

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

**IN THE MATTER OF THE APPLICATION
OF THE CITY OF ALBUQUERQUE
FOR A SOLID WASTE FACILITY PERMIT RENEWAL
FOR EAGLE ROCK CONVENIENCE CENTER**

No. SWB 21-13 (P)

NOTICE OF PUBLIC HEARING

Description of the Requested Action: The New Mexico Environment Department (“Department”) will hold a virtual public hearing to consider the matter of the application (“Application”) by the City of Albuquerque (“Applicant”) for renewal of the Eagle Rock Convenience Center (“ERCC”) permit no. SWM-010225. The Applicant is seeking to renew the existing solid waste facility permit for 20 years. The Application was initially submitted to the Department on December 18, 2019.

Hearing Date, Time, and Location: The hearing will begin at 5:00 p.m. on Tuesday, July 6, 2021 and will be conducted remotely by using an internet video conferencing platform (Zoom) and telephone. Comments will be accepted at the hearing and will also be accepted by e-mail through the conclusion of the hearing.

The Zoom hearing may be joined through the following meeting link:

<https://zoom.us/j/94421888245?pwd=Z0dUeGV1dFh1OVgzRmJlVThKcGxFTU09>

The Zoom meeting ID is 944 2188 8245 and the passcode is 932846.

The Zoom hearing may also be joined by telephone: +1 669 900 6833 US; +1 253 215 8782 US; +1 346 248 7799 US; +1 929 436 2866 US; +1 301 715 8592 US; +1 312 626 6799 US.

To submit comments via e-mail, send correspondence to: pamela.jones@state.nm.us. Please enter “SWB 21-13 ERCC Comment” in the e-mail subject heading.

The hearing is being held via internet, email and telephonic means due to the concerns surrounding the Novel Coronavirus 2019 (“COVID-19”) and in accord with Governor Michelle Lujan Grisham's Declaration of a Public Health Emergency in Executive Order 2020-004, and subsequent executive orders; various Public Health Emergency Orders limiting mass gatherings due to COVID-19; and the Office of the Attorney General’s Open Government Division’s Guidance to Public Entities Regarding the Open Meetings Act and Inspection of Public Records Act Compliance During COVID-19 State of Emergency.

The Application for a solid waste facility permit renewal has been reviewed by the Department for compliance with the New Mexico Solid Waste Act (“Act”), NMSA 1978, Sections 74-9-1 to 43 (1990, amended 2011), and the New Mexico Solid Waste Rules, 20.9.2 to 20.9.10 NMAC. The Department deemed the Application complete on March 8, 2021. The Secretary of Environment shall issue, issue with conditions, or deny solid waste facility permits in accordance with the Act. 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.

Name, Address, and Phone Number of the Applicant and Contact Person:

City of Albuquerque, Solid Waste Management Department

4600 Edith Blvd. NE

Albuquerque, NM 87107

Contact Person and Phone Number: Ms. Diane Wikler, (505) 761-8134

Description of Permit Application: ERCC is an existing solid waste facility located at 6301 Eagle Rock Avenue NE,

Albuquerque, Bernalillo County, New Mexico. Permit no. SWM-010225 was issued in December 2002. The Application seeks renewal of the permit for 20 years. Modification of the solid waste facility permit is not sought by the Applicant. The Application consists of responses from the Applicant demonstrating compliance with, or intent to comply with, requirements of the New Mexico Solid Waste Rules; facility management plans including an operations plan, waste screening/inspection plan, emergency contingency plan, transportation plan, and facility closure plan; documentation confirming the existence of a financial assurance mechanism for facility closure; and documentation of the Applicant's performance of public notice at the time of Application submittal in 2019.

Hearing Procedures: 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, Madai Corral, P.O. Box 5469, 1190 St. Francis Drive, S-2103, Santa Fe, NM 87502, telephone (505)490-5803, fax (505) 827-2836, e-mail madai.corral@state.nm.us. The Permit Procedures are also available electronically at: <http://www.srca.nm.gov/parts/title20/20.001.0004.html>. Copies of the applicable Solid Waste Rules (20.9.2 through 20.9.10 NMAC) may also be obtained electronically at: <http://www.srca.nm.gov/chapter-9-solid-waste/> or by contacting Erica L. Ortega of the Solid Waste Bureau at (505) 670-2018 or by e-mail at erica.gordan@state.nm.us.

Any person may speak at the public hearing or submit general written comments without filing any documents beforehand. However, a 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 with the Hearing Clerk (above) and serve it upon other parties of record, on or before 5:00 p.m., Tuesday, June 22, 2021. Due to State Public Health Emergency Orders concerning COVID-19, electronic filings and service are encouraged. 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.

If any person requires assistance, an interpreter, or auxiliary aid to participate in this process, please contact Erica Ortega by Tuesday, June 22, 2021 at the New Mexico Environment Department, Solid Waste Bureau, e-mail at erica.gordan@state.nm.us.

An electronic version of the permit application may be reviewed on the Department's website at the following location: <https://www.env.nm.gov/solid-waste/environmental-justice/#pips> (look for the Eagle Rock Convenience Center heading and click on the permit application link). Any person requiring further information may contact Erica L. Ortega of the Solid Waste Bureau at (505) 670-2018 or by e-mail at erica.gordan@state.nm.us.

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