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SOLID WASTE MANAGEMENT AND PROTECTING NEW MEXICO'S GROUND WATER

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Ground-water protection is an environmental priority for New Mexico. Most of the Environmental Improvement Division's (EID) programs directly protect ground water through programs such as the Ground Water Discharge Plan Program, Liquid Waste Disposal Program, Hazardous Waste Program, Drinking Water Supply Program, Surface Water Quality Program, Superfund Program, Underground Storage Tank Program, and the Solid Waste Program. The division's Air Quality Control Program indirectly protects ground water.

An integrated waste management program must include a number of aspects. First, a program must provide for worker, consumer and user safety, and protection of public and employee health. Programs must also protect the environment, including air, soils, surface, and ground water. There are also land-use elements to be considered. Although not an EID mandate, solid waste does play a role in land-use management. Conservation of resources is another aspect, and again, although not an EID mandate, it is an integral part of solid waste management programs. Funding mechanisms for local governments including loans, grants, and bonds are required to support this type of program. Waste

reduction, reuse, and recycling should also be included. Public education and technical assistance to local governments as well as site remediation programs should be included in an integrated solid waste management program.

On May 14, 1989, new Solid Waste Management Regulations were put in effect. These regulations protect ground water in the following ways. A permit process is required for all new sites. This process can also be applied to existing sites. The process addresses ground-water protection issues and provides for detailed applications, reviews, and public involvement.

Stringent site conditions must be met under these regulations or, in lieu of that, control systems such as liners provided to protect ground water. Flood plains, faults, wetlands, and unstable areas must be avoided.

The disposal of bulk liquids in landfills is prohibited under these regulations. Sites must be secured and have controlled access. Operators must be on site whenever the landfill is open.

Ground-water monitoring is required for all facilities that can potentially impact ground water. Random inspection of loads is required to exclude

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hazardous wastes. Record keeping, monitoring, and technical demonstrations also are required. In addition, the regulations require EID inspections to be frequent and comprehensive. Inspections should keep operators alert and honest. Finally, financial assurance, closure and post-closure care must all address long-term ground-water protection.

I will give you a briefing on where we are today. The Municipal League, the Association of Counties, and others have sued the Environmental Improvement Division and the Environmental Improvement Board. They have obtained a stay of the Solid Waste Management Regulations. However, there are a number of things going on in view of the stay. Sixty-three sites have been closed. Thirty to thirty-five have been replaced with collection stations.

We have had some transition problems. Some sites, which had been closed, are continuing to be used illegally. Many bulk containers not large enough to contain the waste have overflowed. We have been warned to expect more illegal dumping in the arroyos.

A number of cities and counties including Albuquerque, Bernalillo County, Dona Ana County, Las Cruces, Santa Fe County, Santa Fe, and McKinley County have already made significant progress in establishing regional disposal sites. We think this is one of the real keys in any future solid waste management program. The new application process is much more comprehensive when compared to the old registration process. It requires the applicant to address all concerns related to health, safety, and ground-water protection. After the lawsuit is resolved, we expect to implement the regulations. At the moment, we are making progress through voluntary means.

The issue of recycling is being studied right now by the governor's task force on solid waste management and a legislative interim committee on the environment, land use, and solid waste management. We do expect to have a bill with recycling mandates during the next legislative session.

Although the court stay of the Solid Waste Management Regulations has delayed statewide implementation of these comprehensive regulations, progress is being made through voluntary efforts. Also, the governor and the legislature are committed to comprehensive solid waste legislation in 1990.