

Minutes WTAC 12 July 2019 Meeting

WTAC Members Present

Andy Schuler (Chair)
Loren Allen
Don Becker
Dan Boivin

WTAC Members Absent

Terry Mount (Vice-Chair)

Others in Attendance

Mia Napolitano (NMED-OGC)
Chris Vigil (NMED-OGC)
Michael Broussard (NMED)
John Ferdetta (Quest 4 Corp)

Item 1. Roll Call

Chair Schuler called the meeting to order at 9:36 a.m.

Roll called by Mia Napolitano. All WTAC members present or absent as noted above. Quorum present.

Item 2. Approval of Agenda

Mr. Boivin moved the agenda be approved as published. Mr. Allen seconded the motion. All voted in favor to approve the agenda.

Item 3. Approval of the minutes from March 29, 2019 WTAC Meeting

Chair Schuler noted one correction to the notes from the last meeting on page 2, second to the last paragraph: change “conference” to “conference call”.

Don Becker moved that the minutes be approved, as amended. Mr. Allen seconded. All voted in favor to approve the minutes.

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Item 4. Proposed language for the WTAC’s Product Review Process-presentation by Mia Napolitano, NMED-OGC

Ms. Napolitano briefly discussed proposed language for the WTAC’s Product Review Process for an expedited and review process for emergencies or crisis situations. An Open Meeting Act does have a definition of emergency but does not have a definition of crisis. Since the WTAC reviews products and approves of them, there is no way we can show that some crisis or emergency could be solved by this particular product without knowing how the product works.

Chair Schuler clarified that there are 2 issues: whether the process could be sped up and the other would be whether the criteria might change.

Ms. Napolitano was not sure what criteria the WTAC should consider when granting an expedited review for a product. So, the suggestion is to keep the language as it is written and if an emergency or crisis situation arises, then a special meeting can be held to hear the application. The WTAC can expedite its internal review to meet that deadline.

Chair Schuler clarified that we would still be working with what we have with the potential for adding in a special meeting; continue with the deadlines of 60 days prior to the meeting and the applicant would have to have the full submittal in. Ms. Napolitano clarified that the deadline right now is 90 days, however can be shortened to 60 days for everyone but this change would just shorten the review time. Discussion continued regarding meeting in between quarterly meetings to address these emergency and/or crisis situations.

Mr. Boivin clarified the process of NMED reviewing and establishing a project as an emergency. It would not be established as an emergency by the anyone else. If deemed an emergency a meeting could be scheduled around the quarterly meeting. It was agreed that all can work together as far scheduling.

Item 5. Annual Open Meeting Policy and Notice (2019)-presentation by Mia Napolitano, NMED-OGC

Every year we have to come up with our own open meeting policy for the WTAC. Ms. Napolitano submitted a draft to the WTAC just revising the dates so that they are aligned but did not change any of the substantive language. Ms. Napolitano asked if anyone had any revisions to make to the draft policy.

Mr. Boivin moved to accept the open meeting's policy of 2019 as marked up by Ms. Napolitano. Mr. Allen seconded the motion. All voted in favor to accept the open meeting's policy of 2019. A clean draft was handed to Chair Schuler for signature.

Item 6. Other business

Further discussion on New Mexico accepting out-of-state tire chips. The department seeks the committee's comments and advice concerning the approval of tire chips as an alternative disposal field media.

Item 7. Next meeting agenda and date

October 11, 2019 at 9:30 a.m. in Albuquerque.

Item 8. Adjournment

Mr. Allen moved that the meeting be adjourned. Mr. Boivin seconded the motion. All voted in favor.

Prepared by Denise Chavez
Paralegal for NMED's Office of General Counsel

Date Approved by WTAC

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