

**ALBUQUERQUE-BERNALILLO COUNTY  
AIR QUALITY CONTROL BOARD**

**IN THE MATTER OF THE PETITION TO  
AMEND TITLE 20, CHAPTER 11 OF THE  
NEW MEXICO ADMINISTRATIVE CODE  
TO REQUIRE REVIEW AND  
CONSIDERATION OF HEALTH,  
ENVIRONMENT AND EQUITY IMPACTS,**

**AQCB PETITION NO. 2022-3**

**MOUNTAIN VIEW NEIGHBORHOOD  
ASSOCIATION, MOUNTAIN VIEW  
COMMUNITY ACTION, AND FRIENDS  
OF VALLE DE ORO,**

**PETITIONERS.**

**AMENDED ORDER DENYING MOTION FOR STAY**

The Bernalillo County/ City of Albuquerque Air Quality Control Board (“AQCB or the Board”) reviewed GCC Rio Grande Inc., Western Refining Terminals, LLC, and HF Sinclair Asphalt Company Motion for Stay, Petitioner’s Response, the City of Albuquerque Environmental Health Department Response, and taking note of various parties joining in the Motion, having heard parties argument and statements on the motion, and voting 6 yes, 0 no and 1 absent on a properly made and seconded Motion to Deny Stay hereby FINDS AND ORDERS:

- 1) Movant’s arguments advocating for a Stay of Proceedings concerning the adequacy and merits of the proposed regulations may be made as part of the prehearing process and/or at the Formal Rulemaking Hearing,
- 2) Movant’s arguments do not justify a stay of the proceedings for the orderly administration of the proceedings nor do they deprive the Board of

jurisdiction to proceed with this matter.

WHEREFORE,

- 1) The Motion for Stay is DENIED.
- 2) It is further ORDERED that the approved minutes of the June 14 meeting shall be filed as part of the record of these proceedings as required by NMAC 20.11.82.6 (T).
- 3) This Order shall be electronically served on all parties, with a request to confirm receipt if a party has not consented to electronic service, and filed in the record of the proceedings.

SO ORDERED,

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Maxine Paul, AQCB Chair

Date:

Certificate of Service by Hearing Clerk