

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

**IN THE MATTER OF THE APPLICATION BY THE CITY OF CLOVIS FOR A MUNICIPAL  
SOLID AND SPECIAL WASTE LANDFILL PERMIT RENEWAL AND MODIFICATION AT  
THE CLOVIS REGIONAL SOLID WASTE FACILITY**

No. SWB 12-19(P)

**NOTICE OF PUBLIC HEARING**

**Description of the Requested Action:** The New Mexico Environment Department (NMED) will hold a public hearing to consider the matter of the application of the City of Clovis (Applicant), 801 South Norris, Clovis, New Mexico for the renewal and modification of the Clovis Regional Solid Waste Facility (CRSWF) permit. The current application was submitted to the Department on February 24, 2011. The Applicant is seeking to renew the existing solid waste facility permit and obtain a permit modification for a lateral and vertical expansion and authorization to dispose of special wastes at the CRSWF.

**Hearing Date, Time, and Location:** The hearing will begin at 5:30 p.m. on Wednesday, December 5, 2012 at the Clovis-Carver Public Library, North Annex, 701 North Main St., Clovis, New Mexico 88101. Public comment will be taken starting at 5:30 PM or as specified by the Hearing Officer, on December 5. The hearing may continue on the following day 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 for lateral and vertical landfill expansion and authorization to dispose of special waste has been reviewed by the Department for compliance with the New Mexico Solid Waste Act (the "Act") and the New Mexico Solid Waste Rules (20.9.2- 20.9.10 NMAC). The Department deemed the application complete on October 2, 2012. 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:**

City of Clovis  
801 South Norris  
Clovis, New Mexico 88101  
Phone: (575) 769-2376  
Contact Person: Mr. Justin Howalt, P.E., City Engineer

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

- (a) Anticipated Start-Up Date: The CRSWF is an existing solid waste facility operating under permit no. SWM-050304 issued in June 1998. The anticipated start-up date of the facility modification is March 2013.
- (b) Hours of Operation: Operating hours for the CRSWF are 6:00 a.m. to 6:00 p.m. Monday through Saturday and 12:00 p.m. to 4:45 p.m. on Sunday. The CRSWF is closed on Thanksgiving Day and Christmas Day. The Landfill may operate outside scheduled operating hours to accommodate site preparation, inclement weather conditions, site construction, internal operation/projects, cover application, maintenance, monitoring, and other special circumstances.

**Description of the Facility:**

- (a) Location and Size: The CRSWF is located at 801 South Norris, Clovis, New Mexico and is

comprised of approximately 80 acres of a closed unlined landfill and 30 acres of lined landfill area within a 640-acre tract of land (Section 21, Township 2 North, Range 36 East). The permit modification application proposes a lateral expansion to allow the use of approximately 115 additional acres as lined landfill area and an additional 10 acres as an asbestos monofill; the application also proposes a vertical expansion to allow an increase of 32.5 feet in final grade elevation within existing Cells 1 through 4.

- (b) General Process: The CRSWF receives solid waste from commercial haulers and the public. The solid waste will be placed and compacted in lined cells that are protected by environmental control systems including, but not limited to, leachate collection systems, composite liners and stormwater management controls. Special wastes will be processed in accordance with the applicable Rules. At the end of each working day, the working face of the of the municipal solid waste (MSW) disposal area will be covered with at least six inches of soil or an alternative daily cover as approved by NMED.
- (c) Quantities and Rate of Solid Waste: The CRSWF currently receives an average of 220 tons of solid waste per day, but may receive more or less solid waste on a given day depending upon market conditions and future special waste opportunities. The quantity and rate may be expanded in the future as demand increases.
- (d) Types of Solid Waste: The CRSWF will continue to accept municipal solid waste, commercial solid waste, construction and demolition debris, and green waste. The CRSWF is seeking approval of a permit modification to authorize the disposal of the following special wastes: spill of a chemical substance or commercial product; packing house and killing plant offal; ash; sludge; industrial solid waste; asbestos; petroleum contaminated soils; and special waste not otherwise specified (i.e. wash basin grit, etc.).

**Origin of Waste:** It is anticipated that the majority of wastes received at the CRSWF will continue to originate primarily from the cities of Clovis, Grady, Melrose, Texico, and Cannon AFB, New Mexico; and Sudan and Farwell, Texas. Additionally, the communities of Causey, Dora, Elida, Floyd, and Portales, New Mexico; Muleshoe, Bovina, and Friona, Texas; and surrounding areas of eastern New Mexico and west Texas may also dispose of waste at the CRSWF.

**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 26110, N-2150, Santa Fe, New Mexico 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](http://www.nmcpr.state.nm.us/nmac/_title20/T20C009.htm) or by contacting Darren Padilla of the Solid Waste Bureau at (505) 827-2828.

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., Wednesday, November 21, 2012. 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 Connie Joseph by Wednesday, November 21, 2012 at the New Mexico Environment Department, Human Resources Bureau, P.O. Box 26110, 1190 St. Francis Drive, Santa Fe, New Mexico, 87502, telephone 505-827-9769. TDD or TDY should access Ms. Joseph's number through the New Mexico Relay Network (TDY users at 1-800-659-8331; TDD 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 Drive, Suite 2050, Santa Fe, New Mexico 87502; 8:00 a.m. to 5:00 p.m. (Contact: Darren Padilla at 505-827-2828).

City of Clovis Public Works Complex, 801 South Norris, Clovis, New Mexico 88101; 8:00 a.m. to 5:00 p.m. (Contact: Justin Howalt at (575) 769-2376).

Clovis-Carver Public Library, 701 North Main St., Clovis, New Mexico 88101.