



PUBLIC NOTICE NUMBER 26-01

**NEW MEXICO ENVIRONMENT DEPARTMENT
HAZARDOUS WASTE BUREAU
SANTA FE, NEW MEXICO 87505
February 9, 2026**

**NOTICE OF PUBLIC COMMENT PERIOD AND OPPORTUNITY TO REQUEST A
PUBLIC HEARING ON A DRAFT HAZARDOUS WASTE PERMIT FOR ADVANCED
CHEMICAL TREATMENT, LLC., ALBUQUERQUE, BERNALILLO COUNTY
NEW MEXICO.
EPA ID NUMBER NMD002208627**

The New Mexico Environment Department (NMED) is issuing for public comments a revised draft Hazardous Waste Facility Permit (draft Permit) which would authorize Advanced Chemical Treatment, LLC. (ACT LLC, Operator), and Republic Services, LLC (Owner) (collectively, the Permittee) to continue to accept, manage, treat, store, and transfer off-site generated hazardous waste at their Hazardous Waste Container Storage and Treatment Facility (the Facility). All waste is managed, treated and ultimately shipped to off-site permitted hazardous waste disposal facilities, as required by the Federal Resource Conservation and Recovery Act (RCRA), the New Mexico Hazardous Waste Act (HWA) and its implementing regulations, the New Mexico Hazardous Waste Management Regulations 20.4.1 NMAC.

The Facility was originally owned and operated by Rinchem Company, Inc., solely as a container storage and transfer Facility. However, on October 7, 2011, NMED approved a permit modification for transfer of the ownership to ACT Property Acquisition Partners V, LLC and the operation of the facility to Advanced Chemical Treatment, Inc., then a wholly owned subsidiary of Advanced Chemical Transport LLC. Advanced Chemical Transport LLC was acquired later on November 1, 2023 by Republic EES, LLC, a wholly owned subsidiary of Republic Services, Inc.

Under authority of the New Mexico Hazardous Waste Act (HWA; NMSA 1978 §74-4-1 *et. seq.*) and the New Mexico Hazardous Waste Management Regulations (20.4.1 NMAC), NMED can approve, approve with conditions, or deny hazardous waste management and closure plan applications, permit modifications, amendments, and reapplications. NMED is charged with issuing a permit that will ensure that the Permittee's hazardous waste management and operations are conducted in a manner protective of human health and the environment.

The Advanced Chemical Treatment LLC Container Storage and Treatment Facility is located at 6137 Edith Boulevard Northeast, in the City of Albuquerque, Bernalillo County, New Mexico. The facility occupies 1.75 acres of land containing 6 storage areas called Warehouses A through F, which also include personnel, staff, administrative offices, and restrooms. ACT is also an accumulation point for household hazardous waste.

The Facility lies on latitude 35° 08' 37" N, and longitude 106° 37' 34" W. A general location map of the facility is shown in Figure 1, Permit Attachment M, (Figures). The Facility's Primary Contact is Ms. Rebecca Hogaboam, the Area Environmental Compliance Manager, who is located at 101 S Capitol Blvd, Suite 1000, Boise, ID, 83702.

The draft Permit addresses the storage of hazardous waste (for periods longer than 90 days), in one 20,699 square feet warehouse that contains six storage areas (warehouses A-F) and administrative offices. The hazardous waste treatment would occur outdoors in one fuel and waste consolidation area located at the loading dock parking area; a truck loading dock, and at an operations dock, where solids are consolidated.

NMED announces, for public comment, the availability of the draft Permit and Fact Sheet, the basis for NMED's proposed actions to finalize the draft Permit. The draft Permit and the Fact Sheet provide the significant factual, legal, and policy questions considered in preparing the draft Permit.

PUBLIC REVIEW OF DRAFT PERMIT

The Administrative Record for this proposed action consists of the Permit Renewal Application, the Draft Permit, a Fact Sheet, this Public Notice, and supporting documentation. The Administrative Record may be reviewed, with prior appointment, at the following location during the public comment period with prior appointment.

NMED - Hazardous Waste Bureau
2905 Rodeo Park Drive East, Building 1
Santa Fe, New Mexico 87505-6303
Phone: (505) 476-6000
Monday – Friday: 8:00 a.m. to 5:00 p.m.
Contact: Naomi Gonzalez

Copies of the draft Permit, this Public Notice, and the Fact Sheet are available electronically on the NMED website at: <http://www.env.nm.gov/hazardous-waste/actperm.html> at the link for ACT Draft Permit.

Any person seeking additional information regarding this notice may contact:

Neelam Dhawan, Program Manager
NMED – Hazardous Waste Bureau
2905 Rodeo Park Drive East, Building 1
Santa Fe, New Mexico 87505-6303
E-mail: neelam.dhawan@env.nm.gov
Telephone: (505) 476-6000
Fax: (505) 476-6030

To obtain a copy of the Administrative Record or a portion thereof, in addition to further information, please contact Ms. Naomi Gonzalez at (505) 476-6000, or at the Santa Fe address

given above. NMED will provide copies, or portions thereof, of the Administrative Record at a charge to the requestor.

NMED issues this public notice on **February 9, 2026**, to announce the beginning of a 60-day comment period that will end at **5:00 p.m. MST, April 10, 2026**. Any person who wishes to comment on the draft Permit or request a public hearing should submit written or electronic mail (e-mail) comment(s) with the commenter's name and address to the respective address below. Only comments and/or requests received before **5:00 p.m. MST April 10, 2026**, will be considered.

Neelam Dhawan, Program Manager
Hazardous Waste Bureau - New Mexico Environment Department
2905 Rodeo Park Drive East, Building 1
Santa Fe, New Mexico 87505-6303
(505) 476-6000
E-mail: neelam.dhawan@env.nm.gov
Ref: ACT Draft Permit, February 2026

The written comments must be based on the Administrative Record. Documents in the Administrative Record need not be re-submitted if expressly referenced by the commenter. Requests for a public hearing shall provide: (1) a clear and concise factual statement of the nature and scope of the interest of the person requesting the hearing; (2) the name and address of all persons whom the requestor represents; (3) a statement of any objections to the draft Permit, including specific references to any conditions being addressed; and (4) a statement of the issues which the commenter proposes to raise for consideration at the hearing. Written comments and requests for public hearing must be filed with Ms. Neelam Dhawan on or before **5:00 p.m. MST on April 10, 2026**. NMED will provide a thirty (30) day notice of a public hearing, if scheduled.

NMED must ensure that the approved draft Permit is consistent with the New Mexico Hazardous Waste Management Regulations. All written comments submitted will become part of the Administrative Record, and will be considered in formulating a final decision, and may cause the draft Permit to be modified. NMED will respond in writing to all public comments. This response will specify which provisions, if any, of the draft Permit have been changed in the final decision and the reasons for the changes. All persons presenting written comments or who requested notification in writing will be notified of the decision by mail. These responses will also be posted on the Department's website.

After consideration of all the written public comments received, the Secretary of NMED will issue, or modify and issue, the Permit. The Permittee will be provided by certified mail a copy of any relevant modified documents and a detailed written statement of reasons for the modifications. All persons on the facility mailing list, or those who provided written comments, or who requested notification in writing, will be notified of the final decision by mail.

The Secretary's decision shall constitute a final agency decision and may be appealed as provided by the New Mexico Hazardous Waste Act (Chapter 74, Article 4 NMSA 1978).

ARRANGEMENTS FOR PERSONS WITH DISABILITIES

Any person with a disability requiring assistance or auxiliary aid to participate in this process should contact Kate Cardenas, Non-Discrimination Coordinator no less than ten days prior to the end of the public comment period at the following address: New Mexico Environment Department, P.O. Box 5469, 1190 St. Francis Drive, Santa Fe, New Mexico, 87502-6110, telephone number: (505) 469-0732, or via email at: nd.coordinator@env.nm.gov. Toll-free numbers are available for TDD or TDY users to access the New Mexico Relay Network at 1-800-659-1779 (voice); TTY users: 1-800-659-8331.

NON-DISCRIMINATION STATEMENT

NMED does not discriminate on the basis of race, color, national origin, disability, age or sex in the administration of its programs or activities, as required by applicable laws and regulations. The NMED is responsible for coordination of compliance efforts and receipt of inquiries concerning non-discrimination requirements implemented by 40 CFR Parts 5 and 7, including Title VI of the Civil Rights Act of 1964, as amended; Section 504 of the Rehabilitation Act of 1973; the Age Discrimination Act of 1975, Title IX of the Education Amendments of 1972, and Section 13 of the Federal Water Pollution Control Act Amendments of 1972. If you have any questions about this notice or any of NMED's non-discrimination programs, policies or procedures, or if you believe that you have been discriminated against with respect to an NMED program or activity, you may contact: Kate Cardenas, Non-Discrimination Coordinator, NMED, 1190 St. Francis Dr., Suite N4050, P.O. Box 5469, Santa Fe, NM, 87502, (505) 469-0732, nd.coordinator@env.nm.gov. You may also visit our website at <https://www.env.nm.gov/non-employee-discrimination-complaint-page/> to learn how and where to file a complaint of discrimination.