

**NEW MEXICO ENVIRONMENTAL IMPROVEMENT BOARD  
NOTICE OF PUBLIC RULE MAKING HEARING TO CONSIDER REPEAL AND REPLACEMENT OF  
20.9.4 NMAC, "SOLID WASTE MANAGEMENT PLAN" REGULATIONS**

The New Mexico Environmental Improvement Board (Board) will hold a public rule making hearing beginning on April 3, 2007 and continuing thereafter as necessary, at the Alamosa Multi-Service Center, Meeting Room A, 6900 Gonzales Road SW, Albuquerque, NM 87121. The hearing location may change prior to April 3 and those interested in attending should check the EIB website: <http://www.nmenv.state.nm.us/eib/index.html> prior to the hearing. The purpose of the hearing is to consider repeal and replacement of the Solid Waste Management Plan regulations, 20.9.4 NMAC. The New Mexico Environment Department is the proponent of the proposed replacement regulations.

The Solid Waste Management Plan is intended to provide guidance concerning solid waste disposal issues and to assist waste management decision-makers, practitioners and communities. The replacement Plan will affect: waste characterization, waste diversion, siting and capacity of solid waste facilities, education, funding for disposal and diversion, and environmental justice.

The proposed Plan may be reviewed during regular business hours at the office of the Environmental Improvement Board, Harold Runnels Building, 1190 St. Francis Drive, Room N-2153 Santa Fe, NM, 87505. Copies of the proposed Plan may be obtained by contacting Joyce Medina at (505) 827-2425 or by email at [joyce.medina@state.nm.us](mailto:joyce.medina@state.nm.us). Please refer to Docket No. EIB 06-03(R). Written comments may be submitted to the EIB regarding the amended and replaced Plan at the above address and should reference the docket number. The proposed Plan can also be found on the New Mexico Environment Department website at <http://www.nmenv.state.nm.us/swb/pdf/SWMPbody5.pdf>.

Please note formatting and minor technical changes in the proposed Plan may occur. In addition, the Board may make other amendments in response to comments submitted to the Board and evidence presented at the hearing.

The hearing will be conducted in accordance with 20.1.1 NMAC (Rulemaking Procedures) Environmental Improvement Board, the Environmental Improvement Act, NMSA 1978, Section 74-1-9, and other applicable procedures.

All interested persons will be given reasonable opportunity at the hearing to submit relevant evidence, data, views and arguments, orally or in writing, to introduce exhibits, and to examine witnesses. Any person who wishes to submit a non-technical written statement for the record in lieu of oral testimony shall file such statement prior to the close of the hearing.

Persons wishing to present technical testimony must file with the Board a written notice of intent to do so. The notice of intent shall:

- identify the person or entity for whom the witness(es) will testify;
- identify each technical witness that the person intends to present and state the qualifications of the witness, including a description of their education and work background;
- summarize or include a copy of the direct testimony of each technical witness and state the anticipated duration of the testimony of that witness;
- list and describe, or attach, each exhibit anticipated to be offered by that person at the hearing; and
- attach the text of any recommended modifications to the proposed changes.

Notices of intent for the hearing must be received in the Office of the Environmental Improvement Board not later than 5:00 pm on March 19, 2007, and should reference the Solid Waste Management Plan, the date of the hearing, and docket number EIB 06-03(R). Notices of intent to present technical testimony should be submitted to:

Joyce Medina  
Office of the Environmental Improvement Board  
Harold Runnels Building  
1190 St. Francis Dr., Room N-2153

Santa Fe, NM 87502

If you are an individual with a disability and you require assistance or an auxiliary aid, such as a sign language interpreter, to participate in any aspect of this process, please contact the Personnel Services Bureau by March 19, 2007. The Personnel Services Bureau can be reached at the New Mexico Environment Department, 1190 St. Francis Drive, P.O. Box 26110, Santa Fe, NM 87502, (505) 827-9872. TDD or TDY users may access this number via the New Mexico Relay Network 1-800-659-1779.

The Board may make a decision on the proposed regulatory change at the conclusion of the hearing, or the Board may convene a meeting after the hearing to consider action on the proposal.