

Executive Order No. 115

TO: All Agencies Under the Mayor
FROM: Wellington E. Webb, Mayor
DATE: December 3, 2001
SUBJECT: Required Use of Denver-Arapahoe Disposal Site (Landfill)

PURPOSE: This Executive Order establishes the policy of the City and County of Denver to assure compliance with the City's Agreement regarding the use and operation of the Denver-Arapahoe Disposal Site, and to optimize the long term use of the landfill.

RESPONSIBLE AUTHORITY

- 1.0 **Applicable Authority:** The applicable authority relevant to the provisions and requirements of this Executive Order No. 115, is found in Article I, A1.7 and A1.3 of the Charter of the City and County of Denver.
- 2.0 **Definitions:**
 - 2.1 "DADS" means the Denver Arapahoe Disposal Site, located on Gun Club Road and consisting of parts or all of Sections 4, 6, 9, Township 5 South, and Sections 31 and 32, Township 4 South, Range 65 West of the 6th Principal Meridian in Arapahoe County, Colorado. (see Appendix 1)
 - 2.2 "Landfill Agreement" means the contract made and entered into on January 9, 1998 by and between the City and County of Denver and Waste Management of Colorado, Inc. that defines the responsibilities of each party for the operation of the non-hazardous solid waste landfill at DADS, or as it may be amended from time to time.
 - 2.3 "Non-hazardous waste" means those substances and materials not defined or classified as Hazardous Waste by the Colorado Hazardous Waste Commission pursuant to 25-15-307, C.R.S. as amended. Non-hazardous waste is all municipal, residential and commercial solid waste, including construction debris, soil and asbestos.
 - 2.4 "Solid Waste Agreement" is the contract through the Department of Public Works/Solid Waste Management for the disposal of trash, rubbish, debris, wrapped garbage and/or other materials collected as a part of normal household rubbish removal services in the City and County of Denver.
 - 2.5 "Waste Material Agreement" is the contract through the Department of Aviation for the disposal of construction, industrial and remedial rubbish, debris, clean dirt and/or any other approved materials.
- 3.0 **Goals and Objectives:** This policy shall ensure that city activities associated with the collection, transportation and disposal of non-hazardous waste are consistent with the City Charter and Agreements defined above in order to protect the financial interests of the City, minimize potential liability for site remediation costs under the Comprehensive Environmental Response Cleanup Liability Act (CERCLA), and protect human health and the environment.

- 4.0 **Administration:** The Landfill Agreement shall be administered by the Department of Environmental Health, Environmental Services Division.
- 5.0 **Agencies Affected:** All Department and Agency Heads under the Executive Branch of the City and County of Denver.
- 6.0 **Requirements:** The DADS Landfill is a fully permitted non-hazardous waste disposal facility owned by the City and County of Denver and operated by Waste Management of Colorado pursuant to the Landfill Agreement. This long-term Agreement requires the City, among other things, to direct non-hazardous waste generated by the City to the DADS Landfill. All agencies shall comply with the procedures outlined in Memorandum No. 115A, attached hereto, in order to assure compliance with the provisions of the Landfill Agreement and other applicable agreements to ensure the appropriate and optimum use of the facility.
- 7.0 **Memorandum Attachments:** The procedure(s) for implementing this Executive Order, shall be defined by Memorandum Attachments to the Executive Order which shall become a part of the Executive Order. Further the Department of Environmental Health which is responsible for the content of this Executive Order shall have the authority to issue, from time to time, policy and procedure Memorandum attachments relative to this Executive Order.

Approved for Legality:



J. Wallace Wortham, Jr.
Attorney for the City and County
of Denver

Approved:



Wellington F. Webb
MAYOR



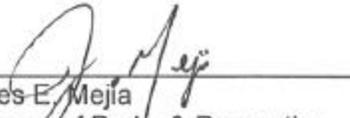
Bruce Baumgartner
Manager of Aviation



Theresa M. Donahue
Manager of Environmental Health



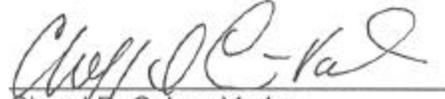
Thomas J. Migaki
Manager of General Services



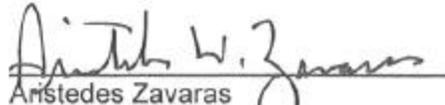
James E. Mejia
Manager of Parks & Recreation



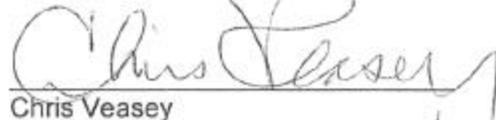
Stephanie A. Foote
Manager of Public Works



Cheryl D. Cohen-Vader
Manager of Revenue



Aristedes Zavaras
Manager of Safety



Chris Veasey
Manager of Human Services

MEMORANDUM No. 115A

TO: All Agencies Under the Mayor
FROM: Wellington E. Webb, Mayor
DATE: December 3, 2001
SUBJECT: Procedural Guidance for Compliance With the Landfill Agreement

This Memorandum shall be attached to and become a part of Executive Order No. 115, dated December 3, 2001, subject "Required Use of Denver-Arapahoe Disposal Site."

- 1.0 Affected Departments and Agencies under the Mayor shall observe the following procedures to ensure compliance with this Executive Order and maximize the long-term use of the landfill:
 - 1.1 All non-hazardous waste collected or hauled in Denver vehicles shall be directed to DADS for disposal.
 - 1.2 All city contractors and subcontractors shall direct non-hazardous waste from Denver owned or controlled facilities to DADS for disposal wherever dedicated loads (non-hazardous entire loads of waste from a City owned and/or operated facility) can be reasonably required.
 - 1.3 Residential waste collected by third parties for the city through contract, franchise or other means shall deliver such waste to DADS.
 - 1.4 To receive the lowest gate rate, invoices for disposal shall be sent to and paid directly by the City for the City's own non-hazardous waste, whether collected and/or transported for disposal by the City or by any contractor to the City.
 - 1.5 All collection, transportation and disposal activities inside and outside of the City and County of Denver County on behalf of the City shall be conducted in a professional and courteous manner.
 - 1.6 In the interest of public relations and to maximize the long-term use of the Site, haul routes adjacent to DADS shall be limited to Highway 30 or E-470 unless these routes are impassable. Specifically, Gun Club Road between I-70 and Mississippi Avenue shall be avoided. (see map, Appendix 1)

2.0 Department and Agency Heads shall:

- 2.1 Furnish information to their employees and contractors involved in the collection, transportation or disposal of non-hazardous waste to inform them of this policy.
- 2.2 Ensure that city bids and contracts for the collection, transportation or disposal of non-hazardous waste under their authority contain appropriate language to ensure compliance with this policy.

3.0 Disposal Service Procurement Procedures:

- 3.1 All Agencies have the ability to use the DADS facility through either the Solid Waste or Waste Material Agreements or by requisition.
- 3.2 Each Agency that requires non-hazardous waste disposal services shall designate a representative to work with the Purchasing Division, City Attorney's Office and Waste Management.
- 3.3 The Agency project manager shall contact Waste Management to obtain a Generator's Waste Profile Sheet, account number and waste disposal manifests for each individual project.
- 3.4 The Purchasing Division will process requisitions for non-hazardous waste removal in accordance with applicable law, policy, and procedures.
- 3.4 For non-hazardous waste disposal projects less than \$50,000, the Agency may use the requisition process. The Agency shall provide to the Purchasing Department the necessary "sole source" justification by reference to this Executive Order, and information on which Agreement is being used, the contract number and disposal rate.

4.0 Contract Documents

- 4.1 The technical specifications section of all waste disposal bid documents must include language that specifically directs all non-hazardous waste material to DADS.
- 4.2 The language should specify that the bid is for transportation to the DADS facility only. The City is responsible for disposal fees and any applicable State surcharges.
- 4.3 The language should also specify that the bidder is responsible for any special handling charge imposed by Waste Management at DADS.
- 4.4 The technical specification section shall incorporate the Approved Haul Routes map from the Executive Order.

APPENDIX 1

MAP OF ROUTE TO DADS LANDFILL

