The “State of CDPHE”

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“State of CDPHE”

- Condition of the SW Program
- SW Program priorities

Condition of the Program = Good!

- Solid Waste and Materials Management Program:
  
  **Program Staffing**
  
  - SW Permitting Unit (Jerry Henderson)
    - 8.4 Permiters (1.5 in GJ)
    - 1 Data manager
    - **Fully staffed**
  
  - SW Compliance Assurance Unit (Ed Smith)
    - 5 Inspectors (1.5 in GJ)
    - 1 Legal Assistant/Regulation Steward/Commission liaison
    - 1 Compliance assistance specialist
    - **Fully staffed**
  
  - Materials Management Unit (David Snapp)
    - 4.5 Waste Tires Program staff
    - 0.5 Waste grease staff
    - 1 Recycling guru
    - 1 Beneficial Use guru
    - **Fully staffed**
    - *part-time waste paint position still open

Condition of the Program = Good!

- Solid Waste and Materials Management Program:
  
  **Program Funding**
  
  - Solid Waste Users Fee
    - Solid Waste Program = $0.13/cu yd
    - Haz Substance Response Fund (HSRF) = $0.05/cu yd
    - Dept of Law = $0.03/cu yd
  
  Subtotal = $0.21/cu yd

  - Recycling Resources Eco Opportunity Fund = $0.14/cu yd
  
  Total = $0.35/cu yd

- Program Funding = Fine for at least the next few years
  - Possible exception - HSRF
Condition of the Program = Good!

- Things we do well
  - Very good technical staff
  - Deliver high quality products
    - Permits/EDOPs/Others
    - Inspections
    - Compliance Assistance
    - Technical Assistance
    - Waste Tire Grants
  - Generally good interface with regulated facilities and other stakeholders
    - Good communication
    - Make customers a priority
    - Not much “falls through the cracks”

Condition of the Program = Not Good

- Widespread Non-Compliance – Not good
  - Small and medium-sized landfills
  - Inspection frequency has been too low
  - Enforcement follow-through has been poor
  - Message has been garbled and unclear
  - Tolerated non-compliant behavior

- Financial assurance – Very risky
  - Permitting backlog – Improving, but more to go
  - Permitted status of facilities – Not well documented
  - Internal database – Lots more work to do

Solid Waste Program-wide Priorities

- Integrated Solid Waste and Materials Management Plan – define next steps
  - Legislative, regulatory, program initiative, etc.
- Getting to Compliance – continue initiatives
- Database upgrade – get it done
  - Increase our ability to measure how we do
- Financial assurance – enforcement priority
  - Current situation – untenable, too risky to taxpayers
- New/Revised Policies – get them done
  - New policy for Ending Post-Closure Care; new GW Waiver Policy; new internal Inspection/Enforcement Timeline policy; new internal Enforcement Coordination policy; more still to do
- Revisions to Regulations – prioritize those needed
  - GW monitoring waiver; 20-year pay-in for financial assurance; tiered annual fees for smaller operators; 1-year accumulation period for recyclers; etc.

Solid Waste Permitting Priorities

- Small Landfills Compliance Initiative
  - Landfills getting less than 20 tons/day
  - Upgrade and Comply OR Close
- Improved efficiency
  - Better response times for submittals
  - Process definition
  - Policy development
- CDPHE Ownership of EDOPs
  - Bring EDOPs in-house
  - Convert system to “you apply; we write permit”
  - Set expiration period for EDOPs??
SW Compliance Assurance Priorities

- Small Landfills Compliance Initiative
  - Landfills getting less than 20 tons/day
  - Upgrade and Comply OR Close
- More frequent inspections
  - Enforcement as necessary
- Upcoming Sector Initiatives
  - Medium-sized Landfills
  - Commercial Produced Water Impoundments
  - Power Utilities - Coal Combustion Residuals (CCR)
  - Closed Landfills

Materials Management Priorities

- Beneficial use program
  - Standardize/Streamline
  - Monitor/inspect past BU sites
- Develop recycling and waste diversion priorities from ISWMMP recommendation
  - Waste Tires – going well!  Keep it that way.

Integrated Solid Waste and Materials Management Plan

- Final: July 1, 2016
- Public Comment: July 7 – Sept 7
- Required by statute; Updates a 1992 Plan
- Contractor-generated Plan
- Loaded with Information and Recommendations
  - Landfill compliance analysis across State
  - Compliance cost analysis across State
  - Waste Recycling/Diversion opportunities across State
- No new or changed regulations
- No new or changed laws
- Get a copy – Read it!!!!

Integrated Solid Waste and Materials Management Plan

- ISWMMP Recommendations endorsed by Public Comments:
  - CDPHE and Local gov’ts: Develop sustainable funding strategies for compliance at landfills and for improving access to recycling
  - CDPHE: provide technical assistance to local gov’ts re: their LFs
  - All of us: Fill gaps in recycling networks and support existing diversion infrastructure and expand existing recycling programs
Integrated Solid Waste and Materials Management Plan

- Next steps for CDPHE
  - No CDPHE-proposed legislation in 2017 Session
  - Will work with others proposing 2017 legislation
  - Will continue to evaluate Plan recommendations and other findings to set Solid Waste Program priorities
    - Near Term – Next 12 months
    - Medium Term – Next 5 years
    - Long Term – 5+ years

Questions?