



**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:** July 31, 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
February		<ul style="list-style-type: none"> <li>• Rulemaking, Changes needed re: new Federal “Definition of Solid Waste” Rule (HW)</li> <li>• Rulemaking, Section 14: Composting (SW)</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> <li>• Informational Briefing, Hazardous Waste Fee Increase (HW)</li> <li>• Informational Briefing, Corrections to Part 261.5, CESQG requirements (HW)</li> <li>• Informational Briefing, Changes to Fees collected for the Hazardous Substance Response Fund</li> </ul>
May		<p><b>ANNUAL MEETING</b></p> <ul style="list-style-type: none"> <li>• Rulemaking, Changes to Part 99, Notification (HW)</li> <li>• Rulemaking, Hazardous Waste Fee Increase (HW)</li> <li>• Rulemaking, Correction to Part 261.5, CESQG requirements (HW)</li> </ul>

		<ul style="list-style-type: none"> <li>• Rulemaking, Changes to Fees Collected for the Hazardous Substance Response Fund</li> </ul>
<b>August</b>	<ul style="list-style-type: none"> <li>• Information Briefing, Tire Rebate Changes, (SW)</li> <li>• Information Briefing, Public Notice requirements updates (HW)</li> <li>• Informational Briefing, S&amp;HW Commission Procedural Rules</li> </ul>	<ul style="list-style-type: none"> <li>•</li> </ul>
<b>November</b>	<ul style="list-style-type: none"> <li>• Rulemaking, Tire Rebate Changes (SW)</li> <li>• Rulemaking, Public Notice Updates (HW)</li> <li>• Rulemaking, S&amp;HW Commission Procedural Rules</li> <li>• Information Briefing, Changes needed re: new Federal "Definition of Solid Waste: rule</li> <li>• Informational Briefing, Section 14: Composting (SW)</li> <li>• Information Briefing, Changes to Part 100.10, Scope of RCRA Permit Requirement (HW)</li> </ul>	

## [Proposed August , 2015 Commission Meeting Agenda](#)

Information Briefing #1: Staff from the Solid Waste and Materials Management Program will provide an information briefing on proposed changes and updates to the Waste Tire Processors and End Users Fund (6 CCR 1007-2, Part 1).

Information Briefing #2: Staff from the Hazardous Waste Program will provide an information briefing on proposed changes and updates to Section 100 of the Colorado Hazardous Waste Regulations regarding public notice requirements.

Information Briefing #3: Staff from the Hazardous Materials and Waste Management Division will provide a briefing on the proposed changes to the Commission's procedural rules (6 CCR 1007-3, Part 7).

## [2015 Legislative Developments](#)

The 2015 legislative session concluded on May 6, 2015. None of the legislation that passed this session requires Commission action.

## [Project Updates](#)

This newsletter focuses on accomplishments and recent changes to the Hazardous Waste Compliance Assurance Unit supervised by Kathryn Stewart. The Unit performed

well in FFY 2014 providing outreach and conducting 320 inspections. Compliance rates over all generator categories were high with 74% of the facilities inspected showing no violations.

Recently the Unit was downsized to four inspectors: Amy Williams, Beth Williams, Dan Goetz, and David Foster. Kris Figur, paralegal and Laura Gurule, notification coordinator for RCRA info, joined the unit. Ed Smith moved to management in the Solid Waste Program and David Foster took Ed's place as the RCRA Technical Expert for the Division.

After downsizing to four inspectors we expect to perform around 270 inspections per year. These inspections will easily fulfill our program authorization commitment to EPA that we inspect all permitted hazardous waste treatment, storage and disposal (TSD) facilities at least biannually, one-fifth of the Large Quantity Generator universe, and all complaints alleging the mismanagement of hazardous waste in the State.

In addition to fulfilling basic EPA requirements, the Unit continues to implement self-certification programs for Small Quantity Generators, Dry Cleaners, and Long Term Care facilities. Self-certification continues to be a key factor in the high compliance rates for the unit.

The self-certification programs consist of sending out self-certification checklists to specific industry sectors that generate hazardous waste. After the checklists are received back from facilities, a certain number of random follow-up inspections are conducted by Unit inspectors to ensure that the checklists were accurately completed and to establish, with 90% statistical confidence, what the compliance rates are for the entire SQG universe.

Other outreach efforts include the Unit's promotion and support of the passage of HB 1039 in March of 2015. This bill clarified and broadened the law on acceptable drug donation practices. Redistribution of unused medications to safety-net pharmacies increases access to medications for patients who cannot afford health care.

Our work with Long Term Care facilities through the self-certification program includes education regarding how to reduce medication waste through better management practices and donations to safety-net pharmacies. The Unit's outreach also includes working with hospitals and multiple healthcare organizations in Colorado regarding hazardous waste management, specifically focusing on medication waste.

Our inspectors continue to conduct hazardous waste regulatory training workshops for hundreds of facilities in Colorado, including dry cleaners and health care organizations. Additionally, the Unit inspectors conduct a quarterly, 8-hour hazardous waste training open to any regulated entity and their staff.

In June of this year, the Compliance Assurance Unit partnered with the Air Pollution Control Division to host an Alternative Solvent Dry Cleaner Trade Fair. The purpose of

the trade fair was to help educate dry cleaners on transitioning from using perchloroethylene to alternative, more environmentally friendly solvents. The Fair included an exhibitor hall featuring industry representatives, product demonstrations and educational presentations.

In the upcoming months, the Unit has plans to investigate electronic cigarette or “Vape” shops as an area of potential concern. Nicotine vaporizing products (e-cigarettes or “vapes”) utilize liquid nicotine; unused nicotine products, container residuals, and spill residues are considered acutely toxic and are regulated as a hazardous waste. The concern is disposition of expired or unused product.

In the wake of marijuana legalization, many laboratories in the business of testing marijuana potency have cropped up. The Unit has plans to inspect some of these labs since solvents and other chemicals regulated under the State’s hazardous waste laws are commonly used in lab settings.

Lastly, the Unit continues to focus on e-waste issues and monitor e-waste recycling operations to ensure compliance with hazardous waste laws.

### Organizational/Staffing Highlights

The Hazardous Waste Program recently made one staffing change. David Foster was promoted to the RCRA technical expert position in the Hazardous Waste Compliance Assurance Unit.

The Solid Waste and Materials Management Program also made changes in staffing. First, David Snapp has been promoted to unit leader for the Materials Management Unit. He will be responsible for managing staff who implement the waste tire program, and the waste grease, recycling and beneficial reuse functions. Second, Cindy Smith has joined the Materials Management Unit’s waste tire group as an inspector. Cindy brings a wealth of solid waste inspection experience to this unit.

Lastly, and most significantly, Charles Johnson, the Solid Waste Program Manager has announced his retirement effective August 21, 2015. Over the last 10 years, Charles has guided and overseen a tremendous expansion and modernization of the Solid Waste Program. Charles’ knowledge, depth of experience and familiarity with solid waste issues will be sorely missed. Joe Schieffelin, currently the manager of the Hazardous Waste Program, will take Charles’ place and become the Solid Waste Program Manager. Joe’s position as Hazardous Waste Program Manager will be backfilled within the next several months.