

1

STATE OF NEW MEXICO
 ENVIRONMENTAL IMPROVEMENT BOARD
 EIB 18-05(R)

IN THE MATTER OF PETITION TO ADOPT
 NEW REGULATIONS FOR THE PURPOSE OF
 CONTROL OF FUGITIVE DUST SOURCES,
 TITLE 20, CHAPTER 2, NMAC.

TRANSCRIPT OF PROCEEDINGS

DELIBERATIONS

October 26, 2018
 9:58 a.m.

STATE CAPITOL BUILDING
 490 Old Santa Fe Trail, Room 309
 Santa Fe, New Mexico 87501

REPORTED BY: DENISE KOPAN, CCR #124
 KATHY TOWNSEND COURT REPORTERS
 110 Twelfth Street, NW
 Albuquerque, New Mexico 87102

3

MR. VOLKERDING: The next Agenda item, number
 eight, it's EIB 18-05(R), In the Matter of Petition to
 Adopt New Regulations for the Purpose of Control of
 Fugitive Dust Sources, Title 20, Chapter 2, NMAC.
 Same synopsis, basically. The hearing was
 held in Las Cruces. There was not a quorum. And so we
 are doing the deliberations now. The transcript of the
 hearing and the exhibits were submitted to Board
 Members.

Is there any deliberation? I am not hearing
 anything. I will ask for a motion.

MR. HOLT: Move to approve the proposed
 regulations concerning fugitive dust.

MR. VOLKERDING: I will second. So all in
 favor, indicate by saying aye.

MR. HOLT: Aye.

MR. MORROW: Member Morrow, aye.

MR. TIMM: Member Timm, aye.

MR. VOLKERDING: Myself, aye. The motion
 passes unanimously.

Any Board comments or questions? On the next
 item -- I will do the paperwork in a minute.

(Proceedings concluded at 10:01 a.m.)

2

A P P E A R A N C E S

For the Environmental Improvement Board:
 MR. JOHN M. VOLKERDING, Chair
 MR. MATTHEW HOLT
 MR. TIM MORROW (Telephonically)
 MR. CHRISTOPHER TIMM (Telephonically)

BOARD COUNSEL: MR. GIDEON ELLIOT
 ASSISTANT ATTORNEY GENERAL

For the New Mexico Environment Department:
 MR. ANDREW P. KNIGHT
 ASSISTANT GENERAL COUNSEL
 NEW MEXICO ENVIRONMENT DEPARTMENT
 121 Tijeras Avenue, NE, Suite 1000
 Albuquerque, New Mexico 87102
 (505) 222-9540
 andrew.knight@state.nm.us

I N D E X PAGE

Deliberations

E X H I B I T S

(None)

4

STATE OF NEW MEXICO)
)
 COUNTY OF BERNALILLO)

I, DENISE KOPAN, the undersigned Court
 Reporter, HEREBY CERTIFY that the foregoing
 Deliberations were recorded by me by machine shorthand;
 that I later caused my notes to be transcribed under my
 personal supervision; and that the foregoing is a true
 and accurate record, to the best of my ability, of said
 proceedings.

I FURTHER CERTIFY that I am not a relative or
 employee of any of the parties or attorneys involved in
 this matter and that I have no personal interest in the
 final disposition of this matter.

DATED this ____ day of ____, 2018.

Original Signed
 by Denise Kopan
DENISE KOPAN, NM CR #124
 License Expiration: 12/31/18

#	state.nm.us [1] - 2:11 approve [1] - 3:12 ASSISTANT [2] - 2:6, 2:8 ATTORNEY [1] - 2:6 attorneys [1] - 4:12 Avenue [1] - 2:9 aye [4] - 3:15, 3:17, 3:18, 3:19 Aye [1] - 3:16	3:7 DENISE [3] - 1:21, 4:4, 4:20 Department [1] - 2:7 DEPARTMENT [1] - 2:9 disposition [1] - 4:14 Dust [1] - 3:4 dust [1] - 3:13 DUST [1] - 1:6	I	N
#124 [2] - 1:21, 4:20			IMPROVEMENT [1] - 1:1 Improvement [1] - 2:2 IN [1] - 1:5 indicate [1] - 3:15 interest [1] - 4:13 involved [1] - 4:12 item [2] - 3:1, 3:22	NE [1] - 2:9 NEW [4] - 1:1, 1:5, 2:9, 4:1 New [5] - 1:15, 1:22, 2:7, 2:10, 3:3 next [2] - 3:1, 3:21 NM [1] - 4:20 NMAC [2] - 1:6, 3:4 None [1] - 2:17 notes [1] - 4:7 number [1] - 3:1 NW [1] - 1:22
1			J	
1000 [1] - 2:9 10:01 [1] - 3:23 110 [1] - 1:22 12/31/18 [1] - 4:20 121 [1] - 2:9 18-05(R) [2] - 1:2, 3:2			JOHN [1] - 2:3	
2	B	E	K	O
2 [2] - 1:6, 3:4 20 [2] - 1:6, 3:4 2018 [2] - 1:13, 4:15 222-9540 [1] - 2:10 26 [1] - 1:13	BERNALILLO [1] - 4:3 best [1] - 4:9 Board [3] - 2:2, 3:8, 3:21 BOARD [2] - 1:1, 2:5 BUILDING [1] - 1:14 BY [1] - 1:21	EIB [2] - 1:2, 3:2 eight [1] - 3:2 ELLIOT [1] - 2:5 employee [1] - 4:12 Environment [1] - 2:7 ENVIRONMENT [1] - 2:9 ENVIRONMENTAL [1] - 1:1 Environmental [1] - 2:2 exhibits [1] - 3:8 Expiration [1] - 4:20	KATHY [1] - 1:21 KNIGHT [1] - 2:8 KOPAN [3] - 1:21, 4:4, 4:20	October [1] - 1:13 OF [7] - 1:1, 1:5, 1:5, 1:6, 1:10, 4:1, 4:3 Old [1] - 1:14
3	C	F	L	P
309 [1] - 1:14	CAPITOL [1] - 1:14 caused [1] - 4:7 CCR [1] - 1:21 CERTIFY [2] - 4:5, 4:11 Chair [1] - 2:3 CHAPTER [1] - 1:6 Chapter [1] - 3:4 CHRISTOPHER [1] - 2:4 comments [1] - 3:21 concerning [1] - 3:13 concluded [1] - 3:23 CONTROL [1] - 1:6 Control [1] - 3:3 COUNSEL [2] - 2:5, 2:8 COUNTY [1] - 4:3 COURT [1] - 1:21 Court [1] - 4:4 Cruces [1] - 3:6 CSR [1] - 4:20	favor [1] - 3:15 Fe [2] - 1:14, 1:15 final [1] - 4:14 FOR [1] - 1:5 foregoing [2] - 4:5, 4:8 FUGITIVE [1] - 1:6 fugitive [1] - 3:13 Fugitive [1] - 3:4 FURTHER [1] - 4:11	Las [1] - 3:6 License [1] - 4:20	PAGE [1] - 2:13 paperwork [1] - 3:22 parties [1] - 4:12 passes [1] - 3:20 personal [2] - 4:8, 4:13 PETITION [1] - 1:5 Petition [1] - 3:2 Proceedings [1] - 3:23 PROCEEDINGS [1] - 1:10 proceedings [1] - 4:10 proposed [1] - 3:12 Purpose [1] - 3:3 PURPOSE [1] - 1:5
4		G	M	Q
490 [1] - 1:14		GENERAL [2] - 2:6, 2:8 GIDEON [1] - 2:5	Machin [1] - 4:6 Matter [1] - 3:2 matter [2] - 4:13, 4:14 MATTER [1] - 1:5 MATTHEW [1] - 2:3 Member [2] - 3:17, 3:18 Members [1] - 3:9 MEXICO [3] - 1:1, 2:9, 4:1 Mexico [4] - 1:15, 1:22, 2:7, 2:10 minute [1] - 3:22 MORROW [2] - 2:4, 3:17 Morrow [1] - 3:17 motion [2] - 3:11, 3:19 Move [1] - 3:12 MR [13] - 2:3, 2:3, 2:4, 2:4, 2:5, 2:8, 3:1, 3:12, 3:14, 3:16, 3:17, 3:18, 3:19	questions [1] - 3:21 quorum [1] - 3:6
5		H		R
505 [1] - 2:10	D	hearing [3] - 3:5, 3:8, 3:10 held [1] - 3:6 HEREBY [1] - 4:5 HOLT [3] - 2:3, 3:12, 3:16		record [1] - 4:9 recorded [1] - 4:6 REGULATIONS [1] - 1:5 regulations [1] - 3:13 Regulations [1] - 3:3
8				
87102 [2] - 1:22, 2:10 87501 [1] - 1:15				
9				
9:58 [1] - 1:13				
A				
a.m [2] - 1:13, 3:23 ability [1] - 4:9 accurate [1] - 4:9 Adopt [1] - 3:3 ADOPT [1] - 1:5 Agenda [1] - 3:1 Albuquerque [2] - 1:22, 2:10 ANDREW [1] - 2:8 andrew.knight@				

relative [1] - 4:11
REPORTED [1] -
 1:21
Reporter [1] - 4:5
REPORTERS [1] -
 1:21
Room [1] - 1:14

S

Santa [2] - 1:14, 1:15
second [1] - 3:14
shorthand [1] - 4:6
SOURCES [1] - 1:6
Sources [1] - 3:4
STATE [3] - 1:1,
 1:14, 4:1
Street [1] - 1:22
submitted [1] - 3:8
Suite [1] - 2:9
supervision [1] - 4:8
synopsis [1] - 3:5

T

Telephonically [2] -
 2:4, 2:4
THE [2] - 1:5, 1:5
Tijeras [1] - 2:9
TIM [1] - 2:4
Timm [1] - 3:18
TIMM [2] - 2:4, 3:18
TITLE [1] - 1:6
Title [1] - 3:4
TO [1] - 1:5
TOWNSEND [1] -
 1:21
Trail [1] - 1:14
transcribed [1] - 4:7
TRANSCRIPT [1] -
 1:10
transcript [1] - 3:7
true [1] - 4:8
Twelfth [1] - 1:22

U

unanimously [1] -
 3:20
under [1] - 4:7
undersigned [1] -
 4:4

V

VOLKERDING [4] -
 2:3, 3:1, 3:14, 3:19