

MINUTES – December 10, 2024

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 5:32 p.m.

Board Liaison Anita SdeArmijo called roll and the chair determined a quorum was present. Member Calman attended virtually.

Present: 6 – Dennis Armijo, Judy Calman, Jane Cudney-Black, Thomas De Pree, Elis Eberlein, Joseph Galewsky

Absent: 1 – Kitty Richards

2. CONSENT AGENDA (*Items may be removed at the request of any Board Member*)

A. Approval of the December 10, 2024 Meeting Agenda

B. Approval of the November 13, 2024

Chair Galewsky asked if there were any objections to the consent agenda. Hearing none, he called for a motion. Member Cudney-Black moved to approve the consent agenda. Member De Pree seconded. The motion passed by the following vote:

For: 6 – Armijo, Calman, Cudney-Black, De Pree, Eberlein, Galewsky
Against: 0 Abstain: 0 Absent: 1- Richards

3. AIR QUALITY PROGRAM (AQP)

Health Equity and Environmental Impacts (HEEI)

Deputy Director Terrance Smith gave brief statement about the public consultations and the development of the OBA map. He then stood for questions.

4. FIRST PUBLIC COMMENT OPPORTUNITY

No comments

5. DISCUSSION & ACTION ITEMS

Chair Galewsky then turned the meeting over to Member Armijo as the hearing officer. Member Armijo then went over the ground rules for the hearing.

A. Hearing regarding [AQCB 2024-04](#) Petition to Amend Existing Rule 20.11.63 NMAC-New Source Performance Standards (NSPS) for Stationary Sources.

Assistant city attorney Mahlon Wigton gave a brief opening statement. Pro se party Nicholas Maxwell did not attend the hearing.

Regulation Development Coordinator Allen Smith gave a short presentation on AQCB 2024-04, Petition to Amend Existing Rule 20.11.63 NMAC- New Source Performance Standards for Stationary Sources. He then stood for questions.

After a brief discussion, Member Cudney-Black moved to accept the petition to incorporate 20.11.63 NMAC as described. Member Eberlein seconded. The motion passed by the following vote:

For: 6 – Armijo, Calman, Cudney-Black, De Pree, Eberlein, Galewsky
Against: 0 Abstain: 0 Absent: 1- Richards

- B. Hearing regarding [AQCB 2024-05](#) Petition to amend existing rule 20.11.64 NMAC-Emission Standards for Hazardous Air Pollutants for Stationary Sources.

Mr. Wigton gave a brief opening statement and then Air Quality Program administrator Catalina Lehner presented a summary of the petition. She then stood for questions.

After a short discussion Member Cudney-Black moved to approve the petition for 20.11.64 NMAC. Member De Pree seconded and the motion passed by the following vote.

For: 6 – Armijo, Calman, Cudney-Black, De Pree, Eberlein, Galewsky
Against: 0 Abstain: 0 Absent: 1- Richards

- C. Replacement of Board Attorney

Chair Galewsky gave a brief update that included that several applications have been received and the process of scheduling interviews with the committee has started.

- D. The Board will consider whether or not to go into closed session with the Board Attorney to discuss i) pending litigation: AQCB and BCC of Bernalillo County vs. CoA (202-CV-2-23-09295) and GCC Rio Grande et al vs AQCB and CoA (D-202-CV-2023-09435), and ii) appeals of Clean Cars II regulations and the HEEI regulation.

- The board will discuss, make a motion with reasonable specificity, 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).

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: 2 – Cudney-Black, De Pree Absent: 1 - Richards

- If there is a closed session, the Board will announce what was discussed and will make any motions based on the closed session discussion. *Topics discussed during a closed session are limited to those expressly excepted from the open meeting requirements.*

The board was in closed session from 6:01 p.m. to 6:40 p.m. Chair Galewsky stated that only the pending litigation was discussed and that no votes or action were taken.

Due to technical difficulties, Member Calman was unable to rejoin the meeting.

6. SECOND PUBLIC COMMENT OPPORTUNITY

No comments

7. OTHER BUSINESS

Possible Future Agenda Items

- Presentation by board attorney Sedillo Lopez
- Update/presentation on HEEI and OBA map
- Update on tribal consultation

Ms. Lehner announced that a new board member would be starting in January and thanked Member Eberlein for his service on the board.

8. ADJOURNMENT

Chair Galewsky adjourned the meeting at 6:45 p.m.

NEXT SCHEDULED BOARD MEETING: January 8, 2025 at 5:30 p.m.

SUBMITTED:

READ AND APPROVED:

Paul J. Rogers, Director
Environmental Health Department

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