

NOTICE OF PUBLIC HEARING

Description of the Requested Action: The New Mexico Environment Department (“Department”) will hold a public hearing to consider the matter of the application by Waste Management of New Mexico, Inc. (“Applicant”) for renewal and modification of the San Juan County Regional Landfill (“SJCR”) permit. The Applicant is seeking to renew the existing solid waste facility permit and obtain a permit modification for vertical expansion of the landfill and acceptance of two new special wastes. The permit renewal and modification application (“Application”) was initially submitted to the Department on January 12, 2015.

Hearing Date, Time, and Location: The hearing will begin at 5:30 p.m. on Wednesday, September 28, 2016 in the Commission Room of the San Juan County Administration Building, 100 South Oliver, Aztec, NM. Public comment will be taken starting at 5:30 p.m. on September 28 and as additionally determined by the Hearing Officer. The hearing may continue on subsequent days as determined by the Hearing Officer. In lieu of verbal public comments, written statements may be submitted for the record at, or prior to, the hearing.

The Application has been reviewed by the Department for compliance with the New Mexico Solid Waste Act (“Act”), and the New Mexico Solid Waste Rules, 20.9.2 to 20.9.10 NMAC. The Department deemed the application complete on June 30, 2016. The Secretary of Environment shall issue, issue with conditions, or deny solid waste facility permits in accordance with the Act. The Secretary of Environment considers all public comments, including issues relating to public health and welfare, in his decision to issue, issue with conditions, or deny the permit.

Name, Address, and Phone Number of the Applicant, Owner and Operator and Contact Person:

Owner of Facility:

San Juan County

100 South Oliver

Aztec, NM 87410

Contact Person: David Keck, Public Works Director

Phone: 505-334-4520

Applicant/Operator of Facility:

Waste Management of NM, Inc.

P.O. Box 15700

Rio Rancho, NM 87174

Contact Person: Steve Miceli, District Manager

Phone: 505-892-2055

Anticipated Start-Up Date of Facility Modification and Hours of Operation:

(a) Anticipated Start-Up Date: SJCR is an existing solid waste facility operating under permit no. SWM-052426 and permit no. SWM-052433(SP), both effective in January 2006. If approved, the anticipated start-up date for the permit modification is the date of issuance of the permit.

(b) Hours of Operation: SJCR’s operating hours are 7:00 a.m. to 6:00 p.m. Monday through Friday and 9:00 a.m. to 5:00 p.m. Saturday and Sunday. SJCR is closed on New Year’s Day, Thanksgiving, and Christmas. Operating hours may be extended to facilitate placement of daily cover or to accommodate high waste volumes during an operating day.

Description of the Facility:

(a) Location and Size: SJCR is located at County Road 3140 #78 in San Juan County, approximately 5 miles southwest of Aztec, NM in the southeast quarter of Section 36, Township 30 North, Range 12 West, NMPM. SJCR seeks permit renewal of the existing facility approximately 159 acres in size with approximately 122 acres intended for waste disposal.

- (b) General Process: SJCRl receives municipal solid waste ("MSW"), including construction and demolition ("C&D") debris, green waste, and scrap tires from commercial haulers and the public. SJCRl is currently authorized to accept six special wastes (sludge, industrial solid waste, petroleum contaminated soil, treated formerly characteristic hazardous waste, offal, and spill of a chemical substance or commercial product). Solid waste is placed and compacted in lined landfill cells that are served by environmental control systems (disposal cell liners, leachate collection systems, stormwater management controls, vadose zone monitoring, and landfill gas monitoring). At the end of each working day, the working face is covered with a minimum of six (6) inches of soil or a Department-approved alternative daily cover. Source-separated recyclable materials are received and processed at the Four Corners Regional EcoCenter. Diversion of recyclable materials from select incoming waste loads is also conducted at SJCRl.
- (c) Quantity and Rate of Solid Waste: SJCRl received approximately 122,775 tons of solid waste and 5,800 tons of recyclable materials in 2015. Quantities and rates of all wastes and recyclable materials may increase or decrease in the future.
- (d) Types of Solid Waste: SJCRl is currently authorized to accept MSW (including C&D debris), green waste, scrap tires, recyclable materials, and six special wastes (sludge, industrial solid waste, petroleum contaminated soil, treated formerly characteristic hazardous waste, offal, and spill of a chemical substance or commercial product). SJCRl seeks permit renewal to allow continued acceptance of these wastes and materials. Permit modification is requested to allow acceptance of two additional special wastes (ash and special waste not otherwise specified).
- (e) Description of the Modification: SJCRl is seeking permit modification for a vertical expansion that would allow the base grade to be deepened by up to 30 feet in future Phases 4 and 5 and final grades to be increased by up to 40 feet across the entire disposal area. Permit modification is also sought for authorization to accept two additional special wastes (ash and special waste not otherwise specified).

Origin of Waste: Waste received at SJCRl originates generally from San Juan County, neighboring counties in New Mexico, and neighboring states in the Four Corners region. Waste may originate from other areas depending upon market and economic feasibility.

Hearing Procedures: The public hearing will be conducted in accordance with the Permit Procedures of the Environment Department (20.1.4 NMAC), which may be obtained at no charge from the Hearing Clerk, Linda Vigil, P.O. Box 5469, 1190 St. Francis Dr., S-2103, Santa Fe, NM 87502, telephone 505-827-2002, fax 505-827-2836. The Permit Procedures are also available electronically at:
<http://www.nmcp.state.nm.us/nmac/parts/title20/20.001.0004.htm>. Copies of the applicable Solid Waste Rules (20.9.2 through 20.9.10 NMAC) may also be obtained electronically at:
http://www.nmcp.state.nm.us/nmac/_title20/T20C009.htm or by contacting George Schuman of the Solid Waste Bureau at 505-827-2328.

Any person may speak at the public hearing or submit general written comments without filing any documents beforehand. However, a person wishing to be an interested party or present technical testimony at the hearing must file an Entry of Appearance or Statement of Intent to Present Technical Testimony with the Hearing Clerk and serve it upon other parties of record, on or before 5:00 p.m., Wednesday, **September 14, 2016**. 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.

In accordance with 20.1.4 NMAC, the Statement of Intent to Present Technical Testimony shall:

- a) identify the person filing the statement;
- b) state whether the person filing the statement supports or opposes the application;
- c) identify each witness, including name, address, affiliation(s), and educational and work background;

- d) estimate how long the direct testimony of each witness will take;
- e) identify all exhibits that are part of the Record Proper and, for exhibits not part of the Record Proper, attach a copy;
- f) list or make available all technical materials relied upon by each witness in making each statement of technical fact or opinion contained in his or her direct testimony; and
- g) attach a summary of the testimony of each witness, stating any opinion(s) to be offered by such witness, and an explanation of the basis for such opinion(s).

To promote efficiency and fairness, and to avoid prejudice and surprise, a person's direct technical testimony at the hearing shall be limited to the data, views and arguments raised in that person's filed Statement of Intent. Submittal of a Statement of Intent to Present Technical Testimony shall also be considered an Entry of Appearance.

If any person requires assistance, an interpreter, or auxiliary aid to participate in this process, please contact Mr. J.C. Borrego by Wednesday, **September 14, 2016** at the Department's Human Resources Bureau, P.O. Box 5469, 1190 St. Francis Dr., Santa Fe, NM, 87502, telephone 505-827-0424. Text Telephone (TTY) and Voice Relay users should access Mr. Borrego's number through the Relay New Mexico network (TTY users at 1-800-659-8331; Voice Relay users at 1-800-659-1779).

The Application may be reviewed at the following locations:

New Mexico Environment Department, Solid Waste Bureau, 1190 St. Francis Dr., Suite N-2150, Santa Fe, NM 87502. Phone: 505-827-2328.

New Mexico Environment Department, Farmington Field Office, 3400 Messina Dr., Suite 5000, Farmington, NM 87402. Phone: 505-566-9741.