

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

**IN THE MATTER OF THE APPLICATION
BY SOUTHWEST LANDFILL LLC FOR RENEWAL
AND MODIFICATION OF A SOLID WASTE
FACILITY PERMIT, INCLUDING VERTICAL AND
LATERAL EXPANSION, AT SOUTHWEST
LANDFILL**

No. SWB 14-02(P)

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 Southwest Landfill LLC (Applicant), 5816 Pajarito Rd. SW, Albuquerque, New Mexico for renewal and modification of the Southwest Landfill (SWLF) permit. The Applicant is seeking to renew the existing solid waste facility permit and obtain a permit modification for a lateral and vertical expansion at SWLF. The permit application was initially submitted to the Department on January 31, 2013.

Hearing Date, Time, and Location: The hearing will begin at 5:30 p.m. on Tuesday, March 18, 2014 in El Salón Ortega at the National Hispanic Cultural Center, 1701 4th St. SW, Albuquerque, New Mexico. Public comment will be taken starting at 5:30 p.m., or as specified by the Hearing Officer, on March 18. 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 expansion 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 February 3, 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:

Southwest Landfill LLC
5816 Pajarito Rd. SW
Albuquerque, NM 87121
Phone: (505) 242-2020
Contact Person: Mr. Rafael Valdepeña, General Manager

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

- (a) Anticipated Start-Up Date: SWLF is an existing solid waste facility operating under permit no. SWM-010136 issued in November 2007. The anticipated start-up date for the permit modification (lateral and vertical expansion) would be the date of permit application approval.
- (b) Hours of Operation: Operating hours for SWLF are 7:30 a.m. to 5:00 p.m. Monday through Friday; 8:00 a.m. to 4:00 p.m. Saturday; and 9:00 a.m. to 2:00 p.m. Sunday. Operating hours are subject to change in response to fluctuations in waste receipts. Landfill operations begin before and continue after the times when waste is received. Other landfill activities (e.g., cell liner construction) may be conducted outside the established operating hours.

Description of the Facility:

- (a) Location and Size: SWLF is located approximately 1.5 miles northwest of Albuquerque's southern corporate boundary and approximately 2.3 miles southwest of the intersection of Coors Blvd. SW and Pajarito Rd. SW in Sections 20, 29, and 30, Township 9 North, Range 2 East. The application proposes increasing the size of the solid waste facility from approximately 122 acres to 243 acres, with approximately 213 acres proposed for waste disposal.
- (b) General Process: SWLF receives construction and demolition (C&D) debris, yard waste, and land clearing debris from governmental agencies, commercial haulers, and the public. The waste is placed and compacted in lined cells that are served by environmental control systems (leachate collection systems, stormwater management controls, composite liners, groundwater monitoring). 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.
- (c) Quantity and Rate of Solid Waste: SWLF is expected to receive approximately 500 tons of waste per day, but may receive more or less waste depending upon market conditions. The quantity and rate of waste received may increase in the future in response to regional growth.
- (d) Types of Solid Waste: SWLF will continue to accept only C&D debris, yard waste, and land clearing debris in accordance with local zoning authority approval.
- (e) Description of the Modification: SWLF is seeking approval for a vertical expansion ranging from approximately 40 to 70 feet above the currently permitted elevation and a lateral expansion that would add approximately 121 acres to the currently permitted area of 122 acres, resulting in a total permit area of approximately 243 acres.

Origin of Waste: Waste received at SWLF originates primarily from Bernalillo County, and the surrounding area of Sandoval and Valencia Counties, although waste may originate from other areas subject to economic constraints on transportation of waste to the facility.

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, March 4, 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 March 4, 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 application 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: John Offersen at 505-827-2385).

New Mexico Environment Department, District I office, 5500 San Antonio Dr. NE, Albuquerque, NM 87109; Monday-Friday 8:00 a.m. to 4:00 p.m. (Contact: Paul Martinez at 505-222-9511).

Southwest Landfill office, 5816 Pajarito Rd. SW, Albuquerque, NM 87121 (Contact: Rafael Valdepeña at 505-242-2020).