

Remarks to the Environmental Improvement Board (EIB)

Regarding the Proposed Alto Concrete Batch Plant

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Introduction

My name is Mark Severance. My wife Barbara and I live in Ranches of Sonterra approximately 4 miles downwind of the proposed concrete batch plant site. I am also a founding member and the current Chairperson of the Alto Coalition for Environmental Preservation (aka the Alto CEP) My remarks today will mostly address processes and process improvements.

However, first I want to call your attention to several items that have been submitted in the comment portal:

Over 500 area residents have submitted their signatures and other required information stating agreement with the rationale of the Environmental Secretary's Final Order denying the air quality permit.

A good layperson's primer on the health hazards posed by concrete batch plant has been submitted by part-time Alto resident Dr. Michael Miller, a cancer surgeon at Banner-MD Anderson Cancer Center in Gilbert, Arizona.

Alto resident Dr. Charles Dixon, a PhD wildlife biologist has submitted a summary of the impacts the proposed plant will have on our abundant indigenous wildlife and their habitat.

A position statement by Cave Scientists from the Fort Stanton Cave Study Project presents their concerns regarding impacts to the plant could have to the unique underground ecosystem of the Snowy River Cave.

An Opportunity for Improvement

This is not a zoning issue for Alto residents as the NMED Counsel has suggested. These are real people that will need to uproot from their homes, many of them their lifetime dream homes, as they have been advised to do so by their medical professionals. Our concerns are about sustaining health and wellbeing, not zoning.

My understanding is that the EIB is responsible for environmental management and consumer protection and must promulgate rules and standards in numerous areas, one of which is air quality management.

I see the discussions at this hearing as providing an opportunity for improvement. Discussions here have identified gaps within the current process and areas that could be improved upon. I urge the EIB to work with their NMED counterparts to improve the review and permitting process for concrete batch plants as an outcome of this hearing. There is much more at stake here than arguments over numbers generated by models. I will address that later.

Expand the Scope

My neighbor Craig Cathey got it right: the current process is too narrow in its purview. Future approvals of the construction and operations of a concrete batch plant should examine more factors than are being considered today.

Setbacks

Setbacks are an obvious requirement that should be added. When determining the appropriate set back distances, I suggest the medical community be consulted and windspeed and wind direction data should also be a part of this determination. Please see the references cited by Dr. Miller in his submission.

Runoff – A Unique Case

We have discussed water supply for emission suppression, but the current process does not address water runoff.

This is particularly disturbing given the porous nature of our aquifer and the fact that many households use private wells as their source for potable water. The potential for ground water contamination is significant as Alto resident Cynthia Black, a practicing geologist and geophysicist, testified at a meeting of the Lincoln County Board of Commissioners earlier this year.

Runoff and fugitive dust alightment on to Little Creek, approximately ¼ mile from the plant, is a concern. The potential for contamination of Little Creek has unique implications. Cave Scientists from the Fort Stanton Cave Study Project have submitted a statement of their concern of the potential for contamination of the ecosystem of the Snowy River Cave, which is hypothesized to be fed by an underground tributary of Little Creek. Please see the position statement in the comment portal by the Fort Stanton Cave Study Project for additional details.

Why 20.2.72 NMAC

Recall why we are using 20.2.72 NMAC for this application in lieu of GCP-5, the normal general construction permit for concrete batch plants. The applicant was driven to 20.2.72 NMAC because of the proximity of proposed plant location to the Class I PSD White Mountain Wilderness Area, which is part of the Lincoln National Forest.

I discussed the proposed plant and the concerns members of the Alto CEP had with the data in the air quality permit application with the Chief of the Smokey Bear Ranger District. After consultation with Air Quality experts at US Department of Agriculture headquarters in Washington DC, she informed me that their agency's position is that this matter is under the purview of NMED, and USDA will accept the permitting decision of NMED whatever it may be. When I asked if the concerns we have with specific data in the application were considered she did not have an answer.

Water, Water Runoff, Traffic etc. Outside of Today's Purview by What About Tomorrow ?

Additionally analyses of water availability, water runoff, implications for increased heavy truck traffic (both from a motorist safety and road wear & tear perspective) should be incorporated into the process. While it is clear that some of these topics are outside the purview of NMED, that does not preclude NMED from coordinating with those agencies and departments responsible for these areas. Inter-department coordination could be used develop and implement new approval criteria for these areas which can be folded into the review and approval process for concrete batch plant approval. Perhaps an inter-agency integration organization within NMED could be formed to do just that.

The Weight of Public Objection: If Not a Criterion Why Solicit Comments?

As I understand, a large part of the criticism of the Environment Secretary's Final Order to deny this permit was that the ruling allegedly overly weighted public comment as a criterion for denying the permit. It is true that 20.2.72.208 NMAC Basis of Denial of Permit does not cite public objection as a criterion for denial.

Why is that? Should people be forced to accept something that has been noted by their medical professionals to be threat to their health and wellbeing? Alto residents are worried, if not scared, their lives will have to change forever, because someone wanted to put a concrete batch plant next to their home or business. NMED regulations currently ignore these very human concerns. If public concerns or objections are not a salient factor in NMED permitting decisions, why has the Department solicited public comments?

If the clause in the NMED Mission Statement "...to foster a healthy and prosperous New Mexico for current and future residents." is to mean anything, a "significant level of public objection" should be incorporated into 20.2.72.208 NMAC as a criterion for permit denial.

Taking the Time to Get it Right: It's Personal To Us

I was pleased to hear the hesitancy expressed by board members to conduct a hasty review of the new data, analysis and draft permits that have been submitted in recent weeks. I fully agree with Board Member Garcia's comment that detailed technical data reviews take time, if they are to be done correctly.

Modeling and the false comfort it can provide is a subject near and dear to my wife and I, but not in a pleasant way.

Barbara and I retired to Alto after we both completed 30 year careers with NASA in Human Space Flight operations. We worked in Mission Control during Space Shuttle flights as well as for the assembly and operation of the International Space Station. We worked closely with Astronauts, Cosmonauts and our flight control counterparts from the space agencies of various nations.

We had the unpleasant experience of living through the deaths of 14 of our Astronaut colleagues in the Challenger and Columbia accidents. Investigations of these accidents concluded their catastrophic failures and loss of life were a result of accepting erroneous modeling or erroneous interpretation of modeling.

I knew everyone onboard Challenger. Barbara was involved in the Columbia recovery effort. Her job was to identify Shuttle debris brought in from the field: control panels, parts of spacesuits and charred avionics boxes, often caked with mud and grass from their impact. She saw and literally held in her hand the fatal devastation caused by the incorrect interpretation of modeling.

The consequences of getting critical modeling wrong are very personal to us.

I am not suggesting that accepting an erroneous air quality model from a concrete batch plant will result in such an instantaneous, catastrophic and lethal outcome as was experienced with Challenger and Columbia. By contrast, the worst impacts will likely be more subtle in the moment but potentially equally lethal over time.

Help Wanted

I have been recently quoted in the media as saying the that "A concrete batch plant at the proposed location does not pass a commonsense check." I stand by those words.

Ultimately this is not about numbers or zoning. It's about ensuring the health and wellbeing of the residents of Alto can be sustained. Right now, the people of Alto need the Board's help to make that happen.
