

**STATE OF NEW MEXICO ENVIRONMENT DEPARTMENT  
STORAGE TANK COMMITTEE MEETING  
Toney Anaya Building  
Rio Grande Room, Second Floor  
Santa Fe, NM 87505**

**April 15, 2015 Minutes**

The meeting of the Storage Tank Committee was called to order by Mrs. Kathryn Roberts, Chair, at 10:00 a.m.

**Members Present:**

Kathryn Roberts, Chair  
Ryan Briggs, STC Member-Absent  
Benjamin Hodges, STC Member  
Brent Neil, STC Member  
Stephen McLin, STC Member  
Jeff Scarbrough, STC Member

**Others:**

Dana Bahar, NMED/PSTB  
Lorena Goerger, NMED/PSTB  
Kalvin Martin, NMED/PSTB  
Antonette Cordova, NMED/PSTB  
Delia Flores, NMED/PSTB  
Roberta Vigil, NMED  
Jennifer Fullam, NMED/PSTB  
Joseph Tracy, INTERA  
Jonas Armstrong, LFC  
W.M.L. Mansker, APEX ENVIROTECH INC.  
Ruben Baca, NM Petroleum Marketers' Assoc.  
Douglas Adams, NM Petroleum Marketers' Assoc.

**Item #1 ROLL CALL**

Roll call was taken and it was determined that a quorum was present.

**Item #2 APPROVAL OF THE AGENDA**

The Chair called for a motion to approve the agenda. Ms. Roberts moved to approve the agenda, and Mr. McLin seconded the motion. The agenda was passed unanimously.

**Item #3 APPROVAL OF THE MINUTES**

The Chair called for a motion to approve the November 19, 2014 minutes. Ms. Roberts moved to approve the minutes and Mr. Neil seconded the motion. The minutes were passed unanimously.

**Item # 4      REMEDIAL ACTION SITES UPDATE**

Ms. Lorena Goerger, Remedial Action Program Manager, reported on the *September, October, November, and December spreadsheets*. Workplan approvals are summarized below by month.

**September 2014**

<u>Responsible Party</u>		<u>State Lead</u>	
20	\$817,534.42	1	\$1328.03
<u>Addendums</u>		<u>Addendums</u>	
1	\$ 87.16	0	\$ .0
<b>Total</b>	<b>\$817,621.58</b>	<b>Total</b>	<b>\$1,328.03</b>
<b>GRAND TOTAL</b>		<b>\$818,949.61</b>	

Ms. Goerger highlighted the expenditures for operation and maintenance at select sites.

**October 2014**

<u>Responsible Party</u>		<u>State Lead</u>	
49	\$1,139,371.83	22	\$318,231.81
<u>Addendums</u>		<u>Addendums</u>	
2	\$ 16.35	0	\$ .0
<b>Total</b>	<b>\$1,139,388.18</b>	<b>Total</b>	<b>\$318,231.81</b>
<b>GRAND TOTAL</b>		<b>\$1,457,603.64</b>	

Ms. Goerger highlighted the expenditures for continued monitoring at select sites.

**November 2014**

<u>Responsible Party</u>		<u>State Lead</u>	
30	\$872,213.48	15	\$319,982.94
<u>Addendums</u>		<u>Addendums</u>	
5	\$ 47.77	0	\$ .0
<b>Total</b>	<b>\$872,261.25</b>	<b>Total</b>	<b>\$319,982.94</b>
<b>GRAND TOTAL</b>		<b>\$1,192,244.19</b>	

Ms. Goerger highlighted the expenditures for continued monitoring at select sites.

**December 2014**

<u>Responsible Party</u>		<u>State Lead</u>	
31	\$1,017,492.56	12	\$484,849.87
<u>Addendums</u>		<u>Addendums</u>	
9	\$ 228.59	0	\$ .0
<b>Total</b>	<b>\$1,017,721.15</b>	<b>Total</b>	<b>\$484,849.87</b>
<b>GRAND TOTAL</b>		<b>\$1,502,571.02</b>	

Ms. Goerger announced that the Program put out several different requests for proposals for professional services. Three were site specific requests for proposals, and all are in process.

(The entire monthly reports are available at [www.env.nm.gov/ust/ustcom.html](http://www.env.nm.gov/ust/ustcom.html).)

**Item #5 CORRECTIVE ACTION FUND UPDATE**

Ms. Delia Flores, the Reimbursement Section Manager, presented the Corrective Action Fund updates for the months of *September, October, November and December*.

**September 2014:**

Beginning Cash	\$16,332,694	Reserve	\$1,000,000
Loading Fee	\$1,632,811	Work plan liabilities	\$10,290,482
Payment	(\$905,760)	Unobligated balance	\$5,773,534
Warrant Cancel	4,599.93		
Utilities	(\$330)		
Operating Transfer		Ending Cash	\$17,064,015

**October 2014:**

Beginning Cash	\$17,064,015	Reserve	\$1,000,000
Loading Fee	\$1,715,974	Work plan liabilities	\$10,771,774
Payment	(\$794,220)	Unobligated balance	\$4,780,964
Salvage Deposit	\$191		
Utilities	(\$155)		
Operating Transfer	(\$1,433,067)	Ending Cash	\$16,552,738

**November 2014:**

Beginning Cash	\$16,552,738	Reserve	\$1,000,000
Loading Fee	\$1,529,848	Work plan liabilities	\$11,142,090
Payment	(\$705,291)	Unobligated balance	\$4,518,603
Utilities	(\$69)		
Operating Transfer	(\$716,533)	Ending Cash	\$16,660,693

**December 2014:**

Beginning Cash	\$16,660,693	Reserve	\$1,000,000
Loading Fee	\$1,566,274	Work plan liabilities	\$11,464,445
Payment	(\$1,128,137)	Unobligated balance	\$3,917,604
Utilities	(\$248)		
Operating Transfer	(\$716,533)	Ending Cash	\$16,382,049

(The entire monthly report is available at [www.env.nm.gov/ust/ustcom.html](http://www.env.nm.gov/ust/ustcom.html).)

**Item # 6      PREVENTION AND INSPECTION UPDATE**

Mr. Calvin Martin, Prevention Inspection Program Manager, updated the Committee as follows.

Prevention Inspection Program

The Program has 12 inspector positions statewide and a Compliance Assistance Coordinator in Santa Fe. One of the inspector positions in Roswell is vacant and is in the process of being filled.

Compliance Statistics

From October 2014 thru March 2015 the Program conducted 274 UST inspections. Of these 59% were in compliance with significant operational compliance measures. The Program also conducted 175 AST inspections. Mr. Martin stated the compliance rate for AST facilities is 72%.

Delivery Prohibition Statistics

From October 2014 thru March 2015:

Red-tagged facilities	6
Total # Facilities (UST and AST) with A/B Violations	204
Total # Facilities that achieved compliance	29

Discussion

Mr. Hodges asked if there was a higher compliance rate by inspector or if there are areas where there is more compliance. Mr. Martin stated that rural areas tend to have lower compliance rates.

Ms. Roberts asked if the compliance included something like not paying a tank fee. Mr. Martin responded that he does not look at tank fee compliance to calculate compliance rates.

Mr. Scarbrough asked if the 59% is acceptable. Mr. Martin stated that it is a low percentage of compliance. Mr. Martin stated that owners and operators are coming into compliance after violations are identified. Out of the 274 UST facilities we inspected, 161 were issued a violation that was considered a level A or a level B, release prevention/release detection. Sometime in the reporting period, an additional 29 facilities came into compliance. So that changed that compliance rate from 59% to 70%. Mr. Martin further detailed that 50% will come into compliance before we send a notice of violation. Another 22 come into compliance after they're notified. An additional 12% come into compliance after we send the second level notification, the notice of deficiency.

The common violations are:

1. Failure to perform annual functionality tests for line leak detectors
2. Failure to perform a 3-year CP test
3. Failure to perform an annual line tightness test
4. Failure to conduct monthly monitoring
5. Failure to correctly install or calibrate a leak detection system
6. Failure to monitor impressed current system every 60 days
7. Failure to operate and maintain broken spill buckets

Mr. Baca questioned whether a whole facility or just the one tank in violation is red tagged. Mr. Martin stated it is just the one tank in violation that is red tagged. Mr. Baca also asked how many have been red tagged. Mr. Martin answered that within the last 3 years tanks at 12 facilities have been red tagged. The list of "Red Tagged" facilities is posted on the website, there are signs on the facility, and there are red tags on the fill port.

**Item # 7      TANK FEE AND CERTIFICATION PROGRAM UPDATE**

Ms. Antonette Cordova, the Tank Fees and Certification Program Manager, provided the following summary.

Tank Fees:

The Bureau sent out 27 notices to delinquent tank owners for FY15 tank fees. The program is currently preparing FY16 invoices that will tentatively be mailed out on May 26, 2015.

Certified Installers:

The program renewed all eight (8) AST/UST certified installers.

Operator Training:

The program will be sending out letters to all tank owners requesting information on designated A/B Operators. The program has two approved operator training providers, an on-line provider and a classroom provider.

**Item # 8      OTHER BUSINESS**

Ms. Goerger and Mr. Martin presented statistics as reported to EPA on UST releases and site closures as well as significant operational compliance as summarized in the handouts. Ms. Bahar noted that information that the Committee requested on the appropriation to New Mexico State University was also included in the Committee members' packets.

**Item # 9      NEXT MEETING**

The next meeting is tentatively scheduled for November 18, 2015.

**Item #10      ADJOURNMENT**

Ms. Roberts moved to adjourn the meeting. Mr. McLin seconded the motion. The motion passed unanimously.

The meeting adjourned at approximately 11:51 a.m.