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AFFIDAVIT OF PUBLICATION

STATE OF NEW MEXICO
COUNTY OF SANTA FE

I, K. Voorhees being first duly sworn declare and say that I am Legal Advertising Representative of THE SANTA FE NEW MEXICAN, a daily newspaper published in the English language, and having a general circulation in the Counties of Santa Fe and Los Alamos, State of New Mexico and being a Newspaper duly qualified to publish legal notices and advertisements under the provisions of Chapter 167 on Session Laws of 1937; that the publication #70509 a copy of which is hereto attached was published in said newspaper 1 time(s) between 12/14/2001 and 12/14/2001 and that the notice was published in the newspaper proper and not in any supplement; the first publication being on the 14 day of December, 2001 and that the undersigned has personal knowledge of the matter and things set forth in this affidavit.

K. Voorhees

LEGAL ADVERTISEMENT REPRESENTATIVE

Subscribed and sworn to before me on this
14 day of December A.D., 2001

Notary Laura R. Hardig

Commission Expires 11/23/03

**PUBLIC NOTICE # 01-09
NEW MEXICO
ENVIRONMENT DEPARTMENT
HAZARDOUS WASTE BUREAU
Santa Fe, New Mexico
87502
December 14, 2001**

**NOTICE OF INTENT TO
ISSUE A PERMIT FOR A
CONTAINER STORAGE
FACILITY**

The State of New Mexico is authorized to operate a hazardous waste management program in lieu of the Federal program for the Resource Conservation and Recovery Act (RCRA) in effect prior to the enactment of the Hazardous and Solid Waste Amendments of 1984 (HSWA). The HSWA impose additional requirements on hazardous waste management facilities. The State of New Mexico received additional authorization for the requirements of HSWA effective January 2, 1996.

Under authority of the New Mexico Hazardous Waste Act NMSA 1978 §74-4-1 et. seq. (Repl.Pamp.' 2000) as amended, 1989, and the New Mexico Hazardous Waste Management Regulations (20.4.1 NMAC, Effective June 14, 2000), the New Mexico Environment Department (NMED) can issue, renew, revoke, suspend or deny, Operating Permits. NMED received a Permit renewal application submitted by **Rinchem Company, Inc., EPA I.D. Number NMD002208627**, for a Subtitle C Hazardous Waste Container Storage Facility.

The Administrative Record for this draft Permit consists of the draft Permit, a fact sheet, and related correspondence.

The draft Permit may be reviewed at either of the following locations:

- 1) The New Mexico Environment Department

**Hazardous Waste Bureau
2905 Rodeo Park Road
Drive East,
Santa Fe, New Mexico
87505**

(505)428-2500
Monday through Fridays
from
8:00 AM to 5:00 PM.

Albuquerque Public Library

**501 Copper Avenue
Northwest
Albuquerque, New Mexico
87103**

Monday through Thursdays from
10:am to 8:00 PM, Fridays and
Saturdays from 10:AM to 6:00 PM

A copy of the draft Permit is also available for review at: http://www.nmenv.state.nm.us/HWB/hazwaste_home.html under Permits/Draft Permits.

To obtain a copy of the draft Permit or any part thereof, at 25 cents per page, please contact Mr. Cornelius Amindyas at the above Santa Fe address or call (505) 841-9488.

Any person who wishes to comment on the draft Permit or to request a public hearing should submit written comments and requests, along with the commentor's name and address, to the contact person at the above Santa Fe address. Requests for a public hearing shall provide: (1) a clear and concise factual statement of the nature and scope of the interest of the person requesting the hearing; (2) the name and address of all persons whom the requester represents; (3) a statement of any objections to the draft permit, including specific references to the permit condition; and (4) a statement of the issues which such persons propose to raise for consideration at the hearing. Only comments and/or requests received on or before **January 28, 2002** will be considered. NMED will provide a thirty (30) day notice of a public hearing, if scheduled.

NMED must ensure that the approved draft Permit is consistent with the New Mexico Hazardous Waste Management Regulations for Permits. All written comments submitted on the draft Permit will be considered in formulating a final de-

cision and may cause the draft Permit to be modified. NMED will respond in writing to all public comments. This response shall:

(a) specify which provisions, if any, of the draft permit have been changed in the final permit decision, and the reasons for the change; and

(b) briefly describe and respond to all public comments on the draft permit or the permit application raised during the public comment period or public hearing.

The Secretary will make the final permit decision publicly available and shall notify the applicants by certified mail. All persons presenting written comments, and who requested notification in writing shall be notified of the decision by first-class regular mail. The Secretary's decision shall constitute a final agency decision and may be appealed as provided by the Hazardous Waste Act.

After consideration of all the written public comments received, NMED will issue, or modify and issue the Container Storage Operational Permit. If the NMED modifies and issues the Permit, Rinchem Company, Inc., shall be provided by mail a detailed written statement of reasons for the modification. A copy of the modified Permit will be mailed to Rinchem Company, Inc.

**ARRANGMENTS FOR
PERSONS WITH DISABILITIES**

Any person with a disability requiring assistance or auxiliary aid to participate in this process should contact Cliff Hawley by January 28, 2002, at the following address: New Mexico Environment Department, Room N-4030, P.O. Box 26110, 1190 St. Francis Drive, Santa Fe, New Mexico 87502-6110, (505) 827-2850. TDD or TDY users please access Mr. Hawley's number via the New Mexico Relay Network. Albuquerque users may access Mr. Hawley's number at (505) 275-7333 or 1-800-659-1779.

ADDITIONAL INFORMATION

Any person seeking additional information regarding this draft permit, or who would like to arrange for copies of the draft permit at 25 cents a page, may contact Mr. Cornelius Amindyas at the Hazardous Waste Bureau, 2905 Rodeo Park Drive East, Building 1, Santa Fe, New Mexico 87505-6303 ((505) 841-9488).

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