

Huerfano County
Land Use and Building Department
401 Main Street, Suite 304
Walsenburg, Colorado 81089
719-738-1220, Ext. 506



CERTIFICATE OF DESIGNATION

Huerfano County

Preface: In accordance with the Solid Wastes Disposal Sites and Facilities Act (the Act), CRS 30-20-102, the Huerfano County Board of County Commissioners hereby designates the following location as a solid waste disposal site and facility.

Legal Description:

Lot 30, River Ridge Ranch, Phase 1, located within a portion of the Northwest $\frac{1}{4}$ of Section 2, Township 29 South, Range 67 West of the Sixth Principal Meridian, Huerfano County, State of Colorado

Also referred to as: Parcel No. 393490, Map number 28-5265-022-00-000

Facility Name: Huerfano Carbon Sequestration Project

Facility Owner: Ramon Bongiovanni and Nancy Bongiovanni

Facility Operator: Wood Cache Completion Corporation

Ramon Bongiovanni and Nancy Bongiovanni are the owners of the facility and Wood Cache Completion Corporation is the operator of the facility. This certificate of designation is specific to this owner and operator. The issuance of a new certificate is required whenever the owner or operator of the facility changes.

Disposal Activities Permitted: The facility is a single material landfill for untreated wood.

The Facility Owner and Operator are jointly responsible for compliance with the Engineering Design and Operations Plan (with attachments) and any stand-alone plan approved by the Colorado Department of Public Health and Environment (the Department) at this time and as may be amended on consent or unilaterally at any time, including after closure, by the Department. Violation of the EDOP or other plan as so amended constitutes a violation of this Certificate of Designation. This certificate need not be amended upon EDOP amendment unless required by Huerfano County or the Department. The Facility Owner and Operator are also jointly responsible for compliance with the Solid Waste Act and the Regulations Pertaining to Solid Waste Sites and Facilities (the Regulations), sections 30-20-101 *et seq* and 6 CCR 1007-2, respectively.

Following the issuance of this certificate, the department may approve revisions to these plans by unilateral action in accordance with Section 1.3.9 of the Regulations, so long as such revisions are not in conflict with this certificate. As stated in Section 1.3.9,

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nothing precludes Huerfano County from conducting its own independent review of any proposed changes to these plans. It is expected that the department will coordinate with Huerfano County to avoid the imposition of conflicting obligations on the facility.

Conditions imposed by the County:

1. Preliminary and annual weed surveys, to be conducted by the County Noxious Weed Manager, are required while the facility is operating and for up to ten years after the final phase is complete, or until the County Noxious Weed Manager determines natural vegetation has been re-established.
2. The County will be provided a performance bond for reclamation and weed management in the amount of \$3,500 for each phase of operation.
3. Excavations will be done quickly while materials are being buried – not to exceed two weeks at a time (weather dependent).
4. Operator will provide the County Land Use and Building Department with notice at least 7 days before beginning a phase and at least 7 days after completing a phase. Notice to include contact information for a site superintendent or other similar role overseeing the work.
5. Owner and/or Operator will provide the County Land Use and Building Department with a copy of all documentation provided to the State for the County's recordkeeping.

Conditions Imposed by the department:

The Act requires that the department conduct a technical review of applications for a certificate of designation, resulting in a recommendation made by the department to the local governing body as to approval or disapproval. Any technical conditions of approval made by the department must be incorporated into the certificate of designation. Following are the department's conditions incorporated into this certificate:

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). Wood Cache submitted the first revision of the financial assurance cost estimates to the Division on October 8, 2024. Once the Division approves the financial assurance estimates, the Facility will have thirty (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

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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 Wood Cache 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 Huerfano County 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.

HUERFANO COUNTY
BOARD OF COUNTY COMMISSIONERS

Karl S. Sporleder, Chairman

Mitchell Wardell, Commissioner

James L. Chamberlain, Commissioner