

**APPROVED 09/13/02
STATE OF NEW MEXICO
ENVIRONMENT DEPARTMENT
ENVIRONMENTAL IMPROVEMENT BOARD
HAROLD RUNNELS BUILDING
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MINUTES OF THE JULY 12, 2002 MEETING

The July meeting of the Environmental Improvement Board (EIB) was held at the City County Government Center in Albuquerque, New Mexico on July 12, 2002. Chairperson Hilary Noskin called the meeting to order at approximately 9:30 a.m.

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

Members Absent: Mr. David Salopek
Ms. Janice Argabright

Item #1 (Approval of the Agenda)

Ms. Mojtabai requested that Item # 3 be placed behind Item # 7.

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

Item #2 (Approval of the Minutes of the April 12, 2002 meeting)

ACTION: Ms. Mojtabai made a motion to approve the Minutes of the April 12, 2002 meeting. Dr. Ghassemi seconded. The motion passed unanimously.

Item #3 (Was previously Item #4) Petition by the New Mexico Environment Department Air Quality Bureau to amend the definition of ‘major source’ in Air Quality Control Regulation 20.2.70 NMAC – Operating Permits, and request for public hearing. (EIB-02-02)

Mr. Andy Berger requested to the board a hearing to redefine the definition of a ‘major source’.

ACTION: **Mr. Brainerd motioned that a hearing be set for September 13, 2002 to redefine the definition of a ‘major source’. Ms. Mojtabai seconded. The motion passed unanimously.**

Item #4 (Was previously Item #5) **Petition by Industry Working Group to amend the definition of ‘applicable requirement’ and make other changes in Air Quality Control Regulation 20.2.70 NMAC – Operating Permits, and request for public hearing. (EIB-02-03)**

Mr. Louis Rose requested a hearing to amend the definition of ‘applicable requirement’ and make other changes in Air Quality Control Regulation 20.2.70 NMAC – Operating Permits.

ACTION: **Mr. Brainerd motioned that a hearing be set for November 8, 2002, to amend the definition of ‘applicable requirement’ and make other changes in Air Quality Control Regulation 20.2.70 NMAC – Operating Permits. Mr. Brunson seconded. The motion passed unanimously.**

Item #5 (Was previously Item #6) **Setting the matter for Hearing in the Petition for Hearing on the Operating Permit for Bluewater Compressor Station (Permit No. P139-M2) – El Paso Natural Gas Company.**

Mr. Louis Rose informed the Board that when he filed this petition, El Paso Natural Gas Company waived their rights to a hearing within 60 days. Mr. Rose asked that the Board stay the preceding and stay setting the hearing until after the Board acts on the Rule Making Petition – Part 70.

Mr. Eric Ames, Counsel for the Department, requested that the Board give a date certain that the Environment would submit it’s response in the matter listed above.

ACTION: **Mr. Brainerd made motion to extend time to the Environment Department to file its response until 30 days after the final decision of the Board on the IWG matter. Ms Mojtabai seconded. Chairman Noskin call for a roll call:**

Ms. Mojtabai	Yes
Mr. Brunson	Yes
Mr. Brainerd	Yes
Dr. Ghassemi	Yes
Dr. Noskin	Yes

Item #6 (Was previously Item #7) Setting the matter for Hearing in the Petition for Hearing on the Operating Permit for Hearing on Air Quality Permit Application No. 2652 – Booher Sand and Gravel Hot Mix Asphalt Plant.

Chairman Noskin noted that Counsel was not present for Booher Sand and Gravel Hot Mix Asphalt Plant and continued on with the setting of a hearing date.

ACTION: Dr. Ghassemi made a motion to set the matter of Booher Sand and Gravel Hot Mix Asphalt Plant for hearing on August 23, 2002. Mr. Brunson seconded. The motion passed unanimously.

ACTION: Dr. Ghassemi motioned that Ms. Mojtabai would be the Hearing Officer for the August 23, 2002 hearing of Booher Sand and Gravel Hot Mix Asphalt Plant. Mr. Brainerd seconded. The motion passed unanimously.

Item #7 (Was previously Item #3) Petition by Association of Commerce and Industry to amend Air Quality Control Regulation 20.2.72.219.B NMAC – Technical Permit Revisions, and request for public hearing. (EIB-02-01)

Chairman Noskin noted that she was currently on the Association of Commerce and Industry’s Board and turned over the chair position to Dr. Ghassemi.

Bill Scott, Counsel for Association of Commerce and Industry (ACI), filed a petition to amend Air Quality Control Regulation 20.2.72.219B NMAC – Technical Permit Revisions, and request for public hearing.

ACTION: Mr. Brainerd motioned to set the matter of ACI to amend Air Quality Control Regulation 20.2.72.219.B NMAC – Technical Permit Revisions for hearing on December 13, 2002. Ms. Mojtabai seconded. The motion passed unanimously.

ACTION: Mr. Brainerd motioned that Ms. Mojtabai would be the Hearing Officer for the December 13, 2002 hearing of Association of Commerce and Industry. Mr. Brunson seconded. The motion passed unanimously.

Item #8 Other Business

Dr. Noskin welcomed Geraldine Madrid-Chavez to the Board.

Item #9 Next Meeting

The Environmental Improvement Board will have a special meeting and hearing on August 23, 2002. The next Environmental Improvement Board regularly scheduled meeting will be on September 13, 2002.

Adjourn:

ACTION: Ms. Mojtabai moved to adjourn. Dr. Ghassemi seconded. Motion carried unanimously.