



# ALBUQUERQUE-BERNALILLO COUNTY AIR QUALITY CONTROL BOARD



**DRAFT MINUTES – January 12, 2011**

**Regular Meeting**

**Vincent E. Griego Chambers**

**Albuquerque-Bernalillo County Government Center**

**400 Marquette NW, Albuquerque, NM 87102**

**AOCB MEMBERS PRESENT**

Mr. Steve Baca (County)

Mr. Jens Deichmann, Chair (County)

Mr. Augustine Grace III (City)

Dr. Margaret Menache, Vice Chair (County)

Mr. Art Sharpe (City)

Mr. Jack Sullivan (City)

**AOCB MEMBERS ABSENT**

Mr. George Castillo (BCPC Liaison)

Dr. Dona Upson (City)

**STAFF PRESENT**

Mr. Neal Butt, Env. Health Scientist, AQD

Mr. Mr. Glen Dennis, Mgr. Vehicle Pollution

Mgt. Div. (VPMD)

Mr. Bill Grantham, Board Attorney

Ms. Adelia Kearny, Deputy City Attorney

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

Mr. Danny Navarez, Technical Program  
Manager, Env. Health Dept.

Ms. Margaret Nieto, AQCB Secretary, Env.  
Health Supervisor, AQD

Mr. Dario Rocha, Env. Health Supervisor,  
AQD

Mr. Jeff Stonesifer, Sr. Env. Scientist, AQD

Mr. Isreal Tavarez, Env. Eng. Mgr., AQD

Ms. Janice Wright, AQCB Liaison, AQD

**VISITORS PRESENT**

Ms. Melissa Clark, Kirtland AFB

Ms. Kelsey Curran, Sandia National Labs

**Draft Minutes**

**CALL TO ORDER**

The meeting was called to order at 5:30 p.m. on January 12, 2011 with 6 Board members present. Board Chairman Deichmann presided.

**Item #1** Approval of Agenda (Chair)

A motion was made by Member Baca to approve the agenda, seconded by Member Sullivan. Motion was carried by a vote of 6-0.

**Item #2** Approval of December 8, 2010 Meeting Minutes (Chair)

A motion was made to approve the minutes by Member Sharpe, seconded by Vice Chair Menache and the motion was carried by a vote of 6-0.

## **PUBLIC COMMENT**

There was no public comment.

## **ACTION ITEMS**

**Item #3** Request for hearing 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 for Air Quality (SIP) – Neal Butt, Environmental Health Scientist

Mr. Butt presented the Division's request for hearing, which included a request for a hearing officer and a court reporter, and answered questions from the Board.

A motion was made by Member Grace to grant the request for a hearing on the petition; the motion was seconded by Member Baca and carried by a vote of 6-0.

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

Environmental Health Department (EHD) Technical Program Manager Danny Navarez provided information on the new air quality website revamp project. He stated that the new website was to be implemented in March, 2010, but the date had been delayed due to circumstances beyond EHD's control. A new project manager has taken over the responsibility of upgrading the City of Albuquerque's website, and he is hopeful the upgrade will be implemented by May, 2011. Mr. Navarez also responded to questions from the Board.

## **OTHER BUSINESS**

**Item #4** Presentation from Air Quality Division on Title V Permitting – Dario Rocha, Environmental Health Supervisor

Mr. Rocha presented information regarding the "Title V Operating Permit Program", and responded to questions from the Board.

Environmental Health Department Director Mary Lou Leonard shared that AQD issued its second Title V permit this week, and two more would be issued very soon. The goal is to have all Title V permits issued by July 1, 2011.

Air Board Attorney Bill Grantham reminded the Board about the ex parte provisions in 20.11.82 NMAC, *Rulemaking Procedures-Air Quality Control Board*, which are triggered at the filing of a petition.

Chairman Deichmann asked Mr. Grantham to brief the Board on the open meeting requirements regarding communication of Board members outside the context of a Board meeting, when a quorum is present. Mr. Grantham stated that he would need to research this question. Deputy City Attorney Adelia Kearny had researched the issue, and stated that if four or more Board members gather together this would be considered a quorum. A quorum requires public notice, and the opportunity for the public to observe the proceedings. Caution must be used even in the appearance of impropriety.

