



**COLORADO**  
Department of Public  
Health & Environment

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December 6, 2024

Gabe Sevigny  
City of Colorado Springs - Planning & Development  
Land Use Division  
30 S. Nevada Ave., Suite 105  
Colorado Springs, CO 80903

RE: Recommendation of Approval with Conditions: Revised Application for Certificate of Designation (CD)  
Mesa Valley Springs Property  
Colorado Springs, Colorado

File: ELP344 CDPHERM HAZ SW - Permitting

Dear Mr. Savigny:

The Colorado Department of Public Health and Environment Hazardous Materials and Waste Management Division (Division) received the following revisions for the Certificate of Designation (the "CD") for the Mesa Valley Springs Consolidated Landfill in Colorado Springs, Colorado.

*MVS Development, LLC: Certificate of Designation Amendment.*  
Submitted by: Bronco Environmental. Date received: December 5, 2024.

*Amendment to the Certificate of Designation - MVS Development, LLC. Figure.* Submitted by: Bronco Environmental. Date received: November 21, 2024.

*Amendment to the Certificate of Designation - MVS Development, LLC. Legal Descriptions.* Submitted by: Classic Consulting. Date received: November 21, 2024.



The Division has reviewed the revision to determine its compliance with the requirements set forth in the Solid Waste Disposal Sites and Facilities Act, Title 30, Article 20, Parts 1 and 10 (Solid Waste Act) of the Colorado Revised Statutes (CRS), as amended, and with 6 CCR 1007-2, Part 1, the Regulations Pertaining to Solid Waste Sites and Facilities (the “Solid Waste Regulations”), as amended, promulgated there under. This revision incorporates the revised area where waste remains in-place and additional monitoring requirements.

The City of Colorado Springs initiated a 30-day written public comment period and received comments from Colorado Springs Utilities that have been incorporated into the amendment.

The Division recommends, as final agency action, that this CD may be approved by the City of Colorado (“the City”), with the conditions set forth herein and with any additional local restrictions the City may choose to impose. The Division’s recommendation of approval of the revision has the following conditions that shall be incorporated into the CD when and if issued by the City:

1. The Facility will comply with the public health and environmental laws, standards, and regulations of the Colorado Department of Public Health and Environment and all other applicable State, Federal and local rules and ordinances.
2. Compliance with this CD requires the owner /operator comply with the attached EDOP, any future Department-approved EDOP conditions, including both Department-approved amendments to the EDOP and Department-approved stand-alone plans necessary to comply with the Solid Waste Act and Regulations, and the Notice of Environmental Use Restrictions.
3. Violation of the EDOP as so amended constitutes a violation of this CD. This CD need not be amended upon EDOP amendment unless required by the City.
4. CDPHE reserves the right to make unilateral modifications to the EDOP language and conditions at any time during the life of the facility, including during the post closure care period. CDPHE will consult with the County prior to doing so.
5. The financial assurance mechanism for post-closure activities must be in-place and approved by the Division prior to the start of the consolidated landfill. Please note that pursuant to the requirements of Section 4.0 of the Solid Waste Regulations, the post-closure cost estimate must be adjusted annually to account for inflation or deflation by using the implicit price deflator for the gross domestic product. Additionally, the Facility must replace the original cost estimate every five (5) years unless otherwise required by the Division. Both the annual adjustment and the 5-year update cost estimates must be submitted to the Division for review and approval.

Please forward a copy of the City’s final resolution concerning the CD issuance or denial to the Division.



Please note that this determination does not preclude separate review action by the City of Colorado Springs. In addition the Notice of Environmental Use Restrictions is still in place for the “West Van Buren Right-of-Way” and the “certified areas” (also noted as the “residential development” and “50’ utility easement” in the *Amendment to the Certificate of Designation - MVS Development, LLC. Figure*) and the requirements set forth within it.

Please send any questions regarding this letter to the attention of Jill Parisi at [jill.parisi@state.co.us](mailto:jill.parisi@state.co.us) or by phone at 303-692-3348.

Sincerely,

Jill Parisi, P.E.  
Solid Waste Permitting - Engineering Design Unit Leader  
Hazardous Materials & Waste Management Division

ec: Ted Waterman, MVS Dvelopment, LLC.  
Fonda Apostolopoulos, CDPHE Superfund and Brownfields Unit  
Brian Long, CDPHE Solid Waste Compliance Assurance Unit