

**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 AUGUST 23, 2002 MEETING**

The August meeting of the Environmental Improvement Board (EIB) was held at the City County Government Center in Albuquerque, New Mexico on August 23, 2002. Chairperson Dr. Abbas Ghassemi called the meeting to order at approximately 9:30 a.m.

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

Members Absent: Dr. Hilary A. Noskin

**Item #2 (Approval of the Agenda)**

Mr. Brainerd requested to add language to Item # 3 to read: “and consideration of Petition and possible decision.”

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

**Item #3 Hearing of the Petition for Hearing on Air Quality Permit Application No. 2652 – Booher Sand and Gravel Hot Mix Asphalt Plant, and consideration of Petition and possible decision. (EIB 02-07)**

Ms. Mojtabai called the hearing to order.

**ACTION: Mr. Brainerd made a motion to reserve the decision on the directed verdict motion until the conclusion of the hearing. Mr. Brunson seconded. The motion passed unanimously.**

**ACTION: Ms. Mojtabai motioned that the Board begin deliberation in open meeting. Mr. Brunson seconded. Motion carried unanimously.**

After deliberation by the Board the following action was taken:

**ACTION:** **Mr. Brainerd made a motion to dismiss for failure to meet burden of proof. Mr. Brunson seconded. The motion carried unanimously.**

**ACTION:** **Ms. Mojtabai made a motion that the Board direct Staff Counsel, Patrick Simpson, to prepare an order including findings of fact conclusions of all, statement as available to judicial review in accordance with the summary presented earlier. Mr. Brunson seconded. The motion carried unanimously.**

Adjourn:

**ACTION:** **Ms. Mojtabai moved to adjourn. Mr. Brunson seconded. Motion carried unanimously.**