



ALBUQUERQUE-BERNALILLO COUNTY AIR QUALITY CONTROL BOARD



DRAFT MINUTES – July 13, 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. Stephen Baca, Vice Chair (County)
Dr. Naomi Kistin (County)
Mr. Jack Sullivan (City)

AOCB MEMBERS ABSENT

Mr. George Castillo (BCPC Liaison)
Mr. Augustine Grace III (City)
Mr. Art Sharpe (City)
Dr. Dona Upson (City)

STAFF PRESENT

Mr. Neal Butt, EH Scientist, AQD
Mr. Glen Dennis, EH Manager, VPMD
Mr. Bill Grantham, Board Attorney
Ms. Adelia Kearny, Deputy City Attorney
Ms. Mary Lou Leonard, Director, Env.
Health Dept.
Mr. Ken Lienemann, EH Supervisor,
AQD
Mr. Fabian Macias, EH Manager, AQD

Ms. Margaret Nieto, AQCB Secretary, EH
Supervisor, AQD
Mr. Matt Stebleton, EH Supervisor, AQD
Mr. Isreal Tavarez, EH Manager, AQD
Mr. Bill Westmoreland, Deputy Director, Env.
Health Dept.

VISITORS PRESENT

Kelsey Curran, Sandia National Labs
Matt Cross-Guillen, Bernalillo County
Lisa K. Leahigh
Hugh Church, American Lung Association
Kitty Richards, Bernalillo County Office of
Environmental Health
Claude Morelli, NM Dept. of Transportation
Jerry Montoya, NM Dept. of Health

Draft Minutes

Hearing

In the Matter of the Petition to Adopt 20.11.80 NMAC, *Adjudicatory Procedures – Environmental Health Department – Administrative Enforcement and Hearings by Director* (AQCB Petition No. 2011-4)

Hearing Officer Bill Grantham opened the hearing at 5:36 p.m. with four Board members present. Adelia Kearny, Deputy City Attorney, provided testimony and answered questions regarding the proposed adoption of 20.11.80 NMAC. After hearing testimony and discussion, the Hearing Officer closed the hearing at 6:26 p.m.

CALL TO ORDER

The meeting was called to order by Chair Dr. Menache at 6:27 p.m. on July 13, 2011 with four Board members present. Present were Dr. Menache, Mr. Stephen Baca, Dr. Naomi Kistin, and Mr. Jack Sullivan.

Item #1 Approval of Agenda (Chair)

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

Item #2 Approval of June 8, 2011 Meeting Minutes (Chair)

M. Nieto asked to amend the minutes by deleting Adelia Kearny's name from the list of staff present, as it was included in error. A motion was made to approve the minutes as amended by Member Baca, seconded by Member Kistin, and passed by a unanimous vote of 4-0.

Item #3 Introduction of Mr. Bill Westmoreland, newly appointed Environmental Health Department Deputy Director in charge of Air Programs

Environmental Health Department Director Mary Lou Leonard introduced Mr. Bill Westmoreland. Mr. Westmoreland reviewed his professional experience for the Board and expressed that he looks forward to working with the Air Quality Division staff and the Air Board.

PUBLIC COMMENT

There was no public comment.

ACTION ITEMS

Item #4 Decision on the Matter of Petition to Adopt 20.11.80 NMAC, *Adjudicatory Procedures – Environmental Health Department – Administrative Enforcement and Hearings by Director* (AQCB Petition No. 2011-4) AQCB Resolution #2011-6 – Adelia Kearny, Deputy City Attorney

Resolution 2011-6 was read into the record and moved for adoption by Chair Dr. Menache. Member Baca seconded the motion. The following amendment was moved by Member Sullivan, seconded by Member Baca, and passed by a vote of 4-0:
“On page 3, line 12, delete “board” and replace with “Director”; and
on page 3, line 17, delete “and” and replace with “or”, to read, “The Director or hearing officer may specify . . .”; and
on page 9, line 15, strike the following words, “If that showing is made,”.
A vote on the adoption of Resolution 2011-6 as amended was made and passed by a vote of 4-0.

REPORTS

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

There were no questions from the Board.

Item #5 Bernalillo County Planning Commission Liaison Report – George Castillo, AQCB Member

Chair Dr. Menache stated that since Mr. Castillo was not present, this item would be skipped.

Item #7 American Lung Association State of the Air Report – Hugh Church, ALA

Item #7 was heard before #6. Mr. Hugh Church presented information on the American Lung Association's State of the Air Report and responded to questions from the Board. According to the report, Albuquerque-Bernalillo County received a grade of B in the category of high ozone days and a grade of PASS in the category of High Particle Pollution Days (2007-2009).

Item #6 Near Road NO2 Monitoring – Ken Lienemann, AQD Environmental Health Supervisor, Monitoring Section

Ken Lienemann, AQD Monitoring Section Environmental Supervisor presented information and responded to questions from the Board on the Near Road NO2 monitoring project that the AQD participated in with EPA, as one of five cities in the nation. The study was done to determine probable roadside levels of NO2 and acceptable locations monitoring sites. Results showed that Albuquerque-Bernalillo County will easily comply with new NO2 NAAQS. However, funding for newly required sites is questionable.

Item #8 The Importance of Place in Health - Enrique Cardiel, Bernalillo County Community Health Team; Jerry Montoya, NM Dept. of Health; and Kitty Richards, Bernalillo County Office of Environmental Health

Mr. Jerry Montoya and Ms. Kitty Richards presented information on their participation in the Place Matters project, funded by the Kellogg Foundation. Bernalillo County is one of 16 communities in the country who are in the project, and focuses on land use and policy. Ms. Richards made reference to a report called the Health Equity Report and past recommendations of the Environmental Justice Task Force. Dr. Menache requested that she provide the report to the Board when it becomes available. Dr. Kistin stated that she would be interested in revisiting this topic in the future.

OTHER BUSINESS

Member Jack Sullivan reported that he attended both the Transportation Planning Technical Group (TPTG) meeting and the Transportation Coordinating Committee (TCC) meetings at the MRCOG. He reported that Ms. Nieto represents the Board and the Division on those committees very well, and that he doesn't think he needs to report regularly to the Board on these meetings. However, he assured the Board that air quality is indeed considered in all the long range transportation planning that is done by MRCOG and their committees.

Member Baca moved that the Chair or Chair's designate draft letters on behalf of the Board offering testimony to the outstanding work of Ms. Nieto, Mr. Butt and Counselor Grantham; seconded by Member Kistin. A vote was taken and the motion failed by a vote of 2-2 (FOR: Kistin, Baca; AGAINST: Menache, Sullivan).

ADJOURNMENT

