



**STATE OF NEW MEXICO
ENVIRONMENTAL IMPROVEMENT BOARD
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**MEETING MINUTES
MEETING OF THE ENVIRONMENTAL IMPROVEMENT BOARD
March 26, 2021
1:00 P.M.
Virtual Meeting on Webex**

Members present: Phoebe Suina, Chair
Amanda Trujillo-Davis, Vice-Chair
Karl Cates, Secretary
Barry Bitzer, Member
Karen Garcia, Member
Dr. Benjamin Duval, Member
William Honker, Member

Others present: Pam Jones, Board Administrator
Madai Corral, OPF Staff
Karla Soloria, Board Counsel
Andrew Knight, Counsel, NMED
Mia Napolitano, NMED
Daniel Timmons
Neal Butt
Michael Baca
Michael Ortiz
Thomas Collins
Ray Romero

The Chair called the Board into order at 1:03 P.M.

Item 1. Roll call.

Action: The Administrator called the roll; a quorum was present. Chair Suina discussed the protocol of the virtual meeting. Administrator Jones will video record the meeting and will post the recording on the Board's website as soon as practicable after the meeting.

Item 2. Approve the agenda.

Action: Member Honker moved to approve the agenda. Member Garcia seconded the motion. The Chair called a roll call vote. Member Bitzer: aye; Member Cates: aye; Member Duval: aye; Member Garcia: aye; Member Honker: aye; Member Trujillo Davis: aye; Chair Suina: aye. The motion passed.

Item 3. Approval of meeting minutes from February 26, 2021.

Action: Member Bitzer moved to approve the meeting minutes from the meeting on February 26, 2021. Member Honker seconded the motion. Member Honker made the comment that there was an error in the spelling of SIP Certification. The meeting minutes had the spelling as *SIPP*. Member Bitzer amended his motion to reflect the correct spelling of **SIP Certification**. The Chair called a roll call vote. Member Bitzer: aye; Member Cates: aye; Member Duval: aye; Member Garcia: aye; Member Honker: aye; Member Trujillo Davis: aye; Chair Suina: aye. The motion passed.

Item 4. EIB 21-07: *In the Matter of Proposed Amendments to 20.7.79 NMAC – Permits – Nonattainment Areas: Petition for Regulatory Change.*

Action: Andrew Knight, Counsel for NMED introduced the Petition and Request for Hearing, assisted by Neal Butt, Environment Analyst. The regulatory changes were presented to the Board. It was stated that minimal public comment was expected.

The Board discussed the Petition. Comment was offered by members of the Board as well as Daniel Timmons from WildEarth Guardians.

A request for a hearing officer to be appointed from among the board members was also suggested due to the limitations on the time and schedule of the In-House Hearing Officer. The hearing was suggested to be at least one hour in length.

Member Bitzer moved to hold the hearing on June 25, 2021 beginning at 9:00 a.m. with Member Trujillo-Davis serving as Hearing Officer. Member Honker seconded the Motion. The Chair called a roll call vote. Member Bitzer: aye; Member Cates: aye; Member Duval: aye; Member Garcia: aye; Member Honker: aye; Member Trujillo Davis: aye; Chair Suina: aye. The motion passed.

Item 5. EIB 21-09: *In the Matter of Proposed Amendments to 20.3.1, 20.3.3, 20.3.4, 20.3.5, 20.3.7, 20.3.12 and 20.3.15 NMAC of the Radiation Protection Regulations and Request for Hearing.*

Action: Mia Napolitano, Counsel for NMED presented the Petition. She was joined by Michael Ortiz and Thomas Collins of the Radiation Control Bureau. It was stated that minimal public comment was expected.

There was discussion among the Board members to hold this hearing on June 25th as well as the hearing for EIB 21-07. Ms. Napolitano suggested the hearing would be close to three hours in length.

Member Garcia moved to hold the hearing on June 25, 2021 beginning at 1:00 p.m. with Member Cates serving as Hearing Officer. Member Bitzer seconded the Motion. The Chair called a roll call vote. Member Bitzer: aye; Member Cates: aye; Member Duval: aye; Member Garcia: aye; Member Honker: aye; Member Trujillo Davis: aye; Chair Suina: aye. The motion passed.

It was agreed that the hearings would be held on the Zoom platform.

Item 6. Adjournment.

Action: Member Honker moved to adjourn the meeting. Member Bitzer seconded the motion. The Chair called a roll call vote. Member Bitzer: aye; Member Cates: aye; Member Duval: aye; Member Garcia: aye; Member Honker: aye; Member Trujillo Davis: aye; Chair Suina: aye. The motion passed.

/s/Karl Cates
____ Karl Cates, Secretary