

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

**IN THE MATTER OF THE APPLICATION OF SANTA FE SOLID WASTE MANAGEMENT
AGENCY PERMIT MODIFICATION FOR A MUNICIPAL SOLID AND SPECIAL WASTE
LANDFILL AT THE CAJA DEL RIO LANDFILL IN SANTA FE, NEW MEXICO**

No. SWB 09-05(M)

NOTICE OF PUBLIC HEARING

The New Mexico Environment Department (“NMED”) will hold a public hearing to consider the matter of the application of Santa Fe Solid Waste Management Agency (“Applicant”) located at 149 Wildlife Way, Santa Fe, NM 87506 for the Modification of the Caja del Rio Landfill Solid Waste Facility Permit. The hearing will begin at 10:00 a.m. on Tuesday, April 14, 2009 at the Genoveva Chavez Community Center, Classroom 1, 3221 Rodeo Rd., Santa Fe, New Mexico. Public comment will be taken as specified by the Hearing Officer, and also starting at 5:30 PM on April 14. The hearing may continue on the following day as determined by the Hearing Officer. In lieu of oral public comments, written statements may be submitted for the record at or prior to the hearing.

The Caja del Rio Landfill is located on a 430 acre tract of land of which approximately 104 acres has been identified for the disposal of approximately 350 tons per day of municipal solid waste generated by the City and County of Santa Fe. It is located approximately seven miles west of the City of Santa Fe, NM. The Facility was permitted by the NMED on June 27, 1995 and commenced operations on May 12, 1997. The application for a permit modification was submitted to the Department on July 25, 2008. The Applicant is seeking to obtain a modification to add sludge to the list of approved special waste.

If approved, Caja del Rio Landfill will accept “solid waste” and “special waste” as defined in the New Mexico Solid Waste Act, and the Solid Waste Rules, 20.9.2-20.9.10 NMAC. The solid waste will be placed and compacted in lined units/cells that are served by environmental control systems, including gas and ground water monitoring, a leachate collection system, and stormwater management controls. Special wastes will be processed in accordance with the permit conditions and applicable regulations. At the end of each working day, the working face of the waste will be covered with at least six inches of soil or an alternative cover as approved by NMED.

The majority of wastes received at the Landfill will originate primarily from the City of Santa Fe and Santa Fe County, NM and surrounding areas. However, waste disposed at the Landfill may be generated outside of those areas. It is anticipated that the facility will continue to receive an average of 300-400 tons of waste per day from commercial haulers and the public. It is anticipated that the landfill will receive as much as 115 cubic yards of sludge daily.

Operating hours for the Landfill are 7:00 a.m. to 4:00 p.m. daily. The Landfill may operate outside scheduled operating hours to accommodate site preparation, inclement weather conditions,

placement of intermediate cover, special projects, construction, waste transfer operations, internal operation/projects, maintenance, monitoring and other special circumstances.

The Application for a solid waste facility permit modification for the addition of one 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 February 18, 2009. 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.

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, N-2150, Santa Fe, New Mexico 87502, telephone 505-827-2002, fax 505-827-2836. The Permit Procedures are also available on the Department’s web page at: <http://www.nmcpr.state.nm.us/nmac/parts/title20/20.001.0004.htm>. Copies of the applicable Solid Waste Rules (20.9.2 – 20.9.10 NMAC) may also be obtained on the Department web page at: http://www.nmcpr.state.nm.us/nmac/_title20/T20C009.htm or by contacting Bill Schueler of the Solid Waste Bureau at (505) 827-2464.

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”, respectively, with the Hearing Clerk and serve it upon other parties of record, on or before 5:00 p.m., Tuesday, March 31, 2009. 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 as an “Entry of Appearance.”

If any person requires assistance, an interpreter, or auxiliary aid to participate in this process, please contact Judy Bentley by Tuesday, March 31, 2009 at the New Mexico Environment Department, Personnel Services Bureau, P.O. Box 5469, 1190 St. Francis Drive, Santa Fe, New Mexico, 87502, telephone 505-827-9872. TDD or TDY should access Ms. Bentley'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; 9:00AM and 5:00PM (Contact: Bill Schueler at 505-827-2464)

Genoveva Chavez Community Center, 3221 Rodeo Rd., Santa Fe, New Mexico

Caja del Rio Landfill Administration Building, 149 Wildlife Way

Sally Worthington, Hearing Clerk
NM Environment Department