinez for his introduction on ozone. She then asked if more context could be provided regarding the community monitoring data provided at the end of the report. Ms. Gallegos explained that the graph showed a snapshot of calibrated data collected over a 24-hour period from one of the community monitors deployed as part of the citizen science air quality monitoring project.

4. FIRST PUBLIC COMMENT OPPORTUNITY

No members of the public gave comment during the first comment opportunity.

5. REPORTS/DISCUSSION/ACTION ITEMS

*Note: The Board took up agenda item #5.d after item #5.a and then returned to item #5.b.

a. Update on Cumulative Impacts Committee (Rosemary Romero)

Ms. Romero reported that the committee met in August at the Mountain View Community Center. At that meeting, the committee first heard a presentation from EHD's Ken Miller and Yvette Garcia on mapping and data. Eric Jantz from the New Mexico Environmental Law Center then read a letter stating that the Law Center would be producing a cumulative impacts regulation later this year and had asked its client organizations to remove their members from the committee. The few remaining members of the committee reconvened in September and decided not to write their own regulation, but to try to bring in speakers to answer questions from the committee and then develop a list of critical elements in any cumulative impacts regulation to provide to the Air Board for consideration when the Law Center submits its petition and proposed regulation. Ms. Romero then stood for questions from the Board.

b. Presentation on the World Health Organization's Air Quality Guidelines (Dr. Charles Gasparovic)

Dr. Gasparovic gave a presentation on the World Health Organization's (WHO) 2021 Air Quality Guidelines and how air quality in Albuquerque compares to those guidelines. He then stood for questions from the Board. Ms. Elaine Cimino, speaking on behalf of a coalition of groups, then commented that the WHO guidelines offer a pathway to needed emissions reductions, requested that the Board adopt the guidelines and consider hard interim targets, and expressed interest in the formation of a stakeholder group. Chair Meiklejohn thanked Ms. Cimino for her advocacy and suggested the next step would be for the Board to meet with EHD and the community to look at the interim targets and begin to plot out what implementation might look like.

c. Discussion and Possible Action on the Joint Motion to Remand the Permit, AQCB Docket No. 2020-1, In the Matter of the Petition for a hearing on the Merits Regarding Air Quality Permit No. 3340-RMD [New Mexico Terminal Services, LLC] (Board)

Hearing Officer Simmons was not present to provide a summary of her recommended decision on the joint motion to remand the permit. Ms. Sedillo Lopez gave some procedural background and said the only thing left was for the Board to make a decision. Member Richards then moved to adopt the Hearing Officer's recommendation to remand the permit back to EHD. Vice Chair Paul seconded. The motion passed by a vote of 5-0, Member Calman having left the meeting early.

Following the vote, Ms. Johnston asked whether the Board would approve the proposed order submitted by the parties with EHD's memorandum in support of the Hearing Officer's recommended decision on the joint motion to remand the permit. Ms. Sedillo Lopez responded that she would prepare an order for the Board to sign, and that it would be based on the proposed order submitted by the parties. The Board then belatedly heard public comment from Ms. Montoya and Ms. Painter.

The full discussion regarding the Hearing Officer's recommended decision on the joint motion to remand the permit was transcribed by Court Reporter Theresa DuBois with Albuquerque Court Reporting Service, LLC. The transcript is available for review during normal business hours in the office of the Hearing Clerk, located at 1 Civic Plaza NW, Room 3023, Albuquerque, NM 87102. To review the transcript, contact the Hearing Clerk at 505-768-2660 or airboard@cabq.gov. A pdf copy of the transcript has also been placed in the online repository of documents filed in this proceeding. The repository is available at https://www.dropbox.com/sh/ixgnvai4j7pajuw/AADFrrOYsYq_IYQLzfKAUyUVa?dl=0 and the transcript is document number 72.

d. Discussion and Possible Action on Holding Hybrid (In-Person & Remote) Meetings (Board)

Ms. Sedillo Lopez stated that the Board can hold hybrid meetings if it wants so long as the Mayor's health order remains in effect and indicated that there does not appear to be any push to lift the order anytime soon. She also noted that the City is working on regulations that would apply to all Boards so it is not necessary for the Board to adopt its own regulations allowing hybrid meetings after the order is lifted. She then stood for questions from the Board, after which Vice Chair Paul moved that the Board hold a hybrid meeting in November at the MRCOG facility on Copper Avenue. Chair Meiklejohn seconded. The motion passed by a vote of 6-0.

e. Discussion of possible Future Agenda Items (Board)

Member Richards requested that fence line monitoring be on a future agenda.

Member Lewis indicated a desire to brainstorm about what resources, especially at UNM, would be appropriate to involve in helping EHD, especially with regards to communications.

Mr. Miller reminded the Board that it normally adopts the annual resolutions setting the next year's meeting dates and determining reasonable notice in November.

6. Second Public Comment Opportunity

No members of the public gave comment during the second comment opportunity.

7. Other Business

No other business was discussed.

8. Adjournment

Chair Meiklejohn adjourned the meeting at 7:38 p.m.

NEXT SCHEDULED BOARD MEETING: November 09, 2022 at 5:30 p.m.

SUBMITTED:

READ AND APPROVED:

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Angel Martinez, Jr.
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11/18/2022 | 7:43 AM PST

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Lauren Meiklejohn
AE9D48C72FEC471...
11/18/2022 | 10:31 AM MST

Mr. Angel Martinez Jr.
Director
Environmental Health Department

Ms. Lauren Meiklejohn
Chair
Albuquerque-Bernalillo County Air Quality
Control Board