

- small solid waste facility.
- c. “permit” would mean an authorization to own, operate, construct or close a solid waste facility, including but not limited to specified forms.
 - d. “small solid waste facility” would include:
 - i. an animal crematorium that is a multi-chambered unit with a total charging capacity of less than five tons per day and is designed for the purpose of cremating dead animals and animal parts.
 - ii. a composting facility on less than five acres with a design capacity of 25 tons or less per day on a dry weight basis and that only utilizes less than five dry tons per day of sewage sludge, yard refuse or other types of feedstock.
 - iii. a recycling facility with a design capacity of twenty-five tons or less per day.
 - iv. a transfer station with a total operational rate of 120 cubic yards or less per day of solid waste, which does not include separated recyclable material.
 - v. an incineration facility used for burning yard refuse that operates by forcefully projecting a curtain of air across an open chamber or pit in which combustion occurs, controls emission of the combustion products and is not designed to process more than ten tons of yard refuse per hour.
 - e. “transfer station” would mean a facility used to receive and temporarily store solid wastes or to transfer solid wastes directly from smaller to larger vehicles for transport to a solid waste facility, excluding the operations premises of a duly licensed commercial hauler who receives, temporarily stores or transfers solid waste in accordance with regulations adopted by the Environmental Improvement Board (EIB).
3. Differentiate permitting requirements for large and small solid waste facilities, such that existing statutes would apply to large solid waste facilities and additional language would be added to streamline the permitting and closure process for small solid waste facilities, including giving the director discretion to determine if there is significant public interest to merit a public hearing on a permit application for a small solid waste facility and requiring prior hearings for adjudicatory actions.
 4. Public notice of permit applications for both large and small solid waste facilities would include, in addition to certified mail, public posting and publication in a newspaper of general circulation under current statute, providing the notice to residents of each community significantly affected by the proposed facility through at least one other medium such as radio, television or newsletter distributed to the community.

Significant Issues

According to DFA, the original bill would streamline the permitting process and closure-post closure plans for small solid waste facilities. The comments appear relevant to the HJC substitute as well. These features would support the efforts of communities to:

- Provide solid waste facilities through small transfer stations
- Provide facilities for composting, recycling and yard waste burning that would otherwise go to a landfill
- Provide for safe and convenient operation small solid waste facilities

DFA further noted that the registration process for small solid waste facilities would allow NMED to document the operations and closure-post closure plans of these facilities while minimizing registration costs to communities.

NMED concurred about the benefits above and added that the bill requires public hearings for small solid waste facilities only if significant public interest exists, which reduces the current requirement for a public hearing for all solid waste facilities. This change is a significant reduction in requirements on local governments in their efforts to provide solid waste services to their communities and rural areas.

FISCAL IMPLICATIONS

NMED indicated there would be no fiscal impact on that agency from the bill.

DH/lg:yr