

Approved April 28, 2005

**STATE OF NEW MEXICO
ENVIRONMENT DEPARTMENT
STORAGE TANK COMMITTEE
HAROLD RUNNELS BUILDING
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MINUTES OF THE JANUARY 12, 2005 MEETING

The meeting of the Storage Tank Committee (STC) was held at the New Mexico State Land Office, Santa Fe, New Mexico on January 12, 2005. Mr. Jim Norton called the meeting to order at approximately 10:05 a.m.

Members Present:

Jim Norton, Chair
Wilfred Rael, STC Member
Ronnie Pynes, STC Member
Joseph Chavarria, STC Member

Members Absent:

Jimmy Esparza, STC Member
Ruben Baca, STC Member

Other Representative Present:

Joe A. Galemore	Donna Gary, EPD
Sally Worthington, NMED	Karen Agogino
Brad Billings, BAI	Kalvin Martin, PSTB
Joyce Shearer, PSTB	Charles Roma
Philip Goetze	Steve Mastovich
Cathy Atencio, PSTB	Scott McKittrick
Gilbert Gutierrez	Stuart Faith
Mike McVey	John Kovacs, PSTB
Don Robertson	Phyllis Martinez, NMED

Item #1 - Roll Call

Sally Worthington, Acting Administrator, took roll call and noted a quorum was present.

Item #2 - Approval of the Agenda

ACTION: Mr. Rael moved to approve the agenda. Mr. Pynes seconded. Motion carried unanimously.

Item #3 - Update on Corrective Action Fund

Ms. Donna Gary, Manager of the Office of Finance and Budget, presented an update on the Corrective Action Fund. Ms. Gary presented the Committee with print-outs of the October and November, 2004 Corrective Action Fund updates. Ms. Gary noted that the unobligated fund balance is currently \$5,673,793. Ms. Gary compared November 2003 to November 2004 and said it looks like revenues are going to be about the same as last year and work plan approvals year-to-date are actually exceeding compared to last year. Ms. Gary also handed out a HB19 spreadsheet, as requested at the November 17, 2004 Storage Tank Committee Meeting and explained the funding process and that in December we will see a cash transfer of \$1,629,943.

Item #4 – Update on Status on Remedial Action Sites

Ms. Joyce Shearer presented a Status on Remedial Action Sites. Ms. Shearer discussed the October and November, 2004 Responsible Party Sites and the State Lead Sites with the Committee and presented hand-outs in regards to those months. Ms. Shearer noted that in October 67 RP Lead Sites were approved for \$1,378,892.60 and these were predominantly monitoring and investigation work plans. They also approved \$41,284 for State Lead Sites. In November, they approved 50 RP Lead Sites for \$801,836 and again these were mostly investigation and monitoring sites. They approved three State Lead work plans. They don't have the spreadsheet for December yet but they approved 94 work plans, once again, mostly monitoring and investigation. Ms. Shearer handed out the presentation made before the Water Quality Control Commission regarding an initiative to convince the Commission to grant them no further action on sites that have levels of manganese and iron that exceed the current groundwater drinking standards. They also submitted an additional proposal to EPA Region 6 for about \$1 million to close four sites. Ms. Shearer was asked by Chair Norton to report back with the number of new leaks in the past twelve months and the number of closed-down sites. Ms. Shearer updated the Committee on a few sites and handed out graphs illustrating remediation systems: first, the Marvin Burrows site in Milan (there will be a public meeting in Milan about the Burrows site in the next two months to let the public know what is being done); and the second site is Allsup #303 in Gallup (the remediation system was installed about three months ago and have recovered almost 4,000 gallons of gasoline).

Item #5 –Update on Prevention and Inspection Program

Kalvin Martin provided a list of certified above-ground storage tank installers, as requested by Mr. Baca at the last meeting. There are 10 individuals who have been certified, and 2 others who have passed a written exam and are in the process of completing the On-site examination. Recently a data collection project has been initiated to collect operator information to add to the data base. The tank owners are obligated to

pay tank fees, but they would have the opportunity to invoice operators if the owners do not pay.

Item #6 – Update on Petroleum Storage Tank Bureau Special Projects

Kalvin Martin, filling in for Jim Davis, first reported on the second round of invoicing after an audit finding for fiscal year 2004-2005. It has been moderately successful: about \$60,000 of a total amount of over \$124,300 (representing 180 tank owners) has been collected. A second project involves collecting outstanding tank fees and Jennifer Pruett has been hired as Project Manager and started working just before Christmas. This involves a lengthy file review, in many cases, and the objective is to collect the outstanding fees when they can but also to close out some of the old accounts that they cannot collect. In addition, Joyce Shearer added another special project: an attempt to have greater co-operative involvement with tribal entities who have both leaking and unleaking storage tanks.

Item #7 – Approval of November 17, 2004 Meeting Minutes

ACTION: Mr. Chavarria moved to approve the November 17, 2004 Meeting Minutes. Mr. Rael seconded. Mr. Pynes moved to approve the minutes as amended. Mr. Rael seconded. Motion carried unanimously.

Item #8 - Other Business

Ms. Gary mentioned that they have made very good progress on the timeliness of payments. Brad Billings asked if the minutes could once again be made available on a routine basis both on the internet and at the next meeting. Ms. Worthington announced that there is going to be a new Board Administrator, Barbara Claire, and that she will make the minutes available to all interested parties.

Item #9 - Next Meeting

The next meeting of the Storage Tank Committee will be in Santa Fe, NM on April 20, 2005 at 10:00 a.m.

ACTION: Mr. Rael moved to adjourn. Mr. Pynes seconded. Motion carried unanimously.

Petroleum Storage Tank Chairman