

COPY



STATE OF NEW MEXICO
BEFORE THE ENVIRONMENTAL IMPROVEMENT BOARD

IN THE MATTER OF PROPOSED AMENDMENTS,
20.7.3.904 – *Liquid Waste Disposal and Treatment*

No. EIB 11-03 (R)

NEW MEXICO ENVIRONMENT DEPARTMENT'S
REBUTTAL TESTIMONY AND EXHIBITS

In accordance with the Hearing Officer's pre-hearing order, this testimony is offered in response to the written testimony and exhibits that were previously filed in this matter.

Supplemental Testimony of Dennis McQuillan
Liquid Waste Program Manager
Field Operations Bureau
New Mexico Environment Department
525 Camino de los Marquez, Suite 1
Santa Fe, NM 87505

In the Matter of Petition EIB 11-03(R)
July 5, 2011

NMED did not oppose the adoption of Section 904 during the 2004 and 2005 EIB hearings.

Mr. Summers statement in his written testimony, that "Section 904 . . . was adopted by EIB over the objections of NMED" (Summers NOI, p.3) is incorrect. Much of what is now in Regulation 904 was proposed by jointly by both NMED and POWRA in their 2004 petitions to the EIB. NMED objected only to the language for the Education Steering Committee. However, since the adoption of Section 904, our experience in trying to implement the certification program has revealed significant legal and practical problems that neither NMED nor POWRA anticipated, and which make implementation of Section 904 in its current form impractical, at best.

Liquid Waste Fee revenues, expenditures and carry over are overseen by the legislature.

Mr. Summers statement in his written testimony that Liquid Waste Permit fee money "was to be paid directly to the liquid waste program with no legislative oversight" (Summers NOI, p.3) is incorrect. The Legislative Finance Committee (LFC) performs an analysis of NMED's budget and revenues, including the Liquid Waste Fees, annually (at a minimum), and requires NMED programs, including the Liquid Waste Program, to report on program performance measures on a quarterly basis.

NMED's attempts to create a Training Specialist position have been frustrated by POWRA's position that, "no NMED employees are allowed to act as instructors." (POWRA Exhibit 5, paragraph G)

Both POWRA Exhibit 1 and Mr. Summers testimony reference records from 2001 related to the amendment of the statute to authorize fees, and to the adoption of fee regulations found at 20.7.11 NMAC. These records are very clear that NMED intended to use the fee revenues to hire a liquid waste training specialist to train both NMED staff and industry installers.

I initiated efforts to create a Liquid Waste Training Specialist in 2004, the year before regulation 904 became effective. We succeeded in getting a major expansion request for the Field Operations Division through the legislature in 2007. This expansion requested 14 additional positions justified, in part, on the basis that NMED would provide training to the regulated industry on the Food, Liquid Waste and Pool Programs. In anticipation of this, NMED's January 25, 2007 draft of the Training and Certification Program (NMED Exhibit 8) identified 5 classes that we intended to teach to both NMED staff and to the industry workforce at the NMED District Offices statewide.

Much to my surprise, the POWRA representative on the on the Education Steering Committee asserted during the March 23, 2007 Committee meeting that regulation 904 did not allow NMED to teach classes. In fact, the POWRA representative informed me that we could not even train our own staff. The POWRA President repeated the assertion that NMED could teach no classes in an open EIB meeting in the summer of 2007 (NMED Exhibit 21). As recently as February 17, 2010 POWRA has demanded that, "NMED will not act as a sponsor for courses and no NMED employees are allowed to act as instructors." (POWRA Exhibit 5) It is therefore disingenuous for POWRA to blame the Department for failing to create this position.

With regard to the 2007 expansion request, the legislature approved 8 of the 14 positions requested. A new statewide training specialist position was created, but this position went to the Food Program. Consequently, the restaurant operators in New Mexico got a dedicated NMED staff person to provide training and consultation to them, but the septic system installers did not.

NMED has attempted to provide professional training to the industry.

POWRA NOI, Exhibit 1 and Mr. Summers testimony document the expectation in 2001 that NMED would provide training to the industry.

Then and now, the need for training has been apparent to both the Department and many members of the industry. However, since the adoption of Section 904, attempts by NMED to provide free training to the industry have been challenged with assertions that free training would violate the Anti-Donation clause of the New Mexico State Constitution and would unfairly compete with a commercial training business. (NMED Exhibit 47).

NMED has never changed its position regarding the dual licensure issue.

POWRA NOI, Exhibit 3 includes emails exchanged between counsel for NMED and POWRA during settlement negotiations between February and March of 2010. In one of these emails,

NMED Attorney Chuck Noble states that, “dual licensure is no longer an issue with us.” At that time, CID had neither retracted their August 31, 2007 written position on dual licensing (NMED Exhibit 20), nor shown up at the November 2, 2009 EIB hearing to explain the statement in that letter that regulation 904 was “contrary to and disallowed under the CILA.”

So, for the purpose of settlement discussions only, NMED took the issue of dual licensing off the table. This offer was not based on any revised legal analysis or new information from CID, but rather was an offer of compromise made by an NMED attorney in a good-faith effort to settle a lawsuit. This offer expired when settlement discussions broke down, and did not reflect any official change in position on the part of NMED with regard to the issue of dual licensure.

NMED staff were not required to take personal leave in order to attend the CIDWT training.

Dr. Adrian Hansen’s statement in his written testimony that “the Department required their employees to take personal vacation days to attend courses directly related to their job function” is incorrect. (POWRA NOI, Exhibit 8).

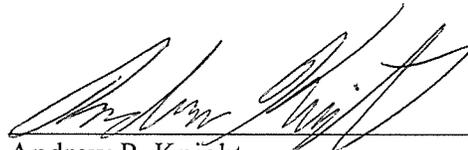
Nobody in NMED was required to take personal leave of any kind to attend either Dr. Hansen’s tribal training, or the training that we procured from POWRA. My investigation of this allegation identified at least nine NMED staff who attended one or more of Dr. Hansen’s 2010-2011 training classes, and all nine NMED staff attended the training classes on NMED payroll, driving NMED vehicles and, if qualified, received per diem (NMED Exhibit 48).

In addition to the nine NMED staff who attended the tribal training classes in 2010-2011, myself and a number of other NMED staff had attended Dr. Hansen’s tribal training class in previous years. We were all encouraged to attend this training, and we all did so on NMED payroll.

NMED has spent \$15,760.00 of taxpayer money for training from POWRA (NMED Exhibit 49). We procured this training from POWRA. We required our staff to attend, and we provided state vehicles and per diem for them to attend.

Respectfully submitted,

NEW MEXICO ENVIRONMENT DEPARTMENT
OFFICE OF GENERAL COUNSEL



Andrew P. Knight
New Mexico Environment Department
P.O. Box 5469
Santa Fe, New Mexico 87502-5469
Telephone: (505) 827-2847

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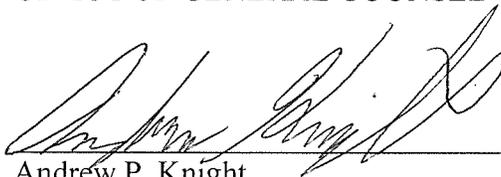
CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the attached REBUTTAL TESTIMONY AND EXHIBITS was emailed, hand delivered and/or mailed by first class mail, postage prepaid to the following:

Ralph Baker Dotson
President, POWRA
P.O. Box 8542
Santa Fe, NM 87504

Link Summers
P.O. Box 1600
Taos, NM 87571

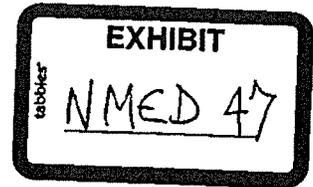
NEW MEXICO ENVIRONMENT DEPT.
OFFICE OF GENERAL COUNSEL



Andrew P. Knight
New Mexico Environment Department
P.O. Box 5469
Santa Fe, New Mexico 87502-5469
Telephone: (505) 827-2847

RE NOWRA .txt

From: McQuillan, Dennis, NMENV
Sent: Thursday, March 20, 2008 5:10 PM
To: 'Sara Heger Christopherson'
Cc: Romero, Carlos, NMENV; VigilGarcia, Roberta, NMENV
Subject: RE: NOWRA



Sara,

I have just been advised by our lawyers to back off on the A to Z training for this spring. We are being challenged on our authority to provide free training to the public. This is a little ironic since we have been heavily criticized by the same party in the past for not providing enough training. We may still wish to talk to NOWRA after July 1, 2008, our new fiscal year, after this legal issue gets resolved.

Best regards,

Dennis

-----Original Message-----

From: Sara Heger Christopherson [mailto:shc@umn.edu]
Sent: Tuesday, March 18, 2008 6:19 AM
To: McQuillan, Dennis, NMENV
Subject: NOWRA

Dennis,

Interesting conversations on the list serve around PPCP - NOWRA is now planning a symposium at our next annual conference focusing on the issue. Is this something you would like or be able to be involved with?

Are you still interested in doing A to Z this spring?

Sara

This inbound email has been scanned by the MessageLabs Email Security system.

McQuillan, Dennis, NMENV

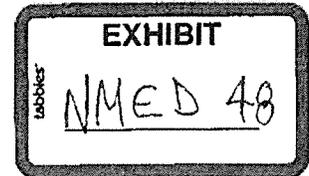
From: McQuillan, Dennis, NMENV
Sent: Friday, July 01, 2011 10:16 AM
To: Brandt, Tom, NMENV; king, jack, NMENV; McQuillan, Dennis, NMENV; Miller, Gloria, NMENV; Montoya, Michael, NMENV; Schall, Brian, NMENV; Tapia, Jessica, NMENV; Torres, David, NMENV; Vincent, James, NMENV; Walker, Steven, NMENV; Wells, John, NMENV; Chavez, William, NMENV; fiore, frank, NMENV; Ickes, Jennifer, NMENV; Italiano, Robert, NMENV; Lundstrom, Charles, NMENV; Sena, Alan, NMENV; Vigil, Roberta, NMENV
Subject: Adrian Hanson testimony re CIDWT training

In the written testimony that Adrian filed, he asserts that NMED required its employees to take vacation leave in order to attend the CIDWT training during April, June, July and August 2010 and Feb in 2011. See page 14 of his testimony pdf ftp://ftp.nmenv.state.nm.us/www/EIB/July_2011_meeting/POWRA%20Exhibit%208.pdf

This is news to me. Tom, who I directly supervise, attended the training on NMED payroll, with my approval.

Do any of you know what Adrian might be talking about?

Dennis McQuillan
New Mexico Environment Department
Field Operations Bureau
Liquid Waste Program
505-476-8607 office
505-660-1592 cell



McQuillan, Dennis, NMENV

From: Lundstrom, Charles, NMENV
Sent: Friday, July 01, 2011 10:33 AM
To: McQuillan, Dennis, NMENV
Subject: RE: Adrian Hanson testimony re CIDWT training

Hi Dennis, I personally attended training given by NMSU in coordination with the pueblos and tribes. I also approved numerous employees under my supervision to also attend. Myself as well as my employees were on state time and if eligible state per diem.

From: McQuillan, Dennis, NMENV
Sent: Friday, July 01, 2011 10:16 AM
To: Brandt, Tom, NMENV; king, jack, NMENV; McQuillan, Dennis, NMENV; Miller, Gloria, NMENV; Montoya, Michael, NMENV; Schall, Brian, NMENV; Tapia, Jessica, NMENV; Torres, David, NMENV; Vincent, James, NMENV; Walker, Steven, NMENV; Wells, John, NMENV; Chavez, William, NMENV; fiore, frank, NMENV; Ickes, Jennifer, NMENV; Italiano, Robert, NMENV; Lundstrom, Charles, NMENV; Sena, Alan, NMENV; Vigil, Roberta, NMENV
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New Mexico Environment Department
Field Operations Bureau
Liquid Waste Program
505-476-8607 office
505-660-1592 cell

McQuillan, Dennis, NMENV

From: Wells, John, NMENV
Sent: Friday, July 01, 2011 10:44 AM
To: McQuillan, Dennis, NMENV
Subject: RE: Adrian Hanson testimony re CIDWT training

I don't recall being offered the courses he claims we were offered to take for free. And certainly nobody would have been told they have to use their own time to attend the training. That's never happened in my 11 years here.

John Wells

**NMED DISTRICT IV LIQUID WASTE SPECIALIST
ROSWELL DISTRICT OFFICE
PHONE: (575) 624-6046
FAX: (575) 624-2023**

From: McQuillan, Dennis, NMENV
Sent: Friday, July 01, 2011 10:16 AM
To: Brandt, Tom, NMENV; king, jack, NMENV; McQuillan, Dennis, NMENV; Miller, Gloria, NMENV; Montoya, Michael, NMENV; Schall, Brian, NMENV; Tapia, Jessica, NMENV; Torres, David, NMENV; Vincent, James, NMENV; Walker, Steven, NMENV; Wells, John, NMENV; Chavez, William, NMENV; fiore, frank, NMENV; Ickes, Jennifer, NMENV; Italiano, Robert, NMENV; Lundstrom, Charles, NMENV; Sena, Alan, NMENV; Vigil, Roberta, NMENV
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New Mexico Environment Department
Field Operations Bureau
Liquid Waste Program
505-476-8607 office
505-660-1592 cell

McQuillan, Dennis, NMENV

From: Brandt, Tom, NMENV
Sent: Friday, July 01, 2011 11:07 AM
To: McQuillan, Dennis, NMENV
Subject: RE: Adrian Hanson testimony re CIDWT training

Dennis, I have attended 3 of the CIDWT courses offered to the tribes. I did this on work time, not on personal leave, and travelled in a state vehicle. I would have attended more, but found it difficult to work into my schedule.

Tom Brandt, P.E.
Environmental Health Division Engineer
New Mexico Environment Department
525 Camino de Los Marquez, Suite 1
Santa Fe, NM 87505
Ph 505-476-8609
Fax 505-476-8654

From: McQuillan, Dennis, NMENV
Sent: Friday, July 01, 2011 10:16 AM
To: Brandt, Tom, NMENV; king, jack, NMENV; McQuillan, Dennis, NMENV; Miller, Gloria, NMENV; Montoya, Michael, NMENV; Schall, Brian, NMENV; Tapia, Jessica, NMENV; Torres, David, NMENV; Vincent, James, NMENV; Walker, Steven, NMENV; Wells, John, NMENV; Chavez, William, NMENV; fiore, frank, NMENV; Ickes, Jennifer, NMENV; Italiano, Robert, NMENV; Lundstrom, Charles, NMENV; Sena, Alan, NMENV; Vigil, Roberta, NMENV
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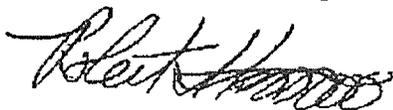
McQuillan, Dennis, NMENV

From: Italiano, Robert, NMENV
Sent: Friday, July 01, 2011 11:09 AM
To: McQuillan, Dennis, NMENV; Brandt, Tom, NMENV; king, jack, NMENV; Miller, Gloria, NMENV; Montoya, Michael, NMENV; Schall, Brian, NMENV; Tapia, Jessica, NMENV; Torres, David, NMENV; Vincent, James, NMENV; Walker, Steven, NMENV; Wells, John, NMENV; Chavez, William, NMENV; fiore, frank, NMENV; Ickes, Jennifer, NMENV; Lundstrom, Charles, NMENV; Sena, Alan, NMENV; Vigil, Roberta, NMENV
Subject: RE: Adrian Hanson testimony re CIDWT training

Dennis,

These classes have been very worthwhile and I look forward to attending them into the future. I believe that I have always informed my staff of the availability of these classes and will continue to do so.

To my recollection, Jim Vincent, Michael Broussard and I were the only people from District II to attend these trainings in the past two years. At no time have we had to use any personal time to attend these trainings. As is common practice, we were on the job for these classes.



Robert Italiano, Manager
Environmental Health Division, District II
New Mexico Environment Department
Santa Fe Field Office
505-827-1840

From: McQuillan, Dennis, NMENV
Sent: Friday, July 01, 2011 10:16 AM
To: Brandt, Tom, NMENV; king, jack, NMENV; McQuillan, Dennis, NMENV; Miller, Gloria, NMENV; Montoya, Michael, NMENV; Schall, Brian, NMENV; Tapia, Jessica, NMENV; Torres, David, NMENV; Vincent, James, NMENV; Walker, Steven, NMENV; Wells, John, NMENV; Chavez, William, NMENV; fiore, frank, NMENV; Ickes, Jennifer, NMENV; Italiano, Robert, NMENV; Lundstrom, Charles, NMENV; Sena, Alan, NMENV; Vigil, Roberta, NMENV
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New Mexico Environment Department
Field Operations Bureau
Liquid Waste Program
505-476-8607 office
505-660-1592 cell

McQuillan, Dennis, NMENV

From: Norvelle, Norman, NMENV
Sent: Friday, July 01, 2011 11:22 AM
To: McQuillan, Dennis, NMENV
Subject: RE: Adrian Hanson testimony re CIDWT training

I believe what confused everything is that Charles and District V were done away with and we were in the process of being merged into district 4. Also, the A-Z classes were being set up at that time and there was general confusion going on. Yes, I did drive the state car and received per diem.

Norman R. Norvelle, REHS/RS, M.N.S.
Farmington & Gallup Field Office Manager
Environmental Health Division
New Mexico Environment Dept.- District 1
3400 Messina Drive, Ste. 5000
Farmington, NM 87402
Off: (505) 566-9742
Cell: (505) 469-5328
Fax: (505) 566-9757

From: McQuillan, Dennis, NMENV
Sent: Friday, July 01, 2011 11:19 AM
To: Norvelle, Norman, NMENV
Subject: RE: Adrian Hanson testimony re CIDWT training

Thanks Norm. Were you allowed to drive a state car to the class and did you get per diem?

Dennis McQuillan
New Mexico Environment Department
Field Operations Bureau
Liquid Waste Program
505-476-8607 office
505-660-1592 cell

From: Norvelle, Norman, NMENV
Sent: Friday, July 01, 2011 11:15 AM
To: McQuillan, Dennis, NMENV
Subject: RE: Adrian Hanson testimony re CIDWT training

I wasn't approved, until the last few days for the second half of the installers class and told them that I would take the class even if it was on my own time as annual leave. I was finally approved to take the class.

Norman R. Norvelle, REHS/RS, M.N.S.
Farmington & Gallup Field Office Manager
Environmental Health Division
New Mexico Environment Dept.- District 1
3400 Messina Drive, Ste. 5000
Farmington, NM 87402
Off: (505) 566-9742
Cell: (505) 469-5328
Fax: (505) 566-9757

From: McQuillan, Dennis, NMENV
Sent: Friday, July 01, 2011 10:45 AM
To: Norvelle, Norman, NMENV
Subject: FW: Adrian Hanson testimony re CIDWT training

Norm,

I understand that you attended some of this CIDWT training.

Did you attend this training on NMED payroll or on Annual Leave?

Dennis McQuillan

New Mexico Environment Department
Field Operations Bureau
Liquid Waste Program
505-476-8607 office
505-660-1592 cell

From: McQuillan, Dennis, NMENV

Sent: Friday, July 01, 2011 10:16 AM

To: Brandt, Tom, NMENV; king, jack, NMENV; McQuillan, Dennis, NMENV; Miller, Gloria, NMENV; Montoya, Michael, NMENV; Schall, Brian, NMENV; Tapia, Jessica, NMENV; Torres, David, NMENV; Vincent, James, NMENV; Walker, Steven, NMENV; Wells, John, NMENV; Chavez, William, NMENV; fiore, frank, NMENV; Ickes, Jennifer, NMENV; Italiano, Robert, NMENV; Lundstrom, Charles, NMENV; Sena, Alan, NMENV; Vigil, Roberta, NMENV

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Do any of you know what Adrian might be talking about?

Dennis McQuillan

New Mexico Environment Department
Field Operations Bureau
Liquid Waste Program
505-476-8607 office
505-660-1592 cell

McQuillan, Dennis, NMENV

From: Ickes, Jennifer, NMENV
Sent: Friday, July 01, 2011 1:58 PM
To: McQuillan, Dennis, NMENV; Brandt, Tom, NMENV; king, jack, NMENV; Miller, Gloria, NMENV; Montoya, Michael, NMENV; Schall, Brian, NMENV; Tapia, Jessica, NMENV; Torres, David, NMENV; Vincent, James, NMENV; Walker, Steven, NMENV; Wells, John, NMENV; Chavez, William, NMENV; fiore, frank, NMENV; Italiano, Robert, NMENV; Lundstrom, Charles, NMENV; Sena, Alan, NMENV; Vigil, Roberta, NMENV
Subject: Re: Adrian Hanson testimony re CIDWT training

District 1 has had several employees attend these courses and have never had anyone attend on their own time. These courses are extremely valuable to staff and worth attending.

Sent from my Verizon Wireless BlackBerry

From: "McQuillan, Dennis, NMENV" <dennis.mcquillan@state.nm.us>
Date: Fri, 1 Jul 2011 16:15:40 +0000
To: Brandt, Tom, NMENV <tom.brandt@state.nm.us>; king, jack, NMENV <jack.king@state.nm.us>; McQuillan, Dennis, NMENV <dennis.mcquillan@state.nm.us>; Miller, Gloria, NMENV <Gloria.Miller@state.nm.us>; Montoya, Michael, NMENV <michael.montoya2@state.nm.us>; Schall, Brian, NMENV <brian.schall@state.nm.us>; Tapia, Jessica, NMENV <Jessica.Tapia@state.nm.us>; Torres, David, NMENV <David.Torres@state.nm.us>; Vincent, James, NMENV <James.Vincent@state.nm.us>; Walker, Steven, NMENV <Steven.Walker@state.nm.us>; Wells, John, NMENV <john.wells@state.nm.us>; Chavez, William, NMENV <william.chavez@state.nm.us>; fiore, frank, NMENV <frank.fiore@state.nm.us>; Ickes, Jennifer, NMENV <jennifer.ickes@state.nm.us>; Italiano, Robert, NMENV <robert.italiano@state.nm.us>; Lundstrom, Charles, NMENV <charles.lundstrom@state.nm.us>; Sena, Alan, NMENV <alan.sena@state.nm.us>; Vigil, Roberta, NMENV <Roberta.Vigil@state.nm.us>
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Dennis McQuillan
New Mexico Environment Department
Field Operations Bureau
Liquid Waste Program
505-476-8607 office
505-660-1592 cell

McQuillan, Dennis, NMENV

From: Ingram, Jake, NMENV
Sent: Tuesday, July 05, 2011 8:49 AM
To: McQuillan, Dennis, NMENV
Cc: Chavez, William, NMENV; Martinez, Hiromi, NMENV
Subject: RE: Adrian Hanson testimony re CIDWT training

Hello Dennis,

Correction, I did attend a CIDWT training. I found the notebooks. Romi has them too. It gets a little confusing sometimes keeping all of the acronyms straight.

I do not have my old calendar here, so I cannot recall the date of the class. However, I do not remember having to do anything special (annual vs holiday.) to attend. Let me know if you would like me to track down the dates better and I can confirm, but I do not believe we had to do anything special, because it was most likely in ABQ or Santa Fe.

Thank you,

Jake

From: Ingram, Jake, NMENV
Sent: Tuesday, July 05, 2011 8:27 AM
To: McQuillan, Dennis, NMENV
Cc: Chavez, William, NMENV
Subject: RE: Adrian Hanson testimony re CIDWT training

Hello Dennis,

I have not taken any CIDWT training. I don't know what that is. Please let me know if maybe it went by another name.

Thank you,

Jake

From: McQuillan, Dennis, NMENV
Sent: Friday, July 01, 2011 1:55 PM
To: Ingram, Jake, NMENV
Subject: FW: Adrian Hanson testimony re CIDWT training

Jake,

I understand that you attended some of this CIDWT training.

Did you attend this training on NMED payroll or on Annual Leave?

If you attended, were you allowed to drive a state vehicle to the training?

Dennis McQuillan
New Mexico Environment Department
Field Operations Bureau

Liquid Waste Program
505-476-8607 office
505-660-1592 cell

From: McQuillan, Dennis, NMENV

Sent: Friday, July 01, 2011 10:16 AM

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From: Walker, Steven, NMENV
Sent: Tuesday, July 05, 2011 3:39 PM
To: McQuillan, Dennis, NMENV; Brandt, Tom, NMENV; king, jack, NMENV; Miller, Gloria, NMENV; Montoya, Michael, NMENV; Schall, Brian, NMENV; Tapia, Jessica, NMENV; Torres, David, NMENV; Vincent, James, NMENV; Wells, John, NMENV; Chavez, William, NMENV; fiore, frank, NMENV; Ickes, Jennifer, NMENV; Italiano, Robert, NMENV; Lundstrom, Charles, NMENV; Sena, Alan, NMENV; Vigil, Roberta, NMENV
Subject: RE: Adrian Hanson testimony re CIDWT training

No. I attended two of the classes as a guest of the tribes. I went to the training in my state vehicle and did so on regular work time.

Steve

Steve Walker, RS, MPH

Liquid Waste Specialist
NMED, District I
5500 San Antonio NE
Albuquerque, NM 87109
(505) 222-9500

From: McQuillan, Dennis, NMENV
Sent: Friday, July 01, 2011 10:16 AM
To: Brandt, Tom, NMENV; king, jack, NMENV; McQuillan, Dennis, NMENV; Miller, Gloria, NMENV; Montoya, Michael, NMENV; Schall, Brian, NMENV; Tapia, Jessica, NMENV; Torres, David, NMENV; Vincent, James, NMENV; Walker, Steven, NMENV; Wells, John, NMENV; Chavez, William, NMENV; fiore, frank, NMENV; Ickes, Jennifer, NMENV; Italiano, Robert, NMENV; Lundstrom, Charles, NMENV; Sena, Alan, NMENV; Vigil, Roberta, NMENV
Subject: Adrian Hanson testimony re CIDWT training

In the written testimony that Adrian filed, he asserts that NMED required its employees to take vacation leave in order to attend the CIDWT training during April, June, July and August 2010 and Feb in 2011. See page 14 of his testimony pdf ftp://ftp.nmenv.state.nm.us/www/EIB/July_2011_meeting/POWRA%20Exhibit%208.pdf

This is news to me. Tom, who I directly supervise, attended the training on NMED payroll, with my approval.

Do any of you know what Adrian might be talking about?

Dennis McQuillan
New Mexico Environment Department
Field Operations Bureau
Liquid Waste Program
505-476-8607 office
505-660-1592 cell



ENTERED
8-17-08

State of New Mexico Purchase Order

PO Number to be on all Invoices and Correspondence
Dispatch via Print

NM Environment Department

NMED-1190 St. Francis Drive Rm. S4051
P.O. Box 26110
Santa Fe NM 87502
United States

Vendor: 0000076007
RPFSSIONAL ONSITE WASTEWATER REUSE
P O BOX 8542
SANTA FE NM 87504-8542

Purchase Order 66700-000008076	Date 07/31/2008	Revision	Page 1
Payment Terms Pay Now	Freight Terms FOB Destination	Ship Via Best Way	
Buyer MILDRED VAN GESE	Phone 505/476-3718		
Ship To:	525 Camino De Los Marquez Suite 1 Santa Fe NM 87505 United States		
Bill To:	525 Camino De Los Marquez Suite 1 Santa Fe NM 87505 United States		

Origin: ENC Exc/Excl #:

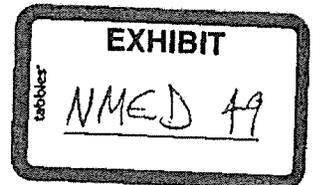
Line-Sch	Item/Description	Mfg ID	Quantity	UOM	PO Price	Extended Amt	Due Date
1- 1	Two day Inspector Training course will be \$225 a person and will include the 2 days of instruction, the exam and the NAWT certification. Mandatory training for all field inspectors in all 22 Field offices.		75.00	EA	225.00	16,875.00	07/31/2008

66700-06400-303000000-535300-ADM3400- - - 109-80000

Schedule Total 16,875.00

Item Total 16,875.00

Total PO Amount 16,875.00



Agency Approval I certify that the proposed purchase represented by this document is authorized by and is made in accordance with all State (and if applicable Federal) legislation rules and regulation. I further certify that adequate unencumbered cash and budget expenditure authority exists for this proposed purchase and all other outstanding purchase commitments and accounts payable.

Authorized Signature

State of New Mexico
 Voucher Batch Report
 BusinessUnit 66700 NM Environment Department
 Vouchers with Final Agency Approval But Not Yet Reviewed/Approved By DFA/FCD
 AsOfDate 08/28/2008
 Voucher Vchr VchrLineDeact



Number	Line	Line#	Distr Account	Account	Fund	VendorName	WithHold	Accounting Year	Accounting Month	PurchaseOrder Invoice Number	Total Amount
00025906	1	Two day Inspector Tr	1	515309	06400	PROFESSION 053		2009	08	0000008076 9	13950.00
Total For Voucher											13950.00

FHD
 Jessica Tapia



**State of New Mexico
Purchase Order**

PO Number to be on all Invoices and Correspondence
Dispatch via Print

NM Environment Department

NMED-1190 St. Francis Drive Rm. S4051
P.O. Box 5469
Santa Fe NM 87502
United States

Vendor: 0000076007
PROFESSIONAL ONSITE WASTEWATER REUSE
P O BOX 8542
SANTA FE NM 87504-8542

Purchase Order 66700-000011548	Date 10/06/2009	Revision	Page 1
Payment Terms Pay Now	Freight Terms FOB Destination		Ship Via Best Way
Buyer MILDRED VAN GBSE	Phone 505/476-3718		

Ship To: 525 Camino De Los Marquez
Suite 1
Santa Fe NM 87505
United States

Bill To: 525 Camino De Los Marquez
Suite 1
Santa Fe NM 87505
United States

Origin: EXE **Exc/Excl #:** 13-1-98J

Line-Sch	Item/Description	Mfg ID	Quantity	UOM	PO Price	Extended Amt	Due Date
1- 1	Two day Training Course to include the 2 days of instruction, the exam and NAWT Certificate. Registration for William Chavez @ the price \$620.00.		1.00	EA	620.00	620.00	10/06/2009
	66700-06400-3030000000-535300-ADM3400- - - -110-90000						
	Schedule Total					<u>620.00</u>	
	Item Total					<u>620.00</u>	
2- 1	Two day Training Course to include the 2 days of instruction, the exam and NAWT Certificate. Registration for Norman Norvelle And Christoper Chavez @ the price \$595.00 each.		2.00	EA	595.00	1,190.00	10/06/2009
	66700-06400-3030000000-535300-ADM3400- - - -110-90000						
	Schedule Total					<u>1,190.00</u>	
	Item Total					<u>1,190.00</u>	
	Total PO Amount					<u>1,810.00</u>	

Agency Approval - I certify that the proposed purchase represented by this document is authorized by and is made in accordance with all State (and if applicable Federal) legislation rules and regulation. I further certify that adequate unencumbered cash and budget expenditure authority exists for this proposed purchase and all other outstanding purchase commitments and accounts payable.

Authorized Signature

Jessica
JAD

State of New Mexico
 Voucher Batch Report
 BusinessUnit 66700 NM Environment Department
 Vouchers with Final Agency Approval But Not Yet Reviewed/Approved By DFA/FCD
 AsOfDate 11/18/2009
 Voucher Vchr VchrLineBasecr Distx Account

Number	Line	Line#	Description	Account	Fund	VendorName	1099	Withhold	Year	Accounting Period	PurchaseOrder Invoice Number	Total Amount
										Year	Month	
00038962	1	535300	Other Services	06400	PROFESSION-053				2010	11	0000011548	620.00
00038962	2	535300	Other Services	06400	PROFESSION-053				2010	11	0000011548	1190.00
											Total For Voucher	1810.00