



**STATE OF NEW MEXICO  
ENVIRONMENTAL IMPROVEMENT BOARD  
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**MEETING MINUTES  
MEETING OF THE ENVIRONMENTAL IMPROVEMENT BOARD  
December 20, 2019  
9:00 A.M.  
State Capitol Building, Room 309  
490 Old Santa Fe Trail  
Santa Fe, New Mexico 87501**

**Members present:** John Volkerding, Chair  
Phoebe Suina, Vice Chair  
Amanda Trujillo Davis, Secretary

Barry Bitzer, Member  
Karl Cates, Member  
Dr. Benjamin Duval, Member  
Karen Garcia, Member

**Members absent:**

**Others present:** Rebekah Martinez, Board Administrator  
Marah deMeule, Board Counsel  
Karla Soloria, Board Counsel  
Janine Kraemer, Hazardous Waste Bureau  
David Cobrain, Hazardous Waste Bureau  
Christal Weatherly, Assistant General Counsel  
Andrew P. Knight, Assistant General Counsel  
Dr. Mahalingam Ravichandran, Regional Environmental Coordinator,  
Department of Defense  
Major Jodi M. Velasco, Regional Counsel, United States Air Force  
Charles deSaillan, Counsel for Nuclear Watch New Mexico  
Scott Kovac, Nuclear Watch New Mexico

**The following items are for discussion and possible action:**

The Chair called the Board into order at 9:04 A.M.

**Item 1. Roll call.**

**Action:** Roll was called; a quorum was present.

**Item 2. Approve the agenda.**

**Action:** Member Garcia moved to approve the agenda. Member Duval seconded the motion. The Chair called a voice vote. The motion passed unanimously.

**Item 3. How notice requirements were met for the meeting.**

**Action:** Board Administrator Martinez described how notice requirements were met for the meeting consistent with the Board's Open Meetings Act Resolution.

**Item 4. Approval of meeting minutes from November 22, 2019.**

**Action:** Member Suina moved to approve the meeting minutes from the meeting on November 22, 2019 as amended. Member Duval seconded the motion. The Chair called a voice vote. The motion passed unanimously.

**Item 5. Public comment unrelated to agenda items.**

**Action:** Joni Arends of the Concerned Citizens for Nuclear Safety provided public comment.

**Item 6. Rulemaking Hearing; EIB 19-35(R), In the Matter of the Proposed Amendments to the Hazardous Waste Regulations 20.4.2 and 20.4.3 NMAC. Christal Weatherly and Andrew Knight, NMED Office of General Counsel. The Environmental Improvement Board may render a decision following the hearing. Time estimate: 5 1/2 hours.**

Ms. Cheryl Arreguin from Albuquerque Court Reporting Services transcribed agenda item 6. The transcript is available for review at the Board Administrator's Office at 1190 South Saint Francis Drive, Santa Fe, New Mexico, 87505. A copy can be obtained from Albuquerque Court Reporting Service, LLC. Post Office Box 56787, Albuquerque, New Mexico, 87187, or (505) 806-1202.

Member Bitzer was scheduled to arrive late, so the board elected a different member to serve as Hearing Officer. Member Garcia moved for Chair Volkerding to serve as Hearing Officer. Member Suina seconded the motion. The chair called a voice vote. The motion passed unanimously.

Hearing Officer Volkerding provided an explanation of the hearing process. Board Administrator Martinez entered written public comment exhibits into evidence.

Christal Weatherly; NMED Assistant General Counsel, Andrew P. Knight; NMED Assistant General Counsel, David Cobrain; Hazardous Waste Bureau, and Janine

Kraemer; Hazardous Waste Bureau gave an opening statement and provided their technical testimony. They were cross examined as a panel by the Board and Mr. Charles de Saillan; Counsel for Nuclear Watch New Mexico.

Joni Arends of the Concerned Citizens for Nuclear Safety permitted to provide public comment related to the petition prior to presentation of additional technical testimony due to her having to leave.

Sandy Blalock of the Automotive Recyclers Association was permitted to provide public comment related to the petition prior to presentation of additional technical testimony due to her having to leave.

Major Jodi M. Velasco; United States Air Force Regional Counsel, and Dr. Mahalingam Ravichandran; Department of Defense Regional Environmental Coordinator gave an opening statement and provided their technical testimony. Andrew Knight; NMED Assistant General Counsel, and David Cobrain; Hazardous Waste Bureau provided rebuttal technical testimony. They were cross examined by the Board. Major Jodi M. Velasco; United States Air Force Regional Counsel, and Dr. Mahalingam Ravichandran; Department of Defense Regional Environmental Coordinator provided sur-rebuttal technical testimony.

Charles deSaillan provided a public statement and entered a corresponding written public statement into the record.

Public Comment was invited. John Kieling offered his public comment.

NMED and Charles deSaillan provided their closing remarks.

Board Administrator entered additional written public comment exhibits into evidence. The sign-in sheet was also entered into evidence as an exhibit.

**Item 7. Next meeting is scheduled for January 24, 2020.**

**Action:** Board Counsel deMeule suggested that the Board hold their January 2020 hearing at 9:00 AM. The Board agreed to the earlier start time.

**Item 8. Adjournment**

**Action:** The meeting was adjourned at 5:21 P.M.

  
Amanda Trujillo Davis, Secretary