

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

**IN THE MATTER OF THE APPLICATION OF SOUTHWEST SOLID WASTE AUTHORITY
FOR A MUNICIPAL SOLID AND SPECIAL WASTE LANDFILL PERMIT MODIFICATION
AT THE SOUTHWEST NEW MEXICO REGIONAL LANDFILL**

No. SWB 12-11(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 Southwest Solid Waste Authority (“Applicant”), located at 318 Ridge Road, Silver City, NM, for the Modification of the Southwest New Mexico Regional Landfill Permit. The current application for a permit modification was submitted to the Department on April 6, 2010. The Applicant is seeking to obtain a modification to add sludge to the list of approved special wastes that may be accepted at the Southwest New Mexico Regional Landfill.

Hearing Date, Time, and Location: The hearing will begin at 5:30 p.m. on Wednesday, September 12, 2012 at the Grant County Administration Building, 1400 Highway 180 East, Silver City, New Mexico. Public comment will be taken starting at 5:30 PM or as specified by the Hearing Officer, on September 12. 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 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 May 31, 2012. The Act authorizes the Secretary of Environment to issue, issue with conditions or deny Solid Waste Facility Permits. The Cabinet 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 Solid Waste Authority
318 Ridge Road
P.O. Box 2617
Silver City, NM 88061
Phone: (575) 388-8051
Contact Person: Mr. Alex Brown, Chairman

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

- (a) Anticipated Start-Up Date: The anticipated start-up date of the facility modification is October or November of 2012.

- (b) Hours of Operation: Operating hours for the Landfill are 8:00 a.m. to 4:30 p.m. Monday through Saturday. 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.

Description of the Facility:

- (a) Location and Size: The Southwest New Mexico Regional Landfill is located on a 127 acre tract of land at 318 Ridge Road, approximately four miles south of Silver City, NM. Approximately 35 acres has been identified for the disposal of up to 33,000 tons per year of municipal solid waste generated by the Town of Silver City and Grant, Catron and Hidalgo Counties.
- (b) General Process: Southwest New Mexico Regional Landfill accepts “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 Facility’s current solid waste facility permit was issued by the NMED on December 19, 1994. The solid waste is 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 are handled in accordance with the permit conditions and applicable regulations. The Landfill is permitted to accept offal but has not received any to date. Sludge, if approved, will also be managed in accordance with the permit conditions and applicable regulations. At the end of each working day, the working face of the waste is covered with at least six inches of soil or an alternative cover as approved by NMED.
- (c) Quantities and Rate of Solid Waste: It is anticipated that the facility will continue to receive an average of 100 tons of waste per day from commercial haulers and the public. It is anticipated that the landfill will receive up to 300 tons of sludge per year.
- (d) Types of Solid Waste: Southwest New Mexico Regional Landfill will accept sludge if the permit modification is approved. The facility will continue to accept municipal solid waste and approved other special wastes in accordance with the existing solid waste facility permit.

Origin of Waste: The majority of the sludge wastes received at the Landfill will originate primarily from the Silver City and Bayard wastewater treatment plants (“WWTP”) and surrounding areas. However, waste disposed at the Landfill may be generated outside of those areas.

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 – 20.9.10 NMAC) may also be obtained electronically 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., Wednesday, August 29, 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 as 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 August 29, 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 Mrs. 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: Bill Schueler at 505-827-2464).

Southwest New Mexico Regional Landfill, 318 Ridge Rd, Silver City New Mexico (Contact: Diana Temple at 575-388-8051).