

STATE OF COLORADO

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

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Colorado Department
of Public Health
and Environment

September 17, 2013

Re: Solid Waste Regulatory One-Time Waivers for Acceptance of September 2013 Flood Debris Containing Asbestos Waste, Saturated Debris and Residential Electronic Waste

Dear Landfill Owners and Operators:

In response to the flood disaster, the Colorado Department of Public Health and Environment, Hazardous Materials and Waste Management Division (the "Division") is granting some regulatory relief from the Regulations Pertaining to Solid Waste Sites and Facilities, 6 CCR 1007-2 (Regulations) for acceptance and disposal of flood debris at permitted landfills ("Landfill"). It is possible that the material, which will be disposed at your Landfill may contain some non-friable and friable asbestos. In addition, flood debris may be saturated and thus freely expressing liquids when the debris arrives at your Landfill. Residential electronic waste may be so contaminated from flood debris it cannot not be recycled and disposal is the best practical option. Therefore, the Division is granting one-time waivers from:

- 1) Section 16.5 of the Regulations for the disposal of residential electronic waste at a Landfill if the electronic waste has been contaminated by sewage, septage or deemed unrecyclable from flood debris contamination. The waiver does not include electronic waste from businesses. Electronic waste from businesses must be managed as a universal waste, or possibly as a hazardous waste, depending on the material characterization.
- 2) Section 2.1.2 (C), for Landfills who's Waste Characterization Plan prohibits acceptance of asbestos containing waste, and
- 3) Section 2.1.14 to allow Landfills with a liner and sump system to accept for disposal flood debris that is expressing liquids.

Flood debris that contains asbestos containing materials and/or is expressing liquids should be disposed in the working face as soon as possible to maximize leachate containment and minimize nuisance conditions.

This waiver will allow Landfills to accept know non-friable asbestos containing material, however, the waste must be managed and disposed consistent with Sections 5.2.1 and 5.2.2 of the Regulations.

In accordance with Section 5.3.2 of the Regulations, the Department may approve specific disposal activities for friable asbestos waste on a case-by-case basis in accordance with Section 1.5. Therefore, the Department is granting this waiver also allowing the acceptance of friable asbestos waste into a distinct disposal area, however the waste must be managed and disposed consistent with Section 5.3 of the Regulations and the following best management practice (BMPs):

- 1) The asbestos waste shall be disposed in an excavation within the Certificate of Designation Boundary that is isolated to the extent possible from the public. Asbestos waste may be co-disposed in the working face.
- 2) Prior to disposal of any friable asbestos waste, fencing shall be placed around the entire friable asbestos waste disposal area to ensure the restriction of activities in that area and to preclude the entry of unauthorized and unprotected personnel.
- 3) Warning signs shall be displayed as follows: one at each entrance to each asbestos waste disposal area; and one or more on each side of the fenced area based on the length of the side, at a rate of one for every three hundred linear feet (300') feet of fence.
- 4) Warning signs shall be posted in such a manner and in such locations that the legend can be easily read.
- 5) Each Warning sign shall be an upright rectangle with minimum measurements of twenty inches by fourteen inches (20"x14").
- 6) Each warning sign shall display the legend set out below. The letter sizes used in the legend shall be as specified below or of a visibility at least equal to those specified below.

LEGEND	NOTATION
ASBESTOS WASTE DISPOSAL AREA	1 INCH
DO NOT CREATE DUST	0.75 INCH
BREATHING ASBESTOS IS HAZARDOUS TO YOUR HEALTH	14 POINT

- 7) Spacing between any two lines in the legend of the warning signs must be at least equal to the height of the upper of the two lines.
- 8) All activities involved in the disposal of asbestos waste, including placement of such waste in the waste disposal area, covering such materials, and compacting the overlying fill shall be conducted in a manner that minimizes the potential for emission of asbestos to the air.

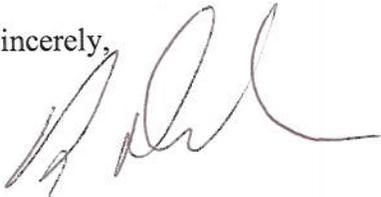
- 9) The friable asbestos waste shall be disposed in a location that is greater than one hundred feet (100') in all directions from the property line.
- 10) All unrelated landfill activities shall cease within one hundred (100') feet in all directions of the friable waste disposal area during placement, covering, and compaction of the friable asbestos waste.
- 11) Non-essential persons shall not be allowed within one hundred (100') feet in all directions of the disposal area during placement, covering, and compaction of the friable asbestos waste.
- 12) Operators shall minimize the potential for release from and exposure to asbestos waste after placement in the disposal area and shall not compact the waste prior to application of cover materials. **At no time shall compaction equipment come into contact with asbestos waste, containers, or packaging.**
- 13) After placement in the prepared trench, the asbestos waste shall be immediately covered with a minimum of nine inches (9") of soil or eighteen inches (18") of non-asbestos cover material. All other requirements of Sections 1.2, 2.0 and 3.0 of the Regulations Pertaining to Solid Waste Sites and Facilities, 6 CCR 1007-2 (Regulations), regarding placement of "adequate cover" shall also apply to the disposal of asbestos waste.
- 14) Perform compaction of the friable asbestos waste only during favorable weather conditions (e.g., sustained wind speeds at the asbestos waste disposal area shall not exceed twenty miles per hour and gusts shall not exceed thirty miles per hour).
- 15) If the waste is dry, utilize a controlled mist of water directed at the compaction operation to control dust and prevent emissions in the event of rupture or opening of any bag, wrapper or container holding friable asbestos waste.
- 16) The boundaries of the asbestos disposal cell shall be surveyed (i.e., using a horizontal coordinate system and vertical elevations based on a site benchmark) and mapped. Such documentation shall be submitted to the Division and placed in the operating record within sixty (60) calendar days after the date of disposal of the asbestos waste.
- 17) Applicable federal NESHAP requirements must be achieved at the time of landfill closure.

All on site disposal activities, including this waiver, must be in accordance with local (city and county) rules and ordinances.

Please place this one-time waiver in the facility's operating record and notify me by email if the Landfill utilizes any of the aforementioned waivers.

Should you have any questions regarding this letter, I may be reached by phone at 303-692-3437 or email at roger.doak@state.co.us.

Sincerely,

A handwritten signature in dark ink, appearing to read 'R. Doak', with a long horizontal flourish extending to the right.

Roger Doak, Unit Leader
Solid Waste Permitting Unit
Solid Waste & Materials Management Program
Hazardous Materials & Waste Management Division