



**TO:** Solid and Hazardous Waste Commissioners

**FROM:** The Hazardous Materials and Waste Management Division  
 Joe Schieffelin, Hazardous Waste Program Manager  
 Charles Johnson, Solid Waste Program Manager

**DATE:** April 17, 2015

**SUBJECT:** Solid and Hazardous Waste Program Newsletter

**Commission Schedule Update**

Included below are the current Solid and Hazardous Waste Commission (Commission) meeting schedule and work plan. The schedule includes both information briefings and rulemakings as we know them now.

**Solid and Hazardous Waste Commission  
 Rulemaking Agenda Docket and Schedule**

	2015	2016
<b>February</b>	<ul style="list-style-type: none"> <li></li> </ul>	<ul style="list-style-type: none"> <li>• Rulemaking, Changes necessitated by federal “Definition of Solid Waste” Rule (HW)</li> <li>• Rulemaking, Correction to Part 261.5, CESQG requirements (HW)</li> <li>• Rulemaking, Changes to Part 100.10, Scope of the RCRA Permit Requirement (HW)</li> <li>• Informational Briefing, Changes to Part 99, Notification (HW)</li> </ul>
<b>May</b>	<p><b>ANNUAL MEETING</b></p> <ul style="list-style-type: none"> <li>• Rulemaking, Annual Commission Fee: extending fees at current levels for additional year</li> <li>• Rulemaking, Architectural Paint Stewardship Programs (SW)</li> <li>• Rulemaking, Updates to the characteristics of ignitability and reactivity (HW)</li> </ul>	<p><b>ANNUAL MEETING</b></p> <ul style="list-style-type: none"> <li>• Rulemaking, Changes to Part 99, Notification (HW)</li> </ul>
<b>August</b>	<ul style="list-style-type: none"> <li>• Information Briefing, Section 14, Composting (SW)</li> <li>• Information Briefing, Public Notice requirements updates (HW)</li> <li>• Information Briefing, Hazardous</li> </ul>	<ul style="list-style-type: none"> <li></li> </ul>

	Substance Response Fund, CERCLA	
<b>November</b>	<ul style="list-style-type: none"> <li>• Rulemaking, Section 14, Composting</li> <li>• Rulemaking, Public Notice Updates (HW)</li> <li>• Information Briefing, Changes needed re: new Federal “Definition of Solid Waste: rule</li> <li>• Informational Briefing, Correction to Part 261.5, CESQG requirements (HW)</li> <li>• Information Briefing, Changes to Part 100.10, Scope of RCRA Permit Requirement (HW)</li> </ul>	

## [Proposed May 19, 2015 Commission Meeting Agenda](#)

The May 19, 2015 Commission meeting will be the required Annual Meeting for the Commission. As such, a special presentation is planned presenting the Solid Waste Program’s plan to rebuild Colorado’s Integrated Solid Waste Management Plan. In addition, the Division will present three rulemakings at the May meeting, which are summarized in the following paragraphs.

Rulemaking 1, Amendment of Section 6.04: Annual Commission Fee: Commission staff are recommending that the annual Commission fee rates (SQGs = \$65; LQGs = \$210; Transporters = \$70; non-commercial TSDs = \$400; and commercial TSDs = \$600) be extended for fiscal year 2015/2016 without changes or increases.

Rulemaking 2, Addition of Section 1.7.7: Paint Stewardship Program Fees, and amendment to Section 1.2: Definitions: This rulemaking adds needed definitions to Section 1.2 and sets the annual fee paid by July 1 of each calendar year to the Department by the paint stewardship organization or individual producers. The Colorado Paint Stewardship Law requires a stewardship organization (or individual producers) to submit a Paint Stewardship Program Plan to the Department by January 1, 2015. The Colorado Paint Stewardship Program is anticipated to start on July 1, 2015.

Rulemaking 3, Amendment of Section 261.21: Characteristic of Ignitability and amendment of Section 261.23: Characteristic of Reactivity: The Section 261.21 amendments replace obsolete references to US DOT regulations contained in Colorado’s regulations with the actual language from the DOT regulations. The amendment to Section 261.23 adds a cross-reference in the regulation to US DOT regulation 49 CFR §173.53. Section 173.53 includes a table that will be useful to the regulated community for comparing old and new hazard class names.

## 2015 Legislative Developments

The legislative session for this year began on January 7, 2015. At this point, it does not look like there will be any legislation requiring Commission action. There has been one bill that affected the Solid Waste Program and/or the Hazardous Waste Program, as follows:

### HB15-1039: Donation of Prescription Medicines by Licensed Health Care Facilities:

This bill, supported by the Hazardous Waste Program and CDPHE and signed by Governor Hickenlooper on March 13, 2015, clarifies existing statute by broadening the ability of licensed medical facilities and pharmacies to donate unused medications and other medical supplies to non-profit entities and other licensed entities. This allows these donated medications and supplies to be used for their intended purpose, avoids needless disposal each year of useable medications worth millions of dollars, increases access to medicine for the most vulnerable Coloradoans, provides liability protection for those who donate and dispense the medications and supplies, and prevents hazardous and solid waste from being generated.

Even prior to this bill passing, HMWMD staff had been working with a non-profit out of California (SIRUM - Supporting Initiatives for the Redistribution of Unused Medications) that has developed a web-based application facilitating drug donation. SIRUM was able to set up a drug donation pilot. Last summer, the pilot launched with a safety net pharmacy in Colorado Springs receiving medications donated by about 30 long-term care facilities. Using this system, the safety-net pharmacy posts an inventory of their medication needs to the secure website. Health facilities with excess medications check the website and send the needed medications directly to the safety net pharmacy where a licensed pharmacist unpacks the donated medications, adds them to inventory, and dispenses them in accordance with the Board of Pharmacy rules and requirements. The pilot project, operating through only one safety net pharmacy and about 30 nursing care facilities in Colorado, processed over \$50,000 worth of medications (at wholesale value) from July through December, 2014.

## Project Updates

Over the last month or so, you may have seen media coverage announcing the start of chemical weapons destruction at the Pueblo Chemical Depot. While the main demilitarization facility has not yet started operations, the Explosive Destruction System, or EDS, commenced operations on March 17, 2015. Since then, the EDS unit has treated eleven bottles of mustard solutions and fifteen 105mm projectile munitions.

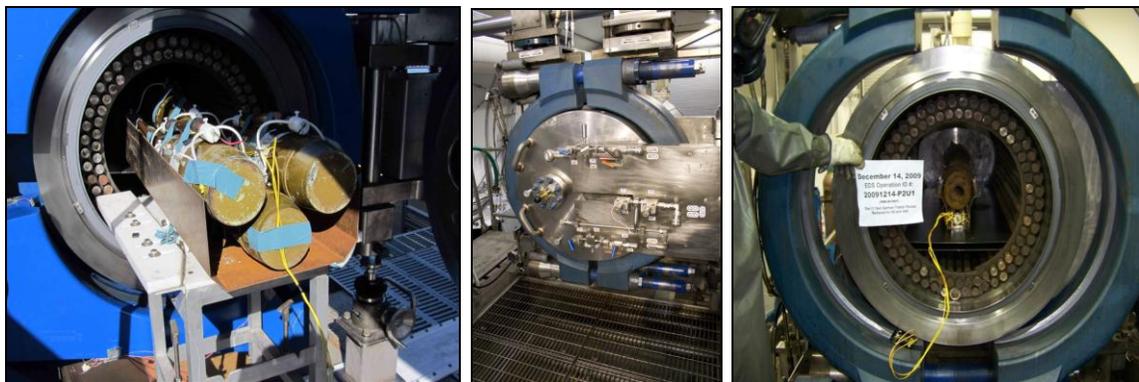
We gave you some information on the EDS back in the November newsletter, but here is a repeat of some of that information: The EDS is a truck-mounted self-contained treatment unit. At Pueblo, the EDS will be used to treat and destroy over-packed munitions and other containers of mustard agent wastes that are currently being stored there. Over 500 over-packed containers with munitions have been x-rayed to

plan for their treatment in the EDS. Additionally, the EDS will eventually be used to treat and destroy any problematic mustard-bearing rounds that cannot be safely treated at PCAPP. This might be because a mustard round has leaked, or corrosion prevents the munitions from being safely disassembled and emptied in the plant.



Picture of the truck-mounted EDS Treatment System; picture of over-packed munition rounds; picture of an x-ray image of an over-packed round showing level of liquid mustard inside round.

The EDS consists primarily of a detonation chamber, in which explosive shaped charges are used to breach or crack each round detonating the energetics on the round (fuse and burster) and releasing the mustard agent into the chamber. The cylindrical chamber consists of 4-inch thick cast steel walls with a door that is sealed with a specially designed clamp that weighs over a ton. The chamber is also equipped with an inner matrix of steel rods which are designed to stop metal fragments from hitting the side of the chamber during detonation. The EDS is permitted for up to six 155mm mustard projectiles per detonation which can take place once per day.



Picture of three munition rounds being set for detonation; other pictures of EDS detonation chamber. Right and left pictures show steel rods around inside of detonation chamber designed to absorb blast energy.

After detonation, caustic solution is pumped into the EDS chamber and it is mechanically agitated to destroy the mustard. Once treatment of the mustard has been verified, the spent caustic is removed and the chamber is rinsed and flooded with inert gas. The liquids are removed and the door is opened to remove the metal fragments. The liquid and solid wastes generated from the treatment process are then sent off-site for disposal.



Picture of EDS detonation chamber inside enclosure at PCAPP; picture of post-explosion and treatment of rounds in chamber

Commencement of EDS operations at the Pueblo Chemical Depot is a very significant achievement - for both the demilitarization efforts specific to the Pueblo Depot and for demilitarization across the United States. Elimination of chemical weapons is important to the nation's compliance with international treaty commitments.

### [Organizational/Staffing Highlights](#)

The Solid Waste and Materials Management Program recently made several significant organizational changes. First, Curt Stovall stepped down from being Unit Supervisor for the Solid Waste Permitting Unit, but will be staying on as a technical expert and advisor. Jerry Henderson will be replacing Curt. Jerry has been the Unit Supervisor for the Solid Waste Compliance Assurance Unit for several years. Taking Jerry's old spot as the new supervisor for the Solid Waste Compliance Assurance Unit will be Ed Smith. Ed has been the Division Compliance Coordinator for a number of years and has also acted as our hazardous waste regulatory expert. Ed has given numerous presentations to the Commission in the past.

In addition to those changes, Enrique Martinez, the Division's authority on financial assurance and forensic accounting, left state service for private industry. Emily Everett, formerly in the Waste Tire Group, will be taking Enrique's position and providing financial assurance and forensic accounting services as we need them.