

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

STATE OF NEW MEXICO  
ENVIRONMENTAL IMPROVEMENT BOARD

No. EIB 15-03(R)

IN THE MATTER OF PROPOSED REPEAL OF:  
20.2.36 NMAC - Petroleum Refinery - Sulfur

Air Quality Bureau,  
Environmental Protection Division of the  
New Mexico Environment Department,  
  
Petitioner.

TRANSCRIPT OF PROCEEDINGS

BE IT REMEMBERED that on the 18th day of  
December, 2015, the above-entitled matter came on for  
hearing and deliberation before the New Mexico  
Environmental Improvement Board, taken at State Capitol  
Building, Room 322, 490 Old Santa Fe Trail, Santa Fe,  
New Mexico, at the hour of 9:16 a.m.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

A P P E A R A N C E S

For the Environmental Improvement Board:

JOHN MICHAEL VOLKERDING, Chair  
TIMOTHY L. MORROW  
CHRISTOPHER TIMM  
MATTHEW HOLT, Hearing Officer  
JAMES R. CASCIANO (by telephone)

JOSEPH M. DWORAK  
Assistant Attorney General  
Open Government Division  
Office of the Attorney General  
Post Office Drawer 1508  
Santa Fe, New Mexico 87504-1508  
(505) 827-6986  
jdworak@nmag.gov

For the New Mexico Environment Department:

JOHN VERHEUL  
Assistant General Counsel  
Office of General Counsel  
New Mexico Environment Department  
1190 St. Francis Drive  
Suite N-4050  
Santa Fe, New Mexico 87505  
(505) 222-9554  
john.verheul@state.nm.us

I N D E X

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

PAGE

WITNESSES:

MARK JONES

Direct Examination Mr. Verheul 7

Examination by the Board 13

LESLIE PORTER

Public Comment 16

Deliberations 17

1 MR. VOLKERDING: Agenda Item 6, Hearing in EIB  
2 15-03(R), in the Matter of Proposed Repeal of 20.2.36  
3 NMAC - Petroleum Refinery - Sulfur. Mr. Verheul and  
4 NMED.

5 And I turn it over to you.

6 MR. VERHEUL: Thank you.

7 Good morning, Chair Volkerding and members of  
8 the Board.

9 With me today is Mark Jones, who is an  
10 environmental specialist with the New Mexico Environment  
11 Department Air Quality Bureau. He will be our primary  
12 witness today.

13 Also with me is Rita Bates, who is a section  
14 chief for the Air Quality Bureau, and she's here just in  
15 case there are any questions that go beyond the scope of  
16 Mr. Jones' testimony or expertise.

17 We're here today --

18 MR. HOLT: Mr. Verheul, before you begin, if I  
19 can interrupt and -- I've got to set the stage and make  
20 sure we've dotted Is and crossed Ts with our little  
21 spiel. So bear with me. Okay?

22 Good morning.

23 My name is Matthew Holt. I'm your Hearing  
24 Officer today. I've been designated by the Board to act  
25 as the Hearing Officer in 15-03, the proposed repeal of

1 Section 20.2.36 of the New Mexico Administrative Code,  
2 which concerns itself with sulfur recovery standards.

3 The hearing will be conducted in accordance  
4 with the Board's rulemaking procedures, which are set  
5 out in Section 20.1.1 of the New Mexico Administrative  
6 Code, and pursuant to those procedures I will conduct  
7 the hearing so as to provide a reasonable opportunity  
8 for all persons to be heard without making the hearing  
9 unreasonably lengthy.

10 The Rules of Civil Procedure and the Rules of  
11 Evidence do not apply in this case. I will instead make  
12 whatever orders are necessary to preserve decorum.

13 All testimony in this matter will be taken  
14 under oath, and all persons giving testimony will be  
15 subject to cross-examination by other persons in  
16 attendance. I may limit cross-examination, if  
17 necessary, to avoid harassment, intimidation or  
18 repetition.

19 The hearing is being recorded by and  
20 transcribed by Cheryl Arreguin of Kathy Townsend Court  
21 Reporters. You may obtain a copy of the transcript  
22 directly from the court reporter. It also eventually  
23 becomes a public record, viewable in the office of the  
24 Board administrator.

25 If you have not signed in, please do so,

KATHY TOWNSEND COURT REPORTERS

110 Twelfth Street, Northwest, Albuquerque, New Mexico 87102

(505) 243-5018 - Fax (505) 243-3606

1 regardless whether you wish to present testimony.

2 If you have a phone or pager with you, please  
3 turn it off or silence it.

4 Board members, the file contains the petition  
5 for regulatory change and the Department's notice of  
6 intent to present technical testimony. No other parties  
7 have filed motions in this case.

8 I will provide an opportunity for members of  
9 the public to make comment. If members of the public do  
10 intend to make comment, please make sure you sign in on  
11 the register so the amount of time needed can be  
12 calculated and we can adjust our schedules accordingly.

13 Mr. Verheul, back to you.

14 MR. VERHEUL: Thank you, Mr. Hearing Officer.

15 We're here today, as you point out, asking  
16 this Board to approve the proposed repeal of 20.2.36 New  
17 Mexico Administrative Code, or NMAC, which, as the  
18 testimony will show, we believe to be an outdated and  
19 redundant piece of the Administrative Code, and that's  
20 why it should be repealed.

21 So with that, I will question my witness.

22 MR. HOLT: If you would have them sworn,  
23 please.

24 (Oath administered to Mark Jones and  
25 Rita Bates.)

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

MARK JONES

having been first duly sworn or affirmed, was  
examined and testified as follows:

DIRECT EXAMINATION

BY MR. VERHEUL:

Q. Good morning.

What is your name?

A. My name is Mark Jones.

Q. Mr. Jones, could you describe your educational  
background and your work history?

A. I hold a bachelor of science degree in  
environmental engineering from the University of  
California Riverside.

I worked as a research engineer and consultant  
in the environmental field for two years.

Currently, I am an analyst with the Air  
Quality Bureau in the Farmington Field Office of the New  
Mexico Environment Department's Air Quality Bureau and  
have been since January, 2006. I help to coordinate  
projects in the Four Corners area, including the Four  
Corners Air Quality Group. I conduct public outreach,  
participate on oil and gas technical workgroups and  
prepare regulatory proposals.

My current resume was filed as NMED Exhibit 1.

Q. And was your written testimony in this matter

1 prefiled?

2 A. Yes. It was filed as NMED Exhibit 3.

3 Q. Do you have any changes or corrections to that  
4 testimony today?

5 A. Yes. There is one correction to the written  
6 testimony. Section II.D, paragraph 3, sentence 2, "The  
7 Gallup refinery uses a type of sulfur recovery system, a  
8 sour water to ammonium thiosulfate solution recovery  
9 process that is exempt from 40 CFR 63."

10 The correct rule citation should be 40 CFR 60.  
11 So it should be amended to read "The Gallup refinery  
12 uses a type of sulfur recovery system, a sour water to  
13 ammonium thiosulfate solution recovery process that is  
14 exempt from 40 CFR 60."

15 Q. And with that correction, do you adopt under  
16 oath your written testimony as your true and correct  
17 testimony in this matter?

18 A. I do.

19 Q. Do you have a summary of your written  
20 testimony that you would like to present today?

21 A. Yes. If what I provide today seems like an  
22 overview, it is because all the details are in the  
23 prefiled testimony.

24 Q. Please proceed with that overview.

25 A. NMED proposes to repeal 20.2.36 New Mexico

1 Administrative Code, or, as I will refer to it, Part 36.

2 By way of background, Part 36 was first  
3 adopted on July 15, 1974. The rule set sulfur recovery  
4 limits, expressed as weight recovered in pounds, for  
5 existing and new refineries. It established a fuel  
6 sulfur standard for fuel combustion devices and set a  
7 limit on refinery stack heights.

8 The regulation is not part of the federal  
9 Clean Air Act State Implementation Plan, and therefore,  
10 it is not federally enforceable by the Environmental  
11 Protection Agency.

12 These requirements overlap EPA's New Source  
13 Performance Standards for petroleum refineries, NSPS  
14 Subparts J and Ja. The EPA standards require sulfur  
15 emission limits that are more directly related to air  
16 emissions of sulfur than Part 36 and require continuous  
17 monitoring, which provides for more effective  
18 enforcement of the emission limits.

19 The affected sources are all New Mexico  
20 refineries and future refineries. New Mexico has three  
21 refineries: the Gallup Refinery; Western Refining in  
22 Gallup, New Mexico; and the Navajo Refining Company,  
23 Holly Corporation, made up of two facilities, one in  
24 Lovington and the other in Artesia.

25 Q. Mr. Jones, how does Part 36 compare with NSPS

1 Parts J and JA?

2 A. A table showing the side-by-side comparison of  
3 Part 36 to NSPS J and Ja requirements was filed as NMED  
4 Exhibit 7.

5 There are five requirements that are compared  
6 to the federal standards in the exhibit.

7 Q. Could you please describe the analysis?

8 A. Yes. I refer the members of the Board to NMED  
9 Exhibits 7, 8 and 9.

10 Recent sulfur balance reports for both Navajo  
11 refining facilities and the Gallup Refinery were used to  
12 compare the stringency of Part 36 to NSPS J and Ja.

13 An example sulfur balance report was filed as  
14 NMED Exhibit 8.

15 The analysis showed that the requirements in  
16 NSPS J and Ja are more stringent than those in Part 36.

17 There is an exemption from NSPS J and Ja that  
18 applies to one of the existing refineries in New Mexico.  
19 The Gallup Refinery uses a type of sulfur recovery  
20 system that is exempt from 40 CFR 60.

21 MR. TIMM: That's terrible. I thought I  
22 had -- I thought I had booted it off.

23 MR. HOLT: Is that your tie?

24 MR. TIMM: Sorry. I beg your pardon.

25 MR. JONES: So let me start that last

1 paragraph over.

2           The Gallup Refinery uses a type of sulfur  
3 recovery system that is exempt from 40 CFR 60. However,  
4 emissions from the exempted sulfur recovery system are  
5 negligible, and it is also covered by other NMED permit  
6 requirements.

7           A regulatory comparison showing NSPS J/Ja  
8 allowable emissions as compared to the Part 36 allowable  
9 limits for Gallup Refinery is shown in NMED Exhibit 9.

10           Q.     (BY MR. VERHEUL) In summary, what is the  
11 result of the analysis that you just described?

12           A.     The New Mexico Environment Department believes  
13 repeal of Part 36 would benefit the state by removing  
14 outdated, redundant requirements. Since federal  
15 regulations are in place for sulfur limits for existing  
16 and future refineries, a repeal of Part 36 would not  
17 negatively affect air quality.

18           Q.     Would this proposed repeal satisfy New Mexico  
19 Statute 74-2-5, pertaining to the duties and powers of  
20 this Board?

21           A.     Yes. In accordance with that section, the  
22 proposed repeal will result in no increases of emissions  
23 of air pollutants which would interfere with health,  
24 welfare, visibility or property, no increase in  
25 regulatory burden on facilities or harm to the public

1 interest, and no increase in economic hardship. The  
2 proposed repeal will have no effect on small businesses.

3 Q. Has the Department afforded the public an  
4 opportunity to participate in this rulemaking?

5 A. Yes. Beginning in 2013 a thorough analysis  
6 and stakeholder process were conducted which reinforced  
7 the recommendation to repeal this rule. A stakeholder  
8 letter to industry and environmental groups announcing  
9 the evaluation of Part 36 and soliciting comments was  
10 sent April 1st, 2014.

11 Information on the proposed repeal has been on  
12 the NMED Air Quality website -- Air Quality Bureau's  
13 website since the hearing was requested on July 17,  
14 2015. Public notices were published in the New Mexico  
15 Register and Albuquerque Journal on April 30th, 2015.

16 Also, an open house was held in Roswell on  
17 October 29, 2015, which no member of the public  
18 attended. A second open house in Albuquerque was  
19 canceled due to lack of interest.

20 Information on the public notice and open  
21 houses was also distributed via the New Mexico Air  
22 Quality Bureau LISTSERV.

23 Q. Does that conclude your testimony today?

24 A. Yes, it does. I respectfully request the  
25 Board to adopt this rule repeal at the conclusion of

1 this hearing.

2 MR. HOLT: Any member of the Board have  
3 questions for this witness?

4 EXAMINATION

5 BY THE BOARD:

6 MR. TIMM: Just one clarification.

7 Your -- as I understand, you want the entire  
8 NMAC 36 stricken, but the New Source Performance  
9 Standards only applies to either changes to existing  
10 refineries or new refineries.

11 So how are existing refineries then regulated  
12 with this repeal?

13 MR. JONES: NSPS Subparts J and Ja cover  
14 existing and new refineries.

15 MR. TIMM: Okay. I didn't get quite that far.  
16 Okay.

17 Thank you.

18 MR. HOLT: Other questions of the Board?

19 MR. VOLKERDING: I do. I'm trying to find  
20 my -- find my question.

21 In our rule it says that the Board should make  
22 its decisions on regulations based on three factors.  
23 And I'm trying to find those factors.

24 Oh. Thank you.

25 So the character and degree of injury to or

1 interference with health, welfare, visibility and  
2 property, public interest including social and economic  
3 value of the sources, and technical practicability and  
4 economic reasonableness.

5 Can -- for the record, can you address each of  
6 those three things?

7 I can read each one separately again. That  
8 was a mouthful.

9 So the first one would be character and degree  
10 of injury to or interference with health, welfare,  
11 visibility and property.

12 And I can help if you -- kind of what I'm  
13 thinking, but --

14 MR. JONES: Chairman Volkerding and members of  
15 the Board, the repeal of 20.2.36 is not expected to lead  
16 to any increase in emissions. So there should be no  
17 effect on public welfare.

18 MR. VOLKERDING: Okay.

19 Public interest including social and economic  
20 value of the sources and subjects of air contaminants?

21 MR. JONES: Also, because NMAC 20.2.36 is  
22 covered, the requirements in Part 36 are covered by the  
23 NSPS J and Ja, there should be no change.

24 MR. VOLKERDING: And lastly, technical  
25 practicability and economic reasonableness.

1 MR. JONES: Chairman Volkerding and members of  
2 the Board, again, since the Part 36 is redundant, it  
3 should have no effect.

4 MR. VOLKERDING: Okay. Thank you.

5 That's my only question.

6 MR. HOLT: I have a couple of brief questions.

7 You've provided us with a proposed order and  
8 statement of reasons for repeal, and I wanted to go  
9 through a couple matters and make sure the record is  
10 clear in that regard.

11 I understand that when Part 36 was adopted,  
12 and you testified that was July 15 of 1974, continuous  
13 emissions monitoring systems were not widely in use.

14 MR. JONES: That's correct.

15 MR. HOLT: And that has changed since then?

16 MR. JONES: Yes.

17 MR. HOLT: In proposed finding -- or statement  
18 of reason number 6, you said "Calculating mass balance  
19 reports required by Part 36 requires the use of  
20 engineering resources at refineries, as well as  
21 Department resources to review and process the  
22 submittals."

23 Can you comment on the evidence behind that?

24 MR. JONES: Yes. As part of the stakeholder  
25 process, we spoke with the refineries, and they

1 communicated to us that it was at times difficult to --  
2 to do the mass balances and that it required extra  
3 resources and extra staff to do those tests.

4 NSPS J and Ja already requires quarterly and  
5 annual reporting on emissions from the stacks.

6 MR. HOLT: Those are my only questions.

7 Thank you.

8 Is there anyone else present today that has  
9 questions of this witness?

10 Seeing no response, Mr. Verheul, do you have  
11 any other evidence?

12 MR. VERHEUL: I have none.

13 MR. HOLT: Is there anyone present that has  
14 any public comment to make?

15 I notice there's notice of intent -- no  
16 notices of intent to provide technical testimony, but if  
17 anyone has nontechnical comments to make, now is the  
18 time.

19 Yes, please. Come forward.

20 Could you tell us your name, please.

21 MS. PORTER: Good morning.

22 My name is Leslie Porter. I'm the director of  
23 the Office of Business Advocacy for the New Mexico  
24 Economic Development Department. I also administer the  
25 Small Business Regulatory Advisory Commission.

1           Yesterday the commission heard testimony from  
2 the Environment Department about this proposed rule  
3 change, and it stands in support of the rule change. It  
4 feels confident it does not negatively affect small  
5 businesses in New Mexico.

6           MR. HOLT: Thank you. I appreciate your time  
7 today.

8           MS. PORTER: Thank you.

9           MR. HOLT: Any other comment?

10          Mr. Verheul, would you like to give us a  
11 closing statement?

12          MR. VERHEUL: Just simply that we ask that you  
13 approve the repeal of this part of the New Mexico  
14 Administrative Code. Thank you.

15          MR. HOLT: Is there any reason at all to keep  
16 the record open?

17          MR. VERHEUL: (Shakes head.)

18          MR. HOLT: If not, the record is now closed,  
19 and the hearing -- the hearing but not our meeting is  
20 adjourned.

21          (Hearing concluded.)

22          MR. HOLT: And, Chairman, back to you.

23          MR. VOLKERDING: Okay. Thank you.

24          I -- you seemed to be getting ready to provide  
25 something. I just wanted to give you that opportunity.

1           What was that?

2           MR. VERHEUL: Well, if you're going to  
3 deliberate and make a ruling at this time, I have a  
4 proposed order for signature, as well as a transmittal  
5 sheet. But I don't know if you plan on deliberating at  
6 this time.

7           MR. VOLKERDING: I think we'll deliberate.

8           I had not read -- is the -- is the proposed  
9 order similar to what was already submitted in the -- or  
10 is it different?

11          MR. VERHEUL: It's identical.

12          MR. VOLKERDING: Okay.

13          MR. HOLT: Exhibit 13?

14          MR. VERHEUL: Yes.

15          MR. VOLKERDING: Let's -- let's do the  
16 deliberation, then we'll go from there.

17          Any -- any comments from the members of the  
18 Board?

19          MR. TIMM: The only thing I'll say, it looked  
20 to me as though the subpart J only covered any  
21 refineries that were in operation after 1973, and I  
22 believe some of our refineries were in operation long  
23 before that. That's why I asked the question, because  
24 60.100.B basically looks like it was only after 1974  
25 Subpart J kicked in.

1 Is that not the case?

2 That just seemed to me -- that's how I read  
3 it.

4 It's just a comment.

5 MR. VOLKERDING: The answer is -- is yes and  
6 no. Yes, they were in existence, some of them, prior to  
7 that date. However, they have undergone modifications  
8 that then have triggered the NSPS.

9 MR. TIMM: Okay.

10 MR. VOLKERDING: And so they are all subject  
11 to the NSPS.

12 MR. TIMM: It's because of modifications since  
13 that time?

14 MR. VOLKERDING: Yes.

15 MR. TIMM: Okay.

16 MR. VOLKERDING: Any other questions or -- let  
17 me -- I actually had not read the statement of reasons.

18 Were there -- Member Holt, were there any  
19 other questions, comments, changes to the statement of  
20 reasons -- the draft statement of reasons that were  
21 submitted?

22 MR. HOLT: I had none.

23 MR. VOLKERDING: Okay.

24 Yeah. I think the Department, you know -- it  
25 seems that the evidence they presented is that this is a

1 not only redundant but basically obsolete regulation  
2 from the -- the federal regulations, and I -- I would  
3 support cleaning up the -- the air regulations to  
4 reflect really what ought to be -- I guess what are the  
5 current applicable standards.

6 So I would -- I would be in favor of granting  
7 the petition.

8 MR. HOLT: I move to grant the petition and to  
9 repeal 20.2.36 New Mexico Administrative Code.

10 MR. TIMM: Second.

11 MR. VOLKERDING: All in favor?

12 (Simultaneous responses.)

13 MR. VOLKERDING: Unanimous, motion is carried.  
14 The petition is granted.

15 Mr. Verheul, do you want to go ahead and give  
16 that to me?

17 I -- just give me a minute or so to read  
18 through it and -- and possibly sign.

19 And I have not signed -- okay. Right there.  
20 I just didn't know where to sign one of these. I had  
21 not done that before.

22 Thank you.

23 Had you read through the --

24 (Discussion off the record.)

25 MR. VOLKERDING: And do we know if it needs to

1 be signed in blue or black?

2 MR. VERHEUL: Black.

3 MR. VOLKERDING: Black. Okay.

4 That's why I bring one of these pens. I can  
5 do just about any color.

6 And then today is the 18th.

7 MR. VERHEUL: The proposed order --

8 MR. VOLKERDING: Oh.

9 MR. VERHEUL: -- is all the way at the end of  
10 the second document.

11 MR. VOLKERDING: Thank you very much.

12 MR. VERHEUL: Thank you.

13 (Proceedings adjourned at 9:39 a.m.)

14

15

16

17

18

19

20

21

22

23

24

25

1 STATE OF NEW MEXICO )  
2 ) ss.  
3 COUNTY OF BERNALILLO )  
4  
5

6 I, CHERYL ARREGUIN, the officer before whom the  
7 foregoing proceeding was taken, do hereby certify that  
8 the witnesses whose testimony appears in the foregoing  
9 transcript were duly sworn or affirmed; that I  
10 personally recorded the testimony by machine shorthand;  
11 that said transcript is a true record of the testimony  
12 given by said witnesses; that I am neither attorney nor  
13 counsel for, nor related to or employed by any of the  
14 parties to the action in which this proceeding is taken,  
15 and that I am not a relative or employee of any attorney  
16 or counsel employed by the parties hereto or financially  
17 interested in the action.

18  
19 \_\_\_\_\_  
20 NOTARY PUBLIC  
21 CCR License Number: 21  
22 Expires: 12/31/2016

23  
24  
25 My Commission Expires: 12/12/19

<b>1</b>	<b>5</b>	5:24 <b>adopt</b> [2] - 8:15, 12:25 <b>adopted</b> [2] - 9:3, 15:11 <b>Advisory</b> [1] - 16:25 <b>Advocacy</b> [1] - 16:23 <b>affect</b> [2] - 11:17, 17:4 <b>affected</b> [1] - 9:19 <b>affirmed</b> [2] - 7:2, 22:9 <b>afforded</b> [1] - 12:3 <b>Agency</b> [1] - 9:11 <b>agenda</b> [1] - 4:1 <b>ahead</b> [1] - 20:15 <b>Air</b> [10] - 1:5, 4:11, 4:14, 7:16, 7:18, 7:21, 9:9, 12:12, 12:21 <b>air</b> [5] - 9:15, 11:17, 11:23, 14:20, 20:3 <b>Albuquerque</b> [2] - 12:15, 12:18 <b>allowable</b> [2] - 11:8 <b>amended</b> [1] - 8:11 <b>ammonium</b> [2] - 8:8, 8:13 <b>amount</b> [1] - 6:11 <b>analysis</b> [4] - 10:7, 10:15, 11:11, 12:5 <b>analyst</b> [1] - 7:16 <b>announcing</b> [1] - 12:8 <b>annual</b> [1] - 16:5 <b>answer</b> [1] - 19:5 <b>applicable</b> [1] - 20:5 <b>applies</b> [2] - 10:18, 13:9 <b>apply</b> [1] - 5:11 <b>appreciate</b> [1] - 17:6 <b>approve</b> [2] - 6:16, 17:13 <b>April</b> [2] - 12:10, 12:15 <b>area</b> [1] - 7:20 <b>Arreguin</b> [1] - 5:20 <b>ARREGUIN</b> [1] - 22:6 <b>Artesia</b> [1] - 9:24 <b>assistant</b> [1] - 2:6 <b>Assistant</b> [1] - 2:12 <b>attendance</b> [1] - 5:16 <b>attended</b> [1] - 12:18 <b>attorney</b> [2] - 22:12, 22:15 <b>Attorney</b> [2] - 2:6, 2:7 <b>avoid</b> [1] - 5:17	<b>B</b>	<b>carried</b> [1] - 20:13 <b>CASCIANO</b> [1] - 2:5 <b>case</b> [4] - 4:15, 5:11, 6:7, 19:1 <b>CCR</b> [1] - 22:20 <b>certify</b> [1] - 22:7 <b>CFR</b> [5] - 8:9, 8:10, 8:14, 10:20, 11:3 <b>Chair</b> [2] - 2:3, 4:7 <b>chairman</b> [2] - 14:14, 15:1 <b>Chairman</b> [1] - 17:22 <b>change</b> [4] - 6:5, 14:23, 17:3 <b>changed</b> [1] - 15:15 <b>changes</b> [3] - 8:3, 13:9, 19:19 <b>character</b> [2] - 13:25, 14:9 <b>CHERYL</b> [1] - 22:6 <b>Cheryl</b> [1] - 5:20 <b>chief</b> [1] - 4:14 <b>CHRISTOPHER</b> [1] - 2:4 <b>citation</b> [1] - 8:10 <b>Civil</b> [1] - 5:10 <b>clarification</b> [1] - 13:6 <b>Clean</b> [1] - 9:9 <b>cleaning</b> [1] - 20:3 <b>clear</b> [1] - 15:10 <b>closed</b> [1] - 17:18 <b>closing</b> [1] - 17:11 <b>Code</b> [7] - 5:1, 5:6, 6:17, 6:19, 9:1, 17:14, 20:9 <b>color</b> [1] - 21:5 <b>combustion</b> [1] - 9:6 <b>comment</b> [6] - 6:9, 6:10, 15:23, 16:14, 17:9, 19:4 <b>Comment</b> [1] - 3:8 <b>comments</b> [4] - 12:9, 16:17, 18:17, 19:19 <b>Commission</b> [2] - 16:25, 22:22 <b>commission</b> [1] - 17:1 <b>communicated</b> [1] - 16:1 <b>Company</b> [1] - 9:22 <b>compare</b> [2] - 9:25, 10:12 <b>compared</b> [2] - 10:5, 11:8 <b>comparison</b> [2] - 10:2, 11:7 <b>concerns</b> [1] - 5:2 <b>conclude</b> [1] - 12:23
<b>2</b>	<b>6</b>			
<b>3</b>	<b>7</b>			
<b>4</b>	<b>8</b>			
<b>5</b>	<b>9</b>			
<b>6</b>	<b>A</b>			
<b>7</b>	<b>B</b>			
<b>8</b>	<b>C</b>			
<b>9</b>	<b>D</b>			

KATHY TOWNSEND COURT REPORTERS

110 Twelfth Street, Northwest, Albuquerque, New Mexico 87102

(505) 243-5018 - Fax (505) 243-3606



<p><b>interference</b> [2] - 14:1, 14:10  <b>interrupt</b> [1] - 4:19  <b>intimidation</b> [1] - 5:17  <b>IT</b> [1] - 1:15  <b>Item</b> [1] - 4:1  <b>itself</b> [1] - 5:2</p>	<p><b>Lovington</b> [1] - 9:24</p>	<p>17:17, 17:18, 17:22, 17:23, 18:2, 18:7, 18:11, 18:12, 18:13, 18:14, 18:15, 18:19, 19:5, 19:9, 19:10, 19:12, 19:14, 19:15, 19:16, 19:22, 19:23, 20:8, 20:10, 20:11, 20:13, 20:25, 21:2, 21:3, 21:7, 21:8, 21:9, 21:11, 21:12  <b>MS</b> [2] - 16:21, 17:8</p>	<p><b>number</b> [1] - 15:18  <b>Number</b> [1] - 22:20</p>	<p>22:14, 22:16  <b>Parts</b> [1] - 10:1  <b>pens</b> [1] - 21:4  <b>Performance</b> [2] - 9:13, 13:8</p>
<p><b>J</b></p>	<p><b>M</b></p>	<p><b>N</b></p>	<p><b>O</b></p>	<p><b>permit</b> [1] - 11:5  <b>personally</b> [1] - 22:10  <b>persons</b> [3] - 5:8, 5:14, 5:15  <b>pertaining</b> [1] - 11:19  <b>petition</b> [4] - 6:4, 20:7, 20:8, 20:14  <b>petitioner</b> [1] - 1:7  <b>Petroleum</b> [1] - 9:13  <b>Petroleum</b> [2] - 1:4, 4:3  <b>phone</b> [1] - 6:2  <b>piece</b> [1] - 6:19  <b>place</b> [1] - 11:15  <b>plan</b> [1] - 18:5  <b>Plan</b> [1] - 9:9  <b>point</b> [1] - 6:15  <b>pollutants</b> [1] - 11:23  <b>Porter</b> [1] - 16:22  <b>PORTER</b> [3] - 3:7, 16:21, 17:8  <b>possibly</b> [1] - 20:18  <b>Post</b> [1] - 2:8  <b>pounds</b> [1] - 9:4  <b>powers</b> [1] - 11:19  <b>practicability</b> [2] - 14:3, 14:25  <b>prefiled</b> [2] - 8:1, 8:23  <b>prepare</b> [1] - 7:23  <b>present</b> [5] - 6:1, 6:6, 8:20, 16:8, 16:13  <b>presented</b> [1] - 19:25  <b>preserve</b> [1] - 5:12  <b>primary</b> [1] - 4:11  <b>Procedure</b> [1] - 5:10  <b>procedures</b> [2] - 5:4, 5:6  <b>proceed</b> [1] - 8:24  <b>proceeding</b> [2] - 22:7, 22:14  <b>Proceedings</b> [1] - 21:13  <b>PROCEEDINGS</b> [1] - 1:13  <b>process</b> [5] - 8:9, 8:13, 12:6, 15:21, 15:25  <b>projects</b> [1] - 7:20  <b>property</b> [3] - 11:24, 14:2, 14:11  <b>proposals</b> [1] - 7:23</p>
<p><b>J/Ja</b> [1] - 11:7  <b>JA</b> [1] - 10:1  <b>JAMES</b> [1] - 2:5  <b>January</b> [1] - 7:19  <b>jdworak@nmag.gov</b> [1] - 2:9  <b>JOHN</b> [2] - 2:3, 2:12  <b>john.verheul@state.nm.us</b> [1] - 2:16  <b>Jones</b> [5] - 4:9, 6:24, 7:8, 7:9, 9:25  <b>JONES</b> [10] - 3:4, 7:1, 10:25, 13:13, 14:14, 14:21, 15:1, 15:14, 15:16, 15:24  <b>Jones'</b> [1] - 4:16  <b>JOSEPH</b> [1] - 2:6  <b>Journal</b> [1] - 12:15  <b>July</b> [3] - 9:3, 12:13, 15:12</p>	<p><b>machine</b> [1] - 22:10  <b>MARK</b> [2] - 3:4, 7:1  <b>Mark</b> [3] - 4:9, 6:24, 7:8  <b>mass</b> [2] - 15:18, 16:2  <b>MATTER</b> [1] - 1:4  <b>Matter</b> [1] - 4:2  <b>matter</b> [4] - 1:16, 5:13, 7:25, 8:17  <b>matters</b> [1] - 15:9  <b>MATTHEW</b> [1] - 2:4  <b>Matthew</b> [1] - 4:23  <b>meeting</b> [1] - 17:19  <b>member</b> [2] - 12:17, 13:2  <b>Member</b> [1] - 19:18  <b>members</b> [8] - 4:7, 6:4, 6:8, 6:9, 10:8, 14:14, 15:1, 18:17  <b>MEXICO</b> [2] - 1:1, 22:1  <b>Mexico</b> [25] - 1:6, 1:17, 1:20, 2:8, 2:11, 2:13, 2:15, 4:10, 5:1, 5:5, 6:17, 7:18, 8:25, 9:19, 9:20, 9:22, 10:18, 11:12, 11:18, 12:14, 12:21, 16:23, 17:5, 17:13, 20:9  <b>MICHAEL</b> [1] - 2:3  <b>minute</b> [1] - 20:17  <b>modifications</b> [2] - 19:7, 19:12  <b>monitoring</b> [2] - 9:17, 15:13  <b>morning</b> [4] - 4:7, 4:22, 7:6, 16:21  <b>MORROW</b> [1] - 2:3  <b>motion</b> [1] - 20:13  <b>motions</b> [1] - 6:7  <b>mouthful</b> [1] - 14:8  <b>move</b> [1] - 20:8  <b>MR</b> [69] - 4:1, 4:6, 4:18, 6:14, 6:22, 7:5, 10:21, 10:23, 10:24, 10:25, 11:10, 13:2, 13:6, 13:13, 13:15, 13:18, 13:19, 14:14, 14:18, 14:21, 14:24, 15:1, 15:4, 15:6, 15:14, 15:15, 15:16, 15:17, 15:24, 16:6, 16:12, 16:13, 17:6, 17:9, 17:12, 17:15,</p>	<p><b>N-4050</b> [1] - 2:14  <b>name</b> [5] - 4:23, 7:7, 7:8, 16:20, 16:22  <b>Navajo</b> [2] - 9:22, 10:10  <b>necessary</b> [2] - 5:12, 5:17  <b>needed</b> [1] - 6:11  <b>needs</b> [1] - 20:25  <b>negatively</b> [2] - 11:17, 17:4  <b>negligible</b> [1] - 11:5  <b>NEW</b> [2] - 1:1, 22:1  <b>new</b> [3] - 9:5, 13:10, 13:14  <b>New</b> [27] - 1:6, 1:17, 1:20, 2:8, 2:11, 2:13, 2:15, 4:10, 5:1, 5:5, 6:16, 7:17, 8:25, 9:12, 9:19, 9:20, 9:22, 10:18, 11:12, 11:18, 12:14, 12:21, 13:8, 16:23, 17:5, 17:13, 20:9  <b>NMAC</b> [5] - 1:4, 4:3, 6:17, 13:8, 14:21  <b>NMED</b> [10] - 4:4, 7:24, 8:2, 8:25, 10:3, 10:8, 10:14, 11:5, 11:9, 12:12  <b>none</b> [2] - 16:12, 19:22  <b>nontechnical</b> [1] - 16:17  <b>NOTARY</b> [1] - 22:19  <b>notice</b> [4] - 6:5, 12:20, 16:15  <b>notices</b> [2] - 12:14, 16:16  <b>NSPS</b> [12] - 9:13, 9:25, 10:3, 10:12, 10:16, 10:17, 11:7, 13:13, 14:23, 16:4, 19:8, 19:11</p>	<p><b>Oath</b> [1] - 6:24  <b>oath</b> [2] - 5:14, 8:16  <b>obsolete</b> [1] - 20:1  <b>obtain</b> [1] - 5:21  <b>October</b> [1] - 12:17  <b>OF</b> [6] - 1:1, 1:4, 1:13, 22:1, 22:3  <b>Office</b> [5] - 2:7, 2:8, 2:13, 7:17, 16:23  <b>office</b> [1] - 5:23  <b>officer</b> [1] - 22:6  <b>Officer</b> [4] - 2:4, 4:24, 4:25, 6:14  <b>oil</b> [1] - 7:22  <b>Old</b> [1] - 1:19  <b>one</b> [8] - 8:5, 9:23, 10:18, 13:6, 14:7, 14:9, 20:20, 21:4  <b>open</b> [5] - 2:7, 12:16, 12:18, 12:20, 17:16  <b>operation</b> [2] - 18:21, 18:22  <b>opportunity</b> [4] - 5:7, 6:8, 12:4, 17:25  <b>order</b> [4] - 15:7, 18:4, 18:9, 21:7  <b>orders</b> [1] - 5:12  <b>ought</b> [1] - 20:4  <b>outdated</b> [2] - 6:18, 11:14  <b>outreach</b> [1] - 7:21  <b>overlap</b> [1] - 9:12  <b>overview</b> [2] - 8:22, 8:24</p>	<p><b>parts</b> [1] - 10:1  <b>pens</b> [1] - 21:4  <b>Performance</b> [2] - 9:13, 13:8  <b>permit</b> [1] - 11:5  <b>personally</b> [1] - 22:10  <b>persons</b> [3] - 5:8, 5:14, 5:15  <b>pertaining</b> [1] - 11:19  <b>petition</b> [4] - 6:4, 20:7, 20:8, 20:14  <b>petitioner</b> [1] - 1:7  <b>Petroleum</b> [1] - 9:13  <b>Petroleum</b> [2] - 1:4, 4:3  <b>phone</b> [1] - 6:2  <b>piece</b> [1] - 6:19  <b>place</b> [1] - 11:15  <b>plan</b> [1] - 18:5  <b>Plan</b> [1] - 9:9  <b>point</b> [1] - 6:15  <b>pollutants</b> [1] - 11:23  <b>Porter</b> [1] - 16:22  <b>PORTER</b> [3] - 3:7, 16:21, 17:8  <b>possibly</b> [1] - 20:18  <b>Post</b> [1] - 2:8  <b>pounds</b> [1] - 9:4  <b>powers</b> [1] - 11:19  <b>practicability</b> [2] - 14:3, 14:25  <b>prefiled</b> [2] - 8:1, 8:23  <b>prepare</b> [1] - 7:23  <b>present</b> [5] - 6:1, 6:6, 8:20, 16:8, 16:13  <b>presented</b> [1] - 19:25  <b>preserve</b> [1] - 5:12  <b>primary</b> [1] - 4:11  <b>Procedure</b> [1] - 5:10  <b>procedures</b> [2] - 5:4, 5:6  <b>proceed</b> [1] - 8:24  <b>proceeding</b> [2] - 22:7, 22:14  <b>Proceedings</b> [1] - 21:13  <b>PROCEEDINGS</b> [1] - 1:13  <b>process</b> [5] - 8:9, 8:13, 12:6, 15:21, 15:25  <b>projects</b> [1] - 7:20  <b>property</b> [3] - 11:24, 14:2, 14:11  <b>proposals</b> [1] - 7:23</p>
<p><b>K</b></p>	<p><b>MORNING</b> [4] - 4:7, 4:22, 7:6, 16:21  <b>MORROW</b> [1] - 2:3  <b>motion</b> [1] - 20:13  <b>motions</b> [1] - 6:7  <b>mouthful</b> [1] - 14:8  <b>move</b> [1] - 20:8  <b>MR</b> [69] - 4:1, 4:6, 4:18, 6:14, 6:22, 7:5, 10:21, 10:23, 10:24, 10:25, 11:10, 13:2, 13:6, 13:13, 13:15, 13:18, 13:19, 14:14, 14:18, 14:21, 14:24, 15:1, 15:4, 15:6, 15:14, 15:15, 15:16, 15:17, 15:24, 16:6, 16:12, 16:13, 17:6, 17:9, 17:12, 17:15,</p>	<p><b>N</b></p>	<p><b>P</b></p>	<p><b>parts</b> [1] - 10:1  <b>pens</b> [1] - 21:4  <b>Performance</b> [2] - 9:13, 13:8  <b>permit</b> [1] - 11:5  <b>personally</b> [1] - 22:10  <b>persons</b> [3] - 5:8, 5:14, 5:15  <b>pertaining</b> [1] - 11:19  <b>petition</b> [4] - 6:4, 20:7, 20:8, 20:14  <b>petitioner</b> [1] - 1:7  <b>Petroleum</b> [1] - 9:13  <b>Petroleum</b> [2] - 1:4, 4:3  <b>phone</b> [1] - 6:2  <b>piece</b> [1] - 6:19  <b>place</b> [1] - 11:15  <b>plan</b> [1] - 18:5  <b>Plan</b> [1] - 9:9  <b>point</b> [1] - 6:15  <b>pollutants</b> [1] - 11:23  <b>Porter</b> [1] - 16:22  <b>PORTER</b> [3] - 3:7, 16:21, 17:8  <b>possibly</b> [1] - 20:18  <b>Post</b> [1] - 2:8  <b>pounds</b> [1] - 9:4  <b>powers</b> [1] - 11:19  <b>practicability</b> [2] - 14:3, 14:25  <b>prefiled</b> [2] - 8:1, 8:23  <b>prepare</b> [1] - 7:23  <b>present</b> [5] - 6:1, 6:6, 8:20, 16:8, 16:13  <b>presented</b> [1] - 19:25  <b>preserve</b> [1] - 5:12  <b>primary</b> [1] - 4:11  <b>Procedure</b> [1] - 5:10  <b>procedures</b> [2] - 5:4, 5:6  <b>proceed</b> [1] - 8:24  <b>proceeding</b> [2] - 22:7, 22:14  <b>Proceedings</b> [1] - 21:13  <b>PROCEEDINGS</b> [1] - 1:13  <b>process</b> [5] - 8:9, 8:13, 12:6, 15:21, 15:25  <b>projects</b> [1] - 7:20  <b>property</b> [3] - 11:24, 14:2, 14:11  <b>proposals</b> [1] - 7:23</p>
<p><b>Kathy</b> [1] - 5:20  <b>keep</b> [1] - 17:15  <b>kicked</b> [1] - 18:25  <b>kind</b> [1] - 14:12</p>	<p><b>MORNING</b> [4] - 4:7, 4:22, 7:6, 16:21  <b>MORROW</b> [1] - 2:3  <b>motion</b> [1] - 20:13  <b>motions</b> [1] - 6:7  <b>mouthful</b> [1] - 14:8  <b>move</b> [1] - 20:8  <b>MR</b> [69] - 4:1, 4:6, 4:18, 6:14, 6:22, 7:5, 10:21, 10:23, 10:24, 10:25, 11:10, 13:2, 13:6, 13:13, 13:15, 13:18, 13:19, 14:14, 14:18, 14:21, 14:24, 15:1, 15:4, 15:6, 15:14, 15:15, 15:16, 15:17, 15:24, 16:6, 16:12, 16:13, 17:6, 17:9, 17:12, 17:15,</p>	<p><b>N</b></p>	<p><b>P</b></p>	<p><b>parts</b> [1] - 10:1  <b>pens</b> [1] - 21:4  <b>Performance</b> [2] - 9:13, 13:8  <b>permit</b> [1] - 11:5  <b>personally</b> [1] - 22:10  <b>persons</b> [3] - 5:8, 5:14, 5:15  <b>pertaining</b> [1] - 11:19  <b>petition</b> [4] - 6:4, 20:7, 20:8, 20:14  <b>petitioner</b> [1] - 1:7  <b>Petroleum</b> [1] - 9:13  <b>Petroleum</b> [2] - 1:4, 4:3  <b>phone</b> [1] - 6:2  <b>piece</b> [1] - 6:19  <b>place</b> [1] - 11:15  <b>plan</b> [1] - 18:5  <b>Plan</b> [1] - 9:9  <b>point</b> [1] - 6:15  <b>pollutants</b> [1] - 11:23  <b>Porter</b> [1] - 16:22  <b>PORTER</b> [3] - 3:7, 16:21, 17:8  <b>possibly</b> [1] - 20:18  <b>Post</b> [1] - 2:8  <b>pounds</b> [1] - 9:4  <b>powers</b> [1] - 11:19  <b>practicability</b> [2] - 14:3, 14:25  <b>prefiled</b> [2] - 8:1, 8:23  <b>prepare</b> [1] - 7:23  <b>present</b> [5] - 6:1, 6:6, 8:20, 16:8, 16:13  <b>presented</b> [1] - 19:25  <b>preserve</b> [1] - 5:12  <b>primary</b> [1] - 4:11  <b>Procedure</b> [1] - 5:10  <b>procedures</b> [2] - 5:4, 5:6  <b>proceed</b> [1] - 8:24  <b>proceeding</b> [2] - 22:7, 22:14  <b>Proceedings</b> [1] - 21:13  <b>PROCEEDINGS</b> [1] - 1:13  <b>process</b> [5] - 8:9, 8:13, 12:6, 15:21, 15:25  <b>projects</b> [1] - 7:20  <b>property</b> [3] - 11:24, 14:2, 14:11  <b>proposals</b> [1] - 7:23</p>
<p><b>lack</b> [1] - 12:19  <b>last</b> [1] - 10:25  <b>lastly</b> [1] - 14:24  <b>lead</b> [1] - 14:15  <b>lengthy</b> [1] - 5:9  <b>LESLIE</b> [1] - 3:7  <b>Leslie</b> [1] - 16:22  <b>letter</b> [1] - 12:8  <b>License</b> [1] - 22:20  <b>limit</b> [2] - 5:16, 9:7  <b>limits</b> [5] - 9:4, 9:15, 9:18, 11:9, 11:15  <b>LISTSERV</b> [1] - 12:22  <b>looked</b> [1] - 18:19  <b>looks</b> [1] - 18:24</p>	<p><b>MORNING</b> [4] - 4:7, 4:22, 7:6, 16:21  <b>MORROW</b> [1] - 2:3  <b>motion</b> [1] - 20:13  <b>motions</b> [1] - 6:7  <b>mouthful</b> [1] - 14:8  <b>move</b> [1] - 20:8  <b>MR</b> [69] - 4:1, 4:6, 4:18, 6:14, 6:22, 7:5, 10:21, 10:23, 10:24, 10:25, 11:10, 13:2, 13:6, 13:13, 13:15, 13:18, 13:19, 14:14, 14:18, 14:21, 14:24, 15:1, 15:4, 15:6, 15:14, 15:15, 15:16, 15:17, 15:24, 16:6, 16:12, 16:13, 17:6, 17:9, 17:12, 17:15,</p>	<p><b>N</b></p>	<p><b>PAGE</b> [1] - 3:2  <b>pager</b> [1] - 6:2  <b>paragraph</b> [2] - 8:6, 11:1  <b>pardon</b> [1] - 10:24  <b>Part</b> [15] - 9:1, 9:2, 9:16, 9:25, 10:3, 10:12, 10:16, 11:8, 11:13, 11:16, 12:9, 14:22, 15:2, 15:11, 15:19  <b>part</b> [3] - 9:8, 15:24, 17:13  <b>participate</b> [2] - 7:22, 12:4  <b>parties</b> [3] - 6:6,</p>	<p><b>parts</b> [1] - 10:1  <b>pens</b> [1] - 21:4  <b>Performance</b> [2] - 9:13, 13:8  <b>permit</b> [1] - 11:5  <b>personally</b> [1] - 22:10  <b>persons</b> [3] - 5:8, 5:14, 5:15  <b>pertaining</b> [1] - 11:19  <b>petition</b> [4] - 6:4, 20:7, 20:8, 20:14  <b>petitioner</b> [1] - 1:7  <b>Petroleum</b> [1] - 9:13  <b>Petroleum</b> [2] - 1:4, 4:3  <b>phone</b> [1] - 6:2  <b>piece</b> [1] - 6:19  <b>place</b> [1] - 11:15  <b>plan</b> [1] - 18:5  <b>Plan</b> [1] - 9:9  <b>point</b> [1] - 6:15  <b>pollutants</b> [1] - 11:23  <b>Porter</b> [1] - 16:22  <b>PORTER</b> [3] - 3:7, 16:21, 17:8  <b>possibly</b> [1] - 20:18  <b>Post</b> [1] - 2:8  <b>pounds</b> [1] - 9:4  <b>powers</b> [1] - 11:19  <b>practicability</b> [2] - 14:3, 14:25  <b>prefiled</b> [2] - 8:1, 8:23  <b>prepare</b> [1] - 7:23  <b>present</b> [5] - 6:1, 6:6, 8:20, 16:8, 16:13  <b>presented</b> [1] - 19:25  <b>preserve</b> [1] - 5:12  <b>primary</b> [1] - 4:11  <b>Procedure</b> [1] - 5:10  <b>procedures</b> [2] - 5:4, 5:6  <b>proceed</b> [1] - 8:24  <b>proceeding</b> [2] - 22:7, 22:14  <b>Proceedings</b> [1] - 21:13  <b>PROCEEDINGS</b> [1] - 1:13  <b>process</b> [5] - 8:9, 8:13, 12:6, 15:21, 15:25  <b>projects</b> [1] - 7:20  <b>property</b> [3] - 11:24, 14:2, 14:11  <b>proposals</b> [1] - 7:23</p>

KATHY TOWNSEND COURT REPORTERS

110 Twelfth Street, Northwest, Albuquerque, New Mexico 87102

(505) 243-5018 - Fax (505) 243-3606

<p><b>Proposed</b> [1] - 4:2  <b>proposed</b> [12] - 4:25, 6:16, 11:18, 11:22, 12:2, 12:11, 15:7, 15:17, 17:2, 18:4, 18:8, 21:7  <b>PROPOSED</b> [1] - 1:4  <b>proposes</b> [1] - 8:25  <b>Protection</b> [2] - 1:6, 9:11  <b>provide</b> [5] - 5:7, 6:8, 8:21, 16:16, 17:24  <b>provided</b> [1] - 15:7  <b>provides</b> [1] - 9:17  <b>public</b> [13] - 5:23, 6:9, 7:21, 11:25, 12:3, 12:14, 12:17, 12:20, 14:2, 14:17, 14:19, 16:14  <b>PUBLIC</b> [1] - 22:19  <b>Public</b> [1] - 3:8  <b>published</b> [1] - 12:14  <b>pursuant</b> [1] - 5:6</p>	<p>22:10  <b>recovered</b> [1] - 9:4  <b>recovery</b> [9] - 5:2, 8:7, 8:8, 8:12, 8:13, 9:3, 10:19, 11:3, 11:4  <b>redundant</b> [4] - 6:19, 11:14, 15:2, 20:1  <b>refer</b> [2] - 9:1, 10:8  <b>refineries</b> [15] - 9:5, 9:13, 9:20, 9:21, 10:18, 11:16, 13:10, 13:11, 13:14, 15:20, 15:25, 18:21, 18:22  <b>Refinery</b> [7] - 1:4, 4:3, 9:21, 10:11, 10:19, 11:2, 11:9  <b>refinery</b> [3] - 8:7, 8:11, 9:7  <b>Refining</b> [2] - 9:21, 9:22  <b>refining</b> [1] - 10:11  <b>reflect</b> [1] - 20:4  <b>regard</b> [1] - 15:10  <b>regardless</b> [1] - 6:1  <b>Register</b> [1] - 12:15  <b>register</b> [1] - 6:11  <b>regulated</b> [1] - 13:11  <b>regulation</b> [2] - 9:8, 20:1  <b>regulations</b> [4] - 11:15, 13:22, 20:2, 20:3  <b>regulatory</b> [4] - 6:5, 7:23, 11:7, 11:25  <b>Regulatory</b> [1] - 16:25  <b>reinforced</b> [1] - 12:6  <b>related</b> [2] - 9:15, 22:13  <b>relative</b> [1] - 22:15  <b>REMEMBERED</b> [1] - 1:15  <b>removing</b> [1] - 11:13  <b>Repeal</b> [1] - 4:2  <b>repeal</b> [16] - 4:25, 6:16, 8:25, 11:13, 11:16, 11:18, 11:22, 12:2, 12:7, 12:11, 12:25, 13:12, 14:15, 15:8, 17:13, 20:9  <b>REPEAL</b> [1] - 1:4  <b>repealed</b> [1] - 6:20  <b>repetition</b> [1] - 5:18  <b>report</b> [1] - 10:13  <b>reporter</b> [1] - 5:22  <b>Reporters</b> [1] - 5:21  <b>reporting</b> [1] - 16:5  <b>reports</b> [2] - 10:10, 15:19  <b>request</b> [1] - 12:24</p>	<p><b>requested</b> [1] - 12:13  <b>require</b> [2] - 9:14, 9:16  <b>required</b> [2] - 15:19, 16:2  <b>requirements</b> [7] - 9:12, 10:3, 10:5, 10:15, 11:6, 11:14, 14:22  <b>requires</b> [2] - 15:19, 16:4  <b>research</b> [1] - 7:14  <b>resources</b> [3] - 15:20, 15:21, 16:3  <b>respectfully</b> [1] - 12:24  <b>response</b> [1] - 16:10  <b>responses</b> [1] - 20:12  <b>result</b> [2] - 11:11, 11:22  <b>resume</b> [1] - 7:24  <b>review</b> [1] - 15:21  <b>Rita</b> [2] - 4:13, 6:25  <b>Riverside</b> [1] - 7:13  <b>Room</b> [1] - 1:19  <b>Roswell</b> [1] - 12:16  <b>rule</b> [7] - 8:10, 9:3, 12:7, 12:25, 13:21, 17:2, 17:3  <b>rulemaking</b> [2] - 5:4, 12:4  <b>Rules</b> [2] - 5:10  <b>ruling</b> [1] - 18:3</p>	<p><b>show</b> [1] - 6:18  <b>showed</b> [1] - 10:15  <b>showing</b> [2] - 10:2, 11:7  <b>shown</b> [1] - 11:9  <b>side</b> [2] - 10:2  <b>side-by-side</b> [1] - 10:2  <b>sign</b> [3] - 6:10, 20:18, 20:20  <b>signature</b> [1] - 18:4  <b>signed</b> [3] - 5:25, 20:19, 21:1  <b>silence</b> [1] - 6:3  <b>similar</b> [1] - 18:9  <b>simply</b> [1] - 17:12  <b>Simultaneous</b> [1] - 20:12  <b>small</b> [2] - 12:2, 17:4  <b>Small</b> [1] - 16:25  <b>social</b> [2] - 14:2, 14:19  <b>soliciting</b> [1] - 12:9  <b>solution</b> [2] - 8:8, 8:13  <b>sorry</b> [1] - 10:24  <b>sour</b> [2] - 8:8, 8:12  <b>Source</b> [2] - 9:12, 13:8  <b>sources</b> [3] - 9:19, 14:3, 14:20  <b>specialist</b> [1] - 4:10  <b>spiel</b> [1] - 4:21  <b>ss</b> [1] - 22:2  <b>St</b> [1] - 2:14  <b>stack</b> [1] - 9:7  <b>stacks</b> [1] - 16:5  <b>staff</b> [1] - 16:3  <b>stage</b> [1] - 4:19  <b>stakeholder</b> [3] - 12:6, 12:7, 15:24  <b>standard</b> [1] - 9:6  <b>Standards</b> [2] - 9:13, 13:9  <b>standards</b> [4] - 5:2, 9:14, 10:6, 20:5  <b>stands</b> [1] - 17:3  <b>start</b> [1] - 10:25  <b>STATE</b> [2] - 1:1, 22:1  <b>state</b> [1] - 11:13  <b>State</b> [2] - 1:18, 9:9  <b>statement</b> [6] - 15:8, 15:17, 17:11, 19:17, 19:19, 19:20  <b>Statute</b> [1] - 11:19  <b>stricken</b> [1] - 13:8  <b>stringency</b> [1] - 10:12  <b>stringent</b> [1] - 10:16</p>	<p><b>subject</b> [2] - 5:15, 19:10  <b>subjects</b> [1] - 14:20  <b>submittals</b> [1] - 15:22  <b>submitted</b> [2] - 18:9, 19:21  <b>subpart</b> [1] - 18:20  <b>Subpart</b> [1] - 18:25  <b>Subparts</b> [2] - 9:14, 13:13  <b>Suite</b> [1] - 2:14  <b>sulfur</b> [13] - 5:2, 8:7, 8:12, 9:3, 9:6, 9:14, 9:16, 10:10, 10:13, 10:19, 11:2, 11:4, 11:15  <b>Sulfur</b> [2] - 1:4, 4:3  <b>summary</b> [2] - 8:19, 11:10  <b>support</b> [2] - 17:3, 20:3  <b>sworn</b> [3] - 6:22, 7:2, 22:9  <b>system</b> [5] - 8:7, 8:12, 10:20, 11:3, 11:4  <b>systems</b> [1] - 15:13</p>
<b>Q</b>				
<p><b>quality</b> [1] - 11:17  <b>Quality</b> [9] - 1:5, 4:11, 4:14, 7:17, 7:18, 7:21, 12:12, 12:22  <b>quarterly</b> [1] - 16:4  <b>questions</b> [8] - 4:15, 13:3, 13:18, 15:6, 16:6, 16:9, 19:16, 19:19  <b>quite</b> [1] - 13:15</p>				
<b>R</b>		<b>S</b>		
<p><b>read</b> [7] - 8:11, 14:7, 18:8, 19:2, 19:17, 20:17, 20:23  <b>ready</b> [1] - 17:24  <b>really</b> [1] - 20:4  <b>reason</b> [2] - 15:18, 17:15  <b>reasonable</b> [1] - 5:7  <b>reasonableness</b> [2] - 14:4, 14:25  <b>reasons</b> [4] - 15:8, 19:17, 19:20  <b>recent</b> [1] - 10:10  <b>recommendation</b> [1] - 12:7  <b>record</b> [7] - 5:23, 14:5, 15:9, 17:16, 17:18, 20:24, 22:11  <b>recorded</b> [2] - 5:19,</p>		<p><b>Santa</b> [4] - 1:19, 2:8, 2:15  <b>satisfy</b> [1] - 11:18  <b>schedules</b> [1] - 6:12  <b>science</b> [1] - 7:11  <b>scope</b> [1] - 4:15  <b>second</b> [3] - 12:18, 20:10, 21:10  <b>section</b> [2] - 4:13, 11:21  <b>Section</b> [3] - 5:1, 5:5, 8:6  <b>seeing</b> [1] - 16:10  <b>sent</b> [1] - 12:10  <b>sentence</b> [1] - 8:6  <b>separately</b> [1] - 14:7  <b>set</b> [4] - 4:19, 5:4, 9:3, 9:6  <b>Shakes</b> [1] - 17:17  <b>sheet</b> [1] - 18:5  <b>shorthand</b> [1] - 22:10</p>		<b>T</b>
				<p><b>table</b> [1] - 10:2  <b>technical</b> [5] - 6:6, 7:22, 14:3, 14:24, 16:16  <b>telephone</b> [1] - 2:5  <b>terrible</b> [1] - 10:21  <b>testified</b> [2] - 7:3, 15:12  <b>testimony</b> [19] - 4:16, 5:13, 5:14, 6:1, 6:6, 6:18, 7:25, 8:4, 8:6, 8:16, 8:17, 8:20, 8:23, 12:23, 16:16, 17:1, 22:8, 22:10, 22:11  <b>tests</b> [1] - 16:3  <b>THE</b> [2] - 1:4, 13:5  <b>therefore</b> [1] - 9:9  <b>thinking</b> [1] - 14:13  <b>thiosulfate</b> [2] - 8:8, 8:13  <b>thorough</b> [1] - 12:5  <b>three</b> [3] - 9:20, 13:22, 14:6  <b>tie</b> [1] - 10:23  <b>TIMM</b> [10] - 2:4, 10:21, 10:24, 13:6, 13:15, 18:19, 19:9,</p>

KATHY TOWNSEND COURT REPORTERS

110 Twelfth Street, Northwest, Albuquerque, New Mexico 87102

(505) 243-5018 - Fax (505) 243-3606

<p>19:12, 19:15, 20:10  <b>TIMOTHY</b> [1] - 2:3  <b>today</b> [12] - 4:9, 4:12,  4:17, 4:24, 6:15, 8:4,  8:20, 8:21, 12:23,  16:8, 17:7, 21:6  <b>Townsend</b> [1] - 5:20  <b>Trail</b> [1] - 1:19  <b>transcribed</b> [1] -  5:20  <b>TRANSCRIPT</b> [1] -  1:13  <b>transcript</b> [3] - 5:21,  22:9, 22:11  <b>transmittal</b> [1] - 18:4  <b>triggered</b> [1] - 19:8  <b>true</b> [2] - 8:16, 22:11  <b>trying</b> [2] - 13:19,  13:23  <b>Ts</b> [1] - 4:20  <b>turn</b> [2] - 4:5, 6:3  <b>two</b> [2] - 7:15, 9:23  <b>type</b> [4] - 8:7, 8:12,  10:19, 11:2</p>	<p>18:7, 18:12, 18:15,  19:5, 19:10, 19:14,  19:16, 19:23, 20:11,  20:13, 20:25, 21:3,  21:8, 21:11  <b>Volkerding</b> [3] - 4:7,  14:14, 15:1</p>
<b>U</b>	<b>W</b>
<p><b>unanimous</b> [1] -  20:13  <b>under</b> [2] - 5:14, 8:15  <b>undergone</b> [1] - 19:7  <b>University</b> [1] - 7:12  <b>unreasonably</b> [1] -  5:9  <b>up</b> [2] - 9:23, 20:3  <b>uses</b> [4] - 8:7, 8:12,  10:19, 11:2</p>	<p><b>water</b> [2] - 8:8, 8:12  <b>website</b> [2] - 12:12,  12:13  <b>weight</b> [1] - 9:4  <b>welfare</b> [4] - 11:24,  14:1, 14:10, 14:17  <b>Western</b> [1] - 9:21  <b>widely</b> [1] - 15:13  <b>wish</b> [1] - 6:1  <b>witness</b> [4] - 4:12,  6:21, 13:3, 16:9  <b>WITNESSES</b> [1] - 3:3  <b>witnesses</b> [2] - 22:8,  22:12  <b>workgroups</b> [1] -  7:22  <b>written</b> [4] - 7:25,  8:5, 8:16, 8:19</p>
<b>V</b>	<b>Y</b>
<p><b>value</b> [2] - 14:3,  14:20  <b>VERHEUL</b> [15] -  2:12, 4:6, 6:14, 7:5,  11:10, 16:12, 17:12,  17:17, 18:2, 18:11,  18:14, 21:2, 21:7,  21:9, 21:12  <b>Verheul</b> [7] - 3:5, 4:3,  4:18, 6:13, 16:10,  17:10, 20:15  <b>via</b> [1] - 12:21  <b>viewable</b> [1] - 5:23  <b>visibility</b> [3] - 11:24,  14:1, 14:11  <b>VOLKERDING</b> [21] -  2:3, 4:1, 13:19, 14:18,  14:24, 15:4, 17:23,</p>	<p><b>years</b> [1] - 7:15  <b>yesterday</b> [1] - 17:1</p>

KATHY TOWNSEND COURT REPORTERS

110 Twelfth Street, Northwest, Albuquerque, New Mexico 87102

(505) 243-5018 - Fax (505) 243-3606