

*State of New Mexico*  
***Environmental Improvement Board***  
*Harold Runnels Building, Room N-2150*  
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*Susana Martinez*  
*Governor*

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

**June 1, 2011**

**9:00 a.m.**

**Room 307, State Capitol Building  
490 Old Santa Fe Trail  
Santa Fe, New Mexico 87501**

**June 2-4, as necessary**

**9:00 a.m.**

**Room 7103 (Little Theater), San Juan College  
4601 College Blvd.  
Farmington, New Mexico 87402**

**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. Public Comment
5. Approval of meeting minutes, May 2, 2011
6. Request for Hearing: Proposed Amendments to the Liquid Waste Disposal and Treatment Regulations, 20.7.3 NMAC, **EIB 11-12 (R)**.  
Ralph Baker Dotson and Eugene Bassett, POWRA.  
Time estimate: 10 minutes

7. Approval of Statement of Reasons for Proposed Revisions to Air Quality Regulations 20.2.74 NMAC, Permits—Prevention of Significant Deterioration; and 20.2.79 NMAC, Permits—Nonattainment Areas, **EIB 10-14 (R)**. Stephen Vigil, NMAGO. Time estimate: 10 minutes
8. Approval of Statement of Reasons for Proposed Revisions to Solid Waste Regulations, 20.9.2 and 20.9.3 NMAC, **EIB 10-13 (R)**. Stephen Vigil, NMAGO. Time estimate: 10 minutes
9. Executive session to discuss pending litigation.  
Stephen Vigil, NMAGO. Time estimate: 30 minutes-1 hour
  - a. Helena Chemical Co. v. N.M. Env't Dep't: COURT OF APPEALS Appeal of EIB 10-02(A); 10-11(A). Air Quality Permit Adjudication.
  - b. City of Farmington, etc. al. v. N.M. Env'tl. Improvement Bd.: COURT OF APPEALS No. 30,897, etc. Appeal of EIB 10-04(R), Cap & Trade.
  - c. N.M. Oil & Gas Ass'n, et al. v. N.M. Env'tl. Improvement Bd.: COURT OF APPEALS No. 30,952, etc. Appeal of EIB 10-09(R), Greenhouse Gas Reporting.
  - d. City of Farmington, et al. v. N.M. Env'tl. Improvement Bd.: COURT OF APPEALS No. 31,015, etc. Appeal of EIB 08-19(R): New Energy Economy.
  - e. State (ex rel) Hanosh v. N.M. Env'tl. Improvement Bd.: THIRD JUDICIAL DISTRICT, D-0307-CV-200702708. Clean Car Rules.
10. Other business
11. Board Member Comments and Questions
12. Hearings in **EIB 11-01 (R)**, Proposed Revisions to the State Implementation Plan for Regional Haze, and **11-02 (R)**, Proposed Revisions to State Implementation Plan to Satisfy Requirements of Clean Air Act 110(a)(2)(D)(i)(II) with Respect to Visibility. **Note: Part of each hearing will be held in Santa Fe, and part in Farmington. Contact the Administrator for details. The Board may choose to deliberate on the proposed revisions in Farmington on June 2, 3 or 4.** Bill Grantham, Mary Uhl, Rita Bates for Petitioner NMED; Richard Alvidrez and Galen Buller for Public Service Company of New Mexico; Charles Roybal for San Juan Coal Company; Louis Rose for M-S-R Public Power Agency; Erik Schlenker-Goodrich for NRDC, San Juan Citizens Alliance and WildEarth Guardians. Time estimate: 2-3 days.

13. Next meeting—July 11

Coming up:

- a. Hearing on **July 11** in **EIB 11-03 (R)**, Liquid Waste Regulations re: licensure (Section 904).
- b. Hearings on **August 1** in **EIB 11-04 (R)**, Air Quality Regulations re: NSPS, NESHAPS and MACT updates; and **EIB 11-07 (R)**, SIP for Infrastructure of Lead NAAQ; and **EIB 11-08**, Liquid Waste Fees.
- c. Hearings on **September 1-3** in **EIB 11-09 (R)**, **EIB 11-10 (R)** and **EIB 11-11 (R)**, Liquid Waste Disposal and Treatment Regulations, 20.7.3.

14. 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, please contact Felicia Orth at least ten days prior to the meeting or as soon as possible at 505.827.0339 or felicia.orth@state.nm.us. Public documents, including the agenda and minutes can be provided in various accessible formats. Please contact Felicia Orth if a summary or other type of accessible format is needed.*