



**COLORADO**  
Department of Public  
Health & Environment

Dedicated to protecting and improving the health and environment of the people of Colorado

**COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT**

**HAZARDOUS MATERIALS AND WASTE MANAGEMENT DIVISION**

**SOLID WASTE**

**ELIGIBILITY FOR END USERS FUND: SUBMITTAL OF FALSE DOCUMENTATION**

This policy is used by the Colorado Department of Public Health and Environment, Hazardous Materials and Waste Management Division, to determine eligibility in the End Users Fund when an End User, Retailer, or Processor of waste tires provides false information to the Department when applying for a rebate.

Gary W. Baughman  
Division Director

Date



## TABLE OF CONTENTS

I.	<u>PURPOSE STATEMENT</u>	1
II.	<u>BACKGROUND</u>	1
III.	<u>PROCEDURE</u>	2



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**I. PURPOSE STATEMENT**

The purpose of this policy is to create a structure for determining when it is appropriate to deny participation in the End Users Fund when an applicant knowingly or intentionally provides false information when applying for a rebate from the End Users Fund.

**II. BACKGROUND**

In 2014, the Colorado Legislature passed House Bill 14-1352 (“Strategies for Waste Tires”). The End Users Fund was created in section 30-20-1405, C.R.S. to provide rebate payments to End Users, Retailers, and Processors of waste tires.

In November 2014, the Solid and Hazardous Waste Commission adopted rules for the End Users Fund (6 CCR 1007-2, Section 10). Section 10.12.6 (C) of these rules requires the Department to deny the application of a person who has submitted false documentation:

In addition to any other penalty imposed by law, any applicant who knowingly or intentionally provides false information to the Department when applying for a rebate shall be ineligible to receive any future rebates under these rules.

The Hazardous Materials and Waste Management Division (“HMWMD”) manages rebate payments for this program. The HMWMD developed this procedure to create a structure for determining how to deny participation in the End Users Fund when an applicant provides false information.

The policies and procedures set out in this document are intended solely for the guidance of the Colorado Department of Public Health and Environment (the “Department”) and HMWMD personnel. They are not intended to and do not create rights, substantive or procedural, enforceable by any person. The HMWMD reserves the right to change this procedure at any time.



### III. PROCEDURE

1. When possible false documentation is discovered, the HMWMD will review the documentation and may seek further information or clarification from the applicant if necessary. The HMWMD may seek assistance in its review of the documentation from the Department's Office of Legal and Regulatory Compliance, including the Internal Audit Unit, in addition to the Attorney General's Office.
2. Upon completion of the document review, if it is determined that the applicant has knowingly and intentionally submitted false documentation, then the applicant will be notified in writing that they are ineligible to participate in the End Users Fund.
3. Upon completion of the document review, if it is determined that the applicant has knowingly and intentionally submitted false documentation, then the applicant will be notified in writing that they are immediately ineligible to participate in the End Users Fund for any rebates that have yet to be paid.
4. The applicant may appeal the adverse action pursuant to section 24-4-106, C.R.S.

