

STATE OF COLORADO

Bill Owens, Governor
Douglas H. Benevento, Executive Director

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

4300 Cherry Creek Dr. S.
Denver, Colorado 80246-1530
Phone (303) 692-2000
TDD Line (303) 691-7700
Located in Glendale, Colorado

Laboratory Services Division
8100 Lowry Blvd.
Denver, Colorado 80230-6928
(303) 692-3090

<http://www.cdphe.state.co.us>



SEP 01 2005
Colorado Department
of Public Health
and Environment

August 23, 2005

BFI Waste Systems of North America
Ms. Elizabeth Stengl
BFI District Environmental Engineer
8480 Tower Road
Commerce City, CO 80222

Re: Disposal of Creekside Site Remediation Material at the Foothills Landfill

Dear Ms. Stengl:

As you know, the Colorado Department of Public Health and Environment (the Department) has determined that the Foothills Landfill, operated by BFI, is a safe and appropriate disposal location for remediation materials and wastes from the Colorado School of Mines Research Institute (CSMRI) Creekside Site. We understand that, based on the letter dated February 7, 2002 which you have provided us, Jefferson County no longer exercises case-by-case approval over industrial wastestreams at Foothills. We understand further that BFI has informally discussed the receipt of the Creekside Site remediation wastes for disposal at the Foothills Landfill with the Jefferson County Board of County Commissioners, who believe that the process described in the February 7, 2002 letter applies.

Based on our current understanding of the Foothills Landfill operating procedures, we believe that the Design and Operations Plan (EDOP) for the facility will need to be revised to accept the Creekside materials. This revision should be accomplished as soon as possible in consultation with CDPHE's Solid Waste Unit. The landfill disposal criteria identified in this letter are appropriate for commencing disposal of the Creekside Site Remediation waste material. The disposal criteria that must be implemented for the Creekside Site Remediation material are as follows:


- based on visual inspection, dust suppression techniques shall be used when unloading the material if dust is being generated;
- disposal facility personnel shall be briefed on the safe handling of the material, and such briefing shall be documented. CDPHE staff will be given 72 hour notice of this safety briefing, and may attend at their discretion;

- material shall be disposed upon receipt, and not stockpiled any longer than necessary for facility operation. In addition the material will be separated away from other landfill customers and municipal solid waste;
- material shall not be used for daily cover;
- material shall be placed at a depth consistent with the risk assessment modeling;
- the final disposal location of the material shall be documented as is routinely done at the facility using their grid identification system;
- if landfill equipment is used to place the material, then it shall be thoroughly washed prior to reuse; and
- a copy of all correspondence related to the CSMRI waste material shall be provided to Jefferson County, as is currently done.

CDPHE and BFI will need to evaluate the waste material, analytical methods, existing practices, and the findings of CDPHE's current NORM/TENORM stakeholder process, to identify appropriate revisions to the Foothills detection and compliance monitoring sampling plans, for both the leachate and the monitoring wells, as soon as practicable.

If you have any questions, please contact Mr. Darrell Dearborn at (303) 692-3349.

Sincerely,



Joe Schieffelin, Manager
Compliance Program
Hazardous Materials and Waste Management Division

cc: Charles Johnson, CDPHE Solid Waste Unit Leader
Darrell Dearborn, CDPHE Solid Waste Unit
Phil Stoffey; CDPHE
Mr. Linn Havelick; Colorado School of Mines
Roy Laws, Jefferson County Department of Health and Environment
Jefferson County Board of County Commissioners