



Tower Landfill Land Use Approvals

(Future Land Use Amendment, Annexation, PUD Zone Document
Amendment, Right of Way Vacation)

COMMERCE CITY COUNCIL

AUGUST 5, 2024



Brian Rupe

Area Vice President, Republic Services

Steve Derus

General Manager, Republic Services

Erik N. Carlson

Partner, FGMC

Presentation Agenda

01 Republic Services & Project Overview

02 Application Review

03 Conclusion

04 Q&A

01

Republic Services & Project Overview

REPUBLIC SERVICES OVERVIEW — FACTS & FIGURES

COMPANY	COLORADO	COMMERCE CITY	AWARDS
<p>42K EMPLOYEES</p> <p>200+ ACTIVE LANDFILLS</p>	<p>1K EMPLOYEES</p> <p>65% CNG TRUCKS</p>	<p>330 EMPLOYEES</p> <p>100% CNG TRUCKS</p>	<p>FORTUNE MOST INNOVATIVE COMPANIES 2024</p> <p>FORBES BEST EMPLOYERS FOR DIVERSITY 2024</p>
<p>8M TONS OF RECYCABLES MANAGED</p> <p>5M AVERAGE DAILY PICKUPS</p>	<p>5 LANDFILLS</p> <p>6 TRANSFER STATIONS</p>	<p>\$125K TOWARD MILE HIGH GREYHOUND PARK REDEVELOPMENT PROJECT</p>	<p>USA TODAY AMERICA'S CLIMATE LEADERS 2024</p> <p>BARRON'S 100 MOST SUSTAINABLE COMPANIES 2023</p>
<p>1,000+ LOCATIONS IN NORTH AMERICA¹</p> <p>76 LANDFILL GAS & RENEWABLE ENERGY PROJECTS</p>	<p>2 RECYCLING CENTERS</p> <p>150K TONS RECYCLED ANNUALLY</p>	<p>\$1.4M IN ANNUAL REVENUE AND BENEFITS</p> <p>3.6K TONS RECYCLED ANNUALLY</p>	<p>ETHISPHERE WORLD'S MOST ETHICAL COMPANIES 2023</p> <p>CDP DISCLOSER 2023</p>
<p>13M CUSTOMERS</p> <p>74 RECYCLING CENTERS</p>	<p>60K MUNICIPAL CUSTOMERS</p>	<p>20.5K HOMES & CITY FACILITIES SERVICED WEEKLY</p>	<p>DJSI WORLD & NORTH AMERICA INDICES 2023</p> <p>FORTUNE WORLD'S MOST ADMIRED COMPANIES 2023</p>
			<p>GREAT PLACE TO WORK CERTIFIED 2017-2023</p> <p>S&P GLOBAL SUSTAINABILITY YEARBOOK 2023</p>

¹ As of Q2 2023 | Sources: Annual Report on Form 10-K for the year ended December 31, 2023; 2022 Sustainability Report
* than industry average over the last 10 years

LONG-TERM INVESTMENTS

- ✓ **\$3.6M annexation and construction South Adams Water line** along Tower Rd. from 104th Ave to E 80th Ave (1999)
- ✓ **5% of site revenue submitted** to Commerce City as Host Fee (per 1999 annexation agreement & 2005 Amendment 1)
- ✓ Development of **Canopy Airport Parking** contributing City Tax and exit fee paid to the City (2006)
- ✓ Dedication of **25+ Acres of Right of Way**
- ✓ **Four free landfill days/year** to Commerce City Residents
- ✓ Construction of **“Welcome to Commerce City” sign** at Northbound Tower Rd before E 81st Ave
- ✓ \$125,000 Republic Services **Grant for Commerce City/Greyhound Park / Empowerment Gardens** and landscape Project
- ✓ Support and dedication of additional ROW with the **Tower Rd. widening project** (2017)

Tower Landfill by the Numbers

338

Permitted
acres

261

Acres of permitted
footprint used

35

Total landfill
employees

1.4M

Tons accepted
annually

\$2.7M

Annual Economic
Impact

\$20M+

Annual host fees
since 1999

\$25K

Annual household hazardous
waste contribution

TOWER LANDFILL ANNEXATION

Compatibility & Impact Mitigation

Why is the project compatible with surrounding land uses?

- ✓ The property being annexed is adjacent to the existing landfill.
- ✓ There are no other properties between the landfill and E-470.
- ✓ Annexation will not create any new uses in the area.
- ✓ The landfill and E-470 will act as natural buffers (east and west of the annexation property).



WE ARE MITIGATING THE IMPACT

WHAT WE'RE DOING

Relocating the East 88th Avenue entrance onto the annexation property



Recontouring the northern slope of Tower Landfill



Incorporating native vegetation and landscaping



WHAT YOU'LL SEE

A **safer intersection** with **improved traffic** conditions

Landfill **operations that are less visible** to the public

Berms and buffers that help blend the landfill in with the surrounding community

ENVIRONMENTAL AND REGULATORY CONTROLS

- Tower Landfill is regulated by local, state and federal agencies and complies with all permits that ensure safe and responsible operations, including compatibility with the surrounding area.
- Tower Landfill monitors both groundwater and air quality, and submits reports to Commerce City, the Adams County Health Department and the Colorado Department of Public Health and Environment.

FUTURE AERIAL VIEW: NW FROM PEÑA & E-470 INTERSECTION



FUTURE VIEW: SW FROM 88TH AVE & E-470 OVERPASS



02

Application Review

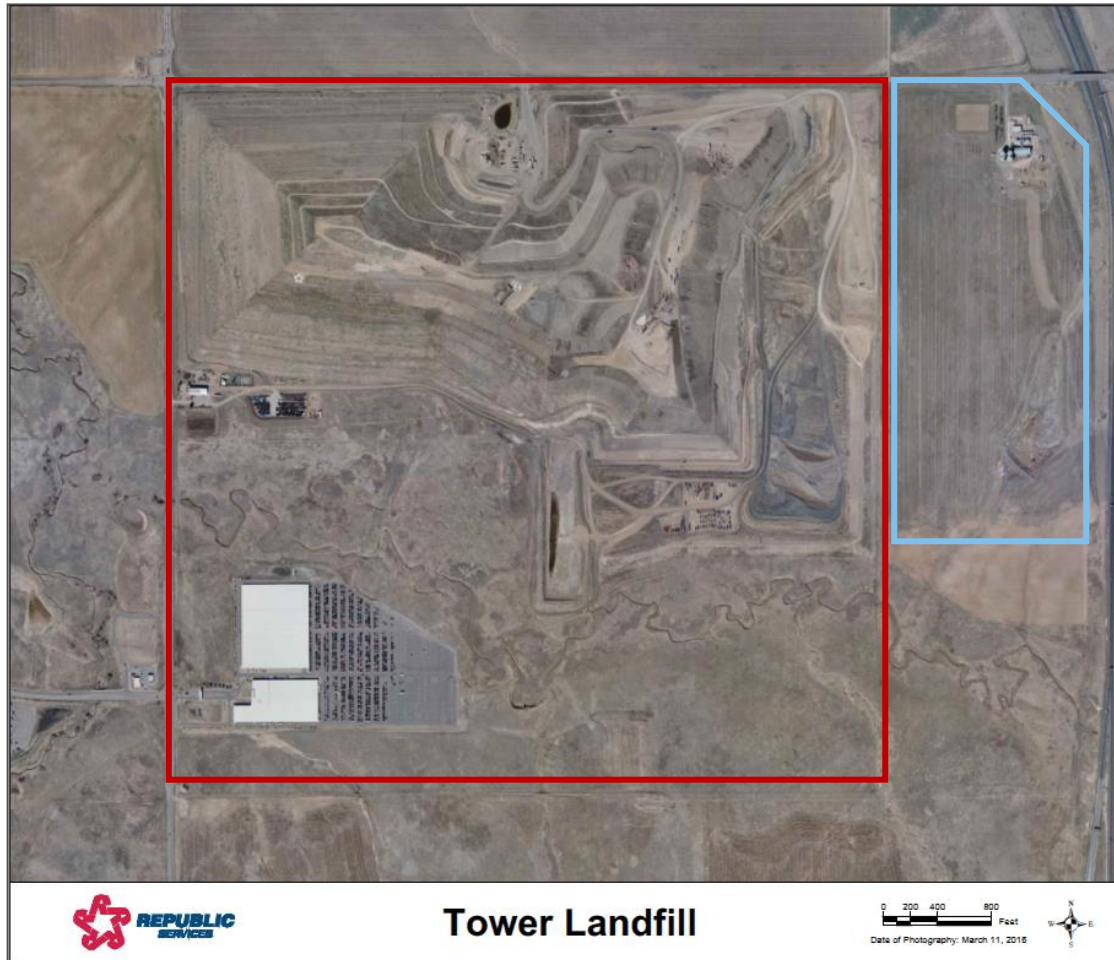
APPLICATION REVIEW ORDER

1. Future Land Use Map Amendment
2. Annexation
3. PUD Zone Document Amendment
4. Right-of-Way Vacation



FUTURE TOWER LANDFILL PROPERTY BOUNDARY (PROPOSED)

TOWER LANDFILL (RED) & ANNEXATION PROPERTY (LIGHT BLUE)



TOWER LANDFILL PROPERTY OVERVIEW

- **Size:** 644 Acres
- **Zoned:** PUD
- **City and County:** Commerce City (except for Parcel C)

ANNEXATION PROPERTY OVERVIEW

- **Parcel Size:** 110 Acres
- **Parcel Use:** A-3 (agricultural) with a future land use overlay of Industrial and Commercial
- **City and County:** Unincorporated Adams County

TOWER LANDFILL OVERVIEW



 Current landfill footprint

 Future "bowl" fill area

STATE & LOCAL APPROVALS

COLORADO DEPARTMENT OF PUBLIC HEALTH & ENVIRONMENT (CDPHE)

- Engineering Design and Operations Plan Review – environmental monitoring, reporting, operations, acceptance criteria and construction
 - Technical Review 9 Acre lateral expansion (Bowl Area)
 - Relocate entrance area ½ mile east along E 88th Ave
 - Technical review found that EDOP Application is in compliance with requirements set forth in the Solid Waste Disposal Sites & Facilities Act Title 30 Article 20, parts 1 and 10 Solid Waste Act of the Colorado Revised Statutes (CRS) 6 CCR 1007-2, Part1
 - CDPHE determined that Allied Waste Systems of Colorado (Republic Services) can comply with all technical, environmental, and public health standards of the Solid Waste Act
 - CDPHE supports the issuance of a revised Certificate of Designation (CD) by Commerce City
-

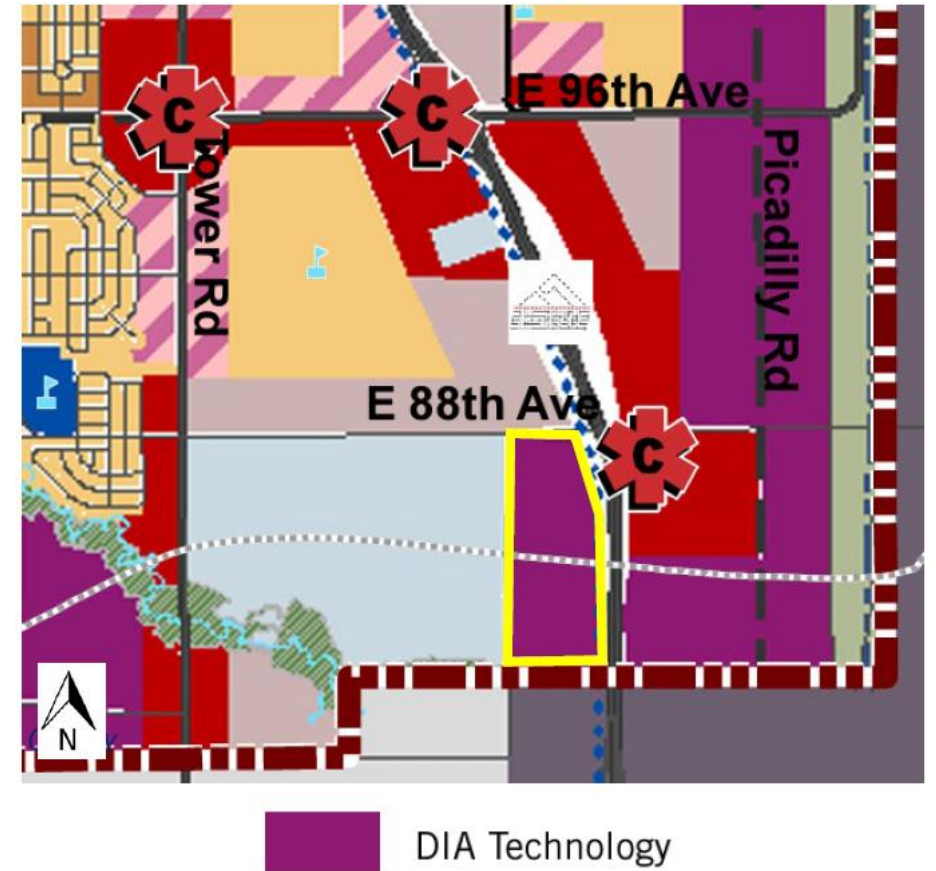
ADAMS COUNTY HEALTH DEPARTMENT (ACHD)

- Intergovernmental Agreement for Oversight Services at Republic Services Tower Landfill between the City of Commerce City and the Adams County Health Department (ACHD)
- ACHD has reviewed the Tower Landfill Engineering Design and Operations Plan, Revision 1 (the “EDOP Rev 1”)
- ACHD specifically reviewed significant changes contained in the EDOP Rev 1, focusing on potential issues of local concern
- ACHD concentrated its review on Appendix N (Waste Characterization Plan, Revision 3), Appendix O (Liquid Waste Solidification Plan, Modification No. 1), and Appendix U (Engineering Design and Operations Plan Training Plan)
- ACHD found no issues of concern with any significant changes made to EDOP Rev 1

APPLICATION REVIEW

FUTURE LAND USE MAP AMENDMENT

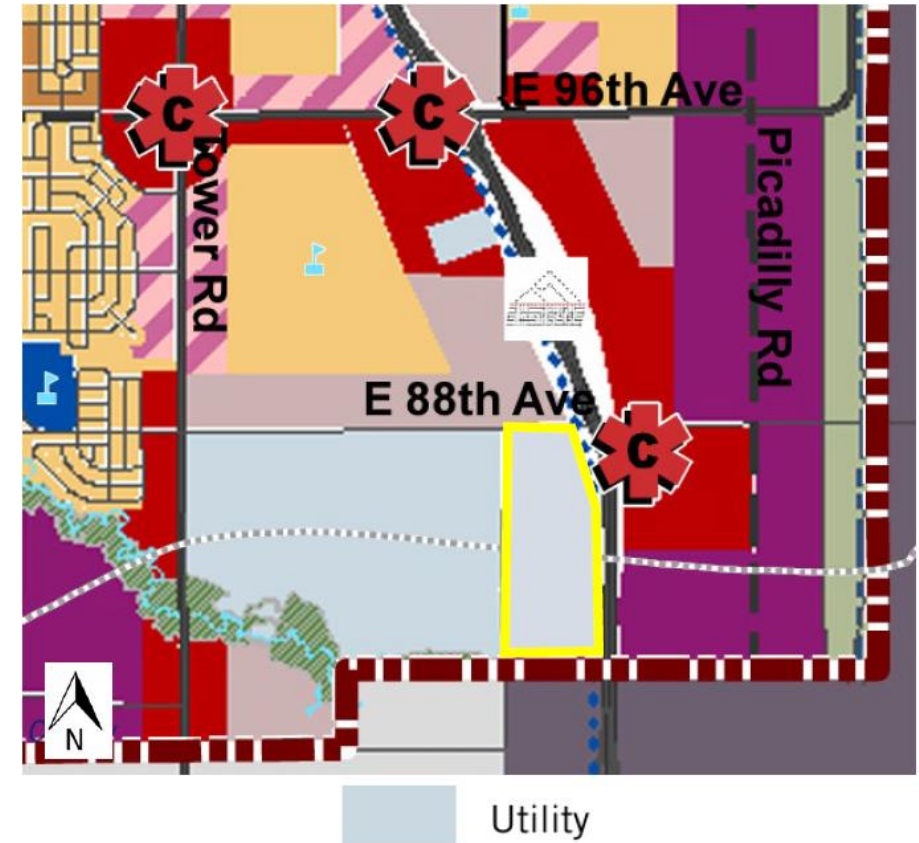
Existing Designation — DIA Technology



APPLICATION REVIEW

FUTURE LAND USE MAP AMENDMENT

Proposed Designation – Utility



APPLICATION REVIEW

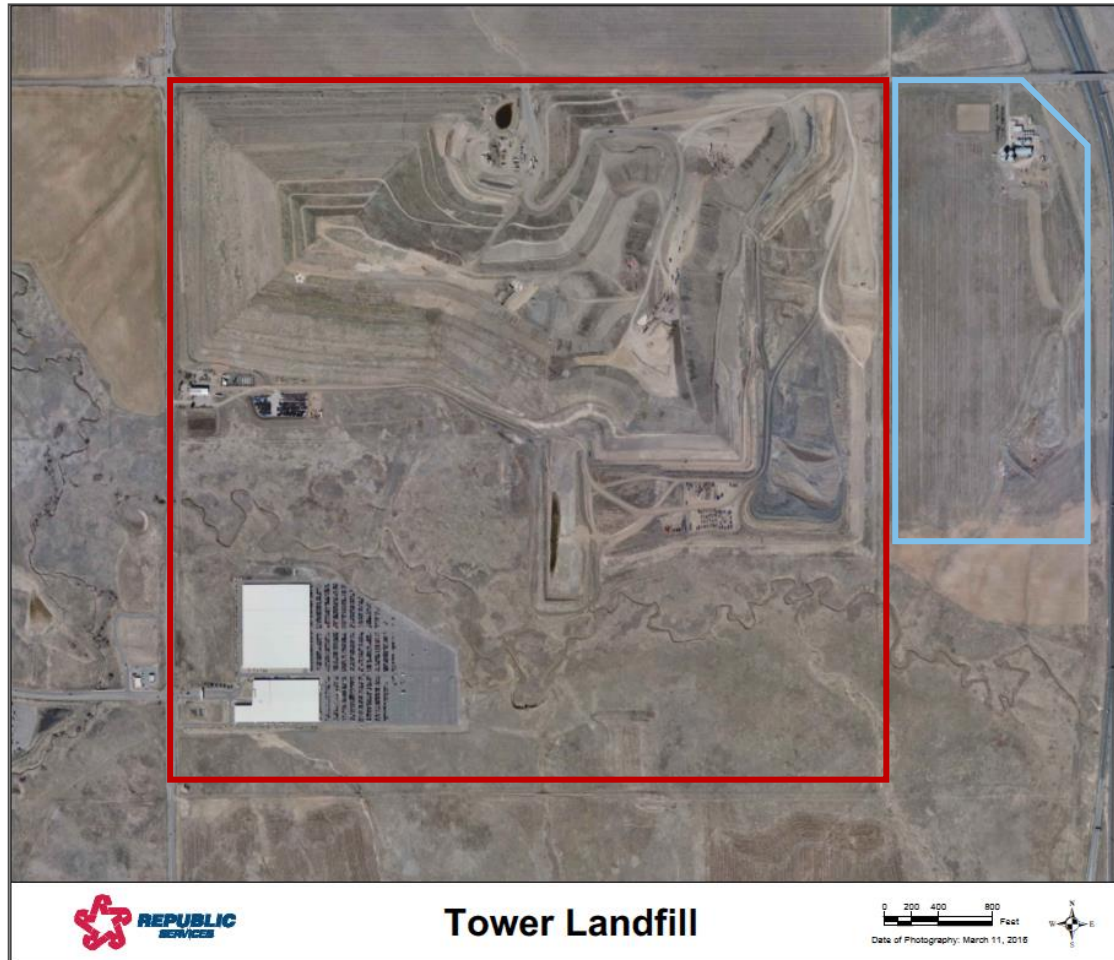
FUTURE LAND USE MAP AMENDMENT

Approval Criteria

- a) Consistent with the overall intent of the comprehensive plan
- b) Consistent with the purpose set forth in Section 21-2100
- c) Necessary or desirable because of changing social values, new planning concepts, or other social or economic conditions
- d) Will not have a negative effect on the immediate area
- e) Will not have a negative effect on the future development of the area
- f) Will promote the public health, safety and general welfare of the people of the city

APPLICATION REVIEW: ANNEXATION REQUEST

TOWER LANDFILL (**RED**) & ANNEXATION PROPERTY (**LIGHT BLUE**)



TOWER LANDFILL PROPERTY OVERVIEW

- **Size:** 644 Acres
- **Zoned:** PUD
- **City and County:** Commerce City (except for Parcel C)

ANNEXATION PROPERTY OVERVIEW

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- **Parcel Use:** A-3 (agricultural) with a future land use overlay of Industrial and Commercial
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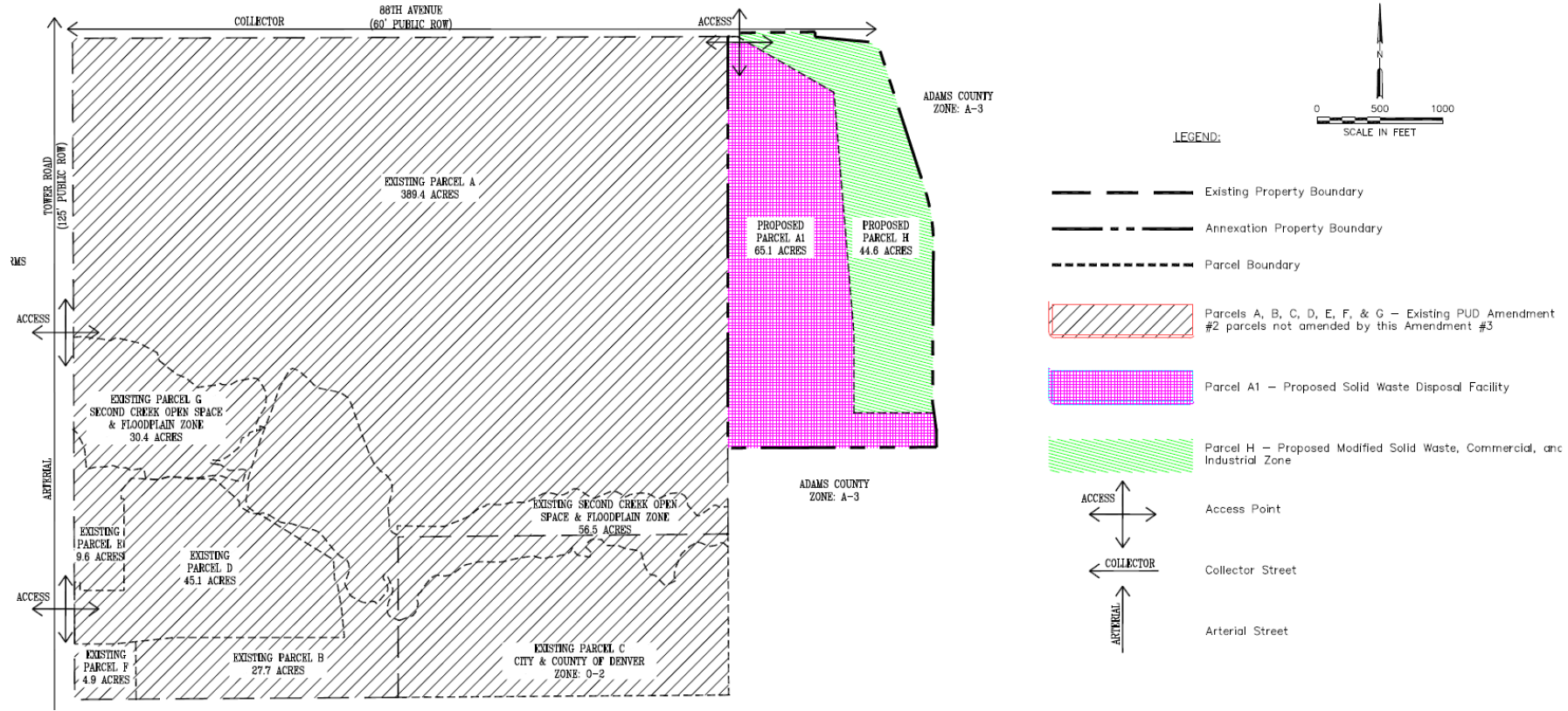
APPLICATION REVIEW

ANNEXATION REQUEST

Approval Criteria

- a) The annexation is in compliance with the Municipal Annexation Act of 1965, as amended, the Constitution of the State of Colorado, and this land development code;
- b) The annexation is consistent with the comprehensive plan and all other adopted city plans and policies;
- c) The best interests of the city would be served by annexation of such property;
- d) The property is within the Municipal Service Area (MSA) of the Commerce City Growth Boundary as stated in the comprehensive plan. No property outside of the MSA or Growth Boundary shall be considered for annexation unless the city council finds that, consistent with the comprehensive plan, the best interests of the city would be served by annexation of such property and provided a land use plan for the area proposed to be annexed is submitted together with the annexation application;
- e) The property is capable of being integrated into the city in compliance with all applicable provisions of this land development code;
- f) At the time any development of the area proposed to be annexed is completed, there is a reasonable likelihood that capacity will exist to adequately serve residents or users of such area with all necessary utilities, municipal services and facilities;
- g) The annexation boundaries are configured such that the annexation will not limit the city's ability to integrate surrounding land into the city or cause variances or exceptions to be granted if the adjacent land is annexed or developed;
- h) The proposed annexation is in compliance with all pertinent intergovernmental agreements to which the City is a party; and
- i) Unless otherwise agreed to by the city, any preexisting vested property rights have been waived in writing as a condition of such annexation.

Annexation Zoning – PUD Zone Document



Annexation Zoning – PUD Zone Document

1. PARCEL A1 – SOLID WASTE DISPOSAL FACILITY

A. PERMITTED USES

Solid waste disposal and drop-off site facility	Truck wheel wash facilities
Berms, borrow and stockpile areas	Refuse container storage
Monitoring and extraction wells	Organics and recycling operations
Storage facilities	Landfill gas flaring operations
Maintenance facilities and fuel storage	Landfill gas extraction recovery operations

Annexation Zoning – PUD Zone Document

2. PARCEL H – MODIFIED SOLID WASTE & COMMERCIAL ZONE

A. PERMITTED USES

Solid waste disposal and drop-off site facility	Truck scales
	Truck wheel wash facilities
Berms, borrow and stockpile areas	Additional gatehouse and/or lanes
Solidification facilities	Employee locker, lunchroom facilities and mobile office structures
Monitoring and extraction wells	
Storage facilities	Refuse container storage
Administrative offices	Organics and recycling operations
Maintenance facilities and fuel storage	Landfill gas extraction operations
Landfill gas flaring operations	Cellular tower pad
Renewable energy systems	Inert liquid evaporation pond

Upon closure of Tower Landfill as determined and approved by the Colorado Department of Public Health and Environment Hazardous Materials and Waste Management Division, the following additional permitted uses and provisions shall apply.

Provisions:

- A. Permitted uses shall be limited to the use by-right, conditional uses and use by permit uses and use by permit uses set forth in the C-1, C-2, C-3, or I-1 zone district as designated in the Land Development Code of the City of Commerce City. Uses shall be reviewed to ensure accordance with these regulations.
- B. Bulk requirements shall be determined by the C-1, C-2, C-3, or I-1 zone district as designated in the Land Development Code of the City of Commerce City. Uses shall be reviewed to ensure accordance with these regulations.
- C. The minimum parking ratios will default to the Land Development Code of the City of Commerce City.
- D. Signage and lighting requirements will default to the Land of Development Code of the City of Commerce City.

ALLIED WASTE SYSTEMS OF COLORADO, LLC
A PORTION OF SECTION 26, TOWNSHIP 2 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN
CITY OF COMMERCE CITY, COUNTY OF ADAMS, STATE OF COLORADO

SITE PLAN

LEGEND

- 5280 --- EXISTING 10' CONTOUR
- 5280 — PROPOSED 10' CONTOUR
- ==== EXISTING ROAD
- EXISTING EASEMENT
- EXISTING CENTERLINE R.O.W.
- EXISTING TREES TO BE REMOVED
- x-x-x-x-x- EXISTING CHAIN LINK FENCE TO REMAIN
- x-x-x-x-x- EXISTING CHAIN LINK FENCE TO BE REMOVED
- o-o-o-o-o- PROPOSED CHAIN LINK FENCE
- x-x-x-x-x- EXISTING CHAIN LINK FENCE TO BE REMOVED AND REPLACED
- ===== EXISTING MULTI-USE EASEMENT
- EXISTING STRUCTURE TO BE REMOVED
- ADJOINING PROPERTY LINE
- PROPERTY LINE
- ===== PROPOSED PAVED ROAD (ASPHALT)
- PROPOSED DRAINAGE CULVERT
- PERMITTED LANDFILL FOOTPRINT
- PROPOSED SOIL STOCKPILE LIMIT
- PROPOSED CRUSHED CONCRETE
- PROPOSED CONCRETE PAD

NOTES:

1. REFERENCE AERIAL TOPOGRAPHY BASED ON OCTOBER 22, 2021 PHOTOGRAMMETRIC SURVEY PERFORMED BY COOPER AERIAL SURVEYS CO.
2. PROPERTY LINES AND EASEMENTS SHOWN ARE BASED ON THE ALTA/NSPS LAND TITLE SURVEY DATED JULY 8, 2020, PROVIDED BY FORTH LAND SURVEYING INC., PROJECT NO. 20067.
3. THE PROPERTY SHOWN NORTH OF EAST 88TH AVENUE WAS PREPARED BY LEGATO AND PROVIDED BY REPUBLIC SERVICES.



PROJECT INFORMATION

OWNER: ALLIED WASTE SYSTEMS OF COLORADO, LLC
 8480 TOWER ROAD
 COMMERCE CITY, CO 80022

DATE OF SUBMITTAL: TBD

PARCEL IDENTIFICATION NUMBER (PIN): 0172300000265

CITY STAFF CERTIFICATE:

APPROVED BY THE DEPARTMENT OF COMMUNITY DEVELOPMENT OF THE CITY OF COMMERCE CITY, THIS ___ DAY OF ___, 20__.

DEPARTMENT OF COMMUNITY DEVELOPMENT

CITY COUNCIL CERTIFICATE:

APPROVED BY THE CITY COUNCIL OF COMMERCE CITY, THIS ___ DAY OF ___, 20__.

CITY SIGNATURE _____

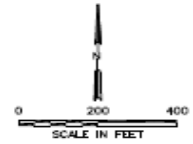
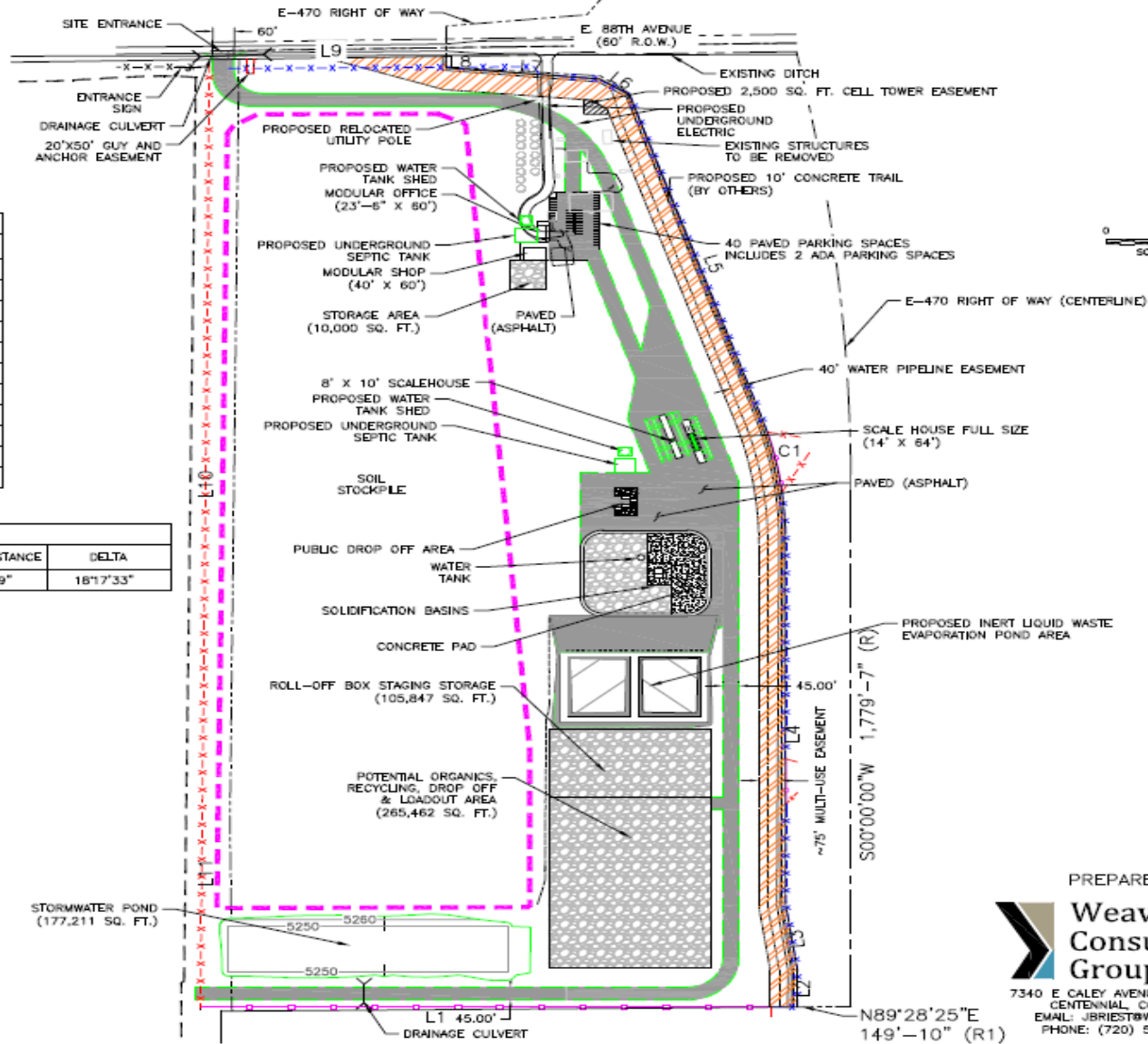
PREPARED BY

Weaver Consultants Group

7340 E CALEY AVENUE, SUITE 110
 CENTENNIAL, CO 80111
 EMAIL: JBRIEST@WCGRP.COM
 PHONE: (720) 529-0132

RECORDED MEASUREMENTS		
LINE	BEARING	DISTANCE
L1	S89°28'25"W	1754'-7"
L2	S00°00'00"E	131'-5"
L3	S08°12'35"E	224'-3"
L4	S00°00'00"E	1250'-0"
L5	S18°17'33"E	1157'-10"
L6	S58°43'47"E	99'-4"
L7	S84°57'38"E	429'-3"
L8	S00°56'48"E	40'-0"
L9	N89°03'12"E	606'-8"
L10	N00°32'48"E	2651'-8"
L11	N00°28'48"W	665'-2"

RECORDED MEASUREMENTS					
CURVE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD DISTANCE	DELTA
C1	7639'-5"	454'-8"	S05°43'38"E	1524'-9"	18°17'33"



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APPLICATION REVIEW

ANNEXATION ZONING

PUD Zone Document – Approval Criteria

- a) The PUD zone document is consistent with the policies and goals of the comprehensive plan, any applicable adopted area plan, or community plan of the city, or reflects conditions that have changed since the adoption of the comprehensive plan;
- b) The PUD zone document is consistent with any previously reviewed PUD concept schematic;
- c) The PUD addresses a unique situation, confers a substantial benefit to the city, or incorporates creative site design such that it achieves the purposes set out in section 21-4370 (PUD Zone District) and represents an improvement in quality over what could have been accomplished through strict applications of the otherwise applicable district or development standards. This may include but is not limited to improvements in open space; environmental protection; tree/vegetation preservation; efficient provision of streets, roads, and other utilities and services; unique architecture or design, or increased choice of living and housing environments;
- d) The PUD complies with all applicable city standards not otherwise modified or waived by the city;

APPLICATION REVIEW

ANNEXATION ZONING

PUD Zone Document – Approval Criteria

- e) The PUD is integrated and connected with adjacent development through street connections, sidewalks, trails, and similar features;
- f) To the maximum extent feasible, the proposal mitigates any potential significant adverse impacts on adjacent properties or on the general community;
- g) Sufficient public safety, transportation, and utility facilities and services are available to serve the subject property, while maintaining sufficient levels of service to existing development;
- h) As applicable, the proposed phasing plan for development of the PUD is rational in terms of available infrastructure, capacity, and financing; and
- i) The same development could not be accomplished through the use of other techniques, such as height exceptions, variances, or minor modifications.

Himalaya Right of Way Vacation



Himalaya Right of Way Vacation — Approval Criteria

- i. the vacation is consistent with the comprehensive plan and any other applicable city-approved plan;
- ii. the land to be vacated is no longer necessary for the public use and convenience;
- iii. the vacation will not create any landlocked properties;
- iv. the vacation will not render access to any parcel unreasonable or economically prohibitive;
- v. the vacation will not reduce the quality of public services to any parcel of land; and
- vi. a separate plat to replat the vacated area into a larger, usable piece of land has been submitted;

03

Conclusion

CONCLUSION

Tower Landfill has served Commerce City and surrounding communities for nearly 50 years.



Annexing the property into Commerce City will yield several community benefits:

- New intersection to create safer and improved traffic patterns
- Landfill operations less visible to the public
- New landfill entrance to drive truck routes away from residential properties
- Additional reliable, sustainable revenue stream for decades
- Continued partnership between Commerce City and Republic Services
- Longer-term investment in the community

**We respectfully request the City Council
APPROVE the land use applications**



04

Q&A



Thank You

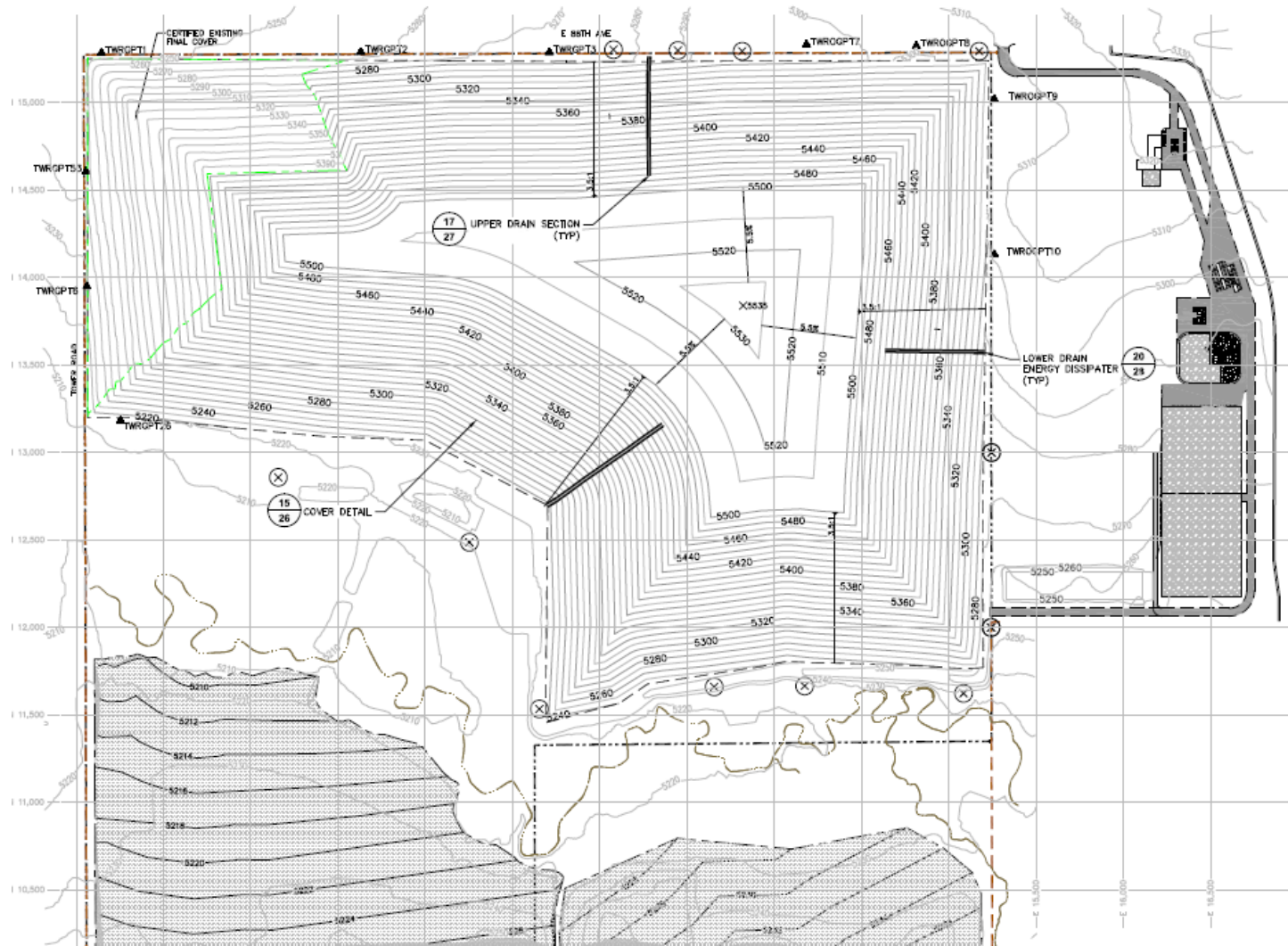
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Appendix

ANTICIPATED FUTURE CONTRIBUTIONS

Tower Landfill - Contributions to the City of Commerce City									
Annual Values									
	Host Fees	Franchise/ Muni Fees on CC volume	Sponsorship of HHW Round- up	Resident "Free" Landfill Days	Existing Property Tax "Real"	Future Fullenwider Property Tax (110 acres)	Total Property Tax	Sales/Use Tax @ 4.5% on \$1M/yr avg	Total Annual Benefit to CC
Actuals									
2019	\$1,278,344	\$0	\$25,000	\$83,000	\$708,957		\$708,957	\$45,000	\$2,140,300
2020	\$1,116,719	\$29,191	\$25,000	\$196,000	\$709,239		\$709,239	\$45,000	\$2,121,149
2021	\$1,143,742	\$31,429	\$25,000	\$192,800	\$565,031		\$565,031	\$45,000	\$2,003,003
2022	\$1,194,076	\$30,818	\$25,000	\$207,020	\$653,493		\$653,493	\$45,000	\$2,155,407
2023	\$1,390,429	\$34,339	\$25,000	\$221,328	\$725,560		\$725,560	\$45,000	\$2,441,656
Projected									
2024	\$1,574,214	\$39,314	\$25,000	\$250,000	\$741,000		\$741,000	\$45,000	\$2,674,528
2025	\$1,763,350	\$42,066	\$25,000	\$266,000	\$763,230	\$61,233	\$824,463	\$45,000	\$2,965,879
2026	\$1,975,469	\$45,011	\$25,000	\$286,000	\$786,127	\$63,070	\$849,197	\$45,000	\$3,225,677
2027	\$2,213,384	\$48,161	\$25,000	\$306,000	\$809,711	\$64,962	\$874,673	\$45,000	\$3,512,219
2028	\$2,480,252	\$51,533	\$25,000	\$328,000	\$834,002	\$66,911	\$900,913	\$45,000	\$3,830,698
2029	\$2,779,617	\$55,140	\$25,000	\$350,000	\$859,022	\$68,919	\$927,941	\$45,000	\$4,182,697
2030	\$3,115,460	\$59,000	\$25,000	\$374,000	\$884,793	\$70,986	\$955,779	\$45,000	\$4,574,239
2031	\$3,492,252	\$63,130	\$25,000	\$400,000	\$911,337	\$73,116	\$984,452	\$45,000	\$5,009,834
2032	\$3,915,012	\$67,549	\$25,000	\$428,000	\$938,677	\$75,309	\$1,013,986	\$45,000	\$5,494,547
2033	\$4,389,378	\$72,277	\$25,000	\$458,000	\$966,837	\$77,569	\$1,044,405	\$45,000	\$6,034,060
2034	\$4,921,678	\$77,336	\$25,000	\$490,000	\$995,842	\$79,896	\$1,075,738	\$45,000	\$6,634,752
2035	\$5,219,352	\$79,657	\$25,000	\$506,000	\$1,025,717	\$82,292	\$1,108,010	\$45,000	\$6,983,018
2036	\$5,535,050	\$82,046	\$25,000	\$520,000	\$1,056,489	\$84,761	\$1,141,250	\$45,000	\$7,348,346
2037	\$5,869,864	\$84,508	\$25,000	\$536,000	\$1,088,183	\$87,304	\$1,175,488	\$45,000	\$7,735,859
2038	\$6,224,954	\$87,043	\$25,000	\$552,000	\$1,120,829	\$89,923	\$1,210,752	\$45,000	\$8,144,749
2039	\$6,601,548	\$89,654	\$25,000	\$570,000	\$1,154,454	\$92,621	\$1,247,075	\$45,000	\$8,578,277
2040	\$7,000,950	\$92,344	\$25,000	\$586,000	\$1,189,087	\$95,400	\$1,284,487	\$45,000	\$9,033,781

FUTURE LANDFILL GRADING PLAN



COMMUNITY BENEFITS:

- **Relocate entrance** from 88th Ave to annexed property, minimizing truck traffic & creating safer intersection
- Generate **~\$10M in new revenue** (host & franchise fees) to Commerce City
- Landfill **operations less visible** to future residential and commercial development
- Extend **Canopy Parking** lease
- Work with Commerce City on **future sustainability and diversion plans**

CDPHE LETTER OF RECOMMENDATION



Via Electronic Mail, c/o Sarah Foreman: sarah.foreman@state.co.us

October 18, 2023

Commerce City Council
7887 East 60th Avenue
Commerce City, CO 80022

RE: Recommendation for Approval of Certificate of Designation Application - Engineering Design and Operations Plan Revision 1
Tower Landfill - Allied Waste Systems of Colorado, LLC (Republic Services)
Commerce City, Colorado
CDPHERM HAZ SW / Permitting / ADM19

Honorable Council Members:

This letter is the formal response from the Colorado Department of Public Health and Environment (CDPHE or Department) Hazardous Materials and Waste Management Division (the Division) regarding Commerce City's referral for technical review of an application for a certificate of designation as identified below.

"Engineering Design and Operations Plan - Revision 1," prepared for Allied Waste Systems of Colorado, LLC (Allied); prepared by Weaver Consultants Group. (Weaver); dated August 24, 2023; herein referred to as the "EDOP" or "application."

The owner and operator, Allied, is proposing a 9-acre lateral expansion to the existing 338-acre landfill footprint, which requires the reissuance of the certificate of designation. The proposed lateral expansion would provide an additional 5.5 million cubic yards of disposal capacity for the landfill. The facility is also proposing to relocate the facility site entrance approximately ½ mile east along 88th Avenue and relocate its solidification basins to the same location.

The Division conducted a comprehensive technical review of the EDOP 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 (the Solid Waste Act) of the Colorado Revised Statutes (CRS), as amended, and with the regulations promulgated thereunder: the Regulations Pertaining to Solid Waste Sites and Facilities, 6 CCR 1007-2, Part 1 (the Solid Waste Regulations).

It is the determination of the Division that Allied, as the owner and operator of the facility, can comply with technical, environmental, and public health standards of the Solid Waste Act and the Solid Waste Regulations if the Facility is constructed, operated, monitored and maintained as described in the EDOP and with the Division's conditions of recommendation as stated below. Based on the Division's review and determination, the Division recommends, with conditions, that Commerce City may approve the revisions to Tower Landfill based on these and any local criteria.

The Division's recommendation for approval of the application including the final revised EDOP, dated August 24, 2023, has the following conditions that must be incorporated into the Certificate of Designation, if issued by Commerce City:

1. In accordance with Section 4 of the Solid Waste Regulations, revised third party financial assurance cost estimates for closure and post closure care (financial assurance cost estimate) must be submitted to the Division within sixty (60) days of the issuance of the certificate of designation (the CD). Once the Division approves the financial assurance estimates, the Facility will have thirty

4300 Cherry Creek Drive S., Denver, CO 80246-1530 P 303-692-2000 www.colorado.gov/odphe
Jared Polis, Governor | Jill Hunsaker Ryan, MPH, Executive Director



(30) days to submit a financial assurance mechanism for review and approval. The financial assurance mechanism must be in-place and approved by the Division before the start of construction of the Facility. Pursuant to Section 4 of the Solid Waste Regulations, Allied must adjust financial assurance cost estimate 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.

2. Compliance with this CD requires Allied to comply with the EDOP and any future Department-approved EDOP conditions, including both Department approved revisions or additions to the EDOP and stand-alone plans necessary to comply with the Solid Waste Act and Regulations. Non-compliance of the EDOP as revised constitutes a violation of this CD. This CD need not be necessarily amended upon EDOP amendment unless required by the local governing authority. 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 attempt to consult with Commerce City prior to doing so.
3. In addition to complying with the Division's Solid Waste Regulations, the facility must comply with all relevant federal, state, and local regulations, including but not limited to the appropriate requirements of the Division of Water Resources, the Water Quality Control Division, and the Air Pollution Control Division.

Please also note that provisions of the Solid Waste Act found at CRS 30-20-104 reserve certain factors for consideration solely by the local governing authority as part of the review of a certificate of designation application. Accordingly, the Division's review is not intended to, nor did it consider those local land use provisions. CRS 30-20-104 also warrants careful consideration by the local governing authority as it contains key procedural requirements for the issuance of a certificate of designation related to the timing of public notice and the public hearing.

If Commerce City approves the application, the final EDOP, and the issued certificate of designation or resolution containing the certificate of designation, must be placed in the Facility's operating record. Please provide a copy of any decision by Commerce City to the undersigned.

The Division is authorized to bill for its review of technical submittals at a rate of \$125 per hour in accordance with Section 1.7 of the Regulations. An invoice for the Division's review of the above-referenced document will be transmitted to Allied under separate cover.

Should you have any questions about this recommendation or the conditions or if you would like to discuss the application, feel free to contact me at 303-692-3316 or sarah.foreman@state.co.us.

Sincerely,


Digitally signed by Sarah Foreman
Date: 2023.10.18 10:35:59 -0600

Sarah Foreman, PE
Solid Waste Permitting
Engineering Design Unit
Solid Waste and Materials Management Program
Hazardous Materials and Waste Management Division


Digitally signed by Jill Parisi
Date: 2023.10.18 10:38:05 -0600

Jill Parisi, PE
Solid Waste Permitting
Engineering Design Unit Leader
Solid Waste and Materials Management Program
Hazardous Materials and Waste Management Division

- ec: Vittoria Zucchelli, EIT - Republic Services
Dalton Guerra - Commerce City Community Development
Jennifer Reynolds - CDPHE Solid Waste Compliance Assurance Unit
Larry Bruskin, PE - Adams County Health Department
John Briest, PE - Weaver Consultants Group
Steve Derus - Republic Services

Page 2 of 2



ADAMS COUNTY REVIEW LETTER



ADAMS COUNTY
HEALTH DEPARTMENT
— Your Health. Our Mission. —

Adams County Health Department
Environmental Health
7190 Colorado Blvd.
Commerce City, CO 80022
303.288.6816
adamscountyhealthdepartment.org

October 10, 2023

Ms. Rosemarie Russo
City of Commerce City
Energy, Equity, and Environmental Division
7887 East 60th Avenue
Commerce City, CO 80022

Re: Adams County Health Department Review of Tower Landfill Engineering Design and Operations Plan, Revision 1, August 24, 2023

Dear Ms. Russo:

Consistent with the *Intergovernmental Agreement for Oversight Services at Republic Services Tower Landfill* between the City of Commerce City and the Adams County Health Department (ACHD), ACHD has reviewed the Tower Landfill Engineering Design and Operations Plan, Revision 1 (the "EDOP Rev 1"), dated August 24, 2023. The EDOP Rev 1 was prepared for Republic Services by Weaver Consultants Group and was signed and sealed by a Colorado registered Professional Engineer. The EDOP Rev 1 is currently out for public review through October 13, 2023.

The EDOP Rev 1 was prepared to support Republic Services current request to annex land east of the existing facility and relocate the site entrance, including the entrance gate, scales, scale house, and liquid solidification basin in the newly annexed area. The existing entrance "bowl" area would then be lined for use as a disposal cell and brought up to the surrounding grades with waste.

ACHD specifically reviewed significant changes that were contained in the EDOP Rev 1, focusing on issues that would be of local concern. To this end, ACHD concentrated the review on Appendix N (Waste Characterization Plan, Revision 3), Appendix O (Liquid Waste Solidification Plan, Modification No. 1), and Appendix U (Engineering Design and Operations Plan Training Plan). Based on this review, ACHD has found no issues of concern with any significant changes made to EDOP Rev 1.

Should you have any questions regarding this letter, I may be reached at 720-200-1481 or email at lbruskin@adcogov.org.

Sincerely,

Larry Bruskin

Larry Bruskin, P.E.

ec: Keith Homersham, ACHD

ADAMS COUNTY INSPECTION – JUNE 2024



ADAMS COUNTY
HEALTH DEPARTMENT
— Your Health. Our Mission. —

Adams County Health Department
Environmental Health
7190 Colorado Blvd.
Commerce City, CO 80022
303.288.6816
adamscountyhealthdepartment.org

June 27, 2024

Ms. Rosemarie Russo
City of Commerce City
Energy, Equity and Environmental Division
7887 East 60th Avenue
Commerce City, CO 80022

RE: June 2024 Full Scope Site Inspection at Tower Landfill, Commerce City, Colorado

Dear Ms. Russo,

On June 24, 2024, Larry Bruskin, P.E. and Mike Weakley from the Adams County Health Department (ACHD) conducted a full scope site inspection at the Tower Landfill, located at 8480 Tower Road in Commerce City, Colorado. The inspection was performed in accordance with the *Intergovernmental Agreement for Oversight Services at Republic Services Tower Landfill* (the "Intergovernmental Agreement") between ACHD and the City of Commerce City, executed on May 9, 2023.

Results of the inspection indicate that the facility's operations were in general compliance with the facility's approved operational procedures at the time of the inspection. The inspection is more fully described in the attached inspection report.

Should you have any questions or concerns regarding the attached report, I can be contacted by email at lbruskin@adcogov.org or by phone at 720-200-1481.

Sincerely,

Larry Bruskin

Larry Bruskin, P.E.
Adams County Health Department
Environmental Health Division

cc: Steve Derus, Republic Services
Vittoria Zucchelli, Republic Services
Emily Herrmann, Republic Services
Daniel Bargmann, Republic Services
Jennifer Reynolds, CDPHE/HMWMD
Mike Weakley, ACHD

RENDERINGS

Looking south from 96th Ave (LOCATION 4)



TOWER LANDFILL • LOCATION 4 - PHOTO SIMULATIONS
DENVER, COLORADO
2020-07-13
00002163
WEAVER CONSULTANTS GROUP



Information furnished regarding this property is from sources deemed reliable. RVI, its employees and subcontractors do not warrant the accuracy or completeness. This plan is not intended to be used for any other purpose without the express written approval.

RENDERINGS

Looking south from 96th Ave

(LOCATION 5)



TOWER LANDFILL • LOCATION 5 - PHOTO SIMULATIONS
DENVER, COLORADO
2020-07-13
20002182
WEAVER CONSULTANTS GROUP



Information furnished regarding this property is based on design, observed conditions, and field data. We warrant only the accuracy and no warranty is made as to other aspects of the information. This report is prepared and registered according to applicable laws and regulations.