

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

**IN THE MATTER OF THE APPLICATION
OF THE CITY OF ROSWELL FOR A
SOLID WASTE FACILITY PERMIT FOR
THE ROSWELL MUNICIPAL LANDFILL**

No. SWB 07-20(P)

NOTICE OF PUBLIC HEARING

The New Mexico Environment Department (the "Department") will hold a public hearing to consider the above captioned matter of the application of the City of Roswell, New Mexico ("Roswell") for a Solid Waste Facility Permit for the Roswell Municipal Landfill. The hearing will begin at 1:00 p.m. on Monday, July 23, 2007 in the City Hall council chambers, 425 N. Richardson Ave., Roswell, New Mexico. Non-technical public comments will be taken at 1:00 p.m. and at other times as necessary throughout the hearing. In lieu of oral public comments, written statements may be submitted for the record at or prior to the hearing.

The Roswell Municipal Landfill occupies a portion of Section 24, Township 11 South, Range 23 East approximately 1 mile west of the intersection of Sunset Avenue and West Brasher Road in Chavez County, New Mexico. The Landfill will receive solid waste from commercial haulers and the public. The property on which the landfill is located is owned by The City of Roswell. The Landfill is an existing permitted 107.6 acre solid waste facility that currently accepts residential, commercial, and construction & demolition waste. The Landfill, in this application, is requesting approval to expand to 389.9 acres. This acreage includes the existing 107.6 acre Landfill. The solid waste will be placed and compacted in lined units/cells that are served by environmental control systems, including but not limited to a leachate collection system, storm water management controls, and liners. At the end of each working day, the working face (waste) will be covered with at least 6" of soil or an alternative cover approved by NMED. The City plans to continue operating a Public Convenience Center for residential users.

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 preparation, inclement weather conditions, daily and/or intermediate cover application, special projects, construction, waste transfer operations, internal operation/projects, maintenance, monitoring and other special occasions.

It is anticipated that the facility will be receiving approximately 500 cubic yards of solid waste per day. The Landfill will accept "solid waste" as defined in the New Mexico Solid Waste Act, and 20 NMAC 9.1, including the following non-hazardous wastes:

1. Residential municipal solid waste;
2. Commercial solid waste;
3. Construction and demolition waste;

It is anticipated that the majority of wastes received at the Landfill will originate primarily from Chaves county and surrounding areas. However, waste disposed of at the Landfill may be generated outside of Chaves county and surrounding areas.

The application for the permit has been reviewed for compliance with the New Mexico Solid Waste Act (the "Act") and the New Mexico Solid Waste Management Regulations. The Act authorizes the Secretary of Environment to issue outright, issue with conditions or deny Solid Waste Facility Permits. Comments received during the public hearing will be considered by the Secretary in making a final decision on the Application.

The public hearing will be conducted in accordance with the Permit Procedures, 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, Environment Department (20.1.4 NMAC) and the New Mexico Solid Waste Management Regulations (20.9.1 NMAC) are also available on the Department's web page at: http://www.nmenv.state.nm.us/NMED_regs.

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., Monday, July 9, 2007.

In accordance with 20 NMAC 1.4.302 (20.1.4.300.B), 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).

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.

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 Monday, July 16, 2007 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 between the hours of 9:00 a.m. and 5:00 p.m., Monday through Friday at the following locations:

New Mexico Environment Department, Solid Waste Bureau, 1190 St. Francis Drive, Suite 2050, Santa Fe, New Mexico 87502 (Contact: William Schueler, 505-827-2464)

New Mexico Environment Department – District #4 office, 1914 W. Second, Roswell, NM, 88201 (505-624-6124)

Sally Worthington, Hearing Clerk

NM Environment Department