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STATE OF COLORADO

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

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Colorado Department
of Public Health
and Environment

January 31, 2002

The Honorable Stan Matsunaka, President of the Senate
The Honorable William Thiebaut, Senate Majority Leader
The Honorable John Andrews, Senate Minority Leader
The Honorable Doug Dean, Speaker of the House
The Honorable Lola Spradley, House Majority Leader
The Honorable Dan Grossman, House Minority Leader
Colorado State Capitol
200 East Colfax
Denver, CO 80203

Dear Honorable Senators and Representatives:

Enclosed is a copy of the first annual report to the General Assembly on the status of the hazardous waste control program in Colorado. Senate Bill 00-177 requires this report.

Sincerely,

Howard A. Roitman, Director
Hazardous Materials and Waste Management Division

Enclosure

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STATE OF COLORADO



Colorado Department
of Public Health
and Environment

First Annual Report to the Colorado General Assembly on the Status of the Hazardous Waste Control Program in Colorado

Submitted to the Colorado Legislature
by the Division of Hazardous Materials and Waste Management
Colorado Department of Public Health and Environment
February 1, 2002

DOCUMENT INFORMATION

Title: First Annual Report to the Colorado General Assembly on the Status of the Hazardous Waste Control Program in Colorado

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Subject: The report describes the status of the Hazardous Waste Control Program, and efforts to streamline the program so that it can be implemented at the lowest possible cost without jeopardizing the statutory intent.

Statute: Section 25-15-301.5(3), C.R.S.

Date: February 1, 2002

Number of pages: 17

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INTRODUCTION

The state's Hazardous Waste Control Program is responsible for ensuring compliance with laws pertaining to the management of hazardous waste. The authority for this program is in the Colorado Hazardous Waste Act, 25-15-101 et seq., and the federal Resource Conservation and Recovery Act (RCRA). The U.S. Environmental Protection Agency (EPA) has authorized the Colorado Hazardous Waste Control Program, and by doing so, the authority to implement requirements for the management of hazardous waste in Colorado rests primarily with the state. Colorado was authorized for the base hazardous waste regulatory program in November 1984. In July 1989, federal authorization was granted to Colorado for significant additions to the base program that were created by the 1984 Hazardous and Solid Waste Amendments to the Resource Conservation and Recovery Act. One major element of that added authority was corrective action, which provided authority to investigate and clean up releases of hazardous waste constituents into the soil, surface water or ground water at hazardous waste facilities.

Primary elements of the Hazardous Waste Control Program include compliance assistance; compliance monitoring and enforcement; corrective action; permitting; and information management. As of December 2001, the Hazardous Waste Control Program regulates 36 treatment, storage and disposal facilities, approximately 150 large quantity generators, 1,200 small quantity generators, 150 transporters and 3,000 conditionally exempt small quantity generators. The true number of conditionally exempt small quantity generators is not known, as they are not required to provide any notification to the state. The ones known are a result of voluntary notifications, and complaint inspections.

The Colorado Hazardous Waste Act originally provided authority to assess cash fees only to the facilities that were required to have permits, which include all treatment, storage and disposal facilities. The revenue from these fees, combined with some grant money from EPA, provided adequate funding for the Hazardous Waste Control Program for several years. Colorado's only commercial hazardous waste disposal facility paid a large portion of these fees. However, as waste receipts at this facility declined substantially beginning in 1998, the resulting decrease in revenue to the Hazardous Waste Control Program created a serious funding shortfall.

To resolve the shortfall, the Hazardous Materials and Waste Management Division carefully analyzed the functions and structure of the program, convened a task force of stakeholders to obtain input on options to resolve the problem and pursued legislation concerning the authority to assess fees. One result of those efforts was passage by the General Assembly of Senate Bill 00-177. This legislation modified the Colorado Hazardous Waste Act by allowing the assessment of cash fees to generators of hazardous waste, not just treatment, storage and disposal facilities, and by clarifying the legislative intent regarding implementation of the program. The following report is submitted to comply with one provision of the legislation. SB 00-177 requires an annual report to the General Assembly beginning on February 1, 2002, describing the status of the Hazardous Waste Control Program and the efforts of the Colorado Department of Public Health and Environment to carry out its statutory responsibilities at the lowest possible cost without jeopardizing the intent of the statute.

ACCOMPLISHMENTS, IMPROVEMENTS AND INNOVATIONS

The Colorado Department of Public Health and Environment's Hazardous Materials and Waste Management Division has streamlined processes, improved efficiency and found innovative ways to improve the Hazardous Waste Control Program.

Compliance Assistance

A goal of the Hazardous Waste Control Program is for all regulated facilities to be in compliance with state law and regulations. The traditional inspection and enforcement program serves as a primary mechanism for reaching that goal. In recent years, the program has recognized that compliance assistance also is an integral element for maintaining compliance. The regulated industry and the General Assembly also have recognized the value and importance of compliance assistance. One of the expectations set out in SB 00-177, at Section 25-15-301.5(2)(g), C.R.S., is for the department to "establish a preference for compliance assistance with at least ten percent of the annual budget amount being allocated to compliance assistance efforts." In FY 2001 and FY 2002, the program has devoted approximately 15 percent of regulatory staff time to compliance assistance.

The program has developed a broad range of compliance assistance services to assist the regulated community in managing hazardous waste. These compliance assistance services include:

- Full-time customer technical assistance phone line;
- Hazardous waste guidance documents and compliance bulletins;
- Development and maintenance of an extensive Web site;
- Compliance assistance site visits;
- Waste management training; and
- Work groups including program inspectors, technical staff and environmental managers from regulated entities who review and develop regulations, guidance and training materials.

The division continues to develop additional services as more effective compliance tools are identified.

During FY 2001, the Hazardous Materials and Waste Management Division provided 34 compliance assistance training sessions, which reached approximately 1,340 people. This very active year had training sessions covering a variety of industries. A major focus for training during the year was the issue of managing hazardous chemicals in schools. Also, FY 2001 saw the first presentation of training sessions jointly developed by the Hazardous Waste Program and the Hazardous Waste Roundtable, a group of environmental managers from various facilities that handle hazardous waste. Instructors for this joint training included Colorado Department of Public Health and Environment and local agency staff, as well as members of the regulated community.

Program inspectors incorporate compliance assistance and pollution prevention into compliance inspection activities. Inspectors routinely provide guidance documents to facilities during inspections. In FY 2001, the program conducted 43 site visits that had compliance assistance as a major focus and also provided compliance assistance during 198 inspections.

The program maintains a system of guidance information for regulated parties through both print and electronic media. This includes an automated technical assistance telephone line for common waste management questions and a technical assistance line staffed during business hours to provide information for more complex or detailed regulatory guidance. Program guidance documents and compliance bulletins are available both in printed form and as electronic copies on the Hazardous Materials and Waste Management Division's Web page. The program will be expanding its electronic materials to include training modules that can be adapted for either computer-based training or classroom presentations.

During FY 2001, the Hazardous Materials and Waste Management Division's Internet homepage was revised and received 125,301 hits, nearly a 50 percent increase over the number from the previous year. Division technical assistance staff responded directly to 3,730 calls on the Customer Technical Assistance telephone line. Additionally, program staff distributed approximately 1,650 hazardous waste guidance documents during the year.

The compliance assistance staff also works on development of regulatory reforms that lessen the regulatory burden while maintaining environmentally effective controls. During FY 2001, the compliance assistance staff spent considerable time dealing with issues related to the management and recycling of hazardous waste electronics. As a result, the Hazardous Materials and Waste Management Division proposed and the Hazardous Waste Commission adopted rules for the management of electronic devices and components under the provisions for universal wastes so as to encourage recycling and reuse. The universal waste requirements are designed to be more flexible and less burdensome than full hazardous waste regulation.

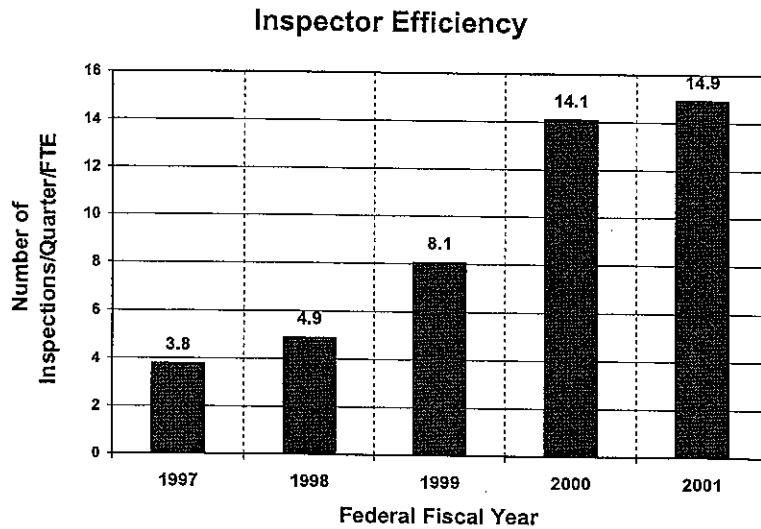
Compliance Monitoring and Enforcement

The division has implemented many improvements within the Compliance Monitoring and Enforcement arm of the program in the last few years. These improvements have been the result of management commitment and attention, as well as plain hard work by the staff. In August 2000, the entire Compliance Monitoring and Enforcement Unit was designated as "Star Performers," the highest departmental award issued by the Colorado Department of Public Health and Environment. Important achievements have been made in staff efficiency, process efficiency and program upgrades.

As an example of a staff efficiency improvement, please refer to Figure 1. This graph illustrates the large gains in staff inspection efficiency that have occurred in recent years. It also shows that current inspection efficiency is almost 80 percent higher than in 1999, and 350 percent higher than in 1997. It should be noted that every inspection carries administrative responsibilities, such as preparation of a report, tracking or data entry, all of which are being performed on time

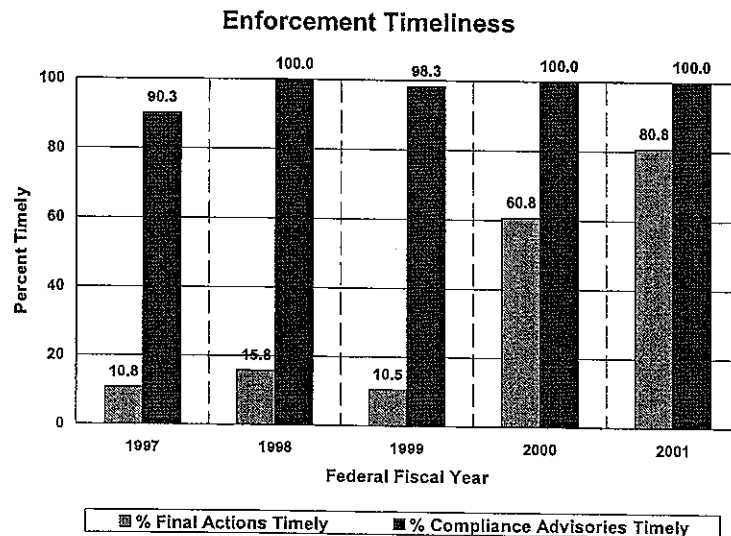
and effectively.¹ Between 1996 and 1999, there was a backlog of enforcement actions that has since been eliminated. That backlog was partly responsible for the lower inspection productivity in that time frame.

FIGURE 1



The higher number of inspections has resulted in the issuance of more formal and informal enforcement actions. Yet, as illustrated in Figure 2, even with more enforcement actions, the timeliness of formal enforcement actions, as measured against standards established by EPA and adopted by the Colorado program, has improved significantly. This graph shows that timeliness for informal actions has remained high and that timeliness for formal actions has improved almost 800 percent in the last two years. This is an example of significant improvements made in both staff efficiency and process efficiency.

FIGURE 2



¹ Per 1999 and 2000 End-of-Year Reports prepared by EPA upon review of Colorado's Hazardous Waste Program.

Substantial improvements to the division's data management systems and to operating procedures have greatly improved the division's management efficiency. The program is able to collect more useful management and project tracking data than was possible previously. Routine review of the management reports that now can be generated has resulted in significant process streamlining.

In addition to the efficiencies discussed above, significant upgrades have been incorporated into the program. For instance, for the 150 large quantity generators of hazardous waste, an annually updated inspection priority system has been developed and is being used to schedule these significant inspections. So far, the priorities are based on compliance history, but additional factors will be added to the system this year to include waste generation volume, waste type and waste toxicity.

Another program upgrade implemented over the last two years is improved and documented penalty consistency. The Hazardous Materials and Waste Management Division issued a new penalty policy for the Hazardous Waste Control Program in January 2000. At the same time, the division developed standard penalties for the most common violations that would be used as a starting point for a penalty calculation each time these violations were included in a formal enforcement action. The program began to track penalty calculations so that, over time, it became possible to ensure that penalty assessments for similar violations would be comparable.

The division implemented a process to determine whether there are changes that could be made to policies, guidance or regulations to correct errors, remove inconsistencies, remove ambiguity and/or add clarity. This process will ensure that these materials are of high quality and are user-friendly for the regulated community.

Lastly, the Compliance Monitoring and Enforcement Unit is conducting several innovative projects that, if successful, will position Colorado's hazardous waste program among the national leaders in terms of efficient and effective implementation. These projects include the Compass Project, a multi-media compliance assistance project designed to determine the most effective delivery mechanism for pre-inspection compliance assistance; the Compliance Data Evaluation Project, wherein historical compliance data has been closely reviewed and evaluated to determine historical compliance problem areas, changes in those problem areas over time and key compliance problems that cause a domino-effect into other problems; and the Small Quantity Generator Self-Certification and Reporting Project, scheduled to be implemented in 2002, which will evaluate whether self-certification of hazardous waste compliance by small quantity generators is a viable, and better, method of consistently regulating Colorado's 1200 small quantity generator's and providing them with valuable on-site compliance assistance.

Corrective Action

Corrective action has been a substantial part of the workload in the Colorado Hazardous Waste Program. It has required an increasing proportion of the department's resources compared to several years ago. Many improvements in the areas of efficiency and process streamlining have been accomplished in the corrective action portion of the program as well. These improvements

have been the result of a combination of regulatory and statutory changes, development of new guidance, improvements in the design of staff performance plans and increased management emphasis on process times.

A major process improvement resulted from development of a new regulatory mechanism for corrective action. Previously, oversight of environmental clean-up activities under the corrective action program required either a hazardous waste permit or a compliance order. Both of these processes are lengthy and resource-intensive for facilities that only need to conduct clean-up activities. Under the new provision, a facility may submit a "Corrective Action Plan" to the Hazardous Waste Control Program. Once approved, the Corrective Action Plan works very much like, and is enforceable as, either a permit or an order. However, since using this approach is voluntary for the facility, it can be implemented much more quickly than either of the other mechanisms, and requires fewer resources. It has proven to be a popular mechanism among industries that are regulated by the department and it has streamlined the program substantially.

In conjunction with the Corrective Action Plan (CAP) mechanism, guidelines were put in place for level of effort and total elapsed time associated with reviewing documents submitted under Corrective Action Plans. These guidelines have been useful to both managers and staff in assessing our efficiency and the program has been successful in meeting its targets. Figure 3 shows the average total elapsed time as compared to the target levels for various types of documents. Figure 4 shows similar information for the actual review time.

FIGURE 3

**Corrective Action Plan Processing Times
Average Elapsed Time in Days**

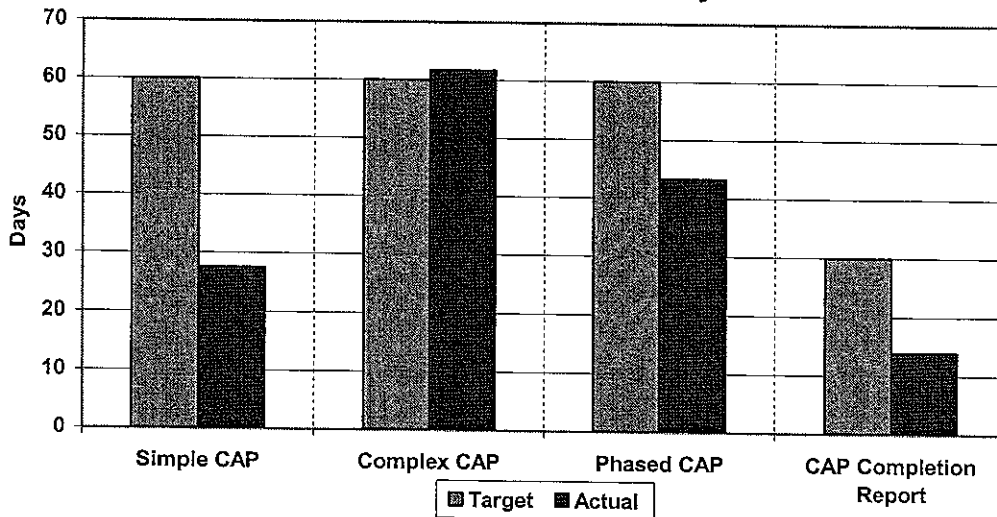
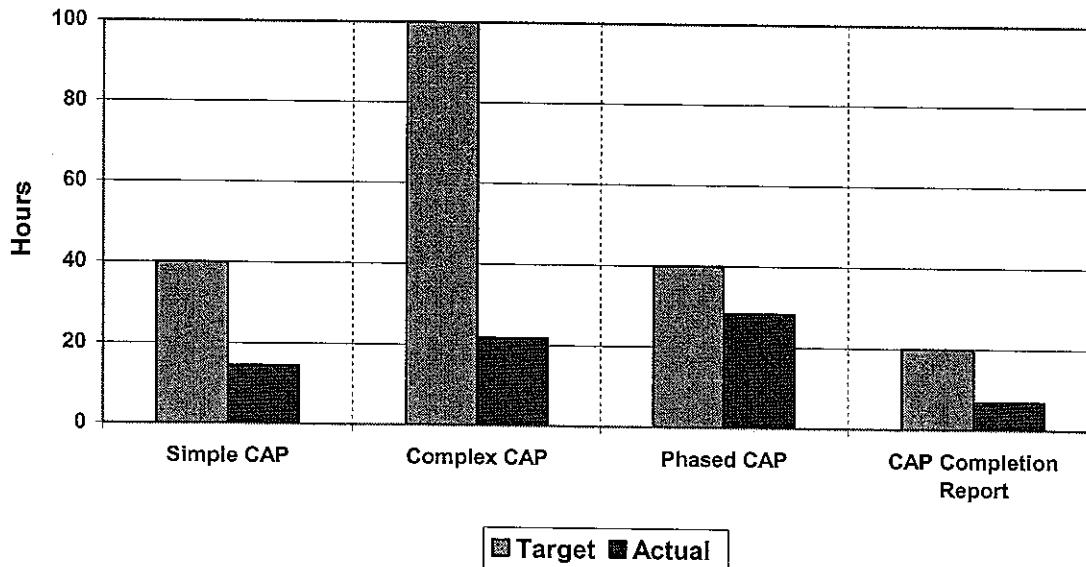


FIGURE 4

Corrective Action Plan Processing Times Average Completion Time in Hours



The data show that reviews usually were completed well within the targeted timeframe, except for the complex Corrective Action Plans, for which the average elapsed time was slightly longer than the target. The additional time required generally is due to the need to meet with facility representatives to discuss the elements of these more complex clean-up proposals. The division originally had expected that there would be some instances in which both targets would be exceeded. However, the total time that staff spent working on the reviews was well under the target time for all categories of documents.

Implementation of the review time targets has resulted in increased staff and management attention to this issue, and has resulted in higher productivity. Figure 5 shows the number of corrective action reviews completed per FTE, and Figure 6 shows the number of plan or report approvals per FTE over several years. Both figures show a marked increase in staff efficiency over the past three years. Because review data was not collected previously on a document-specific basis, the division does not have specific data to show how the review time for specific documents has improved over the past several years. However, the improvement in overall productivity indicates that time spent on each document has been reduced. The division now is tracking document-specific review times and has begun applying the specified review timeframes established under the Corrective Action Plan process to all sites, including those regulated under different mechanisms.

FIGURE 5

Corrective Action Reviews

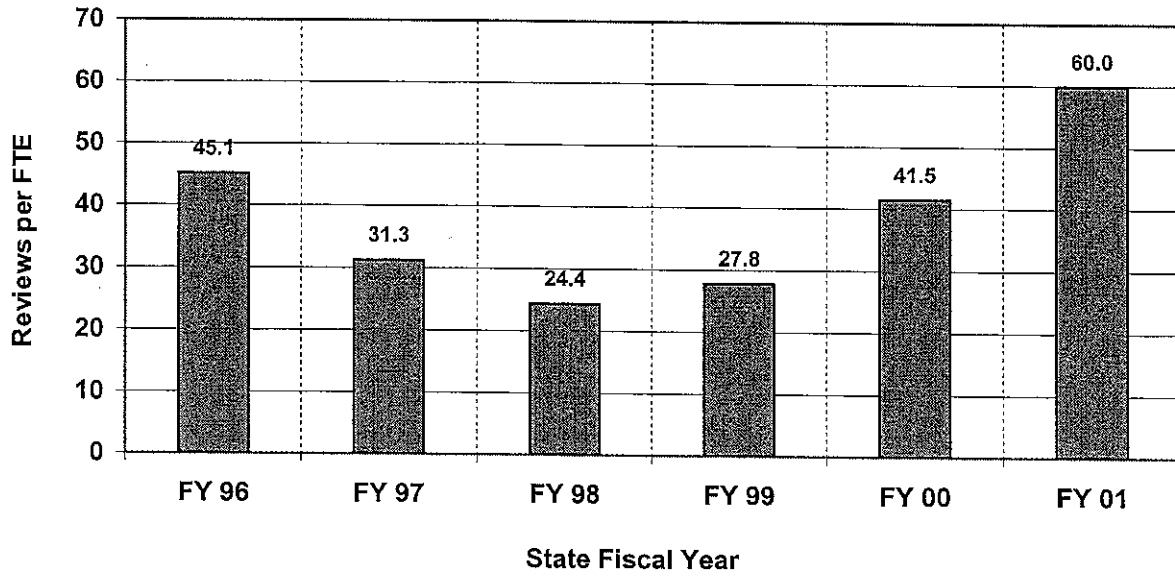
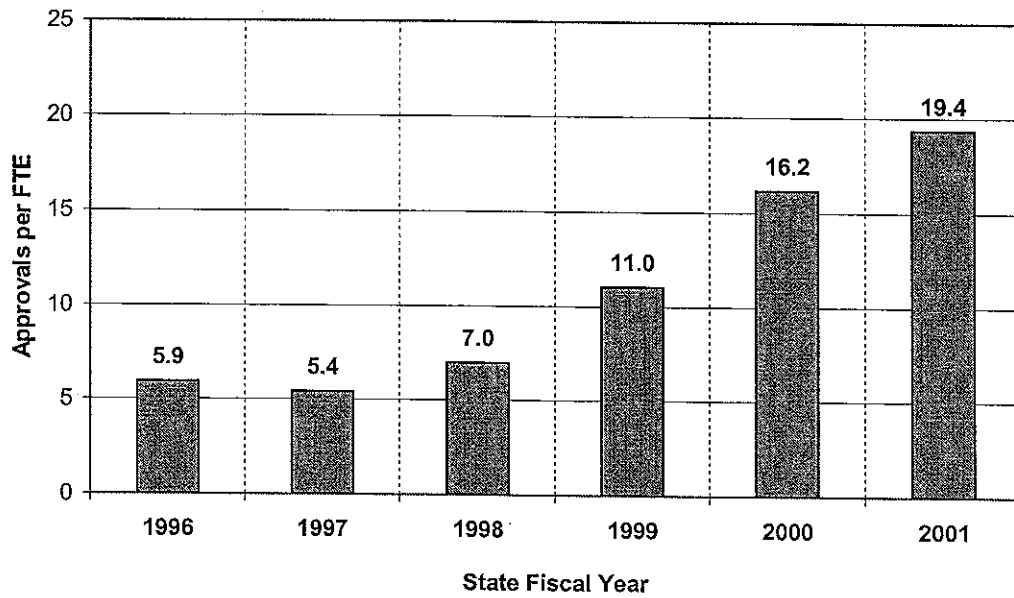


FIGURE 6

Corrective Action Program Plan and Report Approvals



A significant factor in the time that it takes staff to review a clean-up document is the overall quality of the document that is submitted for review. In an effort to improve the quality of documents submitted to the division, a workgroup of representatives from facilities that have been subject to corrective action requirements, environmental consultants, attorneys and the division's technical staff was formed. The purpose of the workgroup was to develop a guidance document that will be helpful to industry and its consultants in preparing documents to submit to the state. The process has improved communication among the participants regarding some of the difficult issues in the process. The division is preparing a draft guidance document for comment by a broader group of stakeholders.

One of the expectations expressed by the General Assembly in SB 00-177, as part of streamlining the corrective action process, was that the Hazardous Waste Control Program should use enforceable institutional controls and consider such controls in determining clean-up standards. A serious concern for the program at the time was lack of an authority to enforce institutional controls. That problem was resolved last year by Senate Bill 01-145. This bill created an environmental covenant, which provides a mechanism for property owners to establish certain restrictions or conditions for their properties, and for those restrictions or conditions to be enforceable by the Colorado Department of Public Health and Environment. The Hazardous Materials and Waste Management Division has begun implementation of this new provision. To date, accomplishments include:

- A registry of sites has been created as required by the statute; currently, there is one site on the registry (Rifle uranium mill) and several others are likely to be added soon.
- Staff of the Colorado Attorney General's Office has developed model covenant language.
- In the near future, when the Hazardous Materials and Waste Management Division's Geographic Information System (GIS)-based map Web page is implemented, the sites with covenants will be included and there will be a link to the covenant. This will allow the public to have access to the information.
- The division met with several local governments to discuss communication and implementation issues. Based on these discussions, the Hazardous Materials and Waste Management Division is drafting a guidance document, which will be subject to review and comment by the local governments, within the next two months. This guidance document will be available on the division's Web site when completed.

The Hazardous Waste Control Program also is contributing to national efforts to streamline the corrective action process through active participation in the Interstate Technology and Regulatory Cooperation Work Group. This is a national organization led by state regulators with the purpose of streamlining the regulatory process associated with approving the use of innovative technologies in cleaning up environmental contamination.

The U.S. Environmental Protection Agency has established two national environmental indicators to measure progress of the hazardous waste corrective action program. This approach was established as part of the Government Performance Results Act, and measures "Human Exposures Under Control," and "Ground Water Releases Under Control" at a defined group of high priority facilities around the country. In Colorado, there are 31 of these high priority

facilities, and to the department exceeded the national targets for progress as shown in Figures 7 and 8.

FIGURE 7

Human Exposures Under Control

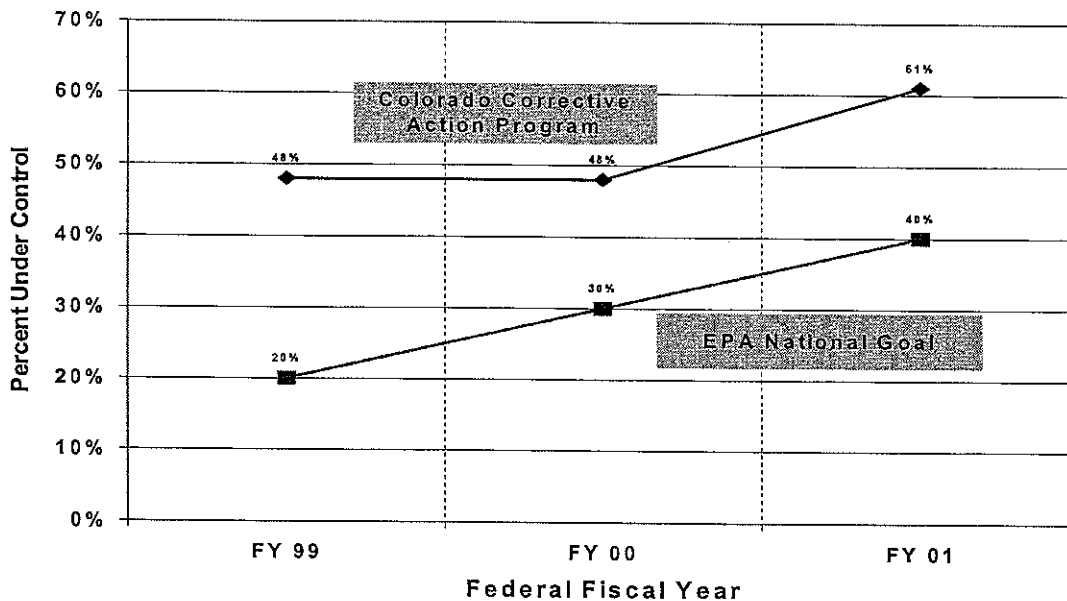
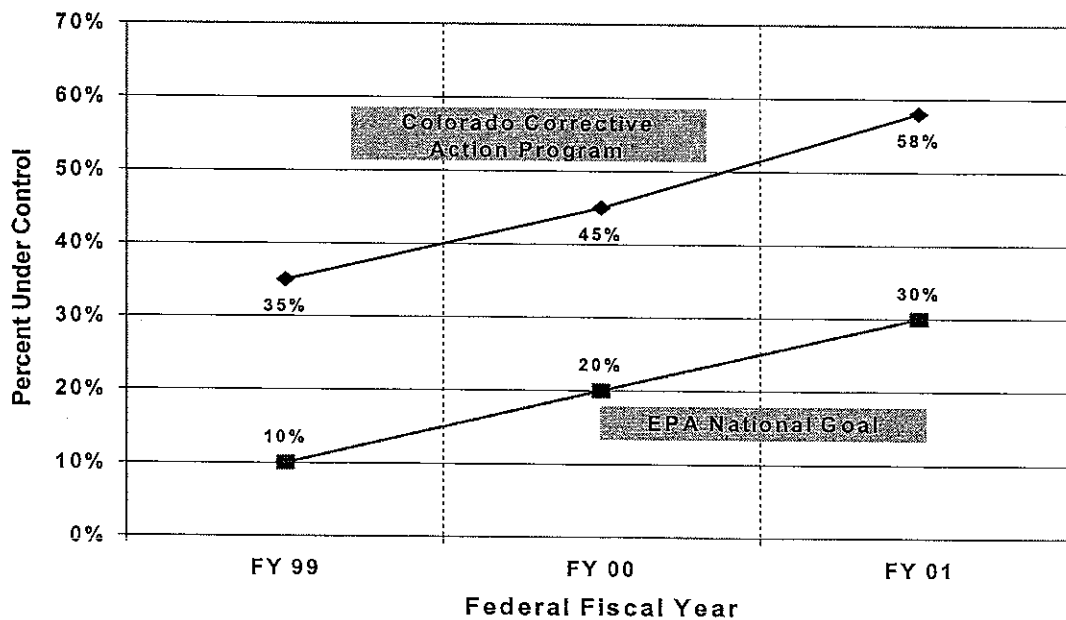


FIGURE 8

Ground Water Releases Under Control



Permitting

The permitting workload for the Colorado Hazardous Waste Program has declined over the past several years as the corrective action workload increased. Facilities that manage hazardous wastes in a manner that requires permitting by the Colorado Hazardous Waste Program are referred to as treatment, storage or disposal facilities (TSDFs). At present, there are 36 of these facilities in Colorado and only 12 of those have a permit. The remainder are in the process of closing the activities that would require permits if they were to continue. Much of the closure work is being done in conjunction with the corrective action work at these facilities.

Colorado has operating permits in place at all facilities that currently require them. The state is ahead of EPA's national targets for having "operating controls in place," which targets that 100 percent of the needed permits be issued by 2005. In addition, there are 14 facilities in Colorado that require post-closure controls. The division has taken advantage of some flexibility afforded by EPA nationally by adopting a provision that allows certain orders to substitute for post-closure permits. For those facilities that do not require permits for any other aspects of their facility, the "post-closure order" is a more efficient approach. Again, Colorado has moved ahead of EPA's national targets for having post-closure controls in place with 71 percent completed, as compared to the national target of 68 percent by this time.

The department's participation in the national Interstate Technology and Regulatory Cooperation Work Group, mentioned above regarding the corrective action program, supports streamlining the permitting process. Again, the purpose of that effort is to reduce regulatory barriers associated with approving the use of innovative technologies to clean up contaminated sites. The approval of these technologies typically involves some version of a permitting process.

Information Management

The division has made a substantial effort over the past few years to improve management information. Internally, the division has been able to develop a data management system that has helped to track effectively all inspections and any following enforcement actions; and to retrieve reports that provide managers with an up-to-date overview of cases. This information allows the division to be more effective in the use of program resources, in order to accomplish the highest priority activities.

The division also is able to track how much time and effort is spent on different aspects of work. Improvements in the billing system allow tracking of staff time spent on review of a specific document. This improves managers' ability to identify areas that are consuming significant amounts of time, and allows management to take steps to make appropriate improvements. It also improves the division's ability to be accountable to those paying fees by better identifying how the money they pay is used.

Management of data is an important issue for EPA in the national hazardous waste program. Because most states are authorized to implement most of the hazardous waste program, managing data regarding the status of the program nationally is complex. Colorado's capability

with these data systems was acknowledged by EPA's invitation to participate on the National Design Team for EPA's national hazardous waste data system (RCRAInfo) that was activated one year ago. Because of this, Colorado has advanced beyond many states in the division's ability to manage such information.

Maintaining Authorization

One of the key values held by the regulated community, and one of the legislative directives from SB 00-177, was that Colorado "maintains program authorization by the federal government." When EPA goes through the process of authorizing a state for the hazardous waste program, it carefully reviews the state's authorities, regulations, funding and staffing, both quantitatively and qualitatively. Once the state is authorized, EPA monitors the state program to ensure that it is being implemented in a manner that satisfies the federal program requirements.

When the fee revenues to the Colorado Hazardous Waste Program dropped substantially in 1998, EPA initiated a capability assessment of the program to review whether the resources to implement the program were adequate to maintain authorization. EPA issued a report in April 1999, which stated that the resources available to the Colorado program, both in funding and in number of staff, were not adequate. A significant basis for this finding was a comparison of the Colorado resources with those in Utah and North Carolina, two other states with comparable numbers of hazardous waste facilities. At the time, cash revenues had dropped to the point where, without an increase in revenue, the division would not have been able to maintain a viable program. The passage of SB 00-177 created a new fee for generators of hazardous waste. A significant amount of program resources is devoted to inspecting and providing compliance assistance to generators, yet they were not paying a fee to the program.

EPA updated its capability assessment in a capability status report dated May 3, 2001. In this report, EPA stated that Colorado's program had made significant progress since April 1999 in its ability to meet commitments made to EPA in the annual work plan. However, EPA expressed concern about the overall pace of the corrective action program, and it noted continuing concern that the available financial and staff resources may not be sufficient to maintain an adequate program.

Hazardous Waste Control Program managers felt that the resources available with the new generator fee were adequate, and asked EPA to shift more focus to performance rather than comparisons to other states. EPA agreed to use that approach, and focused its review on performance in the year that ended September 30, 2001. It currently is reviewing the results and will issue an updated capability assessment.

Another difficulty with regard to authorization was Colorado's Self Audit Law. EPA was concerned about that law, and suspended the processing of updated authorization packages from Colorado. EPA and the state were able to resolve their differences over that law with HB 00-1481 and a subsequent memorandum of agreement that was signed in May 2000. As a result of the five years in delays in processing Colorado's authorization materials, EPA provided the Hazardous Materials and Waste Management Division with comments on five pending

applications to update the division's authorization. The division must respond to the comments and complete the processing of those applications. EPA's authorization process is expected to return to normal once the existing backlog is processed, possibly within the next year.

Program Funding

Cash fees and an annual grant from EPA fund the Colorado Hazardous Waste Control Program. The cash revenues funded the largest portion of the program costs for a number of years until 1998. The fee structure resulted in Colorado's only commercial hazardous waste landfill paying a large portion of the fees. In 1998, that landfill experienced a significant decline in business, which resulted in a significant decline in fees to the program. The annual grant from EPA has continued; however, the amount of funding remained essentially unchanged after 1995, until 2001, when it was increased by about 15 percent. Costs of implementing the program have continued to increase, primarily due to rising personnel costs.

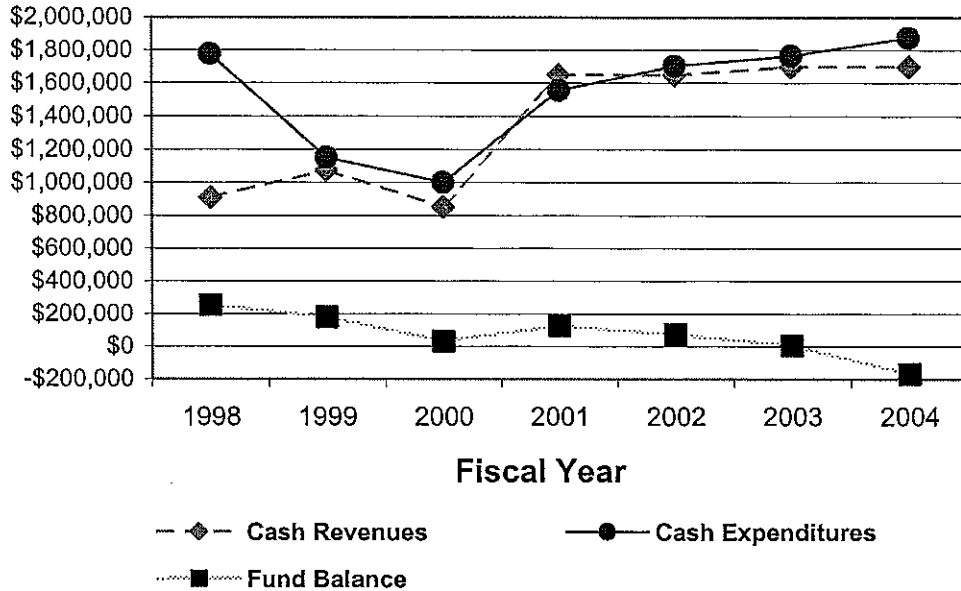
As described in this status report, several changes have been made to streamline the Hazardous Materials and Waste Management Division's processes and to improve efficiency. Those changes, together with the generator fee established by SB 00-177 and some increase in grant money from EPA, have provided sufficient funding at present.

Figure 9 illustrates the cash revenue, the cash spending and the balance of cash in the Hazardous Waste Service Fund over the past several years. This figure shows that spending greatly exceeded revenue in FY 1998. This was possible because of account balances at the beginning of that fiscal year. The figure also shows that significant spending reductions were necessary in 1999 and 2000 because of declining revenue levels. Those reductions in the Colorado Hazardous Waste Control Program are what caused substantial concern on the part of EPA as to whether resources were adequate to maintain an authorized hazardous waste program in Colorado.

The effect that the generator fee authorized by SB 00-177 had on revenue clearly is evident in FY 2001. Figure 9 also shows projected revenue and spending through FY 2004. As the figure illustrates, the division does not expect to need further adjustments to revenues until FY 2004, although FY 2003 will likely be tightly budgeted, requiring frequent and careful monitoring.

FIGURE 9

**Hazardous Waste Control Program
Cash Revenues, Expenditures and Fund Balance**



The Hazardous Materials and Waste Management Division will continue its efforts to improve efficiency and reduce costs. However, increases in costs are projected, as a result of inflation. The projections presented in Figure 9 do account for inflationary cost increases, though the existing fee structure does not compensate for cost increases as a result of inflation. As a result, as indicated in Figure 9, the division anticipates that additional revenue will be necessary in the future.

CONCLUSIONS

As discussed in this report, the Hazardous Materials and Waste Management Division has implemented changes to the Hazardous Waste Control Program in conformance with the expectations set out at Section 25-15-301.5, C.R.S. These expectations include that the program will maintain its authorization by the federal government; that it is credible and accountable; that it is innovative and cost-effective; that it will develop level-of-effort guidelines for inspections, enforcement, and corrective action; that it will streamline the corrective action process; that it will prioritize activities based on risk; and that it will emphasize compliance assistance efforts. These statutory expectations have all been met.

As a result of the efforts undertaken by the Hazardous Waste Control Program, both the effectiveness and cost efficiency of the Hazardous Waste Control Program have been significantly improved. Major program accomplishments include the following:

- Compliance assistance was emphasized by devoting approximately 15 percent of regulatory staff time for activities such as assistance during inspections and providing training to the regulated community;
- Adopted rules allowing the management of electronic devices and components under the provisions for universal waste to encourage recycling and reuse;
- Increased inspection efficiency in FY 2001 by almost 80 percent over that in FY 1999, and 350 percent over that in FY 1997;
- Improved timeliness of enforcement actions by nearly 800 percent in the last two years;
- Implemented new systems which prioritized inspections, and improved the consistency of penalty assessments;
- Streamlined the corrective action process using the new Corrective Action Plan provision;
- Developed and met level-of-effort and total time guidelines for reviewing corrective action submittals;
- Significantly improved the efficiency of corrective action staff;
- Implemented a means of using enforceable institutional controls using the new environmental covenant provision of SB 01-145; and
- Achieved national goals set by the U.S. Environmental Protection Agency for corrective action and permitting.

The Hazardous Waste Control Program continues to work to demonstrate to the U.S. Environmental Protection Agency that the current levels of staff and funding are adequate for Colorado to maintain an authorized hazardous waste program.

Further efforts will continue in order to improve the Hazardous Waste Control Program. The generator fees authorized by SB 00-177 have stabilized revenue to the program. When combined with the efficiency improvements, these fees are expected to provide adequate funding for the program through FY 2003.