



COLORADO

Department of Public Health & Environment

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

August 2, 2017

City of Colorado Springs Planning Commission
City Hall
107 N Nevada Avenue
Colorado Springs, CO 80901

Re: Amended Recommendation for Approval with Conditions: Closure Plan and Post-Closure Care and Maintenance Plan, Lots 1 and 2, Drennan Industrial Center, Colorado Springs, Colorado, dated January 27, 2017
File: sw/elp/oip/2.1

Dear Planning Commission Members:

The Colorado Department of Public Health and Environment, Hazardous Materials and Waste Management Division (the "Division") sent a letter dated April 26, 2017 to the City of Colorado Springs Planning Commission recommending approval of a Certificate of Designation (CD). The CD would allow the land to be used as a permanent repository for waste asphalt shingles that were previously stockpiled on-site.

The April 26, 2017 letter listed six Conditions that are required to be satisfied by the Applicant should the CD be issued by the City of Colorado Springs Planning Commission. It has come to the attention of the Division that, in addition to the six Conditions discussed in the April 26, 2017 letter, another Condition to the CD was inadvertently not included in the April 26, 2017 letter. That Condition concerns the Applicant's request for a waiver from Section 5.5.3.C.5 of the Colorado Solid Waste Regulations, 6 CCR 1007-2. The Condition is the following:

Condition 7: If the CD is approved, a revised waiver request for Section 5.5.3(C)(5) of the Colorado Solid Waste Regulations shall be submitted. The revised waiver request shall provide the following: 1) name and company of the Certified Asbestos Building Inspector (CABI) that will provide the required training to the Qualified Project Monitor (QPM); 2) a resume detailing the asbestos contaminated soil management experience of the CABI; and 3) the curriculum for the QPM training by the CABI. The revised waiver request shall be reviewed and approved by the Division and the City of Colorado Springs before training is provided by the CABI. The remainder of the regulations for Section 5.5 (Management of Regulated Asbestos-Contaminated Soil (RACS)) are applicable during closure activities at this site.

If the CD Application is approved by the Colorado Springs Planning Commission, the Division requests that the City of Colorado Springs send a copy of the CD resolution to the Division. Alternatively, if the CD Application is denied, the Applicant will be required to remove all asphalt shingle materials and other solid waste from the property and dispose that material at an approved solid waste landfill or a registered recycling facility capable of processing the material within 180 calendar days of the CD Application denial, pursuant to Compliance Order on Consent Number 17-02-23-01.

FIGURE 6 - Olesky Shingle



In closing, the Division is authorized to bill for its review of technical documents at \$125 per hour, pursuant to Section 1.7 of the Colorado Solid Waste Regulations, 6 CCR 1007-2. An invoice for the Division's review of the above referenced document will be sent to the Applicant under separate cover.

Thank you for your attention to this important matter.

Sincerely,



Lawrence J. Bruskin, P.E.
Solid Waste Permitting Unit
Solid Waste and Materials Management Program
Hazardous Materials and Waste Management Division

- cc: Mark Gebhart, El Paso County Development Services
- ec: Neil Olesky, Olesky Investments
Michael Pretti, P.E., Souder, Miller & Associates
Michael Schultz, Colorado Springs Planning and Development Department
Lukas Staks, AGO
Jerry Henderson, HMWMD
Ed Smith, HMWMD
Brian Long, HMWMD
Randy Perila, HMWMD

FIGURE 6 - Olesky Shingle