

State of New Mexico
Environmental Improvement Board
Harold Runnels Building, Room N-2150
1190 St. Francis Drive
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Susana Martinez
Governor

**Draft Agenda
Meeting of the
Environmental Improvement Board**

**February 1, 2013
10:00 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. Approval of meeting minutes January 7, 2013
5. Public Comment Unrelated to Agenda Items

6. 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: 5 hours

7. Executive session to discuss pending litigation. Mark Reynolds and/or Michael Williams, NMAGO. Time estimate: 30 Minutes

- 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

- Tri-State Generation and Transmission Association, Inc. v. N.M. Environmental Improvement Board
 COURT OF APPEALS No. 30,953
 Appeal of EIB 10-09(R): Greenhouse Gas Reporting

	Independent Petroleum Association of N.M. v. N.M. Environmental Improvement Board	COURT OF APPEALS No. 30,954 Appeal of EIB 10-09(R): Greenhouse Gas Reporting
c.	City of Farmington and Farmington Electric Utility System v. N.M. Environmental Improvement Board	COURT OF APPEALS No. 31,015 Appeal of EIB 08-19(R): New Energy Economy
	Independent Petroleum Association of N.M. v. N.M. Environmental Improvement Board	COURT OF APPEALS No. 31,016 Appeal of EIB 08-19(R): New Energy Economy
	N.M. Oil & Gas Ass'n, et al. v. N.M. Environmental Improvement Board	COURT OF APPEALS No. 31,017 Appeal of EIB 08-19(R): New Energy Economy
	El Paso Electric Co. v. N.M. Environmental Improvement Board	COURT OF APPEALS No. 31,018 Appeal of EIB 08-19(R): New Energy Economy
	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

8. Other business

9. Board Member Comments and Questions

10. **Upcoming meetings:**

March 4, 2013
 April 15, 2013
 May 3, 2013
 June 2013 – Holiday
 July 8, 2013
 August 5, 2013
 September 9, 2013
 October 7, 2013
 November 4, 2013
 December 2013 - Holiday

11. Adjournment

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