

Approved February 16, 2016



COLORADO
Solid & Hazardous
Waste Commission
Department of Public Health & Environment

Summary of Meeting November 17, 2015

NOTE: These minutes are a summary of the proceedings and motions of the November 17, 2015 Solid and Hazardous Waste Commission meeting. The complete and accurate record is the digital recording of the meeting, available in the Solid and Hazardous Waste Commission Office, Colorado Department of Public Health and Environment, Building A, 5th Floor, 4300 Cherry Creek Drive South, Denver, CO 80246. Any documents referred to in this summary are available by contacting the commission office.

Mike Silverstein, commission administrator, called the meeting to order at approximately 9:30 a.m. via teleconference.

Members present (all appeared by telephone):

John Kehoe, Regulated Industry; Garrett Clemons, Public at Large; Christopher Neumann, Chair, Academia; Joseph Prinster, Jr., Vice-Chair, Public at Large; Cameron L. Garcia, Secretary, Local Government; Charlotte Pitt, Local Government; James Wilson, Regulated Industry; Michael Dempsey, Regulated Industry, Randall M. Weiner, Public at Large

Members absent:

None.

Staff present (all appeared by telephone):

Mike Silverstein, Commission Administrator; Jennifer Robbins, Assistant Attorney General; and Brandy Valdez Murphy, Commission Assistant

Old Business: - Approval of the August 24, 2015 Meeting Summary

The commission deferred approval of the August 24, 2015 meeting summary until February 16, 2016.

Public Comment (for matters not on the agenda)

None.

Rulemaking Hearing:

***Amendment to 6 CCR 1007-2, Part 1, Section 10 - Waste Tire End Users Fund**

Brian Gaboriau, Waste Tire Grants Administrator, provided an overview of the anticipated change to the rebate amount of the fund for 2016. Based upon forecasted revenue, projected end use, and spending authority, the division recommends that the rebate amount be set to the maximum amount of \$80 per ton. Mr. Gaboriau answered several questions from the commission.

Public Comments:

None.

Commissioner Neumann closed the record and the commission moved into deliberations.

After discussion,

MOVED by Commissioner Prinster and seconded by Commissioner Wilson, to adopt the amendment of 6 CCR 1007-2, Part 1, Section 10 - Regulations Pertaining to Solid Waste Disposal Sites and Facilities - Waste Tire End User Fund, along with the accompanying statement of basis and purpose.

After initial discussion, an alternative motion was presented,

MOVED by Commissioner Weiner and seconded by Commissioner Clemons, to set the rebate amount to \$40 and place the rebate increase on hold for one year, and receive additional information from the Air Quality Control Commission.

MOTION FAILED 6-3

(Commissioners Neumann, Kehoe, Prinster, Wilson, Garcia, and Dempsey opposed)

Commissioners deliberated on the original motion.

MOTION CARRIED 6-3

(Commissioners Weiner, Clemons and Pitt opposed)

New Business:

Due to the inclement weather, and shortened meeting,

MOVED by Commissioner Prinster and seconded by Commissioner Dempsey, to continue agenda items number IV (Amendment to 6 CCR 1007-3, Part 100 - Hazardous Waste Public Notice Requirements) and V (Amendment to 6 CCR 1007-3, Part 7 - Procedural Rules for the Solid and Hazardous Waste Commission) to the February 16, 2016 meeting.

MOTION CARRIED UNANIMOUSLY

The commission then allowed public comment from Joel Bolduc from Holcim US, regarding the tire derived fuel industry.

The meeting adjourned at approximately 10:50 a.m.

The next meeting of the commission is Tuesday, February 16, 2016 at 9:30 a.m.