The “State of CDPHE”

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“State of CDPHE”

- State of the SW Program
- SW Program priorities

“State of the Program = Good

- SW Program is Fully Staffed
  - SW Permitting Unit (Jerry Henderson)
    - 8.4 Permitters (1.5 in GJ)
    - 1 Data manager
  - SW Compliance Assurance Unit (Ed Smith)
    - 5 Inspectors (1.5 in GJ)
    - 1 Legal Assistant/Regulations and Commission liaison
    - 1 Compliance assistance specialist
  - Materials Management Unit (David Snapp)
    - 4.5 Waste Tires Program staff
    - 0.5 Waste grease staff
    - 1 Recycling specialist
    - 1 Beneficial Use specialist
    - 1 Waste Paint/Beneficial Use specialist

“State of the Program = Good

- SW Program Funding is Good and Stable
  - Should continue for next several years

- Significant Accomplishments
  - Small Landfill Compliance Initiative
  - Compost Regulations Re-done
  - State-wide Recycling Goals established by S&HW Commission
  - Marijuana-related Waste Management Policy
  - Successful Waste Tire Conference
State of the Program = Improving

- Small and Medium-sized Landfill Compliance
- Inspection numbers up – Enforcement up
- Financial assurance
- Permitting backlog
- Internal database

Solid Waste Program-wide Priorities

- Integrated Solid Waste and Materials Management Plan
  - keep things moving
- Getting Compliance – continue high inspection rates
  - Enforcement when necessary
- TENORM – define a path forward
  - Database upgrade – slow going
  - Increase our ability to measure how we do
- Financial assurance – re-do regulations
  - Continue to improve compliance
- Waste Tire Dilemma – changing statutory reqmts

Solid Waste Program-wide Priorities

- Integrated Solid Waste and Materials Management Plan
- Small Landfill Compliance Initiative
  - We have met with almost all 20 Communities/Counties
  - 3 Landfills have decided to close; Several more evaluating things
  - No county-wide landfills closing
  - Procured $1.6 million from Legislature for ground water monitoring wells or closure
  - RFPs should be released –October 1, 2017
- State-wide Waste Diversion Goals
- Improved Waste Diversion Tracking
  - Wolf already gave a presentation on this
  - Delineating MSW from other materials going in to landfills
    - Via Solid Waste User Fee Quarterly Volume reporting form

Solid Waste Program-wide Priorities

- TENORM
  - 2007 Interim Policy and Guidance
  - Aimed at water treatment residuals, but not limited thereto
  - Tiered approach to disposal – Exempt, Medium A, Medium B, High
  - With Department approval – risk/benefit assessments
  - Solid Waste Act and Radiation Control Act
    - 30-20-110: No radioactive materials shall be disposed of in facilities not specifically designated
    - 25-11-104: The State Board of Health may adopt regulations for NORM only after EPA adopts rules for NORM
  - Evolving waste industry; busy oil and gas industry
  - Older EDOPs do not have TENORM requirements
  - Our concerns:
    - Potentially high-TENORM wastes going in to landfills
    - Unlevel playing field for those facilities trying to comply
  - Sent letter; rescinded letter; promised another letter
    - After an abbreviated informal stakeholder process
Solid Waste Program-wide Priorities

**TENORM**
- **Probable Path Forward**
  - **Long Term**
    - 2018 legislation allowing TENORM regulations to be promulgated
    - 2018-2019 stakeholder process to develop TENORM regulations
    - 2019 finalize regulations
  - **Short Term**
    - Require characterization of high-priority TENORM waste streams
    - filter socks, filter sludge, tank bottoms, pipe scale, etc.
    - Prohibit landfilling of waste types potentially high in TENORM at undesignated landfills
    - Designate additional landfills using minimum design and operational parameters or using site-specific risk and dose assessments

**Financial assurance**
- **Re-do Regulations**
  - Stakeholder process – early 2018
  - Rulemaking – late 2018
- Continue to improve compliance with financial assurance requirements

**Solid Waste Program-wide Priorities**

**Waste Tire Dilemma** –
- End-User Rebate Program ending Jan 1, 2018
  - ~$4 million/year
- Market Development Grant Program ending Jan 1, 2018
  - ~$400K/year
- Fee decreasing from $1.50 to $0.55/new time purchased
- No waste tires can be added to monofil storage after Jan 1, 2018
- Monofilms must end-use or process 2 tires for every one received
- CDPHE can waive these requirements

Probable legislation in 2018 to restore rebates and grants
In the mean time - We are (assuming no legislation):
- Releasing a White Paper on how we will evaluate requests to waive reqm't's
- Evaluating what our role should be to ensure maximum re-use of waste tires in coming market adjustments.

Waste Tire Dilemma
Waste Tire Dilemma

TOTAL WASTE TIRES GENERATED

Note: Includes Colorado generated waste tires plus waste tires received from neighboring states.