

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
May 4, 2009
10:00 a.m.
New Mexico State Capitol Room 317
490 Old Santa Fe Trail
Santa Fe, New Mexico 87501

Members Present:

Soren Peters, Member
Abbas Ghassemi, Member

Members Absent:

Gregory Green, Chair
Gay Dillingham, Member
Harold Tso, Secretary
Kathi Bearden, Vice-Chair
Dolores Herrera, Member

Others Present:

Margo Maher, AGC New Mexico	Stacey Scherer, Mtn. States Insurance
Jennifer Pruett, NMED/PSTB	Bob Wirtanen, Conoco Phillips
Ron Smock, FACT, Inc.	Harry Buysse
Butch Tongate, NMED/OHSB	Curtis Gurley, Aztec Well
Dawn Matson, ABC	Link Summers, POWRA

Mr. Peters called the meeting to order at 10:00 a.m. He noted that there would be a modified agenda but that he and Mr. Ghassemi would conduct as much Board business as possible.

Item 1. Roll Call

Roll was taken and it was noted that a quorum was not present.

Item 2. Approval of the Agenda

Action: None.

Item 3. Approval of the April 6, 2009 minutes.

Action: None.

Item 4. Public Comment

Mr. Peters asked whether there were individuals present who wished to make public comment. Mr. Summers indicated that he would like to do so.

Link Summers, on behalf of POWRA, presented his assessment of the lack of an NMED liquid waste certification program.

Item 5. Per Board request at the April 6, 2009 meeting; discussion relating to review of EIB regulations for public involvement in petitions before the Board.

Action: Lack of a quorum prevented discussion relating to Item 5.

Item 6. Continuation of hearing and possible decision in re: Proposed amendments to 11.5.2, 11.5.3 and 11.5.4 NMAC, Illegal Drugs or Alcoholic Beverage Use Regulations, EIB 08-14 (R). Tannis Fox, NMED/OGC; Butch Tongate, NMED/OHSB; Ron Smock, Chief Toxicologist and Forensic Scientist, Forensic and Criminalistic Testing, Inc. Dolores Herrera, Hearing Officer

At 10:20 a.m., Mr. Peters announced that the continuation of the hearing in EIB 08-14 (R) would commence and that he would act as Hearing Officer in place of Ms. Herrera. Kathy Townsend Court Reporters transcribed the hearing. All Notices of Intent to Present Technical Testimony were previously filed and continue to be available for review, as well as public comment correspondence and the hearing transcript in the office of the Environmental Improvement Board Administrator, New Mexico Environment Department, 1190 St. Francis Drive, Runnels Building Room N2150, Santa Fe, New Mexico 87505.

The meeting reconvened.

Action: None

Item 7. Other Business

There was a brief discussion regarding reproduction of the audio tapes of Board meetings.

Item 8. Next meeting: 10:00 a.m. June 1, 2009, State Capitol Building, Room 317, 490 Old Santa Fe Trail, Santa Fe, NM 87501

Item 9. Adjournment

Mr. Peters adjourned the meeting at 11:15 a.m.

Gregory Green, Chair, for:

Soren Peters, Board Member