



Photo Courtesy of SouthWest Organizing Project

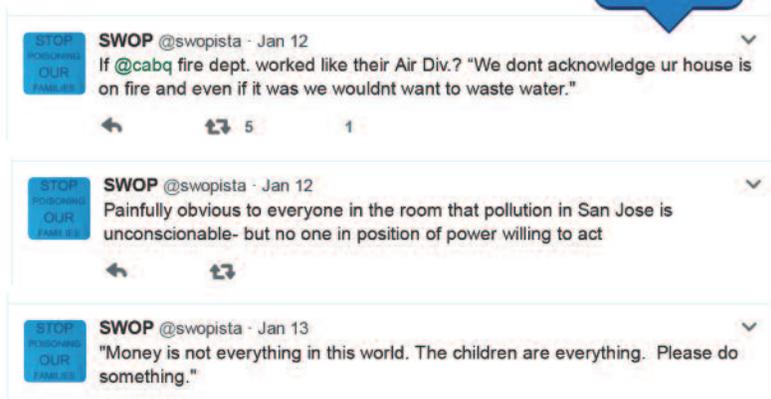
1% of Population – 28% of Air Polluters – 0% of Regulators Who Care

Your support helps residents challenge bulk fuel facility permit to pollute

CLIENTS: SouthWest Organizing Project (SWOP) and Esther and Steven Abeyta (San Jose residents)



For years, the Law Center, our clients, and others have fought a prevalent practice by the Albuquerque-Bernalillo County Air Quality Board (Board) and the Environmental Health Department (EHD) to permit air polluting facilities in low-income neighborhoods of color. *(Clients, Esther and Steven live in the San Jose neighborhood, which is home to 1% of the County's population but 28% of the County's air pollution permits. Other neighborhoods affected by this practice include Mountainview in the South Valley of Albuquerque and the Greater Gardner neighborhood of the North Valley.)*



In January, Staff Attorneys Eric Jantz and Jon Block represented SWOP and the Abeytas in a hearing on a permit granted to the Honstein Oil Co. for its 6,000 gallon bulk fuel facility in San Jose. (EHD argued strenuously against the granting of the hearing.) Key to our case is this point: under the **Air Quality Control Act**, EHD is required to take into account “cumulative impacts” from multiple sources of air pollution in a neighborhood when determining if a new facility or expansion would exceed air quality standards. EHD denies that it is required to do so, and even denies that there is poor air quality in these neighborhoods, despite significant anecdotal evidence and data from citizen air sampling. SWOP streamed the hearing on Facebook, and its staff tweeted their impressions of the hearing. We submitted our closing arguments in March, and are awaiting a ruling.

A Win for Water in Central New Mexico

Eight years after it began, the Law Center and our client, the Rio Bonito Preserve, closed a case that will help keep water in Lincoln County’s beautiful Rio Bonito. The Law Center took over the case from private attorney Ed Neville, and assisted our clients in negotiating a settlement that will lead to a regional water solution.

Rio Bonito Preserve’s President Reginald Richey said at the end of this lengthy process, “Our small group is forever grateful to the Law Center for representing us in these important issues and know that without the legal guidance provided by Ed and Law Center Attorneys Bruce Frederick and Jon Block, our advocacy on behalf of the Rio Bonito would likely have gone unheard.” **For more information about the nuts and bolts of this case, see nmelc.org.**