

State of New Mexico
Environmental Improvement Board
Harold Runnels Building, Room N-2150
1190 St. Francis Drive
P.O. Box 5469
Santa Fe, New Mexico 87502
Phone: (505) 827-0339
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Susana Martinez
Governor

Draft Agenda
Meeting of the
Environmental Improvement Board

January 7, 2013
9:00 a.m.
Old PERA Bldg.
Apodaca Hall
1120 Paseo De Peralta
P.O. Box 1269
Santa Fe, NM 87504

The following items are for discussion and possible action:

1. Roll Call
2. How Notice Requirements Were Met for the Meeting
3. Approval of Agenda
4. Election of Chair/Vice Chair
5. Approval of meeting minutes December 3, 2012
6. Adoption of EIB Open Meetings Act Resolution for 2013. Mark Reynolds/Michael Williams, NMAGO. Time Estimate: 20 minutes
7. Public Comment Unrelated to Agenda Items

8. Approval of Statement of Reasons for **EIB 12-05 (R)**, Proposed Revisions to 20.2.70 NMAC-Operating Permits, and 20.2.74 NMAC-Permits-Prevention of Significant Deterioration (PSD). Mark Reynolds, N MAGO. Time Estimate: 20 minutes
9. Request for Hearing in **EIB 12-06 (R)**, Proposed Revisions to 20.2.98 NMAC-Conformity of General Federal Action to the State Implementation Plan, Bill Grantham, NMED/OGC. Time Estimate: 45 minutes
10. Deliberations in **EIB 12-01 (R)**, to Consider Proposed Amendments to the Liquid Waste Disposal and Treatment Regulations, 20.7.3 NMAC. Andrew Knight, NMED/OGC; Dennis McQuillan, NMED/LWP; Ralph Baker Dotson and Eugene Bassett, POWRA; Carl Stubbs and Jace Ensor, NMOWA; Susan C. Kery, Sheehan & Sheehan, and Dennis F. Hallahan for Infiltrator Systems, Inc. Felicia Orth, Hearing Officer. Time estimate: 4 hours
11. Executive session to discuss pending litigation. Mark Reynolds and/or Michael Williams, N MAGO. Time estimate: 30 Minutes

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| a. | Western Resource Advocates, and New Energy Economy v. Environmental Improvement Board | COURT OF APPEALS No. 32,056
Appeal of EIB 11-15(R): Repeal of Rule 350, Greenhouse Gas Cap-and-Trade Provisions |
| | Western Resource Advocates, and New Energy Economy v. Environmental Improvement Board | COURT OF APPEALS No. 32,055
Appeal of EIB 11-17(R): Repeal of Rules 300 and 301, Greenhouse Gas Emissions Reporting and Verification Requirements |
| b. | N.M. Oil & Gas Ass'n, et al. v. N.M. Environmental Improvement Board | COURT OF APPEALS No. 30,952
Appeal of EIB 10-09(R): Greenhouse Gas Reporting |

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| <p>Tri-State
Generation and
Transmission
Association, Inc. v.
N.M.
Environmental
Improvement
Board</p> | <p>COURT OF APPEALS No. 30,953

Appeal of EIB 10-09(R): Greenhouse
Gas Reporting</p> |
| <p>Independent
Petroleum
Association of
N.M. v. N.M.
Environmental
Improvement
Board</p> | <p>COURT OF APPEALS No. 30,954

Appeal of EIB 10-09(R): Greenhouse
Gas Reporting</p> |
| <p>c. City of Farmington
and Farmington
Electric Utility
System v. N.M.
Environmental
Improvement
Board</p> | <p>COURT OF APPEALS No. 31,015

Appeal of EIB 08-19(R): New Energy
Economy</p> |
| <p>Independent
Petroleum
Association of
N.M. v. N.M.
Environmental
Improvement
Board</p> | <p>COURT OF APPEALS No. 31,016

Appeal of EIB 08-19(R): New Energy
Economy</p> |
| <p>N.M. Oil & Gas
Ass'n, et al. v.
N.M.
Environmental
Improvement
Board</p> | <p>COURT OF APPEALS No. 31,017

Appeal of EIB 08-19(R): New Energy
Economy</p> |
| <p>El Paso Electric
Co. v. N.M.
Environmental
Improvement
Board</p> | <p>COURT OF APPEALS No. 31,018

Appeal of EIB 08-19(R): New Energy
Economy</p> |

Tri-State Generation and Transmission Association, Inc. v. N.M. Environmental Improvement Board	COURT OF APPEALS No. 31,019 Appeal of EIB 08-19(R): New Energy Economy
Public Service Co. of N.M. v. N.M. Environmental Improvement Board	COURT OF APPEALS No. 31,020 Appeal of EIB 08-19(R): New Energy Economy
Southwestern Public Service Company v. N.M. Environmental Improvement Board	COURT OF APPEALS No. 31,021 Appeal of EIB 08-19(R): New Energy Economy
d. Western Resource Advocates and New Energy Economy v. Environmental Improvement Board	COURT OF APPEALS No. 32,177 Appeal of EIB 11-16 (R), repeal of Part 100, Greenhouse Gas Emissions Cap

12. 2013 meeting dates: To be determined by Board
13. Other business
14. Board Member Comments and Questions
15. Adjournment (no later than 4 p.m.)

If you are an individual with a disability who needs a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing or meeting, contact Pam Castañeda at least ten days prior to the meeting or as soon as possible at 505.827.2425 or pam.castañeda@state.nm.us. Public documents can be provided in various accessible formats. Contact Pam Castaneda if an accessible format is needed