



Landfills and Compliance

Joe Schieffelin

Solid Waste and Materials Management Program Manager

Hazardous Materials and Waste Management Division

Colorado Department of Public Health and Environment

303-692-3356

joe.schieffelin@state.co.us



Landfills and Compliance

- The current state of compliance
 - Big and Medium-sized landfills (40) – Pretty good
 - Small Landfills (SLF) (22) – Pretty bad
- Why?
 - Local Gov'ts: Compliant small landfills are expensive
 - CDPHE: tolerated SLF non-compliance
 - Sympathetic to high-cost arguments
 - Low volume = Low risk
 - Lax enforcement on operational requirements
 - Unsupported waivers for liners and gw monitoring
 - Poor enforcement authorities until 2008
 - Not enough staff to effect change

Compliance Needs to Improve

- The Law requires compliance – both State and Federal law
- The Regulations define compliance – both State and Federal
- Compliance protects people and their health
- Compliance protects environmental resources like ground water, surface water, land and scenery
- Level playing field
- **Wyoming**
 - 96% - gw contamination
 - 91% - gw contam over stds
 - Cleanup - \$2 million/LF





Near Term Happenings

- Integrated Solid Waste and Materials Management Plan (Final Plan: July 1, 2016; then to public comment)
 - Required by statute; Updates a 1992 Plan
 - Contractor-generated Plan
 - Recommendations and Information
 - Landfill compliance analysis across State
 - Compliance cost analysis across State
 - Waste Recycling/Diversion opportunities across State
 - **No** new or changed regulations



Near Term Happenings

- Integrated Solid Waste and Materials Management Plan (con't)
 - Incorporates feedback from 10 recent stakeholder meetings around the State
 - Alamosa, Lamar, Pueblo, Durango, Grand Junction, Denver, Silverthorne, Sterling, Loveland, Webinar
 - Lots of LF operators and Elected Officials
 - Common Responses from **Rural Areas** (small/med LFs):
 - Current waste disposal scheme is fine – leave us alone
 - Upgrade current LFs, but maybe close some
 - Want: Training, local planning assistance
 - Do Not Want: Inspections, enforcement, regional planning areas for solid waste
 - Luke warm to cold: Recycling and Diversion initiatives



Intermediate Term

- Integrated Solid Waste and Materials Management Plan
 - Information and tools to support a Local Decision:
 - operating landfills in compliance* or closing
(*daily operations, ground water monitoring, liners)
 - There will be time to make that **Decision (6-8 months)**
 - There will be additional time to implement that **Decision (case-by-case, 1-3 years)**
 - But – there will also be time limits
 - CDPHE – will provide technical assistance and planning assistance as needed/wanted
 - CDPHE – hoping to have financial assistance for closure or ground water characterization



In the Mean Time

- In the mean time - “Operational” Compliance needs to happen now at **all** landfills (to the max extent possible)
 - Operators need to know their permits (EDOPs)
 - Operators need to know the regulations
 - adequate daily cover;
 - load screenings;
 - nuisance conditions (litter, odor, dust, noise, rodents, insects, birds);
 - access controls;
 - waste burning;
 - explosive gas monitoring;
 - prohibited wastes (tires*, e-waste*, used oil, batteries, liquids)
 - CDPHE – compliance assistance; inspections; enforcement if necessary
 - Ground water monitoring compliance and Design (liner) compliance can wait for the **Decision**



Summary: What do SLFs Need To Do?

- Non-Compliant *Status Quo* is ending
- Make the Local Decision: Operate landfill in compliance or close
 - If decision to operate: fund needed upgrades
 - If decision is to close:
 - Convert site to transfer station?
 - Develop cooperative regional landfill?
 - ISWMMP will provide Decision tools
 - Time to implement Decision will be provided
- Compliance needs to be attained landfills now
 - “Operational” compliance now
 - Ground water monitoring compliance and Design compliance (liners) or Closure within a few years



What Will CDPHE Be Doing?

- Beginning ~Oct 1: Meeting with local gov'ts with SLFs
 - Facilitate Decision – Operate in Compliance or Close
 - Discuss local waste management capacity options
 - Landfills
 - Transfer Stations
 - Waste Haulers
 - Regional aspects
 - Colorado Success Stories – Bent County, Hinsdale County
- Develop Small Landfill Waiver Policy by ~Oct 1
 - Explanation of current regulations – gw and liners
 - Explanation of waiver criteria going forward
 - No new regulations or changes to current regulations
- Pursuing \$\$ help for closure and gw monitoring
- Defining adequate “closure”



Path Forward

- Local governments and CDPHE:
 - Move forward in effective, positive partnership to solutions