COLORADO
Department of Public
Health & Environment

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

August 8, 2016

Mr. Marlin Mullet
Chief Financial Officer
Twin Enviro Services
P.O. Box 774362
Steamboat Springs, CO 80477

CERTIFIED MAIL # 7002 2410 0001 0122 7096
Return Receipt Requested

Re: Compliance Advisory for the Milner Landfill:
Twin Enviro Services
20650 County Road 205
Steamboat Springs, CO 80487
SW RTT MIL 1.6

Dear Mr. Mullet:

This Compliance Advisory provides notice related to information gained during an inspection conducted by the Colorado Department of Public Health and Environment, Hazardous Materials and Waste Management Division (the "Department") on May 12, 2016. The purpose of the inspection was to determine the facility's compliance status with respect to the Solid Wastes Disposal Sites and Facilities Act, CRS 30-20-100.5 *et. seq.*, the Regulations Pertaining to Solid Waste Sites and Facilities (6 CCR 1007-2, Part 1; the Regulations), and the approved Milner Landfill Engineering Design and Operations Plan (EDOP). The Department advises you that the information gained during the inspection indicates that you may have violated Colorado's solid waste laws. Department personnel will review the facts established and this notice may be revised to include additions or clarifications as a result of that review.

Please be aware that you are responsible for complying with the State solid waste regulations and that there are civil penalties for failing to do so. The issuance of this Compliance Advisory does not limit or preclude the Department from pursuing its enforcement options concerning this inspection including issuance of a Compliance Order and/or seeking an assessment of civil penalties. Also, this Compliance Advisory does not constitute a bar to enforcement action for conditions that are not addressed in this Compliance Advisory, or conditions found during future file reviews or inspections of your property. The Department will take into consideration your response to the requested actions listed below for each cited deficiency in its consideration of enforcement options.

Deficiency 1: Recordkeeping for the solidification basin was substantially incomplete in apparent violation of sections 5.4.2 and 5.4.3.3 of the EDOP, which require, among other things, the facility to maintain an operation log. Additionally, the facility has failed to perform the required random sampling in apparent violation of section 5.4.1.2 of the solidification basin EDOP. The facility failed to perform reactivity testing in apparent violation of section 5.4.1.5 of the solidification basin EDOP. The facility has failed to collect

the required paint filter test for all solidification events prior to loads leaving the solidification basin to be disposed of in the landfill in apparent violation of section 5.4.3.2 of the solidification basin EDOP and section 2.4 of the Regulations.

Requested Action 1: Immediately begin keeping a complete operation log and all other records pertaining to the solidification basin operations as required in the EDOP, and maintain these records as required in the facility's operating record. Within thirty (30) calendar days of your receipt of this Compliance Advisory complete and submit to the Department the operation log for 2016 using all available data in your possession. Additionally, within thirty (30) calendar days of your receipt of this Compliance Advisory submit to the Department any records and analytical testing results for sampling conducted on the solidification basin angle well since its installation.

Deficiency 2: Leachate monitoring records have not been submitted to the Department in conjunction with groundwater monitoring records in apparent violation of section 3.2.5 of the Regulations and section 4.4.6.2 of the approved EDOP.

Requested Action 2: Within seven (7) calendar days of your receipt of this Compliance Advisory submit the any records pertaining to leachate testing, management, and disposal from 2011 to the most current records on file to the Solid Waste Permitting Unit.

Deficiency 3: There was insufficient interim/intermediate cover in several areas surrounding the working face of the landfill in apparent violation of sections 2.1.10 of the Regulations and section 4.4.7 of the approved EDOP.

Requested Action 3: Immediately place required amounts of daily/intermediate cover in areas surrounding the working face of the landfill. Pictures documenting this placement of additional cover shall be sent to the Department within seven (7) calendar days of your receipt of this Compliance Advisory.

Deficiency 4: The storm water control system was not being maintained to appropriately control run-off from the site in several areas in apparent violation of sections 2.1.6 and 14.3.3 of the regulations and section 4.6 of the approved EDOP. Additionally, the facility is not updating its Stormwater Management Plan and is not implementing required erosion control measures in apparent violation of requirements of Water Quality Control Division (WQCD) General Permit Number COR900000.

Requested Action 4: Within sixty (60) calendar days of your receipt of this Compliance Advisory submit an updated Stormwater Management Plan (SWMP) to the Department for review. The WQCD and the Department expect the permittee will use the SWMP as a tool to plan and implement proper stormwater management at the facility. The requirement that permittees update the facility SWMP to reflect current site conditions formalizes this expectation.

Deficiency 5: Ponding water was noted to be present in an area to the northwest of the landfill in apparent violation of section 2.1.10 of the Regulations.

Requested Action 5: Immediately re-grade or place additional cover material to eliminate the areas of ponding water that were observed during the inspection event. Pictures

documenting the elimination of ponding water shall be sent to the Department within seven (7) calendar days of your receipt of this Compliance Advisory.

Deficiency 6: Uncovered asbestos waste was noted to be present in the friable asbestos disposal area in apparent violation of section 5.3.7 of the Regulations. Additionally, an uncovered mobile home trailer unit containing non-friable asbestos waste was located in the friable asbestos disposal area in apparent violation of section 5.2.1 of the Regulations.

Requested Action 6: Immediately place required amounts of cover in the friable asbestos disposal area over all areas where asbestos materials are noted to be present on the ground surface. Pictures documenting this placement of additional cover shall be sent to the Department within seven (7) calendar days of your receipt of this Compliance Advisory.

Deficiency 7: A trench for storage of fly ash materials has been dug adjacent to the mixing basin in the solidification basin area in apparent violation of section 5.4.4 of the Solidification Basin Design, Operation, and Closure Plan Amendment (Section 5.4 of the D&O Plan).

Requested Action 7: Immediately return to utilizing the solidification basin, and its surrounding engineered features, in accordance with approved designed specifications. Within sixty (60) calendar days of your receipt of this Compliance Advisory return the solidification basin, and its surrounding engineered features, to their designed specifications, and provide documentation of this return to compliance to the Solid Waste Permitting Unit. The repair must be performed and tested in accordance with requirements of the facility's Construction Quality Assurance Quality Control Plan. The documentation must be certified by a Colorado-registered professional engineer.

Deficiency 8: The low permeability work pad in the composting area was not sloped and/or maintained to provide drainage to the leachate collection pond in apparent violation of section 14.3.1(C) of the Regulations and section 5.5.2.1 of the approved EDOP. Additionally, the four inch woodchip layer specified in the design of the compost mixing pad was noted to be absent over much of the mixing pad in apparent violation of section 5.5.2.1 of the approved EDOP.

Requested Action 8: Within thirty (30) calendar days of your receipt of this Compliance Advisory re-grade and re-construct the working pad of the compost area to meet design criteria described in the facility's Engineering Design and Operations Plan (EDOP). Pictures documenting the repaired composting work pad shall be sent to the Department within seven (7) calendar days of completion of these activities.

Deficiency 9: Borrow areas were noted to be present outside of the CD boundary of the facility. Since these areas have not been permitted by the Division of Mining Reclamation and Safety, and are not included in the facility's EDOP, they are considered to be unpermitted by the Department in apparent violation of Section 1.3.9 of the Regulations. Additionally, since these borrow areas are considered to be a part of solid waste operations at the site they should be included in the financial assurance for closure and post closure of the facility. The lack of financial assurance for these areas is in apparent violation of section 1.8 of the Regulations.

Requested Action 9: The facility shall update the EDOP to include design and operations criteria for the borrow areas. The updated EDOP must be submitted to the Department for review and approval within ninety (90) calendar days from the receipt of this Compliance Advisory. The facility shall submit updated financial assurance cost estimates to the Department within ninety (90) calendar days of receiving Department approval of the updated EDOP for the borrow areas.

To facilitate resolution of the issues identified in this Compliance Advisory, we encourage you complete the requested actions, including any required submittals, in the timeframes requested, and to document your return to compliance by submitting correspondence back to the Department by September 9, 2016 or you may contact this office at the number listed below and, where necessary, schedule a meeting:

A. To discuss the Compliance Advisory and answer any questions that you may have;
B. To develop a schedule for correcting the deficiency noted above; or
C. To submit information necessary to show that the deficiency is not a violation of Colorado's solid waste laws.

A copy of the inspection report is enclosed with this Compliance Advisory.

You may contact Brian Long at (303) 691-4033 or Ed Smith at (303) 692-3386 concerning the deficiencies detailed under this Compliance Advisory and/or to set a meeting to discuss this Compliance Advisory.

Sincerely,

Brian T. Long
Environmental Protection Specialist
Solid Waste Compliance Assurance Unit
Solid and Hazardous Waste Program

Enclosure

cc: Luke Schneider, Twin Enviro Services
Curt Stovall, CDPHE HMWMD
Jerry Henderson, CDPHE HMWMD
Ed Smith, CDPHE HMWMD
Randy Perila, CDPHE HMWMD
Kathleen Rosow, CDPHE WQCD
Scott Cowman, Routt County Department of Environmental Health
Alan Goldich, Routt County Planning Department

SW Tracking