

APPROVE 10/11/02

STATE OF NEW MEXICO
ENVIRONMENT DEPARTMENT
ENVIRONMENTAL IMPROVEMENT BOARD
HAROLD RUNNELS BUILDING
1190 St. Francis Drive
P.O. Box 26110
Santa Fe, NM 87502-6110
(505) 827-2002 Phone
(505) 827-0310 Fax

MINUTES OF THE SEPTEMBER 13, 2002 MEETING

The September meeting of the Environmental Improvement Board (EIB) was held at the City County Government Center in Albuquerque, New Mexico on September 13, 2002. Chairperson Dr. Abbas Ghassemi called the meeting to order at approximately 9:30 a.m.

Item # 1 Roll Call

Members Present: Ms. Cynthia Mojtabai
 Dr. Abbas Ghassemi
 Mr. Cliff P. Brunson
 Mr. William F. Brainerd

Members Absent: Dr. Hilary Noskin
 Mr. David Salopek
 Ms. Janice Argabright

Item # 2 Approval of the Agenda

Ms. Mojtabai recommended the following changes:

- Change approval of August 9, 2002 minutes to July 12, 2002 minutes.
- Move Item #'s 8 & 9 behind Item #5 making them Item 6 & 7.

ACTION: Ms. Mojtabai made a motion to approve the agenda as amended. Mr. Brunson seconded. The motion passed unanimously.

Item #3 Approval of the Minutes of the July 12, 2002 meeting

ACTION: Mr. Brunson made a motion to approve the Minutes of the July 12, 2002 meeting as submitted. Ms. Mojtabai seconded. The motion passed unanimously.

Item #4 (Petition by the New Mexico Environment Department Air Quality Bureau to consider Proposed Regulatory Revisions to 20.2.70 NMAC, Section 300 and 302 – Operating Permits. (EIB 02-09P)

Ms. Rita Trujillo, Air Quality Bureau, requested a hearing to consider the Proposed Regulatory Revisions to 20.2.70 NMAC, Section 300 and 302 – Operating Permits on November 8, 2002. Ms. Trujillo informed the Board that IWG's hearing was also scheduled that day to discuss the same matter and suggested to have both hearings separate but on the same day, in conjunction with one another or combined.

ACTION: Mr. Brainerd made a motion to set the hearing for November 8, 2002 and allow a 30 day notice as provided by the Air Quality Bureau. Ms. Mojtabai seconded. The motion passed unanimously.

ACTION: Mr. Brainerd made a motion to appoint Ms. Mojtabai as hearing officer for the November 8, 2002 hearing. Mr. Brunson seconded. Motion passed unanimously.

Item #5 Petition by the New Mexico Environment Department Air Quality Bureau to consider Proposed State Implementation Plan Revisions – Grant County, New Mexico Sulfur Dioxide Nonattainment Area. (EIB 02-08P)

Ms. Rita Trujillo requested a hearing to consider Proposed State Implementation Plan Revisions – Grant County, New Mexico Sulfur Dioxide Nonattainment Area. Ms. Trujillo requested that this hearing be held in Silver City, New Mexico.

ACTION: Mr. Brainerd made a motion to conditionally set the hearing on December 13, 2002 to consider Proposed State Implementation Plan Revisions – Grant County, NM Sulfur Dioxide Nonattainment Area in Silver City – The condition will be based upon the approval of ACI to move their hearing from Albuquerque to Silver City and that it puts no extra burden on ACI. Mr. Brunson seconded. Motion passed unanimously.

Mr. Brainerd amended his motion to add, if ACI does not agree to have their hearing moved to Silver City, the hearing to consider Proposed State Implementation Plan Revisions will be held in January and ACI will continue with their hearing in December. Mr. Brunson seconded. The motion passed unanimously.

Item #5.5 Presentation by the Air Quality Bureau on stakeholder process for implementation of the Federal Regional Haze Rule.

Ms. Sandra Ely, Bureau Chief of the Air Quality Bureau, introduced Andy Price, Wayne Leipold, Mike Porto and Shawn Kendell, all members of the Stakeholders group, to the Board to discuss the process for implementation of the Federal Regional Haze Rule. Ms. Ely noted that the Air Quality Bureau has held a series of stakeholder meetings to educate and provide background material on regional haze, and to develop a document for the Cabinet Secretary and Governor describing which option under the regional haze rule is best for New Mexico. A hard copy of the power point presentation was distributed to all Board Members.

Item #6 (Was previously Item #8) Other Business

No Other Business was discussed.

Item #7 (Was previously Item #9) Next Meeting

The next Environmental Improvement Board regularly scheduled meeting will be on October 11, 2002.

Item #8 (Was previously Item #6) Hearing of and possible decision on the Petition for Hearing to amend the definition of ‘major source’ in the Air Quality Control Regulation 20.2.70 NMAC – Operating Permits. (EIB-02-02)

ACTION: Mr. Brunson made a motion to go into hearing on the petition to amend the definition of ‘major source’. Mr. Brainerd seconded. Motion passed unanimously.

Ms. Mojtabai, Hearing Officer, called the meeting to order.

ACTION: Mr. Brainerd made a motion to grant the amendment of the definition of ‘major source’ in the Air Quality Control Regulation 20.2.70 NMAC – Operating Permits. Mr. Brunson seconded. Motion passed unanimously.

Item #9 (Was previously Item #7) Hearing of and possible decision on the Petition for Hearing for Proposed Replacement of the Drinking Water Regulations Set Forth at 20.7.20 NMAC. (EIB 01-08R)

Ms. Mojtabai announced the final decision on the Hearing for Proposed Replacement of the Drinking Water Regulations Set Forth at 20.7.20 NMAC will be made at the October 11, 2002 meeting.