

WAC 173-350-225 Other organic material handling activities. (1)

In accordance with RCW 70.95.305, activities identified in this section are exempt from solid waste handling permitting when in compliance with the terms and conditions of this section. Any person engaged in the activities in this section that does not comply with the terms and conditions of this section is required to obtain a permit from the jurisdictional health department in accordance with the requirements of WAC 173-350-490. In addition, violations of the terms and conditions of this section may be subject to the enforcement provisions of RCW 70.95.315.

**Table 225-A
Terms and Conditions for Solid Waste Permit Exemptions**

	Organic Materials	Volume	Specific Requirements for Activity or Operation
(1)	All organic feedstocks	No more than 5,000 gallons or 25 cubic yards of material on-site at any one time.	No notification, reporting or testing requirements.
(2)	All organic feedstocks	Greater than 25 but no more than 250 cubic yards of material generated on- or off-site, or up to 1,000 cubic yards of material generated on-site at any one time.	Exemption applies to vermicomposting only. Vermicomposting facilities managing more than 25 cubic yards of any organic material must meet the following conditions: (a) Thirty days prior to operation, facilities must submit a notification of intent to operate as a conditionally exempt facility to the jurisdictional health department and the department. Notice of intent must be submitted on a form provided by the department. (b) Facilities that distribute material off-site must submit annual reports to the department and the jurisdictional health department by April 1st of each calendar year. Annual reports must be submitted on forms provided by the department.
(3)	Preconsumer vegetative food waste Yard debris Crop residues Manure and bedding Bulking agents	Greater than 25 but no more than 1,000 cubic yards of material on-site at any one time.	Exemption applies to vermicomposting only. Vermicomposting facilities managing more than 25 cubic yards of only the listed feedstocks must meet the following conditions: (a) Thirty days prior to operation, facilities must submit a notification of intent to operate as a conditionally exempt facility to the jurisdictional health department and the department. Notice of intent must be submitted on a form provided by the department. (b) Facilities that distribute material off-site must submit annual reports to the department and the jurisdictional health department by April 1st of each calendar year. Annual reports must be submitted on forms provided by the department.

	Organic Materials	Volume	Specific Requirements for Activity or Operation
(4)	All organic feedstocks	Greater than 5,000 but no more than 50,000 gallons of liquid or semi-solid material on-site at any one time; or Greater than 25 but no more than 250 cubic yards of nonliquid material on-site at any one time.	Other conversion technologies managing more than 5,000 gallons liquid or semi-solid or 25 cubic yards of nonliquid material must meet the following conditions: (a) Thirty days prior to operation, facilities must submit a notification of intent to operate as a conditionally exempt facility to the jurisdictional health department and the department. Notification must be submitted on a form provided by the department. (b) Facilities that distribute material off-site must meet the following conditions: (i) Sample and test material every 1 million gallons or 5,000 cubic yards or once per year, whichever is more frequent, to demonstrate it meets compost quality standards of WAC 173-350-220(4) (Table 220-B) before it is distributed for off-site use; or (ii) Ensure material meets the conditions for a commercial fertilizer as applicable in chapter 15.54 RCW, Fertilizers, minerals, and limes; or (iii) Send material to a compliant permitted or conditionally exempt compost facility for further treatment to meet compost quality standards; or (iv) Land apply material in accordance with WAC 173-350-230, Land application; or (v) Use material in accordance with WAC 173-350-200, Beneficial use permit exemption; or (vi) Process or manage material in an alternate manner approved by the department or the jurisdictional health department. (c) Submit annual reports to the department and the jurisdictional health department by April 1st of each calendar year. Annual reports must be submitted on forms provided by the department.

(2) Facilities managing under the rules and volumes of material described in Table 225-A above are conditionally exempt facilities when they meet the following conditions:

- (a) Comply with the performance standards of WAC 173-350-040;
- (b) Allow inspections by the department and/or jurisdictional health department at reasonable times to verify compliance with the conditions specified in this subsection;
- (c) Manage the operation to prevent attraction of flies, rodents, and other vectors;
- (d) Control nuisance odors to prevent migration beyond property boundaries; and
- (e) Manage the operation to prevent the migration of agricultural pests identified by local horticultural pest and disease control boards, as applicable.

[Statutory Authority: Chapter 70.95 RCW, and RCW 70.95.060, 70.95.215, 70.95.218, 70.95.260(6), 70.95.300, 70.95.305, 70.95.310, 70.95.440. WSR 18-17-008 (Order 13-08), § 173-350-225, filed 8/1/18, effective 9/1/18. Statutory Authority: RCW 70.95.020(3), 70.95.060(1),

70.95.260(6), 70.95.305, 70.95.330. WSR 13-08-016 (Order 10-06), §
173-350-225, filed 3/25/13, effective 4/25/13.]