

STATE OF NEW MEXICO  
ENVIRONMENT DEPARTMENT  
STORAGE TANK COMMITTEE  
HAROLD RUNNELS BUILDING  
1190 St. Francis Drive  
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MINUTES OF THE NOVEMBER 17, 2004 MEETING

The meeting of the Storage Tank Committee (STC) was held at the New Mexico State Land Office, Santa Fe, New Mexico on November 17, 2004. Mr. Jim Norton called the meeting to order at approximately 10:05 a.m.

**Members Present:**

- Jim Norton, Chair
- Jimmy Esparza, STC Member
- Ruben Baca, STC Member
- Ronnie Pynes, STC Member
- Joseph Chavarria, STC Member

**Members Absent:**

- Wilfred Rael, STC Member
- Gary Shubert, STC Member

**Other Representative Present:**

- |                                 |                             |
|---------------------------------|-----------------------------|
| Jim Davis, PSTB                 | Donna Gary, EPD             |
| Sally Worthington, NMED         | Anna Richards, PSTB         |
| Brad Billings, BAI              | Kalvin Martin, PSTB         |
| Joyce Shearer, PSTB             | Andy Freeman, Hall Env.     |
| Scott McKittrick                | Celeste Davis, USPHS-IHS    |
| Christian Witkovskie, USPHS-IHS | Joyce Croker, NMED          |
| Phillis Martinez, NMED          | Mitch Rubenstein, Pinnacle  |
| Kyle Kerr, Envirotech           | Audrey Rozsypal, Envirotech |

**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. Esparza moved to approve the agenda. Mr. Chavarria seconded. Motion carried unanimously.**

1 **Item #3 - Update on Corrective Action Fund**

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3 Jim Davis, Bureau Chief of the Petroleum Storage Tank Bureau, introduced Ms. Donna  
4 Gary, Manager of the Office of Finance and Budget, who presented an update on the  
5 Corrective Action Fund. Ms. Gary presented the Committee with print-outs of the June,  
6 July, August and September, 2004 Corrective Action Fund updates and stated she would  
7 concentrate on the September, 2004 update. Ms. Gary noted that the unobligated balance  
8 currently is \$5,436,304. Ms. Gary stated the Bureau reconciles the payments received  
9 with the Department of Finance and Administration. Ms. Gary also compared September  
10 2003 to September 2004 and said its really too early to tell whether revenues are going to  
11 be about the same as last year. Ms. Gary also mentioned that in November, possibly  
12 December, we will see a cash transfer out of the Corrective Action Fund to cover the  
13 program costs relating to House Bill 19 BAR in the amount of \$1,629,900. Mr. Baca  
14 requested a breakdown of amounts and programs and Ms. Gary said she would provide  
15 that to the Committee members.

16  
17 **Item #4 – Update on Status on Remedial Action Sites, including a discussion of the**  
18 **site ranking process**

19  
20 Ms. Joyce Shearer presented a Status on Remedial Action Sites. Ms. Shearer discussed  
21 the June, July, August and September 2004 Responsible Party Sites and the State Lead  
22 Sites with the Committee and presented hand-outs in regards to those months. Ms.  
23 Shearer noted that in June \$1,136,132.95 was approved for State Lead Work Plans and  
24 \$2,256,890.67 was approved for Responsible Party Work Plans. In July \$26,883.68 was  
25 approved for State Lead Work Plans and \$466,417.83 was approved for Responsible  
26 Party Work Plans. In August \$29,400.27 was approved for State Lead Work Plans and  
27 \$582,517.07 was approved for Responsible Party Work Plans. In September \$4,527.48  
28 was approved for State Lead Work Plans and \$607,202.80 was approved for Responsible  
29 Party Work Plans. She did not have the October statistics yet but their records indicate  
30 that they approved \$1,400,026 of work plan approvals.

31  
32 **Item #5 –Discussion of programmatic activities on Tribal Lands**

33  
34 Jim Davis, Bureau Chief of the Petroleum Storage Tank Bureau, gave a little background  
35 along with Kalvin Martin and Joyce Shearer, to bring the Committee up to a given level  
36 and invited two other individuals to introduce themselves: Celeste Davis, Environmental  
37 Health Officer with the Indian Health Service in Santa Fe and Christian Witkovskie,  
38 Field Environmental Health Officer with the Indian Health Service. Mr. Davis stated that  
39 there is an annual meeting scheduled with EPA Region 6 coming up in two weeks.

40  
41 **Item #6 – Update on Petroleum Storage Tank Bureau Special Projects**

42  
43 Jim Davis briefly stated that the Bureau is dealing with a fixed asset issue relating to  
44 equipment purchased using Corrective Action Fund dollars over the years and the  
45 Department’s tracking of those assets. Another special project is in response to another  
46 audit finding in delinquent tank registration fees and the problems involved in collecting  
47 such fees.

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**Item #7 – Approval of July 21, 2004 Meeting Minutes**

**ACTION: Mr. Pynes moved to approve the July 21, 2004 Meeting Minutes. Mr. Esparza seconded. Motion carried unanimously.**

**Item #8 - Other Business**

Mr. Baca expressed concerns about whether or not the Department has a position relating to the cost recovery cleanup issue. Mr. Norton stated that the Governor’s office made recommendations. Mr. Baca had asked at the last meeting about the status of the certification for the above-ground storage tank installers and the problem the industry is having because there is such a small number in the state. Mr. Martin stated that he would try to get back to Mr. Baca with more information on the number of certified installers.

**Item #9 - Next Meeting**

The next meeting of the Storage Tank Committee will be in Santa Fe, NM on January 12, 2005 at 10:00 a.m.

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

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Petroleum Storage Tank Chairman