



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

<sup>1</sup> 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 104<sup>th</sup> Ave to E 80<sup>th</sup> 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 81<sup>st</sup> 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

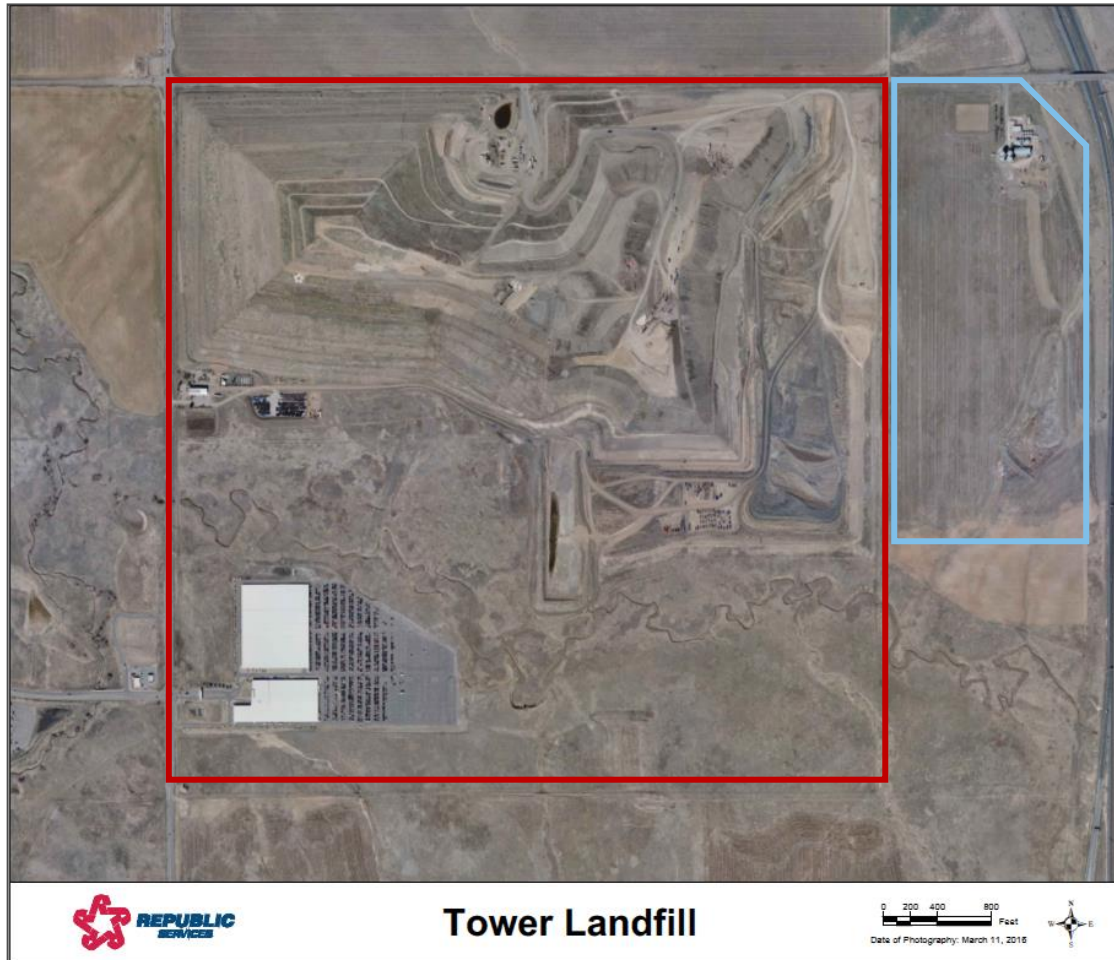
## APPLICATION REVIEW ORDER

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)



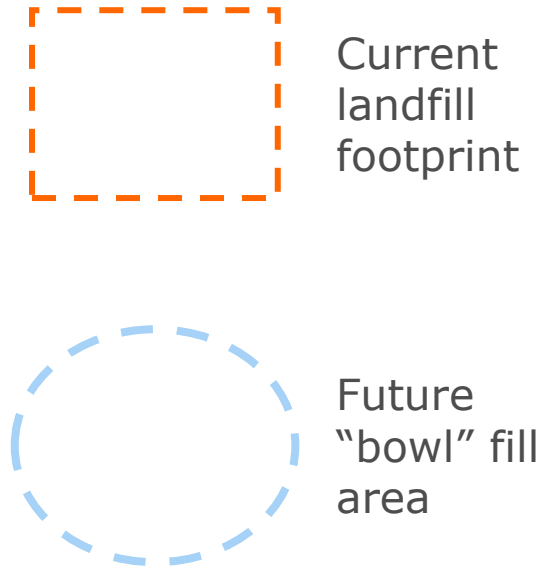
## TOWER LANDFILL PROPERTY OVERVIEW

- **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



# 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 88<sup>th</sup> 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
- 

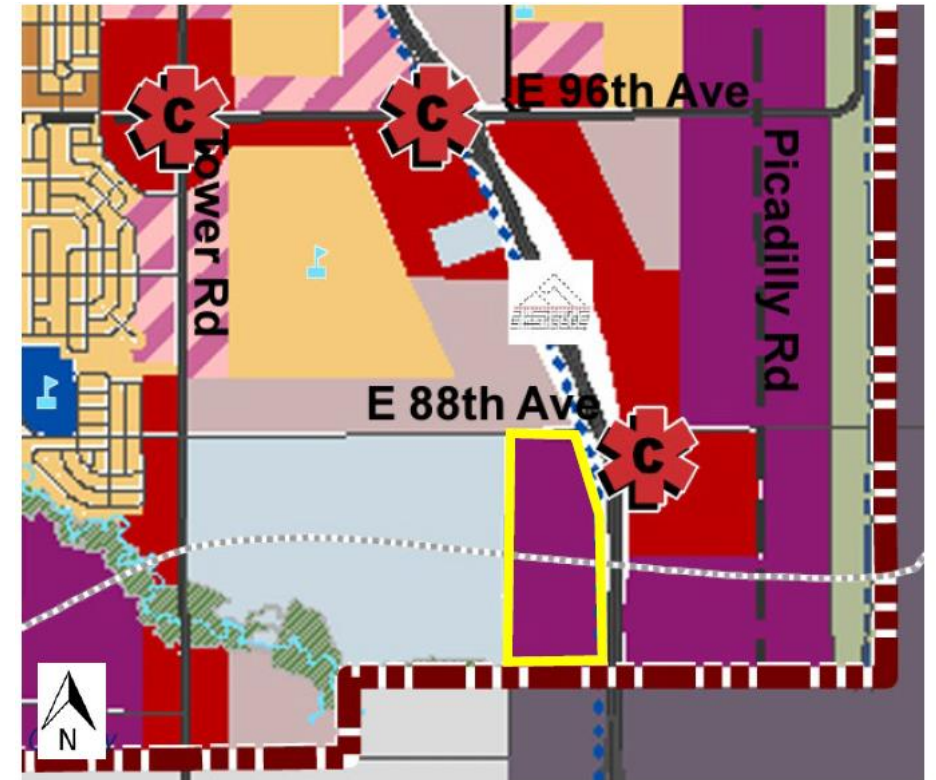
## ADAMS COUNTY HEALTH DEPARTMENT (ACHD)

- 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

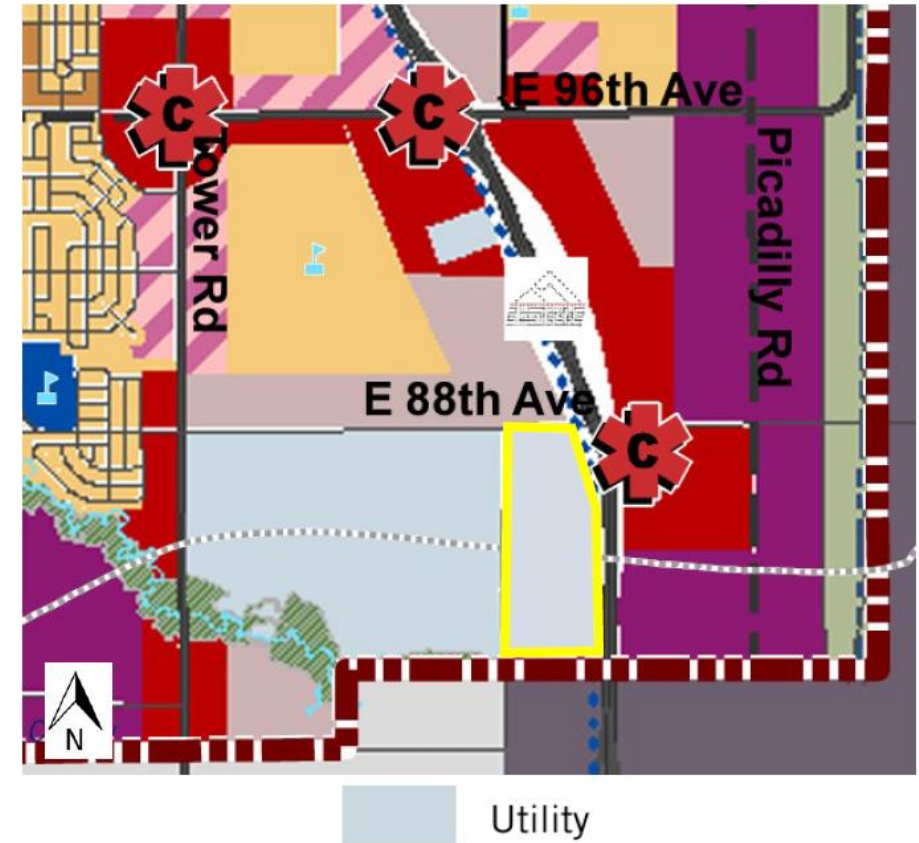


 DIA Technology

# APPLICATION REVIEW

FUTURE LAND USE MAP AMENDMENT

## Proposed Designation – Utility





# APPLICATION REVIEW

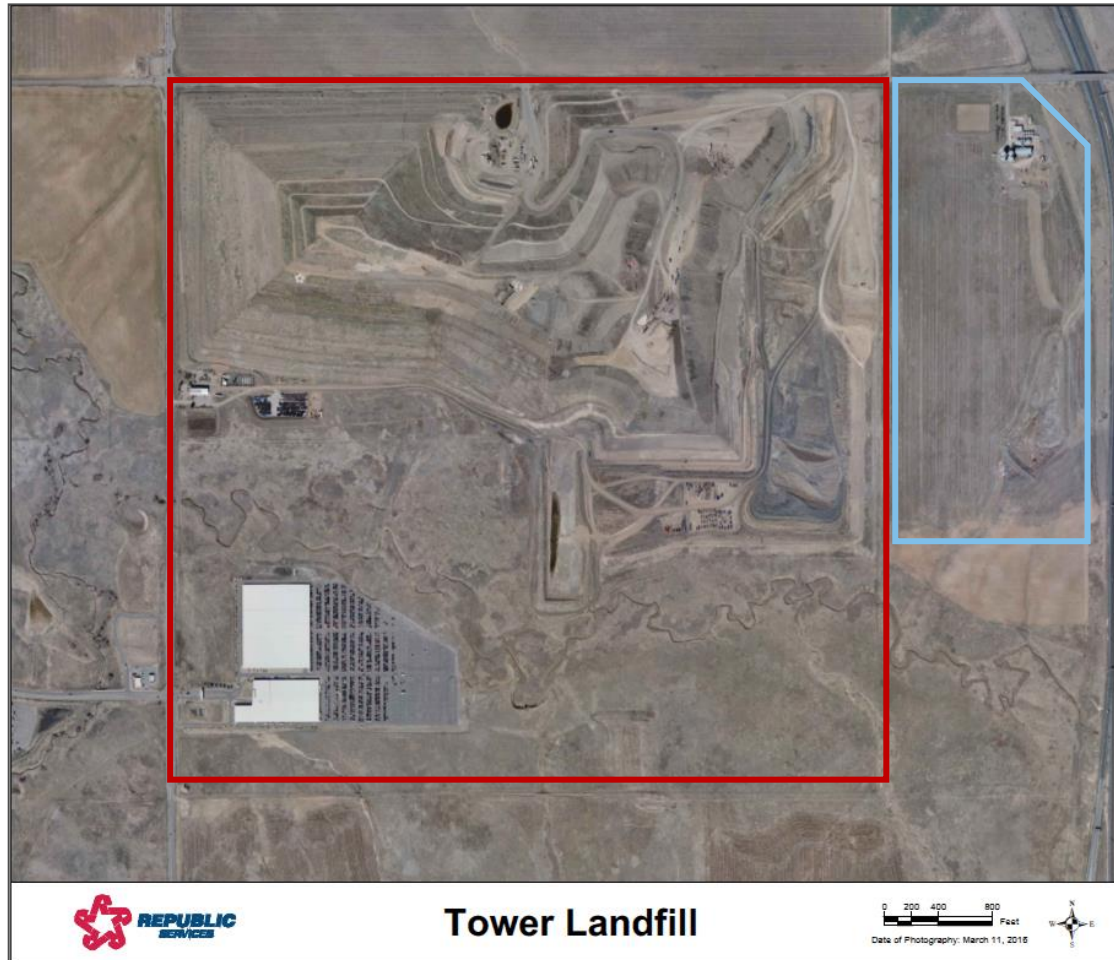
## FUTURE LAND USE MAP AMENDMENT

# 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:**  
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and Commercial
- **City and County:**  
Unincorporated Adams County

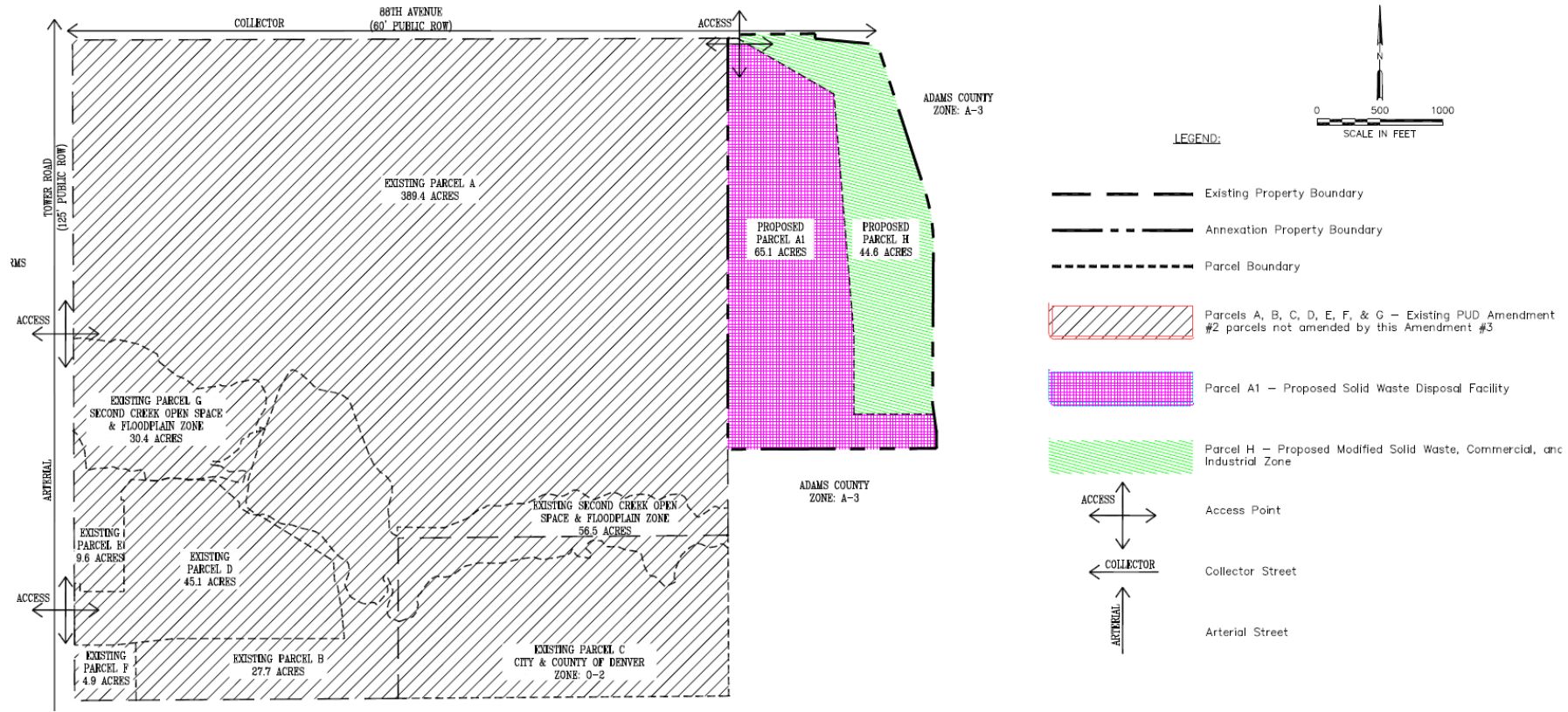
# APPLICATION REVIEW

## 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

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## 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\_\_.

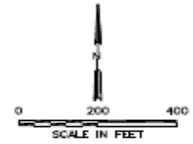
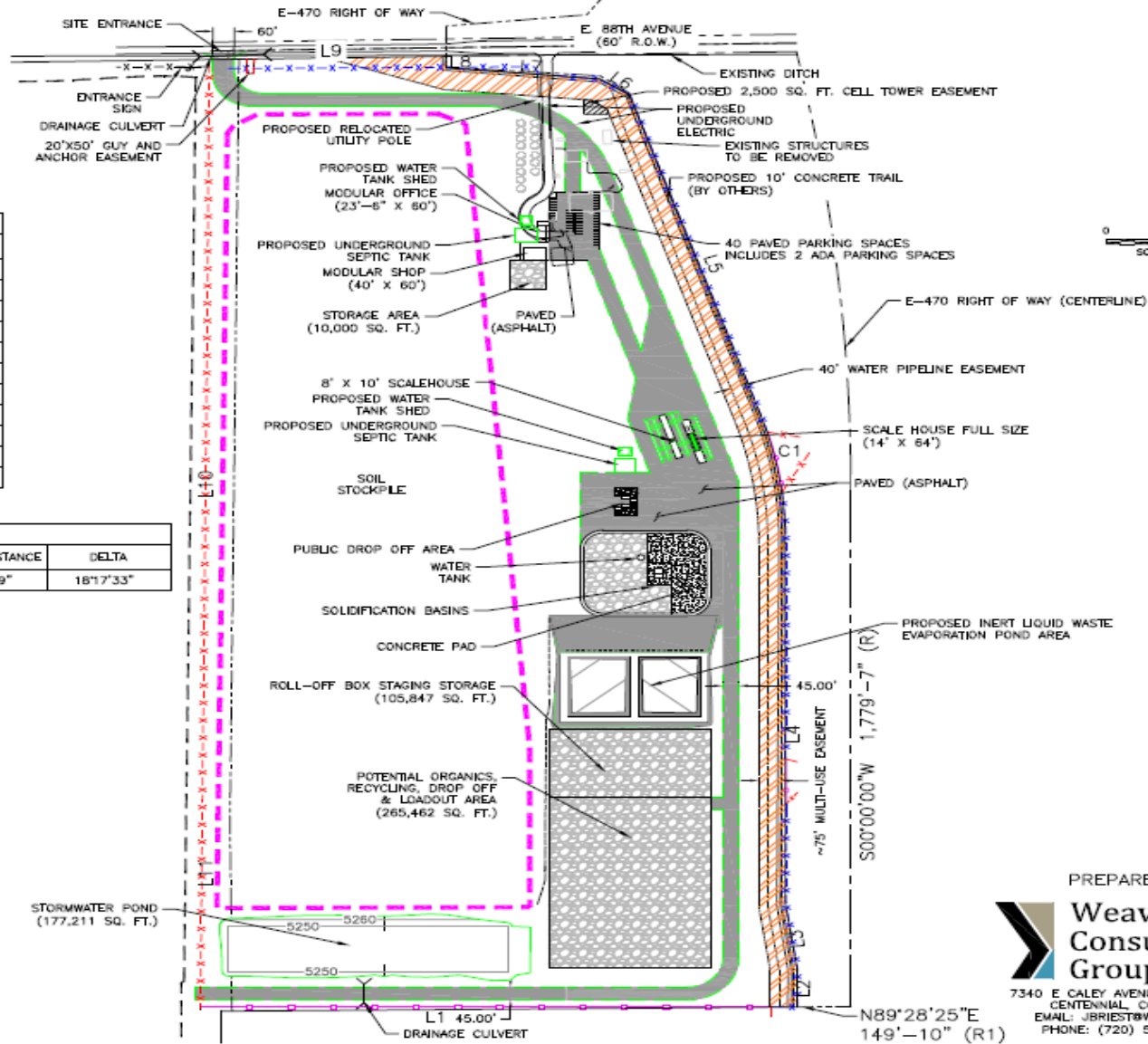
CITY SIGNATURE \_\_\_\_\_

PREPARED BY

7340 E CALEY AVENUE, SUITE 110  
 CENTENNIAL, CO 80111  
 EMAIL: JBRIEST@WCDGP.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"



# 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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05

# Appendix



# ALLIED WASTE SYSTEMS OF COLORADO, LLC.

## PUD ZONE DOCUMENT, AMENDMENT #3

TOWNSHIP 2 SOUTH, PORTION OF SECTIONS 26 & 27,

RANGE 66 WEST OF THE 6TH P. M.

STATE OF COLORADO, COUNTY OF ADAMS, CITY OF COMMERCE CITY

### PUD DESCRIPTION

#### The Legal Description and Dedication:

Know all men by these presents that DBIC HOLDINGS, LLC being the owner, mortgagee, lien holder of that part of the East Half (E1/2) of Section Twenty-seven (27) and a portion of the West Half (W1/2) of Section Twenty-eight (28), Township Two South (2S), Range Sixty-six West (R66W) of the Sixth Principal Meridian (6th P.M.) City of Commerce City, County of Adams, State of Colorado being more particularly described as follows to wit:

Beginning at the Northwest Corner of said Section 28 and assuming the North line of the West Half of Section 28 as bearing North 88° 03' 17" East a distance of 2637.11 feet with all other bearings contained herein relative thereto:

THENCE South 00° 32' 43" West a distance of 30.01 feet to a point on the South line of East 88th Avenue, being 30.00 feet Southerly and parallel to the North line of the West Half of said Section 28 and to the POINT OF BEGINNING.

THENCE North 88° 03' 18" East a distance of 808.65 feet;

THENCE South 00° 58' 43" East departing said Southerly line of East 88th Avenue a distance of 40.00 feet;

The following seven (7) courses are along the Southeasterly and Westerly lines and arcs of that parcel of land No. TK-128 of the E-470 Public Highway Authority described in Burgen and Sale Deed recorded October 12, 1995 as Reception No. 199503014814 of the Records of Adams County.

THENCE South 84° 57' 33" East a distance of 429.25 feet;

THENCE South 58° 43' 42" East a distance of 99.37 feet;

THENCE South 18° 17' 28" East a distance of 1157.84 feet to a Point of Curvature;

THENCE along the arc of a curve concave to the Southeast a distance of 434.87 feet, said curve has a radius of 1424.13 feet, a Delta of 18° 17' 32" and is subtended by a Chord bearing South 08° 42' 47" East a distance of 452.74 feet to a Point of Tangency.

THENCE South 00° 00' 05" West a distance of 1250.00 feet;

THENCE South 08° 12' 59" East a distance of 224.07 feet;

THENCE South 00° 00' 05" West a distance of 131.48 feet to the South line of the North Half of the North Half of the Southwest Quarter of said Section 28 and to the Northerly line of the City and County of Denver as described in Rule and Order recorded August 10, 1990 as Reception No. 199002030890 of the Records of Adams County.

THENCE South 89° 25' 39" West along said Northerly line of the City and County of Denver a distance of 1904.57 feet to the West line of the Southwest Quarter of said Section 28.

THENCE South 89° 30' 54" West a distance of 50.00 feet to a point on a line 50.00 feet Westerly and parallel to the West line of the Southwest Quarter of said Section 28;

THENCE North 00° 29' 08" West along a line being 50.00 feet Westerly of and parallel to the West line of the Southwest Quarter of said Section 28 a distance of 803.43 feet to a point on a line being 50.00 feet Westerly of and parallel to the West line of the Northwest Quarter of said Section 28.

THENCE North 00° 30' 43" East along a line being 50.00 feet Westerly of and parallel to the West line of the Northwest Quarter of said Section 28 a distance of 2821.14 feet to a point on the South line of East 88th Avenue, being 30.00 feet Southerly and parallel to the North line of the East Half of said Section 27.

THENCE North 89° 15' 08" East along the South line of East 88th Avenue, being 30.00 feet Southerly and parallel to the North line of the East Half of said Section 27 a distance of 50.01 feet to the POINT OF BEGINNING.

Containing 4,944.211 ac. fl. or 113.90 acres, more or less (±).

Know all men by these presents that DBIC HOLDINGS, LLC being the owner, mortgagee, lien holder do hereby dedicate to the City of Commerce City, County of Adams, State of Colorado public rights of way in fee simple, and easements in fee simple, for the perpetual use of the public, the streets and other public ways as shown on this plat and hereby dedicates such easements to the City of Commerce City as are created hereby, and depicted, shown or intended by note hereon and warrants title to the same.

Executed this \_\_\_ day of \_\_\_\_\_, AD 20\_\_\_

\_\_\_\_\_  
V. Owner(s) Signature and Printed Name

\_\_\_\_\_  
Mortgagee or Lien Holder(s) Signature and Printed Name

#### Ownership Certificate:

\_\_\_\_\_ being the owner of the property located in the City of Commerce City, County of Adams, State of Colorado does hereby submit this Planned Unit Development Zone Document and agree to perform under the terms stated herein.

By \_\_\_\_\_  
Name and title of responsible person

#### Deed of Trust Certificate:

\_\_\_\_\_ being the holder of a deed of trust encumbering the property located in the City of Commerce City, County of Adams, State of Colorado consents to the Planned Unit Development Zone Document and its contents.

By \_\_\_\_\_  
Name and title of responsible person

State of \_\_\_\_\_

County of \_\_\_\_\_

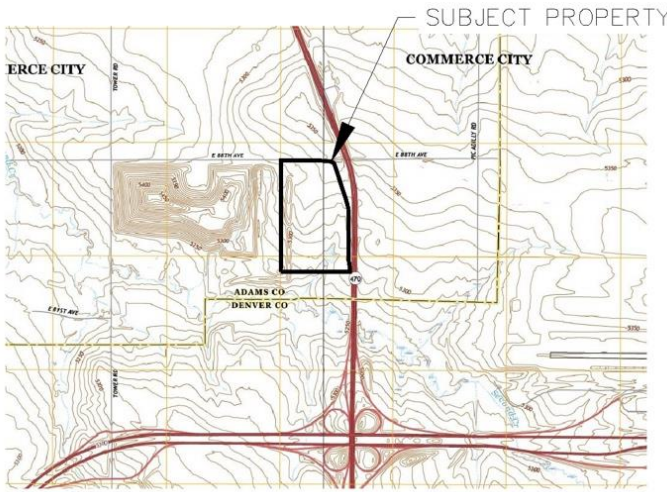
City of \_\_\_\_\_

The foregoing was acknowledged before me this \_\_\_ day of \_\_\_\_\_, AD 20\_\_\_

by (Seal)

My commission expires \_\_\_\_\_

Notary Public  
COPYRIGHT © 2023 WEAVER CONSULTANTS GROUP. ALL RIGHTS RESERVED.



SOURCE: USGS US TOPO 7.5-MINUTE MAPS FOR MONTIBELLO, CO 2019, DENVER INTERNATIONAL AIRPORT, CO 2019, BRIGHTON, CO 2019, AND LITTLE HIGH LAKES, CO 2019.

#### SITE LOCATION MAP

N.T.S.

#### General Project Notes:

- 1. This amendment includes the addition 106.7 acres ("Annexation Property"). Approximately 65.1 acres will be zoned into Parcel A1, and 44.6 acres will be included in Parcel H. The total land area for this PUD Zone Document is 28,897,704 square feet or 663.4 gross acres.
- 2. The Annexation Property is currently zoned to Adams County as A-3 and through an annexation submitted will be annexed into the City of Commerce City as Planned Unit Development.
- 3. The Annexation Property will follow the existing uses of Parcel A1 of this PUD and the Parcel H permitted uses created by this amendment primarily serve as the landowner's entrance facilities.
- 4. This PUD Zone Document Amendment does not revise, replace, override, or supersede the Allied Waste Systems of Colorado, LLC PUD Zone Document Amendment #2, approved by City of Commerce City Council May 18, 2006. Adams County Clerk and Recorder Certificate Reception No. 200600003046.

SHEET NO.	TITLE	REVISION NO.	DATE
1	COVER SHEET	0	11/2023
2	PUD DESCRIPTION	0	11/2023
3	CONCEPTUAL LAND USE PLAN	0	11/2023
4	PROJECT DEVELOPMENT STANDARDS	0	11/2023

#### City Approval:

Approval of the Commerce City Planning Commission:  
Approved this \_\_\_ day of \_\_\_\_\_, AD 20\_\_\_

City Clerk

Approval of the City Council of the City of Commerce City:  
Approved this \_\_\_ day of \_\_\_\_\_, AD 20\_\_\_

City Clerk

Mayor

PROPERTY OWNER:  
 MEET  
 REGISTERED MAIL  
 REGISTERED MAIL CONSTRUCTION  
 CREDIT APPROVAL BY:  
 OTHER

PROPERTY OWNER:



LANDFILL SITE NAME: TOWER ROAD  
LANDFILL SITE NUMBER: 570-003

COVER SHEET  
PUD ZONE DOCUMENT, AMENDMENT #3  
TOWER LANDFILL  
COMMERCE CITY, COLORADO

REVISION DISPOSITION

NO.	DATE	DESCRIPTION



WEAVER CONSULTANTS GROUP  
2100 WEST WASHINGTON STREET  
DENVER, COLORADO 80202  
(303) 539-6143  
Jonathan V. Weaver  
jweaver@weaverconsultants.com

SEAL OF REGISTERED PROFESSIONAL ENGINEER  
No. 1176022  
Exp. 11/2023  
I, the undersigned, do hereby certify that the above is a true and correct copy of the original as the same appears on the files of the undersigned.

DATE SUBMITTED: 11/15/2023

BY: \_\_\_\_\_

REVISION NO. \_\_\_\_\_

DATE: 11/2023

FILE NO: 0120-039-11-70

FILE NO: 81 COMM. SHEET 21, 0406

SHEET 1 OF 4



# ALLIED WASTE SYSTEMS OF COLORADO, LLC.

## PUD ZONE DOCUMENT, AMENDMENT #3

### TOWNSHIP 2 SOUTH, PORTION OF SECTIONS 26 & 27, RANGE 66 WEST OF THE 6TH P. M.

### STATE OF COLORADO, COUNTY OF ADAMS, CITY OF COMMERCE CITY

#### PUD DESCRIPTION

**Project Intent:**

The intent of this Planned Unit Development (PUD) Amendment is to expand the footprint of the PUD to encompass the annexation property. The annexation is divided into two new use parcels. Parcel A1 will allow a relocation of the south entrance from E. 88th Avenue, ancillary uses, solid waste disposal facility operations, and certain services and facilities from their current location to a new location on the Annexation Property and the creation of Parcel H, which will permit ancillary landfill uses as well as future commercial and industrial uses upon the closure of Tower Landfill. Such relocation will improve the traffic flow in the area. The new Tower Landfill entrance will align with the future Himalaya Parkway intersection on E. 88th Avenue, which will integrate and safely provide for the traffic generated by different uses. The PUD Amendment will not contain any residential uses and the annexation property does not have any unique or significant existing natural features.

**Unique Features:**

There are no known significant natural features such as large trees, specialized vegetation, floodways, or wildlife habitat within the site. Allied Waste submitted an Environmental Assessment as part of the Engineering Design and Operations Plan Revision 1 documenting environmental findings surrounding the property.

**Existing Amenities:**

The Annexation Property is currently being utilized as agricultural land. Existing structures will be removed.

**Existing Challenges:**

The land between the existing Parcel A and the Annexation Property has a dedicated right of way that will be vacated. This will be addressed with the City of Commerce City for the right of way is not included in the City of Commerce City C3 Vision Comprehensive Plan (the "Comprehensive Plan").

**Project Phasing:**

The project will be completed in one phase. No Phasing Plan is proposed.

**Comprehensive Plan Goals and Policies:**

The Annexation Property is located within Commerce City's Intergovernmental agreement (IGA) Growth Boundary and the Application is consistent with the Comprehensive Plan. Specifically, the Annexation Property is located in the "#10 DIA Gateway District" Character Area of the Commerce City 2045 Comprehensive Plan. The DIA Gateway District identifies "Utility" as a permitted Primary Land Use and therefore, the PUD Amendment is consistent with the future land use designation for the Annexation Property. The Annexation Property will enhance and extend the employment opportunities available at Tower Landfill. Secondly, the Annexation Property will provide for solid waste disposal infrastructure to allow for continued economic growth of Commerce City. Additionally, the project meets the buffering goals from Tower Road Landfill identified in the Tower Road/High Plains Parkway corridor subarea, because the expansion onto the Annexation Property will enable Allied Waste to re-contour the northern slope of the Tower Landfill, which will result in operations that are less visible to future residential and commercial development to the north and west of the site, but will not increase the maximum currently permitted height of the landfill. Lastly, expanding the Tower Landfill to the east onto the Annexation Property will result in the Tower Landfill being a standalone use between Tower Road and E-470, thus, preventing other potentially incompatible land uses the Annexation Property, which is adjacent to the existing Tower Landfill. E-470 will act as a natural buffer to all other future uses to the east.

DWMT  
 REVISIONS FOR ISD  
 REVISIONS FOR COMBINATION  
 OTHER APPROVALS:  
 OTHER: \_\_\_\_\_

PROPERTY OWNER:



LANDFILL SITE NAME: TOWER ROAD  
LANDFILL SITE NUMBER: 570-003

**PUD DESCRIPTION  
 PUD ZONE DOCUMENT, AMENDMENT #3  
 TOWER LANDFILL  
 COMMERCE CITY, COLORADO**

NO.	REVISION DESCRIPTION	DATE	BY



JOSEPH V. QUINN  
 970 529-6132  
 joseph.v.quinn@weaverconsultants.com

This document and the data it represents are the property of Weaver Consultants Group and it is to be used only for the project for which it was prepared without the written authorization of Weaver Consultants Group.

Drawn by: RSB  
 Checked by: JCB  
 Date: 11/20/23  
 File: 01-20-2023-11-20  
 User: 02-PUD DESCRIPTION\_23.dwg

C:\Projects\Public\Tower\2020\2020\_Bowl\_Expansion\Plans\Master\Entrance\Tower\_PUD\_Development\Plans-PUD\_Permit\Comment\_Response\_2nd\02-PUD\_Description\_23.dwg\_Quinn\_1.d

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# ALLIED WASTE SYSTEMS OF COLORADO, LLC.

## PUD ZONE DOCUMENT, AMENDMENT #3

### TOWNSHIP 2 SOUTH, PORTION OF SECTIONS 26 & 27, RANGE 66 WEST OF THE 6TH P. M.

#### STATE OF COLORADO, COUNTY OF ADAMS, CITY OF COMMERCE CITY

### PROJECT DEVELOPMENT STANDARDS

G:\Projects\Public\Tower\2009\_2009\_Bowl\_Expansion\Plans\Entrance\Tower\_PUD\_Development\_Plans\_PUD\_Permit\Comment\_Response\_2nd\_Vol-PROJECT\_DEVELOPMENT STANDARDS -28.dwg, Issues: 12

#### 1. Parcel A1 - Solid Waste Disposal Facility

A Permitted Uses	
Solid waste disposal and drop off site and 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

#### B. Additional Provisions:

1. All present and future waste disposal uses on Parcel A1 shall be controlled by the certificate of designation dated November 9, 1982 and related resolutions dated April 20, 1981 and November 1, 1982, as approved by Adams County, Colorado, and as transferred and accepted by the City, together with all amendments and related therein, and any revised or updated engineering design and Operations Plan (EOP) as reviewed and approved by the Colorado Department of Public Health and Environment for compliance with all applicable state and federal regulations.

#### C. Expansion Request

A future request to permit disposal of landfill material on the Annexation Property may only be approved by City Council ("Expansion Request"). The Expansion Request would permit the disposal of landfill material within the Parcel A1 portion of the Annexation Property ("Expansion Request Area"), pursuant to 6 CCR 1007-2 Part 1 - Regulations Pertaining to Solid Waste Sites and Facilities.

City Council shall approve an Expansion Request if such Expansion Request meets the following approval criteria:

1. The Expansion Request Area is a minimum of 50 feet south of the centerline of E 88th Avenue;
2. The site entrance to the Annexation Property is between the Expansion Request Area and E 88th Avenue;
3. The Expansion Request Area is a minimum of 450 feet from E-470;
4. The ancillary landfill uses are between the Expansion Request Area and E-470;
5. The Expansion Request has visual screening in the form of landscaping, such as berms and trees, between the Expansion Request Area and E 88th Avenue and E-470;
6. All Expansion Request Area boundary slopes are vegetated;
7. The Expansion Request monitors and regulates dust in accordance with the operator's Title V Operating Permit issued by the Colorado Department of Public Health and Environment;
8. All activity conducted on the Expansion Request Area shall comply with the City's unreasonable noise ordinance as codified in the City's Municipal Code;
9. A fence surrounds the perimeter of the Annexation Property to prevent unauthorized public access;
10. Access to the Annexation Property is consistent with the traffic impact study;
11. The applicant provided notice to Denver International Airport and the Federal Aviation Administration;
12. No oil and gas operations are currently existing and will not be permitted on the surface or within 1,000 feet below the surface of the Annexation Property;
13. The Expansion Request complies with a revised Engineering Design and Operations Plan approved by the Colorado Department of Public Health and Environment;
14. The Expansion Request either (a) does not include property located within the boundaries of any 100-year floodplain; or (b) does not result in a 100-year flood flow, reduce the temporary water storage capacity of the floodplain, or result in solid waste washout that poses a hazard to human health or the environment;
15. The Expansion Request Area either (a) is not located in wetlands; or (b) has demonstrated that the proposed operations can meet restrictions set forth in 40 CFR 228.12;
16. The Expansion Request Area is not subject to active geologic conditions that would adversely impact the development of a landfill in accordance with the applicable Code of Colorado Regulations Pertaining to Solid Waste Disposal Sites and Facilities;
17. The Expansion Request will not place waste below or into surface water or groundwater; and
18. The Expansion Request provides adequacy of drainage, utilities and other public facilities.

#### 2. Parcel H - Modified Solid Waste & Commercial Zone

A Permitted Uses	
Solid waste and drop off site and facility	Truck scales
Berms, borrow and stockpile areas	Truck wheel wash facilities
Solidification facilities	Additional separate and/or loose
Monitoring and extraction wells	Employee locker, lunchroom facilities and mobile office structures
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 use 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. Storage and lighting requirements will default to the Land Development Code of the City of Commerce City.

#### 3. Additional Dedication Criteria

- A. Prior to the final closure of the landfill in Parcel A1, developer shall agree to a public access easement for Parcel A1. Said easement shall allow for public uses that are consistent with maintenance of the final landfill cap, and shall include trails, recreation, observation points, and other mutually agreed upon public uses.
- B. The City shall make its best efforts to negotiate an Interim/Temporary Second Creek trail alignment to the southern boundaries of the property owned by the City and County of Denver, adjacent to the southern boundaries of the property owned by Developer in Parcel B and C. If a trail alignment within the property owned by the City and County of Denver cannot be obtained, Developer shall design and submit, at the request of Commerce City on an Interim/Temporary alignment along the southern portions of Parcel B and C, and along the western portion of Parcel H.
- C. The landscaping and edge treatment to be installed along the Tower Road frontage of Parcels D, E and F shall be designed and submitted to the City for approval, and installed in conjunction with the widening of Tower Road.
- D. The parcel coverage in the land use table may be administratively modified by 15% without PUD Zone Document approval.

#### General Project Notes:

- A. For conditions not addressed in the PUD, developers shall default to the LDC.
- B. Access is subject to approval by Public Works.
- C. Drainage is subject to approval by Public Works unless otherwise approved by the Colorado Department of Health and Environment.
- D. Public street cross-sections shall default to the city's standard street cross-sections.
- E. A "Redevelopment Plan" will be submitted 5 years in advance of closing the landfill. This Redevelopment Plan will outline how the property will be used after closing Tower Landfill.

#### Definitions

The following is a list of definitions specific to the Allied Waste Systems of Colorado, LLC PUD Zone Document, as amended.

**Berms, Borrow and Stockpile Area** is defined as clean soils that will be excavated on-site, accumulated and stored for short-term, long-term or permanent use as cover material to the landfill.

**Organics and Recycling Operations** relates to the storage and processing of organics into a soil amendment, while recycling operations include the storage and processing activities used for the diversion and reuse of materials from the landfill in an effort to create new products or reduce the need for raw materials. Tower Landfill will not conduct composting operations but will provide collection and transportation to a compost or recycling facility.

**Disposal of Landfill Material** is materials or wastes defined in 6 CCR 1007-2 Part 1 - Regulations Pertaining to Solid Waste Sites and Facilities and accepted for landfilling.

**Inert Liquid Evaporation Pond** is a waste management structure where inert liquids are placed for disposal through evaporation.

**Landfill Gas Extraction Recovery Operations** consists of the infrastructure required for the collection and transmission of landfill gas generated through the decomposition of organics in solid waste.

**Landfill Gas Flaring Operations** is the infrastructure of wells, pipes, blowers and flares related to the destruction of landfill gas as conveyed through landfill gas extraction recovery operations.

**Maintenance and Fuel Storage** is defined as the infrastructure and related supporting operations including but not limited to maintenance and fuel storage used for both on-road and off-road equipment necessary in the support of landfill operations.

**Monitoring and Extraction Wells** is the infrastructure used in the monitoring of various metrics for a landfill's performance with regards to groundwater and landfill gas collection and migration.

**Refuse Collection Container Storage** is a storage area dedicated to the storage of containers used for the collection, transportation, and disposal of refuse and/or recyclables.

**Solidification Facilities** is the infrastructure and related operations to store, process and convert a non-hazardous liquid or semi-liquid waste into a solid form for disposal into the landfill.

**Truck Scales** are weighing devices designed to measure the weight of vehicles, primarily trucks, for property tracking volume, weight, and fees associated with incoming and outgoing materials.

**Truck Wheel Wash Facilities** is related infrastructure designed to clean the wheels and undercarriages of trucks exiting the landfill helping to minimize prevent the spread of mud onto adjacent offsite roadway.

Parcel	Use	Gross Size (acres)	Percent of Total (Gross)	Net Size (acres)	Percent of Total (Net)	Minimum Building Height (feet)	Maximum Building Height (feet)	Maximum Developed Height (arms)	Minimum ROW Setback for Arterial (feet)	Minimum Setback from Private Collector (feet)	Minimum Lot Frontage (feet)	Minimum Front Setback (feet)	Maximum Front Setback, if applicable (feet)	Minimum Side Setback (feet)	Minimum Rear Setback (feet)	Minimum Building or Unit Size, if applicable (square feet)	Minimum Lot Size (acre)	Minimum Floor Area Ratio	Maximum Area of Outdoor Storage or Large Vehicle Parking	Maximum Building Coverage
A1	Solid Waste Disposal Facility	65.1	59.3%	65.1	63.0%	N/A	N/A	5,535 (arms)	20	20	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0.5:1	40%	10%
H	Modified Solid Waste & Commercial Zone	44.6	40.7%	38.2	37.0%	15	50	N/A	20	20	70	10	25	10	20	N/A	0.184	0.5:1	40%	50%
Total (Gross)		109.7	100.0%	N/A	N/A															
Total (Net - minus easements, flood plain, roads, etc.)		103.3	N/A		100.0%															

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DRAFT  
 RELEASED FOR USE  
 APPROVED FOR CONSTRUCTION  
 CLERK APPROVAL BY: \_\_\_\_\_  
 OTHER: \_\_\_\_\_

PROPERTY OWNER:



LANDFILL SITE NAME: TOWER ROAD  
LANDFILL SITE NUMBER: STD-053

PROJECT DEVELOPMENT STANDARDS  
PUD ZONE DOCUMENT, AMENDMENT #3  
TOWER LANDFILL  
COMMERCE CITY, COLORADO

PLANNED PROJECTION	2010	2020
	2030	2040
DATE	2010	2020
	2030	2040



WEAVER CONSULTANTS GROUP  
 3000 S. WILSON AVENUE, SUITE 100  
 DENVER, COLORADO 80222  
 (303) 826-4100  
 Jonathan V. Quisenberry  
 email: www.jquisen@wcgcorp.com

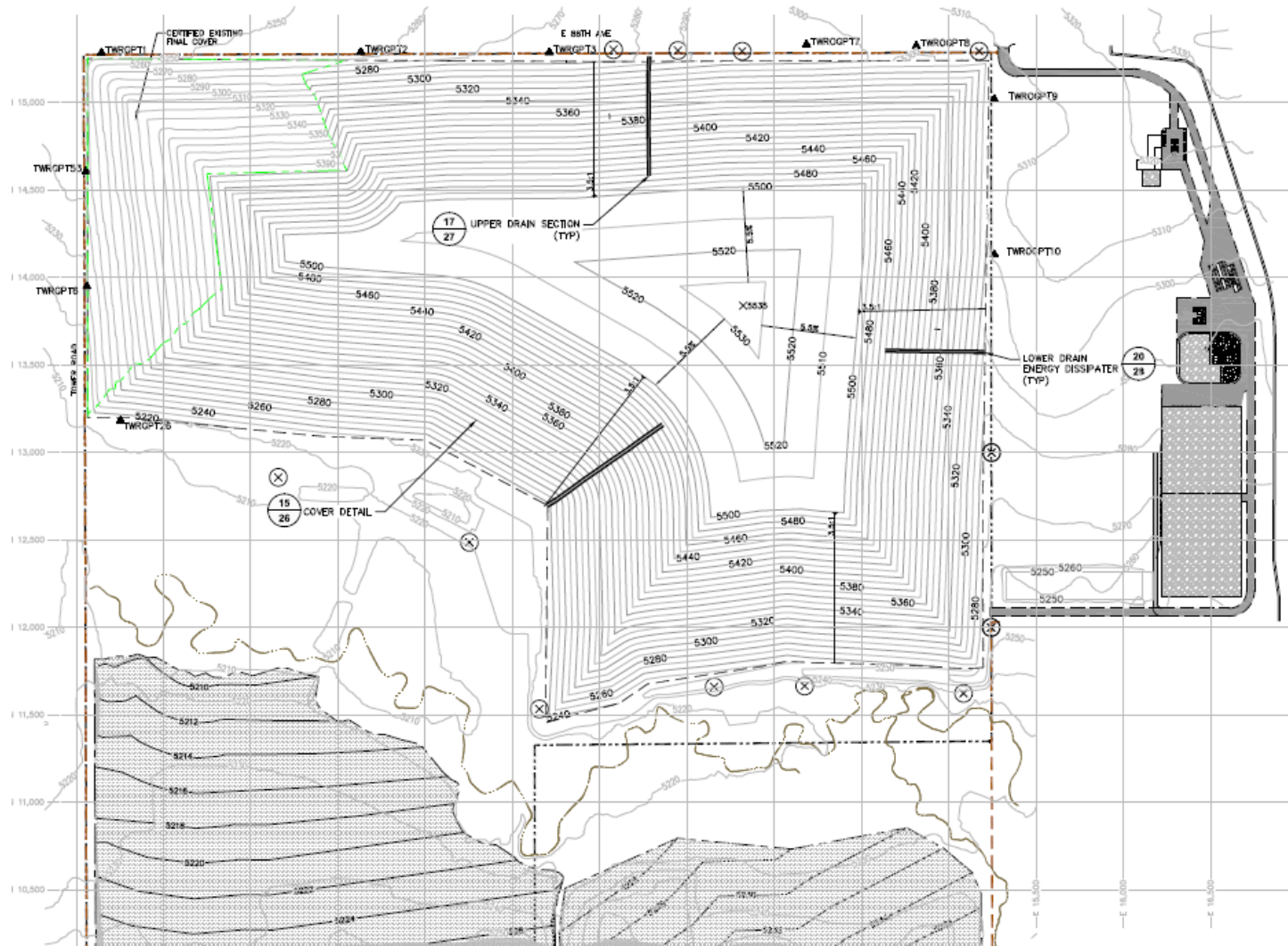
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DATE PLOTTED: 05/11/2023  
 PLOT TIME: 01:20:45-11-70  
 DWG PROJECT DEVELOPMENT STANDARDS -28.dwg  
 SHEET 4 OF 4

# 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
<b>Actuals</b>									
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
<b>Projected</b>									
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](mailto:sarah_foreman@state.co.us)

October 18, 2023

Commerce City Council  
7887 East 60<sup>th</sup> 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 88<sup>th</sup> 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](http://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](mailto: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 60<sup>th</sup> 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](mailto: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 60<sup>th</sup> 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](mailto: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



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# 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 observations and is provided for informational purposes only. It is not intended to be used for any other purpose, including but not limited to, regulatory or permit applications.