

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**

**March 16, 2012
9:00 a.m.
Room 307, State Capitol Building
490 Old Santa Fe Trail
Santa Fe, New Mexico 87501**

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 Unrelated to Agenda Items
5. Approval of meeting minutes, February 6, 2012
6. Request for hearing in **EIB 12-01 (R) and EIB 11-09 (R)**, Petitions for Public Hearing to Consider Proposed Amendments to the Liquid Waste Disposal and Treatment Regulations, 20.7.3 NMAC, Link Summers, Pro Se, Dennis McQuillan, LWB/ NMED, Andrew Knight, OGC/NMED. Time Estimate: 30 Minutes

7. Deliberations in **EIB 11-16 (R)**-Repeal of regulations, 20.2.100
NMAC- Greenhouse Gas Reduction Program.
Time Estimate: 3-4 hours

8. Executive session to discuss pending litigation.
Michael Williams, NMAGO. Time estimate: 30 Minutes-1 Hour

- a. Helena Chemical Co. v. NMED and N.M. Environmental Improvement Board COURT OF APPEALS No. 31,037
Appeal of EIB 10-02(A); 10-11(A). Air Quality Permit Adjudication.
- b. City of Farmington and Farmington Electric Utility System v. N.M. Environmental Improvement Board COURT OF APPEALS No. 30,897
Appeal of EIB 10-04(R): Cap and Trade Provisions.
- N.M. Oil and Gas Association v. N.M. Environmental Improvement Board COURT OF APPEALS No. 30,898
Appeal of EIB 10-04(R): Cap and Trade Provisions.
- Tri-State Generation and Transmission Association, Inc. v. N.M. Environmental Improvement Board COURT OF APPEALS No. 30,899
Appeal of EIB 10-04(R): Cap and Trade Provisions.
- Southwestern Public Service Company v. N.M. Environmental Improvement Board COURT OF APPEALS No. 30,901
Appeal of EIB 10-04(R): Cap and Trade Provisions.
- Public Service Co. of N.M. v. N.M. Environmental Improvement Board COURT OF APPEALS No. 30,902
Appeal of EIB 10-04(R): Cap and Trade Provisions.

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| | Independent Petroleum Association of N.M. v. N.M. Environmental Improvement Board | COURT OF APPEALS No. 30,907 Appeal of EIB 10-04(R): Cap and Trade Provisions. |
| | El Paso Electric Co. v. N.M. Environmental Improvement Board | COURT OF APPEALS No. 30,908 Appeal of EIB 10-04(R): Cap and Trade Provisions. |
| c. | 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 |
| d. | 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 |

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| <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> |
| <p>Tri-State Generation and Transmission Association, Inc. v. N.M. Environmental Improvement Board</p> | <p>COURT OF APPEALS No. 31,019 Appeal of EIB 08-19(R): New Energy Economy</p> |
| <p>Public Service Co. of N.M. v. N.M. Environmental Improvement Board</p> | <p>COURT OF APPEALS No. 31,020 Appeal of EIB 08-19(R): New Energy Economy</p> |
| <p>Southwestern Public Service Company v. N.M. Environmental Improvement Board</p> | <p>COURT OF APPEALS No. 31,021 Appeal of EIB 08-19(R): New Energy Economy</p> |

- e. Link Summers v. COURT OF APPEALS No. 31,774
Environmental Improvement Board v. New Mexico Environment Department
Appeal re EIB 11-08 (R)

9. Other business

10. Board Member Comments and Questions

11. Next meeting—**May 7, 2012**

Coming up:

- a) No meeting on **April 2, 2012** or in April
- b) Continuation of hearing in **EIB 11-18 (R)** on **May 7**, Proposed Revisions to 20.7.10, NMAC Drinking Water Regulations, Bill Grantham, NMED/OGC.
- c) No meeting on **July 5, 2012** or in July
- d) Meetings scheduled during the remainder of 2012:
August 6, 2012, September 4, 2012, October 1, 2012, November 5, 2012, and December 3, 2012.

12. 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 Carmella Casados at least ten days prior to the meeting or as soon as possible at 505.827.2425 or carmella.casados1@state.nm.us. Public documents can be provided in various accessible formats. Contact Carmella Casados if an accessible format is needed.