

DRAFT MINUTES

Small Business Regulatory Advisory Commission

Tuesday, April 2, 2024

9:00-10:00 AM Mountain Time

Location: Virtual

Join Teams Meeting

- I. Call to Order – 9:05 AM
- II. Roll Call
 - i. Sky Devore – Chair – Present
 - ii. Merilee Dannemann- Present
 - iii. Jacqueline McHorse- Present
 - iv. Joseph Sanchez- Present
 - v. Gail Tarson – Absent or term ended
- III. Approve Agenda
 - a. Merilee – Moved
 - b. Joseph- Second
 - c. Vote: Unanimous
- IV. Approve Minutes – November 7, 2023
 - a. Motion Merilee
 - b. Joeseeph – second
 - c. Vote: Unanimous
- V. New Business
 - a. Proposed New Rule 20.6.8 NMAC – Ground and Surface Water Protection – Supplemental Requirements for Water Reuse
 - i. Merilee – not relevant to concerns
 - ii. Question Devore – NMOGA was mentioned as a partner, were independents worked through in this process
 1. J. Fullam ENV – we had public comment period, stakeholder outreach of 4k individuals for the produced water list serv. About 148 people interested in comments, some in oil and gas but no telling if they were small business
 - iii. Q- Joseph Sanchez – what other types of businesses expressed concerns or provided input. Is this not affecting other small businesses of this type?

1. J Fullam ENV – oil and gas were most affected by this rulemaking
 2. Jason Herman ENV – we did talk to water treatment companies in NM and TX
 3. J Fullam ENV – We currently help with landscape, etc. this rule will not affect businesses using reuse already
 4. J Fullam ENV – Small business is not defined by this rule change and would not change the small businesses
 - a. ACTION ON THE PROPOSED RULES
 - b. Joseph – move to define as a non issue
 - c. Merilee – second
 - d. SBRAC will say that is doesn't go under the purview
 - e. Unanimous
- b. Proposed Amendments to the Radiation Protection Regulations – 20.3.4.404 NMAC, 20.3.4.455 NMAC, 20.3.5.14 NMAC, 20.3.12.13 NMAC, and 20.3.15.1519 NMAC. AND proposed amendments to the Radiation Protection Regulations – 20.3.16 NMAC, “Fees for Licensure of Radioactive Materials”
- i. Hearing was February 9 comment period closed
 - ii. ACTION ON PROPOSED AMENDMENT
 - iii. Merilee motion no action
 - iv. Joseph Second
 - v. Unanimous
- c. Re: Proposed Amendments to the Radiation Protection Regulations – 20.3.4, 20.3.5, 20.3.12, and 20.3.15 NMAC
- i. 2 & 3 are similar but not sure they are the same.
 - ii. ACTION ON PROPOSED AMENDMENT
 - iii. Merilee moved- no action, comment period closed
 - iv. Joseph- Second
 - v. Unanimous

- d. RE: Proposed Amendments to 20.2.77 NMAC – New Source Performance Standards (NSPS); 20.2.78 NMAC – Emissions Standards for Hazardous Air Pollutants (NESHAP); and 20.2.82 NMAC – Maximum Achievable Control Technology for Source Categories of Hazardous Air Pollutants (MACT)
 - i. Gloria Lucero ENV- Comment period closed, hearing was November 17 2023. Federal requirements come down on an annual basis but this is why this matter was sent to the commissions
 - ii. ACTION ON PORPOSED AMENDMENT
 - iii. Merilee – moved
 - iv. Joseph – seconded
 - v. Unanimous

VI. Announcements

- a. Skye – instead of quarterly meetings move toward scheduling calls within a certain time period of letter received in order to provide timely feedback as notices/letters are received.
- b. Shani Harvie – Krystal Speedy, new admin will take over scheduling and
 - i. Question Skye: Is there digital flexibility for minutes approval through OMA – check
- c. Skye Devore – do we have to hold another meeting to approve minutes, POLL for next quarterly meeting, but if we have something in the mean time we will call a special meeting, and invite small businesses
- d. Merilee Dannemann – was this posted publicly
- e. Merilee – annually we are supposed to post an annual notice to let the public know what the group is doing, we can add it as part of the policy.
- f. Merilee – where are the other agencies what is EDD doing to make sure these agencies are connecting with us DWS, RLD, TRD, GSD, EMNRD, HSD (Health Authority)
- g. Joseph – any proposed rulemaking on requiring in state before out of state, small business before big business, active role in participating in advocating for small businesses
- h. Shani – will see about having Krystal sign up for federal SBRAC and get those announcements/rule changes to the NM team for review to submit letter

comments etc. EDD launched a business Resource Map. Please let us know what we can do to make it better for small business.

i. <https://edd.newmexico.gov/resource-map/>

i. Merilee – Weekly wrap up newsletter with resources and opportunities is a great option for this council to keep in touch with

i. <https://edd.newmexico.gov/newsletter>

j. NEW BUSINESS FOR NEXT MEETING- adopt annual resolution for the next meeting

VII. Vote to Adjourn

a. Moved – Merilee

b. Second – Joseph

c. Adjourned 9:45 am