

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

**IN THE MATTER OF THE APPLICATION OF NORTHWEST NEW MEXICO REGIONAL  
SOLID WASTE AUTHORITY FOR A PERMIT RENEWAL AND MODIFICATION FOR A  
MUNICIPAL SOLID AND SPECIAL WASTE LANDFILL AT THE RED ROCKS REGIONAL  
LANDFILL IN THOREAU, NEW MEXICO**

No. **SWB 08-31(P)**

**NOTICE OF PUBLIC HEARING**

The New Mexico Environment Department (“NMED”) will hold a public hearing to consider the matter of the application of Northwest New Mexico Regional Solid Waste Authority (“Applicant”) for the Renewal and Modification of the Red Rocks Regional Landfill Solid Waste Facility Permit. The hearing will begin at 10:00 a.m. on Tuesday, January 27, 2009 at the McKinley County Courthouse – 207 West Hill Ave, Gallup, New Mexico, Third Floor, Commission Chambers. Public comment will be taken as specified by the Hearing Officer, and also starting at 5:30 PM on January 27. 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 Red Rocks Regional Landfill is located on approximately 640± acres of which 163.3 acres are proposed for waste disposal at 101 Red Mesa Bluffs Dr., Thoreau, NM. The application for a permit renewal and modification was submitted to the Department on February 12, 2008. The Applicant is seeking to obtain a 20-year permit renewal (until 2028) to continue construction and operation of the existing landfill; to continue to take special waste as listed below; and modifications including expansion of the waste cell area from 30 acres to 163.3 acres; the addition of sludge to the list of approved special waste, and the construction of a tire monofill. The Applicant requests the renewal/modification to increase the Landfill’s operational life and total disposal capacity.

If approved, Red Rocks Regional 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. Baled tires will be placed in a separate tire monofill area in trenches 50 feet wide by 100 feet long and no more than 15 feet deep.

The following list of non-hazardous wastes is requested for approval:

- Residential municipal solid waste;
- Commercial solid waste;
- Construction and demolition debris;
- Tires;
- Petroleum contaminated soils (special waste);
- Sludge (special waste);
- Industrial waste – to include approved OCD waste (special waste)

The majority of wastes received at the Landfill will originate primarily from McKinley and Cibola Counties, 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. Annual total tonnage includes the following: residential and commercial solid waste comprises approximately 85 percent or 84,500 tons; construction and demolition debris is approximately 11 percent or 11,000 tons; and special waste equals approximately 5 percent or 4,500 tons per year. It is anticipated that approximately 108,000 tons will be delivered to the facility annually.

Operating hours for the Landfill are 7:30 a.m. to 5:00 p.m. Monday through Friday, and 8:00 am to 2:30 pm on Saturdays. 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 renewal and modification for waste cell expansion, addition of one special waste, and plans for a tire bale monofill have 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 November 21, 2008. 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 26110, 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, January 13, 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, January 13, 2009 at the New Mexico Environment Department, Personnel Services Bureau, P.O. Box 26110, 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 Gallup Field Office, 905 Metro Ave., Gallup, NM; 8AM – 5 PM, Mon – Fri.  
(closed for lunch from noon to 1 daily) (Contact: Sabrina Arthur at 505-722-4160)

Red Rocks Regional Landfill Office, 101 Red Mesa Bluffs Dr. Thoreau, NM  
8 AM – 3 PM Monday – Friday (Contact: Kit South at 505-862-8402)

Thoreau Chapter House, HWY 371, Thoreau, NM (Contact: 505-862-0139)

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)