

MINUTES – May 8, 2024
Regular Hybrid Meeting

This Albuquerque-Bernalillo County Air Quality Control Board (“Board”) meeting was conducted in a hybrid format with both in-person and remote participation via Zoom video conference.

1. CALL TO ORDER

Chair Galewsky called the meeting to order at 5:31 pm.

Board Liaison Anita SdeArmijo called roll and the Chair determined a quorum was present.

Present: 5 – Dennis Armijo, Judy Calman, Elis Eberlein Joseph Galewsky,

Absent: 2- Maxine Paul, Kitty Richards

Vice Chair Calman attended virtually.

2. CONSENT AGENDA

A. Approval of the May 8, 2024 Meeting Agenda

B. Approval of the Minutes from: February 14, March 13, March 22, April 5, and April 10, 2024.

Chair Galewsky asked if there were any objections to the consent agenda. Hearing none, he called for a motion to approve the consent agenda. Member Armijo moved and Member Eberlein seconded. The motion passed by the following vote:

For: 3– Armijo, Calman, Galewsky,

Against: 0 Abstain: 1-Eberlein Absent: 2- Richards, Paul

3. AIR PROGRAM REPORT

A. Control Strategies Updates—Fugitive Dust Mitigation Plan, Regional Haze SIP Element

Regulation Development Coordinator Allen Smith gave a brief update on the Fugitive Dust Mitigation Plan, which has been submitted to the U.S. EPA. The Regional Haze SIP Element is in the second planning period. The Federal land managers (FLMs) have a draft for review. Their comment period closes June 3rd.

B. Control Strategies – Future NMAC revisions (EPA updates)

Control Strategies Administrator Catalina Lehner gave a brief overview of a couple of regulations that need to be updated to match current requirements, specifically 20.11.8 NMAC-Ambient Air Quality and 20.11.42 NMAC- Operating Permits. She is hoping to present these changes at the next regular meeting for the Board’s consideration.

C. Updated US Air Quality Index (AQI) for Fine Particulate Matter (PM_{2.5})

Deputy Director Christopher Albrecht gave a quick update on the US Air Quality Index and stated that the EPA is currently revising the AQI for PM_{2.5}.

EHD staff then stood for questions from the board.

4. FIRST PUBLIC COMMENT OPPORTUNITY

Marla Painter provided a general comment.

5. REPORTS/DISCUSSION/ACTION ITEMS

A. Presentation on the Final 2022 Regional Sulfur Dioxide Emissions and Milestone Report (EHD); Action on Report in Accordance with the Section 309 Regional Haze State Implementation Plan Element, Albuquerque-Bernalillo County, New Mexico, Section A3.10 (“The Albuquerque Bernalillo County Air Quality Control Board (AQCB) shall review and approve the final regional emissions report.”) (Board)

Mr. Smith gave a brief overview on the final report for the 2022 Regional Sulfur Dioxide Emissions and Milestone Report. He highlighted a few minor changes, the public comment period and then stood for questions from the board.

After a brief discussion by the Board, Member Eberlein moved to approve the final 2022 Regional Sulfur Dioxide Emissions and Milestone report and Member Armijo seconded. The motion passed by the following vote:

For: 4– Armijo, Calman, Eberlein, Galewsky,
Against: 0 Abstain: 0 Absent: 2- Richards, Paul

B. CLOSED MEETING: The Board will consider whether or not to go into closed session with the Board Attorney to discuss and take possible action concerning litigation: Albuquerque-Bernalillo County Air Quality Control Board, Board of County Commissioners of Bernalillo County vs. City of Albuquerque, 202-CV-2-23-09295 and GCC Rio Grande et al vs Albuquerque Bernalillo County Air Quality Control Board, City of Albuquerque, D-202-CV-2023-09435, and appeals of Clean Cars II regulations and the HEEI regulation (Board).

The board will discuss and vote whether or not to go into closed session, following procedures outlined in Section 10-15-1 (I) of the OMA. Exceptions to open meetings are outlined in Section 10-15-1 (H).

Counsel Sedillo-Lopez stated she had some updates for the board regarding the litigation. After a brief discussion, Member Armijo moved to go into closed session. Member Eberlein seconded. The motion passed by the following vote:

For: 4– Armijo, Calman, Eberlein, Galewsky,
Against: 0 Abstain: 0 Absent: 2- Richards, Paul

The board was in closed session from 6:02-6:19 p.m.

If there is a closed session, the Board will announce what was discussed and will take any motions and votes based on the closed session discussion.

Chair Galewsky stated that the board received updates from counsel on the litigation concerning the cases of Albuquerque-Bernalillo County Air Quality Control Board, Board of County Commissioners of Bernalillo County vs. City of Albuquerque, 202-CV-2-23-09295 and GCC Rio Grande et al vs Albuquerque Bernalillo County Air Quality Control Board, City of Albuquerque, D-202-CV-2023-09435 and that no votes were taken during the closed session.

6. SECOND PUBLIC COMMENT OPPORTUNITY

No comments

7. OTHER BUSINESS

A. Reports from Committees (Board) - No Reports

B. Possible Future Agenda Items (Board)

- HEEI update-Member Armijo
- NMAC updates of 20.11.8 and 20.11.42 -Catalina Lehner
- Closed session-Chair Galewsky

8. ADJOURNMENT

Chair Galewsky adjourned the meeting at 6:23 p.m.

NEXT SCHEDULED BOARD MEETING: May 8, 2024 at 5:30 p.m.

SUBMITTED:

READ AND APPROVED:

Paul J. Rogers
Interim Director
Environmental Health Department

Mr. Joseph Galewsky, Chair
Albuquerque-Bernalillo County Air Quality
Control Board