State of New Mexico
ENVIRONMENTAL IMPROVEMENT BOARD
Harold Runnels Building, N-2150
1190 St. Francis Drive, P. O. Box 5469
Santa Fe, New Mexico 87502

DRAFT MINUTES
Environmental Improvement Board Meeting
August 13, 2012 9:00 a.m.
Room 307, State Capitol Building
490 Old Santa Fe Trail
Santa Fe, New Mexico 87501

Members Present: Deborah Peacock, Chair
Elizabeth Ryan, Secretary
Greg Fulfer, Member
James Casciano, Member
John Volkerding, Vice-Chair

Members Absent: Timothy Morrow, Member

Others Present: Tania Maestas, Acting Board Counsel
Felicia Orth, Hearing Officer and Acting Administrator
Sally Worthington, NMED
Denise Kopan, Court Reporter
Others—See attached sign-in sheets

Item 1. Roll Call

Roll was called; a quorum was present.

Item 2. How Notice Requirements Were Met

Ms. Orth described how notice requirements were met for the meeting consistent with the Board's Open Meetings Act Resolution.

Item 3. Approval of Agenda

Action: In Item #7 Ms. Orth will not be here this afternoon so Ms. Ryan has agreed to be the Hearing Officer. Mr. Casciano moved to approve the agenda with the modifications. Mr. Volkerding seconded the motion. The motion passed unanimously.

Item 4. **Public Comment Unrelated to Agenda Items.**

Action: None.

Item 5. **Hearing and deliberations in EIB 12-02 (A), Appealing the Denial of Relocation Application No. 3617R3 issued to KI-Stone Environmental. Andrew Knight, NMED/OGC; Ted Schooley, NMED/AQB; Andrew Frye, KI-Stone Environmental. Beth Ryan, Hearing Officer**

Action: Chair Peacock recused herself from hearing this matter; one or more of her clients is involved in the construction project at issue.

The hearing was digitally recorded by the Acting Board Administrator and a copy will be provided on request.

Chris Brosious of KI-Stone Environmental presented evidence and argument on behalf of Appellant; Mr. Frye was not present. Mr. Knight and Mr. Schooley presented evidence and argument on behalf of the Department. An extensive question and answer session took place among the Board, Mr. Brosious, Mr. Knight and Mr. Schooley.

The hearing ended and the meeting recessed for lunch between 11:40 a.m. and 1:30 p.m. After lunch the Board deliberated on the appeal.

After deliberations, Ms. Ryan moved to approve the relocation application No. 3617R3 of KI-Stone Environmental and overturn the Department's denial. Mr. Casciano seconded the motion. The motion carried with three yes votes (Ms .Ryan, Mr. Fulfer and Mr. Casciano) and one no vote (Mr. Volkerding).

Item 6. **Briefing on Liquid Waste Assistance for Indigent Households. Dennis McQuillan, NMED/LWP; Ralph Baker Dotson, POWRA and Jace Ensor, NMOWA.**

Action: Mr. McQuillan and Mr. Baker Dotson presented slides showing the many advantages to helping people who cannot afford to install working liquid waste systems. Benefits accrue to the individuals and their families, to the environment, and to the health and safety of citizens all over New Mexico.

Item 7. **Resumption of Hearing 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, Dennis F. Hallahan for Infiltrator Systems, Inc. Felicia Orth, Hearing Officer**

Action: The continuation of the hearing in EIB 12-01 (R) was recorded and transcribed by Denise Kopan of Kathy Townsend Court Reporters. The transcript is available in the office of the Board Administrator.

The hearing will be continued at a later date to be announced.

Item 8. **Other business.**

Action: None.

Item 9. **Board Member Comments and Questions.**

Action: None.

Item 10. **Next meeting—September 4, 2012, including deliberations in EIB 11-18 (R), Proposed Revisions to 20.7.10, NMAC Drinking Water Regulations.**

Meetings scheduled during the remainder of 2012:
October 29-30, 2012 and December 3, 2012.

Action: None.

Item 11. **Adjournment.**

Ms. Peacock adjourned the meeting at approximately 4:45 p.m.

Board Secretary