

Maki Iatridis

From: Norm Higley [normhigley@nwhlaw.com]
Sent: Thursday, April 05, 2007 4:16 PM
To: Maki Iatridis; 'Mountfort, Tom'; 'Bob W. Hartzman'; CMitchell@csu.org; project7@montrose.net; jpershin@englewoodgov.org; ljohnson@chp-law.com; mpifher@ci.aurora.co.us; pwolfe@csu.org; crwa@comcast.net; 'Rick Griffith'; RickLGrif@aol.com; TBook@Pueblowater.org; 'Winans, Anne E.'; 'Woodis, Amy'; 'Linn Havelick'; cdaggett@fcgov.com
Subject: FW: WTR Disposal

-----Original Message-----

From: Norm Higley [mailto:normhigley@nwhlaw.com]
Sent: Thursday, April 05, 2007 4:13 PM
To: 'joe.vranka@state.co.us'; 'jerry.goad@state.co.us'
Cc: 'Philip Egidi'; 'charles.johnson@state.co.us'; 'Steve Tarlton'
Subject: RE: WTR Disposal

Joe & Jerry:

I think Phil already knows this, but Clean Harbors has quoted Englewood a price for WTR disposal that is roughly 2.5 to 3 times greater than CSI's price last year for the same waste. Obviously, Englewood is evaluating its options. We thought you might want to know about the cost impact.

Norm

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-----Original Message-----

From: Philip Egidi [mailto:pvegidi@smtpgate.dphe.state.co.us]
Sent: Thursday, March 01, 2007 1:19 PM
To: Bill McCormick; CHARLES JOHNSON; Jerry Henderson; JOE Vranka; Steve Tarlton; jerry.goad@state.co.us
Cc: Dan Brotzman; Stu Fonda; Norm Higley
Subject: Re: CSI Landfill Denial

Bill,

I am copying our management on this response so they are aware of what is going on.

Due to the amount of uranium in your residuals, we are somewhat in a bind here. Based on the current Policy, CSI or CHDT were your only two in-state options.

Yes, risk assessments would likely be needed for material with this amount of uranium in it, as well as local approval from the local permitting authority. Your material is not classified as source material, so it would not be a licensing issue.

PVE

>>> "Bill McCormick" <bmccormick@englewoodgov.org> 03/01/07 11:31 AM

>>>

I have been notified by Craig Tessemer, Adams County Manager that Adams County will be notifying us that Waste Management's request to dispose of our alum sludge residuals at the CSI Landfill will be denied. This is the stockpile that you approved last November. We had submitted our request for disposal of approximately 800 cu. yds. to Adams County in December 2006 along with your approval letter. They finally notified me this week that our request is being denied because of issues with Adams County, the State and Clean Harbors. As you know, our season to begin producing more residuals is fast approaching, and I would like to remove the residuals that have already been tested and approved for disposal at the CSI Landfill. I asked Mr. Tessemer if Adams County would approve taking our residuals to Clean Harbors and he said that any TENORM material will be denied until litigation is finalized as per their attorney. This could take a very long time if appeals are heard. We don't have the luxury of waiting as our storage sight would be full.

Englewood is requesting that you provide alternative recommendations for disposal of our residuals. Would other land fills in the area be an alternative such as BFI's Foothills Landfill or Waste Managements Colorado Springs Landfill? Would you require additional Risk Assessments for these landfills? We would certainly be willing to provide them. Is there other options for disposal in the nearby area?

I will be out of town from March 5th until March 11th. You may call Stu Fonda at 303-762-2636 if you wish to discuss.