

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

**IN THE MATTER OF THE APPLICATION  
OF WASTE MANAGEMENT OF NEW MEXICO  
FOR A PERMIT RENEWAL AND MODIFICATION INCLUDING A VERTICAL EXPANSION  
FOR A MUNICIPAL SOLID AND SPECIAL WASTE LANDFILL  
AT THE RIO RANCHO LANDFILL IN RIO RANCHO, NEW MEXICO No. SWB 08-12(P)**

**NOTICE OF PUBLIC HEARING**

The New Mexico Environment Department (the “Department”) will hold a public hearing to consider the matter of the application of Waste Management of New Mexico (“Applicant”) for the Renewal and Modification of the Rio Rancho Landfill (“RRLF”) Solid Waste Facility Permit. The hearing will begin at 10:00 a.m. on Monday June 2, at the Rio Rancho City Hall—Overflow Room of Council Chambers, 3200 Civic Center Circle NE, Rio Rancho, New Mexico. Public comment will be taken as specified by the Hearing Officer, and also starting at 5:30 PM on June 2. The hearing will continue on the following day as determined by the Hearing Officer. Non-technical public comments will be taken throughout the hearing 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 Rio Rancho Landfill is located on approximately 101± acres at 33<sup>rd</sup> Street and Northern Blvd, Rio Rancho, New Mexico 87124. The application for a permit renewal and modification was originally submitted to the Solid Waste Bureau of the Department on November 6, 2006. The Applicant is seeking to obtain a 10-year permit renewal (until 2018) to continue construction and operation of the existing landfill; and for approval of a permit modification to raise the height of the landfill by 50 (fifty) feet above the previously permitted final grade [from 5626 feet elevation to 5676 feet elevation]. The Applicant requests the modification to increase the existing site’s total disposal capacity. If approved, the modification of the finished vertical elevation will extend the useful site life of the landfill between five and ten years more or less depending on the annual rate of disposal. The proposed vertical expansion is estimated to result in an airspace increase of approximately 1,179,600 cubic yards available for waste disposal beyond the capacity previously approved by the NMED in 1998.

Waste Management operators will accept “solid waste” and “special waste” as defined in the New Mexico Solid Waste Act, and 20 NMAC 9.1. 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, active landfill gas collection and control systems, liner systems 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.

The following un-modified list of non-hazardous wastes from the previous permit period is requested:

Residential municipal solid waste;

- Commercial solid waste;
- Construction and demolition debris;
- Petroleum contaminated soils (special waste);
- Sludge (special waste);
- Ash (special waste)
- Packing house and killing plant offal (special waste);
- Spill clean-up wastes from chemical substances or commercial products (special waste); and
- Treated formerly characteristic hazardous waste.

The majority of wastes received at the Landfill will originate primarily from Rio Rancho, NM, Sandoval County, NM, Albuquerque, NM, Bernalillo County, 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 1,600 tons of waste per day from commercial haulers and the public. The Applicant estimates a maximum rate not to exceed 2,000 tons of solid waste per day.

Operating hours for the Landfill are 6:30 a.m. to 5:00 p.m. Monday through Friday, and 7:30 am to 1:00 pm on Saturdays. The landfill will be closed on Sundays and three major holidays (Thanksgiving, Christmas, and New Years Day). 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 vertical modification has been reviewed by the Department for compliance with the New Mexico Solid Waste Act (the "Act") and the New Mexico Solid Waste Management Regulations (20.9.1 NMAC). On April 22, 2008 the Department deemed the application complete. The Act authorizes the Cabinet 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 NMAC 1.4), 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.nmenv.state.nm.us/SWB/doc/nmac\\_20\\_1\\_4.pdf](http://www.nmenv.state.nm.us/SWB/doc/nmac_20_1_4.pdf). Copies of the applicable Solid Waste Management Regulations (20.9.1 NMAC) may also be obtained by contacting Vicky Baca of the Solid Waste Bureau at (505) 827-2441.

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, May 19, 2008. 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 Monday, May 19, 2008 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:

Rio Rancho City Hall, 3200 Civic Center Circle NE Rio Rancho, NM; 8AM – 5 PM, Mon – Fri. (Contact: Marian Wrage 505-896-8737)

Rio Rancho Landfill Office, 33<sup>rd</sup> Street and Northern Blvd., City of Rio Rancho, 8AM – 5PM, Mon – Fri. (Contact Mike Foster 505-892-2055)

City of Rio Rancho Main Library, 755 Loma Colorado NE Rio Rancho, New Mexico 87124; 10 AM – 8 PM Mon – Thurs, 10AM- 5 PM Fri and Sat. (Contact: Gillian Michell, 505- 896-8817)

Waste Management of New Mexico Administrative Offices, 2300 Grande Blvd. SE Rio Rancho, New Mexico; 8:30AM – 4:30PM Mon – Fri (Contact: Jill Fox, 505-891-6543)

New Mexico Environment Department, Solid Waste Bureau, 1190 St. Francis Drive, Suite 2050, Santa Fe, New Mexico 87502; 9:00AM and 5:00PM (Contact: Vicky Baca, 505-827-2441)

New Mexico Environment Department – District #1 office, 5500 San Antonio Drive, NE, Albuquerque, NM; 9:00AM and 5:00PM (Contact: Teri Monaghan, 505-222-9511)

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Sally Worthington, Hearing Clerk  
NM Environment Department