

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

**IN THE MATTER OF THE APPLICATION OF MESA VERDE ENTERPRISES FOR A PERMIT RENEWAL/MODIFICATION FOR A CONSTRUCTION AND DEMOLITION (C&D) LANDFILL IN ALAMOGORDO, NEW MEXICO  
No. SWB 11-08(P)**

**NOTICE OF PUBLIC HEARING**

The New Mexico Environment Department (“NMED”) will hold a public hearing to consider the matter of the application of Mesa Verde Enterprises (“Applicant”) for a renewal/modification of the Mesa Verde C&D Landfill Permit. The hearing will begin at 5:00 p.m. on Tuesday, June 15, 2011, at the Alamogordo Civic Center Conference Room located at 800 E. 1<sup>st</sup> St, Alamogordo, NM. Non-technical public comments will be taken between at 5:00 - 5:30 p.m. on June 15, 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 obtain a 20 year permit renewal and a modification for landfill expansion from the existing 15 acres to 17.7 acres. The original permit was issued on May 8, 2001.

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

(a) Applicant/Owner of Mesa Verde C&D Landfill”

Mesa Verde Enterprises, Inc.  
396 La Luz Gate Rd.  
PO Box 907  
Alamogordo, NM 88311- 0907  
(575) 437-2995

(b) Contact Person for Mesa Verde C&D Landfill:

Mr. Ed Davidson – Safety Manager  
(575) 437-2995

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

The property on which the landfill is located is owned by Mesa Verde Enterprises, Inc. The landfill is an existing solid waste facility operating under a permit issued by the NMED in May 2001 that currently accepts only construction and demolition waste as defined in the Act and the 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 for renewal and modification. Current operating hours for the landfill are 7:00 a.m. to 4:00 p.m. Monday through Saturday. The landfill will be closed on Sundays and major holidays.

3. Description of the Facility

- a. General Process: The landfill will continue to receive construction and demolition debris. Components of C&D debris typically includes: concrete, asphalt, wood, metals, gypsum wallboard and roofing, and waste from land clearing and construction projects. Some recycling of reusable materials is performed. The C&D material is transported via Highways 54, 70 and 82 and then on to La Luz Gate Road.
- b. Location: The landfill is located in Township 16 South (T16S), Range 9 East (R9E), Section 7, approximately 5 miles west of Alamogordo on the north side of La Luz Gate Rd., Otero County, New Mexico.
- c. Size: The existing landfill comprises approximately 15± acres and requests an expansion to 17.7 acres.

- d. Quantities and Rate of Solid Waste: The landfill currently receives a monthly average of 50 tons or less of C&D debris per day. The quantity and rate may be expanded in the future as demand increases.
  - e. Types of Solid Wastes: The landfill will continue to accept C&D waste only. No special wastes are accepted at this landfill.
  - f. Description of the Modification: Mesa Verde is requesting approval to modify the landfill by laterally expanding it to an additional 2.7 acres. The total size of the landfill would increase to 17.7 acres, to increase disposal area.
4. Origin of Waste: The C&D material comes from C&D projects undertaken by Mesa Verde Enterprises or by other private contractors mainly in Otero County but could come from sources outside Otero County.
  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:  
John Offersen-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) 827-2385

The Application for a solid waste facility modification 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 "Rules"). The Department deemed the application complete on May 4, 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, P.O. Box 5469, N-2150, Santa Fe, New Mexico 87502, telephone 505-827-2002, fax 505-827-2836. The Permit Procedures, the Act and the Solid Waste Rules 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, with the Hearing Clerk and serve it upon other parties of record, on or before 5:00 p.m., on June 1, 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) 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 physical assistance, an interpreter, or other auxiliary aid to participate in this process, please contact Judy Bentley by June 1, 2011 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:

1. NMED District 3 Field Office, 1015 Cuba Ave., Alamogordo, NM 88310, 575-437-7115; 8 AM – 4 PM, Mon-Fri. Closed 12 PM to 1PM daily.
2. Mesa Verde Enterprise Office, 396 La Luz Gate Rd., Alamogordo, NM 88311, 575-437-2995.
3. 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: John Offersen@ 505-827-2385)