

**STATE OF NEW MEXICO
BEFORE THE SECRETARY OF ENVIRONMENT**

**IN THE MATTER OF THE APPLICATION
OF UNIVERSAL WASTE SYSTEMS, INC
FOR A SOLID WASTE FACILITY PERMIT
FOR BROADWAY TRANSFER STATION**

No. SWB 24-08 (P)

NOTICE OF PUBLIC HEARING

Description of the Requested Action: The New Mexico Environment Department (“Department”) will hold a hybrid public hearing to consider the matter of the application (“Application”) by Universal Waste Systems, Inc. (“Applicant”) for the Broadway Transfer Station (“BTS”). The Application for a solid waste facility permit has been reviewed by the Solid Waste Bureau of the Department for compliance with the New Mexico Solid Waste Act (“Act”), NMSA 1978, Sections 74-9-1 through 74-9-43 (1990, amended 2011) and the New Mexico Solid Waste Rules, 20.9.2 through 20.9.10 NMAC. The Applicant seeks to obtain a solid waste facility permit for 20 years. Having received the Application (dated July 29, 2021) on July 30, 2021, the Department deemed it complete on February 6, 2024.

Applicant’s Name, Physical Address, Contact Person, Phone Number, and Email Address:

Universal Waste Systems, Inc., 5520 Broadway Blvd., Albuquerque, NM 87105.

Applicant’s Contact Person: Rheganne Vaughn, 505-377-8833, rhegannevaughn@uwscompany.com.

Description of Permit Application: BTS is a new solid waste facility located at 5520 Broadway Blvd. SE, Albuquerque, Bernalillo County, New Mexico. Applicant applied for a 20-year Permit. The Application consists of responses from the Applicant demonstrating compliance with, or intent to comply with, requirements of the New Mexico Solid Waste Rules; facility management plans, including an operations plan, waste screening/inspection plan, emergency contingency plan, transportation plan, and facility closure plan; documentation confirming the existence of a financial assurance mechanism for facility closure; and documentation of the Applicant’s performance of public notice at the time of Application submittal in 2021.

An electronic version of the permit application may be reviewed on the Department’s website at the following location: go to [Permitting and Registration \(nm.gov\)](https://www.env.nm.gov/permits); look for the Broadway Transfer Station heading; and click on the permit application link. Any person requiring further information may contact William Schueler of the Solid Waste Bureau, 505-690-8615, william.schueler@env.nm.gov.

Hearing Date, Time, and Location: The hearing will begin at 9:30 am on April 23, 2024, and will be conducted both virtually via Webex (see the link posted online in the Department’s Calendar at www.env.nm.gov/events-calendar/) and in person at the following physical location in the City of Albuquerque in Bernalillo County, New Mexico: Sheraton Albuquerque Airport Hotel, 2910 Yale Blvd SE, Albuquerque, New Mexico 87106. An Information Technology specialist and a Department staff member will be available to assist the public to appear and participate in the public hearing virtually and in person.

General, Non-Technical Public Comment: The Hearing Officer will accept general, non-technical public comment, including relevant evidence, data, views, arguments, written statements and public comment, in two ways:

- Members of the public may choose to participate during the public comment portion of the hearing by providing oral general, non-technical public comment. Members of the public who wish to orally provide general, non-technical public comment at the public hearing shall notify the WebEx host through the chat feature, and they will be sworn in at an appropriate time during the hearing. Each member of the public will have up to five (5) minutes to offer general, non-technical public comment.
- In addition, or alternatively, members of the public may choose to participate at any time, starting now,

until the hearing record is closed, by submitting written general, non-technical public comment on the Department's Public Comment Portal via a link on the Department's docketed matters web page www.env.nm.gov/opf/docketed-matters/. Look under the Environment Department Cabinet Secretary dropdown for SWB 24-08 Broadway Transfer Station, scroll down and click "Submit Comments Here". If a person has difficulty using the Public Comment Portal, please contact the following Office of Public Facilitation staff for help: Madai Corral, Hearing Clerk, 505-490-5803, Madai.Corral@env.nm.gov.

Technical Testimony or Interested Party Participation: In contrast to general, non-technical public comment, technical testimony cannot be presented without pre-filing documents as described in this paragraph. Technical testimony means scientific, engineering, economic or other specialized testimony, whether oral or written, but does not include legal argument, general comments or statements of policy concerning matters at issue in the hearing. A person wishing to present technical testimony at the hearing must file a Notice of Intent to Present Technical Testimony, and a person wishing to be an interested party must file an Entry of Appearance, with Hearing Clerk Madai Corral, P.O. Box 5469, 1190 St. Francis Drive, S-2103, Santa Fe, NM 87502, telephone (505) 490-5803, fax (505)827-2836, Madai.Corral@env.nm.gov, and serve it upon other parties of record, by no later than 5:00 p.m. on April 1, 2024.

Hearing Procedures: The public hearing will be conducted in accordance with the Permit Procedures of the Environment Department (20.1.4 NMAC). The Permit Procedures may be accessed electronically at <http://www.srca.nm.gov/parts/title20/20.001.0004.html> or by contacting Hearing Clerk Madai Corral, (505) 490-5803, madai.corral@env.nm.gov. Copies of the applicable Solid Waste Rules (20.9.2 through 20.9.10 NMAC) may be accessed electronically at <http://www.srca.nm.gov/chapter-9-solid-waste/> or by contacting William Schueler of the Solid Waste Bureau, (505)690-8615, william.schueler@env.nm.gov.

If any person requires assistance, an interpreter, or auxiliary aid to participate in the hearing process, please contact William Schueler of the Solid Waste Bureau, (505)690-8615, william.schueler@env.nm.gov, by April 9, 2024.

Post-Hearing Procedures: After the conclusion of the hearing, the Secretary of Environment shall issue, with conditions, or deny, solid waste facility permits in accordance with the Act. The Secretary of Environment will consider all public comments, including issues relating to public health and welfare, in his decision to issue, issue with conditions, or deny, the permit.

Notice of Non-Discrimination: 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. NMED is responsible for coordination of compliance efforts and receipt of inquiries concerning non-discrimination requirements implemented by 40 C.F.R. 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 a 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) 827-2855, 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.