STATE OF NEW MEXICO
BEFORE THE SECRETARY OF ENVIRONMENT

IN THE MATTER OF THE APPLICATION OF NORTHEASTERN NEW MEXICO REGIONAL LANDFILL, LLC FOR A SOLID WASTE FACILITY PERMIT RENEWAL AND MODIFICATION AND PERMIT REVIEW FOR THE NORTHEASTERN NEW MEXICO REGIONAL LANDFILL **No. SWB 14-19(P)**

NOTICE OF RESCHEDULING OF PUBLIC HEARING AND PERMIT REVIEW

Description of the Requested Action: The New Mexico Environment Department ("Department") will hold a public hearing to consider the matter of the application by Northeastern New Mexico Regional Landfill, LLC ("Applicant") for renewal and modification of the Northeastern New Mexico Regional Landfill (NENMRLF) permit. The permit application was initially submitted to the Department on July 18, 2013. The Department is also providing notice of the review of the current solid waste facility permit. Information required for the permit review was submitted to the Department on July 5, 2013.

Hearing Date, Time, and Location: The hearing previously scheduled for Monday, November 17, 2014 has been postponed. The hearing has been rescheduled to begin at 9:00 a.m. on Tuesday, January 6, 2015 in the Wagon Mound Public Schools auditorium, 300 Park Ave., Wagon Mound, New Mexico. Public comment will be taken starting at 9:00 a.m., or at other times to facilitate public involvement as specified by the Hearing Officer, on January 6. The hearing may continue on the following day(s) 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 for a solid waste facility permit renewal and modification 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 October 10, 2014. The Act authorizes the Secretary of Environment to issue, issue with conditions, or deny solid waste facility permits. 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 and Contact Person:

Applicant/Owner of NENMRLF:
Northeastern New Mexico Regional Landfill, LLC
P.O. Box 129 (39346 Frontage Rd.)
Wagon Mound, NM 87752
Contact Person: Ms. Arlene Daniels
Phone: (575) 668-2000

Operator of NENMRLF:
GGH Wagon Mound, LLC
132 Riverstone Terrace, Suite 103
Canton, GA 30114
Contact Person: Mr. Ernest Kaufmann
Phone: (770) 720-2717

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

(a) Anticipated Start-Up Date: NENMRLF is an existing solid waste facility operating under permit no. SWM-181102 issued in December 2007. The anticipated start-up date for the permit modification would be the date of permit application approval; if approved, activities pursuant to the permit modification are anticipated to begin in 2015.

(b) Hours of Operation: Operating hours for NENMRLF are 7:00 a.m. to 5:00 p.m. Monday through Friday, and Saturdays by appointment. Operating hours are subject to routine review and adjustment and may change

due to reduced winter daylight hours and inclement weather (e.g., high winds). NENMRLF may operate outside of scheduled operating hours to accommodate site maintenance, construction, and cover application.

Description of the Facility:

(a) Location and Size: NENMRLF is located in Mora County approximately six miles north of the Village of Wagon Mound, and one-half mile east of Interstate 25 near Exit 393. The facility is located within portions of Sections 26 and 35 of Township 22 North, Range 21 East. The facility is approximately 439 acres in size with approximately 57 acres proposed by this permit application for waste disposal.

(b) General Process: NENMRLF currently receives municipal solid waste from commercial haulers and the public. The facility is approved to accept waste deliveries by road or rail transportation. Solid waste is placed and compacted in lined cells that are served by environmental control systems (leachate collection, methane monitoring, vadose zone monitoring, stormwater management controls, composite liners). At the end of each working day, the working face of the waste disposal area is covered with at least six inches of soil or an alternative daily cover approved by the Department. Limited recycling (white goods, larger metal items) is currently conducted at the facility. The pending application proposes continued municipal solid waste disposal in lined cells; disposal of select special wastes in lined cells; disposal of asbestos waste and construction and demolition debris (C&D) in separate, dedicated cells; and storage and disposal of tires in a dedicated area.

(c) Quantity and Rate of Solid Waste: NENMRLF received 75 tons per day (annual average) of solid waste in 2013, but expects to receive approximately 100 tons per day. The amount of waste received may vary depending upon market conditions. NENMRLF is also seeking approval to accept five special wastes: asbestos, petroleum contaminated soils (PCS), sludge, industrial solid waste (ISW), and spill of a chemical substance or commercial product (spill waste). NENMRLF anticipates the following quantities of special wastes: 2,500 tons per year (tpy) of asbestos; 1,000 tpy of PCS; 1,000 tpy of sludge, 1,000 tpy of ISW; and 1,000 tpy of spill waste. The quantity and rate of waste received may be higher in the future if waste disposal demand increases.

(d) Types of Solid Waste: NENMRLF is currently authorized to accept municipal solid waste (including C&D and tires) and select recyclable materials. In addition to these wastes, NENMRLF is seeking approval to accept five special wastes (asbestos, PCS, sludge, ISW, and spill waste), which would be delivered by road or rail transportation.

(e) Description of the Modification: NENMRLF is seeking permit modification for: disposal of five special wastes (asbestos, PCS, sludge, ISW, and spill waste); construction and operation of a dedicated asbestos monofill, tire monofill, and C&D disposal area; engineering design revisions consistent with the current Solid Waste Rules; vertical expansion that would raise the permitted final grades (15 feet average; 26 feet maximum); and a one-acre lateral expansion to accommodate the proposed monofill and C&D disposal area.

Origin of Waste: Waste received at NENMRLF originates primarily from counties in north-central and northeastern New Mexico (i.e., Mora, San Miguel, Colfax, Union, Harding, Taos, Santa Fe, Los Alamos, Quay, and Guadalupe), but may also originate outside this region. It is anticipated that special waste may be delivered from areas outside this region, including special waste transported by rail.

Permit Review: The Department is conducting a permit review in conjunction with review of the permit renewal and modification application. The Applicant submitted information required by 20.9.3.24 NMAC for performance of a permit review. The information addresses facility operations, compliance history, environmental monitoring results, disclosure, financial assurance, and any incidents of a nature described in Subsection B of 74-9-24 of the Solid Waste Act. Comments on the permit review may be provided to the Department's Solid Waste Bureau (see address and telephone number below) prior to the hearing on the permit renewal and modification application or may be provided at the hearing.

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, Sally Worthington, P.O. Box 5469, 1190 St. Francis Drive, S-2103, Santa Fe, NM 87502, telephone 505-827-2002, fax 505-827-2836. The Permit Procedures are also available electronically at: http://www.nmcpr.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.nmcpr.state.nm.us/nmac/_title20/T20C009.htm or by contacting George Schuman of the Solid Waste Bureau at (505) 827-2328.

Persons may speak at the public hearing or submit general written comments without filing any documents beforehand. However, any 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., Tuesday, December 23, 2014. 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 Tuesday, December 23, 2014 at the New Mexico Environment Department, Human Resources Bureau, P.O. Box 5469, 1190 St. Francis Drive, Santa Fe, NM, 87502, telephone 505-827-0424. TDD or TDY users should access Mr. Borrego's number through the New Mexico Relay Network (TDY users at 1-800-659-8331; TDD users at 1-800-659-1779).

The permit renewal/modification application and permit review documentation may be reviewed at the following locations:

New Mexico Environment Department, Solid Waste Bureau, 1190 St. Francis Drive, Suite N-2150, Santa Fe, NM 87502; Monday-Friday 8:00 a.m. to 5:00 p.m. (Contact: James Dyer at 505-827-2677).

Wagon Mound City Hall, 600 Catron Ave., Wagon Mound, NM 87752 (phone: 575-666-2408).

NENMRLF, 39346 Frontage Rd. (I-25 at Exit 393), Wagon Mound, NM 87752 (phone: 575-668-2000).