



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) 827-2836

MEETING MINUTES
MEETING OF THE ENVIRONMENTAL IMPROVEMENT BOARD
April 27, 2018
9:30 A.M.
Room 307, State Capitol Building
490 Old Santa Fe Trail
Santa Fe, New Mexico 87501

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

Members absent:

Others present: Erin Anderson, Administrative Law Judge
Pam Castañeda, Board Administrator
Stephen Vigil, Board Counsel

Item 1. Roll call.

Action: Roll was called; a quorum was present.

Christopher Timm, Greg Fulfer and Matthew Holt explained why they needed to appear by teleconference. It was impossible and impractical for them to attend in person.

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

Action: 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: The Chair asked for a motion. Mr. Morrow moved to approve as mailed. Mr. Holt seconded the motion. The motion passed unanimously.



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Item 4. Approval of meeting minutes from February 21, 2018.

Action: Mr. Holt moved to approve the minutes. Mr. Morrow seconded the motion. The motion passed unanimously.

Item 5. Public comment unrelated to agenda items.

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

Item 6. Election of Secretary.

Action: The Chair motioned that Mr. Morrow serve as Secretary. Mr. Fulfer seconded the motion. The motion passed unanimously.

Item 7. EIB 18-01 (R). In the Matter of Proposed Repeal and Replacement of 20.3.20 NMAC. Request for Hearing.

Action: Mia Napolitano, Office of General Counsel, New Mexico Environment Department and Stephen Sanchez, Medical and Imaging and Radiation Therapy Program Administrator came before the Commission to request a hearing to be scheduled for August 24, 2018. The Chair moved that the EIB Board accept the Proposed Repeal and Replacement of 20.3.20 NMAC as presented. Mr. Morrow seconded the motion. Mr. Morrow: Aye, Mr. Timm: Aye, Mr. Fulfer: Aye, and Mr. Holt: Aye. The motion passed unanimously. Mr. Holt volunteered to be the hearing officer. The Chair motioned to set the hearing for August 24, 2018 and appoint Mr. Holt as the hearing officer. Mr. Timm seconded. Mr. Morrow: Aye, Mr. Timm: Aye, Mr. Fulfer: Aye, and Mr. Holt: Aye.



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Item 8. EIB 17-04 (R). In the Matter of Proposed Repeal of 20.5.1 NMAC through 20.5.16 NMAC, 20.5.18 NMAC and 20.5.19 NMAC and Replacement with 20.5.101 NMAC through 20.5.122 NMAC, 20.5.124 NMAC and 20.5.125 NMAC Resource Protection Division Petroleum Storage Tank Bureau, New Mexico Environment Department, Petitioner. Deliberations and possible decision.

Action: Kathy Townsend of Kathy Townsend Court Reporters recorded and transcribed EIB 17-04 (R). The transcript is available in the office of the Commission Administrator.

The Chair and Commission Counsel went over preliminary issues. The Chair moved to schedule the deliberations and possible decision on EIB 17-04 (R) for May 25, 2018. Mr. Morrow seconded. Mr. Morrow: Aye, Mr. Timm: Aye, Mr. Fulfer: Aye, and Mr. Holt: Aye. The motion passed unanimously.

Item 9. Board member comments and questions.

Action: The Chair wanted to inform the Board that Mr. Howalt requested to resign.

Item 10. Next meeting: May 25, 2018.

Action: EIB 17-04 (R) is scheduled for a public hearing.

Item 11. Adjournment.

Action: The Chair adjourned the meeting at approximately 10:11 a.m. The Chair moved to adjourn the meeting. Mr. Morrow seconded the motion. Mr. Morrow Aye, Mr. Volkerding Aye, Mr. Holt Aye, Mr. Timm Aye. The motion passed unanimously.


Timothy Morrow, Secretary