

# Marla Gayle Painter

Written testimony

March 24, 2024

RE: IN THE MATTER OF THE APPLICATION No. SWB 24-08 (P) OF UNIVERSAL WASTE SYSTEMS, INC. FOR A SOLID WASTE FACILITY PERMIT FOR BROADWAY TRANSFER STATION

Mountain View Community says absolutely no more waste, no waste transfer station in Mountain View

The Universal Waste Systems facility would endanger public health, welfare, and the environment in the Mountain View neighborhood.

The application needs to be more consistent and accurate. A valid permit can only be issued with correct information. Such permits leave open changing business practices, confusion for those residents who have to live near the facility, and illegal practices. The permit application must be more accurate, consistent in its statements, and complete.

The application for the Universal Waste Facility still needs to be completed. We who live in Mountain View understand that the reason our area is so overburdened with unacceptable pollution is that development and issuance of permits have never been done with valid community planning considerations, intentions for social/environmental justice, or within holistic principles of planning, economic development, and industrial development. Policies that target low-income people, usually people of color, for the dirty, unhealthy, and unmonitored industry have been thoughtlessly used as the norm for planning communities in Bernalillo County and the State of New Mexico.

The report on NMED on the facility site stated that the land is zoned as Agricultural "M"1- with a Special Use Permit.

There is no Agriculture/M-1 permit. We need records of the Mountain View Community Action Neighborhood Association being notified of an application for a special use permit. On what date were those notices of an application for SUP sent to the Neighborhood Associations?

The Secretary needs to keep his promise to change how industrial development policy is handled in Mountain View. He needs to work with the County and Environmental Health Department.

This community is overburdened with waste that no one else wants to accept. This is not a just use of the permitting process. We are finished with accepting the region's waste of whatever nature. This facility must go elsewhere.

This community is ruthlessly lacking in monitoring capacity. We have no guarantee that this facility would be regularly monitored for accepting illegal waste or for keeping its operating promises. It is lawless on Mountain View's industrial streets. There are no guarantees that this facility would be a safe one.

We also request a thorough traffic plan on Broadway between Isleta Pueblo and Rio Bravo Blvd. What use exists on an hourly basis? What kind of vehicles? What is the accident rate? What are the numbers of vehicles using the road now, and how would the Universal Waste Facility trucks alter that number?

Accurate hours of operation- we have been given different hours of operation, other numbers of truck trips, different routes, and different numbers of Counties the facility would serve. This impacts the number of trucks entering our neighborhood, and this data highly influences the pollution they generate. We are not some indispensable population that has to put up with the abuse of excessive air pollution depending upon the whim of a waste management company. We must understand this activity's additional environmental burdens on our health. We must have a voice in how our community is developed. Remember, Bernalillo County has an F from the American Lung Association on our air quality. We are failing.

A new County Comprehensive Plan is being developed and about to be adopted by the Bernalillo County Commission. Within that plan is a new Sector Development Plan for Mountain View. The plan will involve a lot of community input. This proposed business must be held back until our Sector Plan has been adopted.

One of the essential principles of the science of ecology is that every ecosystem has a carrying capacity. And there is the famous allegory of the "Law of the Commons." In towns where livestock used to be grazed on the common green in the middle of town, all were invited to graze on the same common. Eventually, there would be so many animals grazing in the same area that the biological system of the grassland would collapse, and there would be no more food for the animals and, therefore, no more food for the people who depended upon them. This is the story of "carrying capacity." In Mountain View, we are over our carrying capacity limits for the dirty industry in and around our living space. Industry came to us due to an unjust County government decision in the 1970s. We did not make our homes next to industry. It is time to stop and find other places. We are done. This permit must be denied on the basis of common decency and good science.

Soon, we will have better laws to protect vulnerable communities from excessive pollution concentrated where low-income people live. Until then, all we have is political pressure, the court and hope for the good consciences of our fellow New Mexicans. We hold hopes for both.

We hope that the Secretary comes to the correct and just conclusion about allowing this facility into our neighborhood.

Marla Painter  
Mountain View Community Action