



**STATE OF NEW MEXICO
ENVIRONMENTAL IMPROVEMENT BOARD
Harold Runnels Building, Suite S-2102
1190 St. Francis Drive
Santa Fe, New Mexico 87505
Phone: (505) 827-2425
Fax: (505) 827-2818**

**Meeting Minutes
Meeting of the Environmental Improvement Board
February 19, 2016
9:00 A.M.
Old PERA Building
Hearing Room, Ground Floor
1120 Paseo De Peralta
P.O. Box 1269
Santa Fe, New Mexico 87504**

Members present: John Volkerding, Chair (Teleconference)
Matthew Holt, Member (Teleconference)
Timothy Morrow, Member
Christopher Timm, Member (Teleconference)
Greg Fulfer, Member (Teleconference)

Member absent:

Others present: Pam Castañeda, Board Administrator
Mona N. Valicenti, Board Counsel, Attorney General

Item 1. Roll call.

Roll was called; a quorum was present.

Board members explained why they needed to appear by teleconference.

Item 2. How notice requirements were met for the meeting.

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

Item 3. Approve the agenda.

Action: Mr. Holt moved to approve the agenda as presented. Mr. Morrow seconded the motion. The motion passed unanimously.

Item 4. Approval of meeting minutes from December 17, 2015, and December 18, 2015.

Action: Mr. Morrow moved to approve the minutes from December 17, 2015, and December 18, 2015. Mr. Holt seconded the motion. The motion passed unanimously.



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Item 5. Public comment unrelated to agenda items.

Action: There were no public comments unrelated to the agenda items.

Item 6. Election of Vice Chair.

Action: The chair moved to appoint Mr. Holt as vice chair. Mr. Fulfer seconded the motion. The motion passed unanimously.

Item 7. EIB 16-01 (R). In the Matter of Proposed Repeal and Replacement of 7.18.1 through 7.18.5 NMAC (Swimming Pool Regulations). Request for Hearing.

Action: Kay Bonza, Office of General Counsel, introduced Eugene Knight, Swimming Pools Program Manager for the Environmental Health Bureau. Mr. Knight provided a brief explanation of the Proposed Repeal and Replacement of 7.18.1 through 7.18.5 NMAC Swimming Pool Regulations. Ms. Bonza and Mr. Knight requested to set a hearing for May 13, 2016. Mr. Holt moved to set the hearing for May 13, 2016. Mr. Timm seconded the motion. The motion passed unanimously. Mr. Holt offered to serve as the Hearing Officer.

Item 8. Adoption of EIB Open Meetings Act Resolution for 2016.

Action: Mona Valicenti, Board Counsel, reviewed the EIB Open Meetings Act Resolution for 2016. The resolution included only one change. The regular meetings of the Board shall be held on the second Friday of each month beginning in March. Mr. Fulfer moved to approve the EIB Open Meetings Act Resolution for 2016. The Chair seconded the motion. The motion passed unanimously.

Item 9. EIB 15-05 (A). Petition for Hearing on Air Quality Permit No. GCP5-6538. Deliberations and possible decision.

Action: The Chair provided a brief history regarding EIB 15-05 (A). On November 24, 2015, the Chair served as the Hearing Officer for the public hearing. Mr. Timm was the only other Board member who appeared for the hearing. The Hearing Officer would have drafted a Hearing Officer report that would have been distributed to the Board members to review. The Board members would have then deliberated at this meeting. However, William Mee, Petitioner, filed a Notice of Withdrawal of Petition with the Board Administrator on February 17, 2016. The Chair turned the meeting over to Ms. Valicenti who read the Notice of Withdrawal to the Board. Andrew Knight, Office of General Counsel, advised the Board of 20.1.2.501 NMAC, which allows a petitioner to withdraw a petition. Therefore, when Mr. Mee filed his notice of withdrawal, the permitting action



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became final. Accordingly, the Board did not have to deliberate or make a decision regarding the merits of the case.

Item 10. Board member comments and questions.

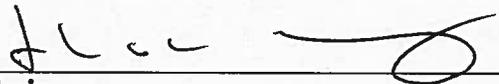
Action: The Chair commented that the Board needs to add a new member.

Item 11. Next meeting: March 11, 2016.

Action: The Board meetings will be scheduled for every month. The next meeting is scheduled for March 11, 2016.

Item 12. Adjournment.

The Chair adjourned the meeting at approximately 9:40 a.m.



Chair