

# NMED

New  
Mexico  
Environment  
Department



## SOLID WASTE BUREAU – 2017 UPDATE

*NM SWANA Roadrunner Chapter Annual Meeting*

December 8,  
2017

George Schuman  
Permit Section Manager, Solid Waste Bureau  
New Mexico Environment Department

# Topics

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- Outreach Section update
- Enforcement Section activities
- Permit Section activities
- Unlined landfill closures
- Completion of post-closure care at closed landfills



# Outreach Section

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- Challenging year due to staff losses
  - Lost four staff over a nine-month period (Connie, Tim, Neal, and Layne)
  - “Outreach Section of One” (Joan) since Sept.
- Outreach Section staffing
  - Joan Snider: acting Outreach Section manager
  - Barry Hefner: new Outreach Specialist
  - Outreach Specialist: December advertisement?



# Outreach Section

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- Certification courses
  - 2017: Eight courses held (landfill, transfer station, recycling facility, and compost facility)
  - 235 students in 2017
  - 2018: Eight courses planned
    - Landfill: March & September
    - Transfer station: June & November
    - Recycling: May & December
    - Compost: April & October



# Outreach Section

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- RAID grants
  - FY18: 27 grants totaling \$670,000
- Annual Reports
  - On-line reporting on hold until staffing improves
  - Hard copy submittals or e-mail  
(*swb.inbox@state.nm.us*)



# Enforcement Section

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- Staffing levels
  - Four of five Enforcement Officer positions filled
  - EA-I (central counties): Paul Martinez and Dan Galasso
  - EA-II (NE counties): vacant
  - EA-III (southern counties): Ryan McBee
  - EA-IV (NW and western counties): Ty Jameson



# Enforcement Section

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- Formal enforcement actions (Orders issued)
  - Unique Automotive Service Center
    - Tire generator
    - Failure to assure proper tire disposal; failure to produce records
    - Assessed penalty: \$17,500
    - Respondent failed to pay despite Order to do so from District Court
    - District Court Order has been appealed, claiming NMED lacks jurisdiction



# Enforcement Section

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- Formal enforcement actions (Orders issued)
  - Big John's Mobile Tire Shredding
    - Failure to maintain scrap tire hauler bond
    - Tire hauler registration revoked, no Penalty assessed
    - Case closed
  - Michael D. Porter
    - 1,200 to 1,500 scrap tires disposed on residential property
    - Assessed Penalty: \$9,000; no response
    - Case open





# Enforcement Section

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- Formal enforcement actions (Orders issued)
  - Unregistered collection centers (2), Mora County
    - Penalty of \$7,000 paid, case closed
  - Unregistered collection center, Village of Magdalena
    - Penalty of \$1,250 paid, case closed
  - Unregistered recycling facility, City of Socorro
    - Penalty of \$2,300 paid, case closed



# Enforcement Section

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- Informal enforcement actions (e.g., NOVs)
  - ENTS complaints logged: 85
  - ENTS complaints resolved: 61
  - ENTS complaints open: 24



# Featured Enforcement Case

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- Gallup-McKinley County Schools
  - October 11, 2011: SWB received complaint alleging burial of various wastes behind GMCS Operations & Maintenance Building in Gallup
  - December 19, 2011: NOV issued
  - February 21, 2012: Site Characterization and Excavation Plans approved
  - February 28, 2012: KEERS began site excavation



# Featured Enforcement Case

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- Gallup-McKinley County Schools
  - Excavated waste included:
    - 280 cubic yards of scrap metal
    - 395 cubic yards of PCS
    - One cubic yard of regulated asbestos waste
    - Six compressed gas cylinders
    - One approximate 4,000 gallon diesel fuel tank
    - One approximate 2,000 gallon fuel tank
    - Motor oil, lead acid batteries, two 30 pound Freon containers, PCB-light ballasts
    - Four drums of solidified roof coating (lead hazard)
    - Five gallon container of mercury thermostats
    - Large stainless steel commercial fire suppressant tank
    - 28 tons of C&D debris and student records



# Featured Enforcement Case

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Taken by B. Kling, looking NE at M&O site.  
Murphy Const. Eq. digging up burried items at  
oldest burial site. First dig site.

02/28/2012 13:35



# Featured Enforcement Case

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# Featured Enforcement Case

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# Featured Enforcement Case

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# Featured Enforcement Case

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# Featured Enforcement Case

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# Featured Enforcement Case

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- Gallup-McKinley County Schools
  - USEPA Region 6 notified SWB that criminal charges would not be pursued due to evidentiary issues
  - 2015-2016: various NMED/GMCS meetings resulted in agreement that GMCS would perform additional site characterization [and excavation, if deemed necessary]
  - GMCS officials completed additional site characterization [included investigative trenching]
  - July 20, 2017: GMCS Phase 2 Investigative Report approved, with no additional solid waste discovered
  - August 10, 2017: case closed



# Permit Section

## *Recent Permitting Actions*

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- Five permit application hearings in 2017:
  - McKinley County Transfer Station
  - Buckman Road Recycling & Transfer Facility
  - Town of Vaughn Landfill
  - Otero/Greentree Regional Landfill
  - Sandoval County Solid Waste Regional Center
- Four permits issued to date (McKinley County TS; BuRRT; Vaughn LF, OGRLF), permit for SCSWRC to be issued before end of year.



# Permit Section

## *Current Permitting Actions*

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- Edith Transfer Station, ABQ
  - SWB reviewing response to 1<sup>st</sup> RAI.
- Stericycle Infectious Waste Processing Facility (autoclave)
  - SWB reviewing response to 1<sup>st</sup> RAI.
- E-Strategy Total Waste Solutions (autoclave)
  - SWB reviewing initial application.
- Lea County Regional Landfill
  - Permit renewal/modification application to be submitted in December 2017.



# Permit Section

## *Other Activities*

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- Closed landfill reviews
  - Approximately 110 closed landfills
  - CPCC Plans approved?
  - Closure (final cover construction) approved?
  - 2017: Two CPCC Plans approved and seven closure certificates issued
  - Resumption of GW sampling at two closed landfills



# Unlined Landfill Closures

23

- Several “dumplings” received final cover over past 12-18 months.
  - Vaughn LF: final cover completed June 2017
  - NMSU LF: final cover completed November 2016
  - Raton LF: final cover completed September 2016
  - Reserve LF: final cover completed April 2016
- One “dumpling” still needing completion of final cover: Deming LF
  - February 2017: Revised closure design



# Issue: Completion of Post-Closure Care at Closed Landfills

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## □ Post-closure care

- Initially required by 1989 SWMR
- 25 years (closure pursuant to 1989 and 1991 SWMR)
- 30 years (closure pursuant to 1994/1995 SWMR and 2007 SWR)
- Post-Closure Care Report required after expiration of post-closure care period
- Post-closure care period terminated upon written verification from NMED Secretary that all post-closure care requirements have been met





# Issue: Completion of Post-Closure Care at Closed Landfills

25

- Some landfills with 25-year post closure periods have reached the end of the PCC period
- Dilemma: What happens when problems remain at end of PCC period?



# Issue: Completion of Post-Closure Care at Closed Landfills

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## □ South Broadway Landfill

- Closed in 1989
- 25-year post-closure care period expired in 2014
- 2000: Concert venue (currently Isleta Amphitheater) opened on adjacent parcel
- Between 1996 and 2002: Water tank constructed adjacent to landfill
- 2004: Approval granted for construction of road across landfill to provide additional access to concert venue



# Issue: Completion of Post-Closure Care at Closed Landfills

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Northern  
portion of  
South  
Broadway  
LF

Image  
date:  
April  
2017



# Issue: Completion of Post-Closure Care at Closed Landfills

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- South Broadway Landfill
  - January 2015: SWB staff conducted post-closure care inspection
    - ✓ Evidence of water flowing from water tank across closed disposal cells in vicinity of access road
    - ✓ High levels of methane in shallow subsurface adjacent to access road
    - ✓ Area adjacent to access road used for concert parking and related activities



# Issue: Completion of Post-Closure Care at Closed Landfills

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Image date:  
November  
2012



# Issue: Completion of Post-Closure Care at Closed Landfills

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- South Broadway Landfill
  - January 2015: SWB staff conducted post-closure care inspection
    - ✓ Substantial erosion of northern slope of closed disposal cell



# Issue: Completion of Post-Closure Care at Closed Landfills

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Image date:  
January 2015



# Issue: Completion of Post-Closure Care at Closed Landfills

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- South Broadway Landfill
  - SWB did not issue verification of PCC completion due to methane and erosion issues
  - Bernalillo County response:
    - ✓ Locked gates installed at each end of access road (road use restricted to event staff only)
    - ✓ “No Parking” signs and fencing along access road to prohibit parking
    - ✓ County staff present during concert events to ensure no parking occurs adjacent to access road





# Issue: Completion of Post-Closure Care at Closed Landfills

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- South Broadway Landfill
  - Bernalillo County response:
    - ✓ Surficial methane sampling adjacent to access road prior to concert events
    - ✓ Sign to be installed at water tank stating no water discharges shall be made onto landfill
    - ✓ Repaired north slope of disposal cell
    - ✓ Installed drainage channel to ensure stormwater no longer runs down north slope



# Issue: Completion of Post-Closure Care at Closed Landfills

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- South Broadway Landfill
  - Further actions:
    - ✓ Bernalillo County will submit a supplement to Post-Closure Care Report documenting additional access control and monitoring activities
    - ✓ SWB will issue verification of post-closure care completion contingent upon continued concert event monitoring and final cover inspections

