

State of New Mexico
ENVIRONMENTAL IMPROVEMENT BOARD
Harold Runnels Building, N-2150
1190 St. Francis Drive, P. O. Box 5469
Santa Fe, New Mexico 87502

Environmental Improvement Board Meeting
August 3, 2009
10:00 a.m.
New Mexico State Capitol Room 317
490 Old Santa Fe Trail
Santa Fe, New Mexico 87501

Members Present:

Gregory Green, Chair
Soren Peters, Vice-Chair
Abbas Ghassemi, Member
Gay Dillingham, Member
Neri Holguin, Member
Frank Simms, Member

Members Absent:

Harold Tso, Secretary

Others Present:

Eric Ames, NMED/OGC	Andy Berger, Tri-State G&T
Brad Musick, NMED/AQB	Carlos Romero, NMED/EHD
Rhonda Mitchell, Tri-State G&T	Liz Keuhn, NMED/AQB
Kerwin Singleton, NMED/AQB	Rita Bates, NMED/AQB
Chuck Noble, NMED/OGC	Gail Cooke, NMED/AQB
Rick Sprott	Robb Thomson, NMCC
Emily Geery, NMED/AQB	Beverly Fikse, Dairy Producers of NM
John Gillis, NMGC	Link Summers, POWRA & individually
Adrian Terry, Atty. General's Office	

The Chair called the meeting to order at 10:10 a.m.

Item 1. Roll Call

Roll was taken and it was noted that a quorum was present.

Item 2. Approval of the Agenda

Action: Mr. Peters moved Board approval of the Agenda. Mr. Ghassemi

seconded. The motion passed unanimously.

Item 3. Approval of July 7, 2009 minutes.

Action: Mr. Ghassemi moved Board approval of the meeting minutes. Mr. Peters seconded. The motion passed unanimously.

Item 4. Public Comment

None

Mr. Green introduced new Board members Neri Holguin and Frank Simms.

Item 5. Petition for Public Hearing to consider a Proposed Amendment to the Liquid Waste Disposal and Treatment Regulations, 20.7.3 NMAC, EIB 09-08 (R). Chuck Noble, NMED/OGC; Carlos Romero, NMED/EHD.

Mr. Noble introduced Carlos Romero, NMED’s Environmental Health Division Bureau Chief, noting that Mr. Romero would be available to answer questions relating to the Department’s request for hearing on the proposed amendment to 20.7.3 NMAC. Mr. Noble stated that in the Department’s view, the regulations as currently in force, are unworkable and in some areas, unlawful.

There was discussion regarding dates available to schedule the hearing.

Mr. Noble mentioned that, prior to setting the hearing, the Board should note that Link Summers, representing POWRA and himself individually, was present and was opposed to such a setting.

Mr. Summers, on behalf of POWRA and himself individually, explained his and POWRA’s position in this matter and why the Board should not, and in his view, could not, set this matter for hearing before the Board prior to the resolution of a case currently pending in the Santa Fe County District Court involving the parties.

A lengthy discussion among Board members, Mr. Noble and Mr. Summers followed.

Action: Mr. Green moved that the Board set a hearing in EIB 09-08 (R), Proposed Amendment to Liquid Waste Disposal and Treatment Regulations, 20.7.3 NMAC on November 2, 2009. Mr. Ghassemi seconded.

Roll Call Vote:

Ms. Dillingham	yes
Mr. Ghassemi	yes
Mr. Simms	no
Ms. Holguin	yes

food, **EIB 09-05 (R)**. There was lengthy Board discussion regarding future scheduling issues.

Item 8. Next meeting: September 8, 2009, 10:00 a.m. State Capitol Building Room 317, 490 Old Santa Fe Trail, Santa Fe, New Mexico 87501.

Item 9. Adjournment.

Item 10. Mr. Ghassemi moved for adjournment. Ms. Dillingham seconded. The motion passed unanimously.

Signature on file

Gregory Green, Chair