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
Sally Worthington, NMED
Brad Billings, BAI
Joyce Shearer, PSTB
Scott McKitrick
Christian Witkovskie, USPHS-IHS
Phillis Martinez, NMED
Kyle Kerr, Envirotech
Donna Gary, EPD
Anna Richards, PSTB
Kalvin Martin, PSTB
Andy Freeman, Hall Env.
Celeste Davis, USPHS-IHS
Joyce Croker, NMED
Mitch Rubenstein, Pinnacle
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.
Item #3 - Update on Corrective Action Fund

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

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

Ms. Joyce Shearer presented a Status on Remedial Action Sites. Ms. Shearer discussed the June, July, August and September 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 June $1,136,132.95 was approved for State Lead Work Plans and $2,256,890.67 was approved for Responsible Party Work Plans. In July $26,883.68 was approved for State Lead Work Plans and $466,417.83 was approved for Responsible Party Work Plans. In August $29,400.27 was approved for State Lead Work Plans and $582,517.07 was approved for Responsible Party Work Plans. In September $4,527.48 was approved for State Lead Work Plans and $607,202.80 was approved for Responsible Party Work Plans. She did not have the October statistics yet but their records indicate that they approved $1,400,026 of work plan approvals.

Item #5 – Discussion of programmatic activities on Tribal Lands

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

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

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

Petroleum Storage Tank Chairman