



ALBUQUERQUE-BERNALILLO COUNTY AIR QUALITY CONTROL BOARD



MINUTES – July 11, 2007

Regular Meeting

Vincent E. Griego Chambers, Albuquerque-Bernalillo County Government Center
400 Marquette NW, Albuquerque, NM 87102

AOCB MEMBERS PRESENT

Dr. Matthew Campen (City)
Mr. Jens Deichmann, Chair, (County)
Mr. Augustine Grace III, (City)
Mr. Mike Minturn, (City)
Dr. Debby Potter, Vice Chair (County)
Dr. Gwen Sun (County)

AOCB MEMBERS ABSENT

Mr. Art Sharpe (City)

STAFF PRESENT

Mr. Chris Albrecht, AQD Mgr.
Mr. Neal Butt, AQD
Mr. Glen Dennis, Vehicle Pollution Mgt. Div., Mgr.
Ms. Maria Dominguez, Board Attorney
Ms. Adelia Kearny, Deputy City Attorney
Mr. Fabian Macias, AQD Mgr.
Ms. Margaret Nieto, AQD
Mr. Dario Rocha, AQD
Mr. Isreal Tavaréz, Env. Engineering Mgr. AQD
Mr. Joel Young, City Legal

VISITORS PRESENT

Ms. Irma Aceves
Ms. Theresa Cordova, PhD, Bernalillo County
Commissioner.
Mr. Aldo Carrasco, CCR
Ms. Sylviana Diaz Douville, Citizens for
Alternatives to Radioactive Dumping (CARD)

Mr. Hugh Church, American Lung Asso./NM
Mr. Matt Cross-Guillen, Bernalillo County
Ms. Jennifer Dann, KAFB
Mr. Pete Domenici, Jr., Domenici Law Firm
Mr. Julio Dominguez, South Valley Partners for
Environmental Justice (SVPEJ)
Ms. Blanca Encinias, Southwest Network
Mr. Sandy Fish, Bernalillo County
Ms. Nora Garcia, Mt. View Neighb. Assn. (MVNA)
Ms. Patty Grice, MVNA
Mr. Shrayas Jathar, Sierra Club
Ms. Sara Juarez, SVA
Ms. Lauren Ketcham, Environment New Mexico
Mr. Charles Lakins, Domenici Law Firm
Mr. James Maestas, SVPEJ
Ms. Yvonne Maestas, SVPEJ
Ms. Margaret Menache, PhD, UNM-MPH
Mr. Richard Moore, Southwest Network
Ms. Marla Painter, MVNA
M. Srikanth Paladugu, Bernalillo County OEH
Ms. Kitty Richards, Bernalillo County OEH
Mr. Juan-Carlos Rodriguez, Albuquerque Journal
Mr. Mark Rudd, MVNA
Mr. Martin Schluep, Kleinfelder West, Inc.
Mr. George Schroeder, Bernalillo County OEH
Mr. Lauro Silva, SVPEJ
Ms. Julie Stephens, Rio Grande Community
Development Corp.

Regular Monthly Meeting Agenda

CALL TO ORDER

The meeting was called to order at 5:48 p.m. on July 11, 2007 with six Board members present, Member Sharpe absent. Board Chair Jens Deichmann presided.

Item # 1 Approval of the Agenda. (Chair)

Motion to approve agenda by Member Potter, seconded by Member Minturn, passed unanimously, 6-0.

Item #2 Approval of the June 13, 2007 Meeting Minutes. Motion by Member Grace to approve the minutes, seconded by Member Potter, passed unanimously 6-0.

ACTION ITEMS

Item #3 Request by the Air Quality Division for permission to hold a hearing before the Air Quality Control Board to hear proposed amendments to the Regional Haze State Implementation Plan (SIP) and 20.11.46 NMAC, Sulfur Dioxide Emissions Inventory Requirements; Western Backstop Sulfur Dioxide Trading Program. Request also includes providing a court reporter and hearing officer for the hearing (N. Butt). Motion to approve request by Member Deichman, seconded by Member Potter, passed unanimously, 6-0

Item #4 Request by the Air Quality Division for permission to hold a hearing before the Air Quality Control Board to hear proposal to adopt an Interstate Transport State Implementation Plan (SIP), to satisfy the requirements of Clean Air Act 110(a)(2)(D)(i) for the 8-Hour Ozone and PM 2.5 NAAQS promulgated in July 1997. Request also includes providing a court reporter and hearing officer for the hearing (N. Butt). Motion to approve request by Member Deichmann, seconded by Member Sun, passed unanimously, 6-0.

Item #5 Report and recommendations from Environmental Justice Task Force Committee (Dr. Potter). Motion to adopt as amended by Member Potter, seconded by Dr. Sun, passed unanimously, 6-0.

Item #6 Consideration of adoption of Environmental Justice Directives as proposed by Member Potter. (Dr. Potter). Motion to adopt as amended by Member Potter, seconded by Dr. Sun, passed unanimously, 6-0.
Comments on both items #5 and #6 were heard from the public; speakers are listed under Public Comment.

REPORTS Division reports were provided in writing. Staff was available for questions.

Item #7 Status report on appeal of the issuance of Authority-to-Construct permit to Vulcan Materials Company; Holcim's Appeal of Denial of Source Registration Application; and Al's Automotive appeal on the Denial of Vehicle Pollution Management Division *Air Care Station* Application (Isreal Tavarez).
Mr. Tavarez reported that regarding the Vulcan Materials appeal, the case has been appealed to the Court of Appeals, records are being compiled. Regarding Holcim's appeal to the Air Board regarding Holcim's Part 40 Registration, the appeal has been stayed. Holcim has submitted an Air Quality permit application to the Division which is currently being processed. The hearing regarding the Alfred Mondragon/Al's Automotive appeal to the Air Board was set for July 10. Ms. Kearny stated Mr. Mondragon did not appear at the hearing, so a default was declared. The Hearing Officer will submit his Report to the Board so the Board can make its decision at the August Board meeting.

Item #8 Status report on future regulations: Greenhouse Gas Reporting, Emissions Inventory, and Clean Car Standards (Isreal Tavarez).
Mr. Tavarez reported that the Division is coordinating with the New Mexico Environment Department's Air Quality Bureau (AQB) in their efforts to adopt a Greenhouse Gas and

Emissions Reporting Rule, as well as a Clean Car Standards Rule. The AQB held stakeholder meetings on June 25 and 26th in Las Cruces and Santa Fe respectively. Outreach efforts will be followed by hearing(s) and adoption by the end of the year. Parallel rules are being developed by the Division, to be heard and adopted for 2008.

PUBLIC COMMENT

Public comment regarding Items #5 and #6 were provided by Irma Aceves, Bernalillo County Commissioner Theresa Cordova, PhD, Matthew Cross-Guillen, Pete Domenici, Jr., Julio Dominguez, Bianca Encinias, Patty Grice, Charles Lakins, Dr. Margaret Menache, Richard Moore, Julia Nunez, Marla Painter, George Schroeder, Lauro Silva, and Julie Stevens.

ADJOURNMENT Chair Deichmann adjourned the meeting at 9:51 p.m.

NEXT SCHEDULED BOARD MEETING AND HEARING: August 8, 2007, 5:30 p.m.

SUBMITTED:

READ AND APPROVED:

Mr. Isreal Tavarez, Date
Board Secretary / Environmental Engineering Manager Air Quality Division
Environmental Health Department

Mr. Jens Deichmann Date
Board Chair
Albuquerque-Bernalillo County Air Quality Control Board