



ALBUQUERQUE-BERNALILLO COUNTY AIR QUALITY CONTROL BOARD



DRAFT MINUTES – June 8, 2011
Regular Meeting and Hearing

Vincent E. Griego Chambers

Albuquerque-Bernalillo County Government Center
400 Marquette NW, Albuquerque, NM 87102

AOCB MEMBERS PRESENT

Dr. Margaret Menache, Chair (County)
Mr. Steve Baca, Vice Chair (County)
Dr. Naomi Kistin (County)
Mr. Art Sharpe (City)

AOCB MEMBERS ABSENT

Mr. George Castillo (BCPC Liaison)
Mr. Augustine Grace III (City)
Mr. Jack Sullivan (City)
Dr. Dona Upson (City)

STAFF PRESENT

Mr. Neal Butt, Env. Health Scientist, AQD
Mr. Bill Grantham, Board Attorney
Ms. Adelia Kearny, Deputy City Attorney

Ms. Mary Lou Leonard, Director, Env. Health
Dept.

Mr. Ken Lienemann, AQD Supervisor
Mr. Fabian Macias, EH Manager, AQD
Ms. Margaret Nieto, AQCB Secretary, Env.
Health Supervisor, AQD
Mr. Jeff Stonesifer, EH Scientist, AQD
Mr. Isreal Tavarez, Environmental Health
Manager, AQD

VISITORS PRESENT

Ms. Rita Bates, NMED Air Bureau
Ms. Melissa Clark, Kirtland AFB
Mr. Matt Cross-Guillen
Ms. Susanna Ehlers, U. S Forest Service, SW
Region

Draft Minutes

Hearings

In the matter of the Petition to Amend the *Section 309 Regional Haze State Implementation Plan Element: Albuquerque-Bernalillo County, New Mexico*, and Incorporate an *Amended Section 309 Regional Haze State Implementation Plan Element: Albuquerque-Bernalillo County, New Mexico* into the New Mexico State Implementation Plan for Air Quality (SIP) (AQCB Petition No. 2011-2)

Hearing Officer Bill Grantham opened the hearing at 5:38 p.m. with four Board members present. Neal Butt, Environmental Health Scientist, AQD provided testimony and answered questions regarding the proposed amendments to the Regional Haze SIP. Public comment was provided by Rita Bates, NMED, Air Bureau and by Susanna Ehlers, U. S. Forest Service, Southwest Region both in support of the proposed amendments. After hearing testimony and discussion, the Hearing Officer adjourned the hearing at 6:10 p.m.

And

In the matter of Petition to Amend 20.11.21 NMAC, *Open Burning*, and Incorporate an Amended 20.11.21 NMAC into the New Mexico State Implementation Plan (SIP) for Air Quality (AQCB Petition No. 2010-6)

Hearing officer Bill Grantham opened the hearing at 6:10 p. m. with four Board members present. Neal Butt, Environmental Health Scientist, AQD provided testimony and answered questions regarding the proposed amendments to the *Open Burning* regulation . There were no public comments and the hearing officer adjourned the hearing at 6:30 p.m.

CALL TO ORDER

The meeting was called to order by Chair Dr. Menache at 6:33 p.m. on June 8, 2011 with four Board members present. Present were Dr. Menache, Mr. Steve Baca, Dr. Naomi Kistin, and Mr. Art Sharpe.

Item #1 Approval of Agenda (Chair)

A motion was made by Member Baca to approve the agenda, seconded by Member Sharpe, and approved by a unanimous vote of 4-0.

Item #2 Approval of May 11, 2011 Meeting Minutes (Vice Chair)

A motion was made to approve the minutes by Member Baca, seconded by Member Kistin, and passed by a unanimous vote of 4-0.

PUBLIC COMMENT

There was no public comment.

ACTION ITEMS

Item #3 Decision on Petition to Amend the *Section 309 Regional Haze State Implementation Plan Element: Albuquerque-Bernalillo County, New Mexico*, and Incorporate an Amended *Section 309 Regional Haze State Implementation Plan Element: Albuquerque-Bernalillo County, New Mexico* into the New Mexico State Implementation Plan for Air Quality (SIP) (AQCB Petition No. 2011-2) AQCB Resolution #2011-5 – Neal Butt, EH Scientist

Dr. Menache read AQCB Resolution #2011-5 into the record; a motion for approval of the resolution was made by Member Baca, was seconded by Member Sharpe, and was approved by a vote of 4-0.

Item #4 Decision on Petition to Amend 20.11.21 NMAC, *Open Burning*, and Incorporate an Amended 20.11.21 NMAC into the New Mexico State Implementation Plan (SIP) for Air Quality (AQCB Petition No. 2010-6) - Amended AQCB Resolution #2011-2 – Neal Butt, EH Scientist

Dr. Menache read into the record and moved Amended AQCB Resolution #2011-2. A second to the motion was made by Member Kistin. Dr. Menache proposed to amend the regulation as follows: “On page 4, line 5 amend language to read ‘A no-burn waiver may will be rescinded in the event of a health alert.’” The motion was seconded by Dr. Kistin. Dr. Menache then moved to amend the motion to read “‘A no-burn waiver may will be rescinded in the event of a health alert, unless authorized by the Director.’” The motion was seconded by Member Sharpe. The

motion passed by a vote of 3-1 (for: Menache, Kistin, Sharpe; against: Baca). A vote on the motion to adopt Amended AQCB Resolution #2011-2 as amended was then taken, resulting in a vote of 3-0-1 (for: Menache, Kistin, Sharpe; against: none; abstained-Baca). Ms. Nieto and Mr. Butt reminded the Board that a vote of 4 is required to adopt, amend or repeal a rule, so 3-0-1 vote will result in a “no pass” for the Resolution. Dr. Kistin moved to adopt the Amended AQCB Resolution #2011-2 with no amendments; Mr. Baca seconded the motion. The motion passed by a vote of 4-0.

Item #5 Election of Board member to serve as alternate non-voting advisory member to Mid-Region Council of Governments (MRCOG) Transportation Program Task Group (TPTG) and Transportation Coordinating Committee (TCC) – Chair Menache

Member Steve Baca was nominated to serve as alternate non-voting advisory member to MRCOG’s TPTG and TCC and was elected by a vote of 4-0.

REPORTS Division Report and monthly Air Quality website update. Staff available for questions.

Dr. Kistin commended the work on the Air Quality website. Dr. Menache asked about the timeliness of the information posted on the website. Director Leonard responded that the website now includes a map showing real time data (in the last 12 hours) regarding the smoke related health alerts we have been experiencing recently. She also responded to questions about the public outreach and media inquiries regarding the health alerts, recognized the good work of the Air Quality Division, as well as that of the fire fighters.

OTHER BUSINESS

Item #6 Discussion of letter to Mayor Berry regarding Air Quality Control Board appointments – Chair Menache

Dr. Menache asked the Board if they had any comments on the draft letter, if there were, to let her know so that the letter can be completed and sent. There were no comments.

ADJOURNMENT

Chair Dr. Margaret Menache adjourned the meeting at 7:32 p.m.

NEXT SCHEDULED BOARD MEETING AND HEARING: July 13, 2011 5:30 p.m.

SUBMITTED:

READ AND APPROVED:

Ms. Margaret Nieto Date
Board Secretary/Env. Health Supervisor, Control Strategies Section,
Air Quality Division, Environmental Health Department

Dr. Margaret Menache Date
Chair
Albuquerque-Bernalillo County Air Quality Control Board