



COLORADO

Department of Public
Health & Environment

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

Submitted via email

December 1, 2014

Mr. Don Silva
Western Gravel and Disposal, LLC
PO Box 519
Hayden, CO 81639

Re: Soil Borrow Area and Financial Assurance
Western Gravel E&P Waste Disposal Facility in Rio Blanco County
SW / RBL WGR / 2.4

Dear Mr. Silva:

The Solid Waste and Materials Management Unit, Hazardous Materials and Waste Management Division of the Colorado Department of Public Health and Environment (the Division) received a request regarding a soil borrow area to be located outside of Cell A within the Certificate of Designation (CD) boundary but outside of the active gravel mining pits covered by the Division of Reclamation Mining and Safety (DRMS) permit/bond. In correspondence dated November 21, 2014 from NWCC Inc., Western Gravel (now OWL SWD operating, LLC) requests the Division provide written confirmation that the new borrow area will be included in closure and post closure financial assurance under the solid waste program.

The facility is currently under construction in general accordance with the approved Engineering Design and Operations Plan (EDOP), which is compliant with the requirements set forth in the Solid Wastes Disposal Sites and Facilities Act, Title 30, Article 20, Part 1 of the Colorado Revised Statutes, as amended (Act), with the regulations promulgated there under 6 CCR 1007-2 (Regulations). In accordance with Section 1.8.4(A) of the Regulations, a facility must establish financial assurance 60 days prior to accepting waste. Typically the cost for re-grading and seeding of the disturbed areas inside the CD associated with the solid waste activities as well as the cost for post closure maintenance of the areas will be included in the closure and post closure cost estimate and the financial assurance. Therefore, prior to accepting waste, the borrow area identified in the correspondence will be included in the financial assurance for this facility under regulatory authority of the Division.

Please contact the undersigned at 970-248-7151 if you have questions regarding this correspondence and require further assistance.

Sincerely,

Robert J. Peterson, Environmental Protection Specialist
Solid Waste and Materials Management Unit
Solid and Hazardous Waste Program

cc: GJ file
ec: G. Webber, NWCC Inc
M. Sprague, Rio Blanco Co
T. Marshall, DRMS

