

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

IN THE MATTER OF THE APPLICATION OF WASTE MANAGEMENT OF NEW MEXICO, INC. FOR A PERMIT MODIFICATION FOR A MUNICIPAL SOLID AND SPECIAL WASTE LANDFILL TO INCLUDE IMPLEMENTATION OF WET CELL TECHNOLOGY UNDER THE RESEARCH DEVELOPMENT AND DEMONSTRATION RULES (20.9.4.17 NMAC) AND THE ADDITION OF A SPECIAL WASTE LISTED AS “SPECIAL WASTE NOT OTHERWISE SPECIFIED” (20.9.8.18 NMAC) AT THE VALENCIA REGIONAL LANDFILL AND RECYCLING FACILITY IN VALENCIA COUNTY, NEW MEXICO

No. SWB 11-09 (P)

NOTICE OF PUBLIC HEARING

The New Mexico Environment Department (“NMED”) will hold a public hearing to consider the matter of the application of Waste Management of New Mexico Inc. (“Applicant”) for the modification of the Valencia Regional Landfill and Recycling Facility (“Landfill”) Solid Waste Facility Permit. The hearing will begin at 5 p.m. on Thursday, June 16, 2011, at the Valencia County Courthouse, County Commission Chamber, 444 Luna Ave., Los Lunas, NM.

Non-technical public comments will be taken between 5 - 5:30 p.m. on June 16, 2011. In lieu of oral public comments, written statements may be submitted to the Hearing Clerk for the record at, or prior to, the hearing.

The Applicant is seeking approval to modify the solid waste facility permit to implement a Research Demonstration and Development (RD&D) plan to use wet cell technology over the lined landfill cells (as provided under 20.9.4.14 NMAC) and to add the special waste listed as “special waste not otherwise specified”.

1. Name, Address and Phone Number of Applicant and Contact Person.

(a) Applicant/Owner of Valencia Regional Landfill and Recycling Facility:

Waste Management of New Mexico, Inc.
2300 Grand Boulevard SE
Rio Rancho, NM 87174
(505) 891-6595

(b) Contact Person for Valencia Regional Landfill and Recycling Facility:

Mr. Alberto Guardado, Area Director of Operations
Waste Management of New Mexico, Inc.
2300 Grand Boulevard SE
Rio Rancho, NM 87174
(505) 891-6595

2. Anticipated Start-Up Date of Modification and Hours of Operation

The property on which the Landfill is located is owned by Waste Management. The Landfill is an existing solid waste facility operating under Solid Waste Facility Permit # SWM-013229 and Special Waste Permit # SWM-013230 (SP) issued by the NMED in November 2006 that currently accepts residential, commercial, construction and demolition waste, as well as special waste (industrial solid waste, treated formerly characteristic hazardous waste, spills of chemical substances or commercial products, petroleum contaminated soils, sludge and packing house and killing plant offal) as defined in the Solid Waste Act and the New Mexico Solid Waste

Rules. The Landfill will continue to operate under its existing permit until the NMED Secretary decides whether to issue, issue with conditions, or to deny the permit modification. The anticipated start-up date for acceptance of the new special waste category and implementation of the wet cell technology described in this notice is the date of final approval of the permit application that is the subject of this notice. Current operating hours for the landfill are 7:00 a.m. to 5:00 p.m., Monday through Friday, and 7:30 a.m. to 1:00 p.m. on Saturdays. The Landfill is closed on Sundays and major holidays. The Landfill may operate outside scheduled operating hours to accommodate site preparation, inclement weather conditions, cover application, special projects, construction, waste transfer operations, internal operation/projects, maintenance, monitoring, and other special activities.

3. Description of the Facility

- a. General Process: The Landfill will continue to receive solid waste from commercial haulers and the public. The solid waste will be placed and compacted in lined units/cells that are served by environmental control systems including, but not limited to, leachate collection systems, liners and storm water management controls. Special waste will be processed in accordance with the permit conditions and 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 a least six inches of soil or an alternative daily cover as approved by NMED.
- b. Location: The Valencia Regional Landfill and Recycling Facility is located entirely within Section 27, Township 6 North, Range 2 West, approximately 17 miles west of Los Lunas and six miles south of State Highway NM 6.
- c. Size: The existing Landfill comprises approximately 496 acres of a 640-acre tract.
- d. Quantities and Rate of Solid Waste: The Landfill currently receives from 200-225 tons of solid waste per day. The landfill may receive more or less solid waste on a given day depending upon market conditions and future special waste opportunities. The volume may be expanded in the future as demand increases.
- e. Types of Solid Waste: The Landfill will continue to accept solid waste and special waste, including the following nonhazardous waste:
 - (i) residential municipal solid waste;
 - (ii) commercial solid waste;
 - (iii) construction and demolition debris;
 - (iv) industrial solid waste (special waste);
 - (v) treated formerly characteristic hazardous waste (TFCH);
 - (vi) non-hazardous sludge meeting the provisions of 40 CFR 503;
 - (vii) spills of chemical or commercial products;
 - (viii) petroleum contaminated soils;
 - (ix) packing house and killing plant offal;
- f. Description of the Modification: The research, development, and demonstration modification to the permit is intended to allow for the environmentally safe and beneficial use of specified liquids to the solid waste mass by controlled application to conserve the landfill’s capacity through enhanced waste decomposition. The Applicant proposes to receive approximately 7.85 million gallons of liquids per year for use in the proposed designated wet cell. The volume of liquid received will be managed to coincide with the holding capability of the solid waste volume received over time, and in a manner that is protective of human health and the environment. If permitted under the RD&D plan, the facility owner will generate sufficient data during a 2.5 year period to provide a

demonstration that the infiltration of liquids will not cause contamination of ground or surface waters, and a feasibility assessment of liquids addition at the Landfill. The Landfill proposes to apply the following non-hazardous liquids that it currently generates, receives, or proposes to receive:

- (i) vat rinse waters;
- (ii) water and wastewater treatment effluent;
- (iii) water separator and equipment washes;
- (iv) cooling tower water;
- (v) leachate from the VRLF;
- (vi) storm water;
- (vii) sludge (as defined in 20.9.2.7.S(7) NMAC);
- (viii) wastewaters from coolant processes;
- (ix) water soluble antifreeze;
- (x) vehicle wash sump waste;
- (xi) liquids from golf course, community ponds and park cleanouts;
- (xii) liquids from storm water basins and drywell water
- (xiii) street sweeping liquids;
- (xiv) consumer commodities and production rinseate;
- (xv) water-based paints and production rinseate;
- (xvi) water-based inks and production rinseate;
- (xvii) food and restaurant wastes (grease traps, etc.); and,
- (xviii) other industrial/commercial/agricultural non-RCRA liquid wastes

To allow for implementation of this RD& D permit, the Applicant is also requesting a permit modification to include an additional type of special waste “special waste not otherwise specified” as described in 20.9.8.18 NMAC.

4. Origin of Waste: It is anticipated that the majority of wastes received at the Landfill will originate primarily from Valencia County and the Rio Grande Corridor, however, waste disposed at the Landfill may be generated outside of those areas.

5. Comments:

Questions or comments regarding the Notice of Hearing should be directed to the Applicant at the address provided in Section 1 of this Notice and to:

Terry Nelson-Solid Waste Bureau
New Mexico Environment Department
Harold Runnels Building
1190 St. Francis Drive, P.O. Box 5469
Santa Fe, New Mexico 87502-5469
Telephone: (505) 827-2328

The Application for a solid waste facility modification has been reviewed by the NMED 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 NMED deemed the application complete on June 6, 2011. 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, telephone 505-827-2002, fax 505-827-2836. The Permit Procedures,

the Act and the Solid Waste Rules (20.9.2 – 20.9.10 NMAC) are also available on the Department’s web page at: <http://www.nmenv.state.nm.us/swb/CurrentRules.htm>.

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, via U.S. Postal Service mailed to: NMED, Hearing Clerk, PO Box 5469, Santa Fe, NM 87502-5469, and serve it upon other parties of record on or before 5:00 p.m., on June 2, 2011. 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) provide an estimate as to 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 physical assistance, an interpreter, or other auxiliary aid to participate in this process, please contact Judy Bentley by June 2, 2011 at the New Mexico Environment Department, Human Resource 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:

NMED Los Lunas Field Office, 1052 Main NE-Suite C, Los Lunas NM 87031, 505-841-5280.

NMED District 1 Office, 5500 San Antonio Dr. NE, Albuquerque, NM 87109; Mon.-Fri, 9 AM - 4 PM, 505-222-9500 (Contact: Teri Monaghan)

New Mexico Environment Department, Solid Waste Bureau, 1190 St. Francis Drive, Suite 2050, Santa Fe, New Mexico 87502; Mon-Fri, 9:00AM-5:00PM. (Contact: Terry Nelson @ 505-827-2328)

