

WAC 173-306-200 Generator management plans. (1) Applicability. These standards apply to special incinerator ash generators that incinerate more than twelve tons of municipal solid waste per day. Existing generators shall meet the requirements of this section within six months after the effective date of this chapter.

(2) Management plans procedures.

(a) Before generating or managing any special incinerator ash, any generator subject to this section shall submit a generator management plan to the department for review and approval. The department may publish guidelines on the form and content of management plans consistent with this chapter. Within thirty days of receipt, the department shall determine whether the plan is factually complete and so notify the generator.

(b) Upon receipt of a complete generator management plan, the department shall give notice of its receipt of a proposed management plan to the public and to interested persons for public comment for thirty days after the date of publication.

(c) The department shall also perform the following additional public notification requirements:

(i) Mail the notice to persons who have expressed an interest in being notified;

(ii) Mail the notice to other state agencies and local governments with a regulatory interest in the proposal;

(iii) The public notice shall include a statement that any person may express their views in writing to the department within thirty days of the last date of publication;

(iv) Any person submitting written comment or any other person upon request, may obtain a copy of the department's final decision;

(v) The department shall add the name of any person, upon request, to a mailing list to receive copies of notices for all applications within the state or within a geographical area.

(d) The department shall review each generator management plan to determine whether the generator management plan complies with this chapter and chapter 70.138 RCW, including whether the necessary ash disposal permit has been or is likely to be issued.

(e) Within sixty days of receipt of a complete generator management plan, the department may approve, approve with conditions, or reject the submitted generator management plan. Approval may be conditioned upon additional requirements necessary to protect employees, human health, and the environment, including special management requirements such as waste and ash segregation, or treatment techniques such as neutralization, detoxification, and solidification or stabilization.

(f) All generators shall comply with their individual approved management plan. No generator may construct and operate an incineration or energy recovery facility without an approved management plan.

(g) Any generator operating under an approved generator management plan shall notify the department and the department may require resubmission of the generator management plan when there is a proposed material change in the ash management of the special incinerator ash collection and/or handling system.

Upon receipt of the revised generator management plan, the department shall proceed according to subsection (2) of this section.

(3) Generator management plan requirements. Before managing special incinerator ash, all applicable generators shall develop generator management plans. Generator management plans shall show how the following requirements are met:

(a) Planning requirements:

(i) All generators shall demonstrate how the management of ash, including disposal, complies with the city and county comprehensive solid waste management plan of RCW 70.95.080, as applicable.

(ii) All generators shall demonstrate how ash management areas comply with or are a part of the spill prevention plans.

(b) Requirements for managing solid waste to reduce ash toxicity and ash quantity. All generators shall:

(i) Conduct annual municipal solid waste compositional studies to identify kinds and amounts of toxic metals, including cadmium and lead, other hazardous materials, halogenated plastics, and other substances that contribute to the toxicity of special incinerator ash;

(ii) Establish policies, procedures, incentives, and treatment methods to remove toxic metals in municipal solid waste before incineration or energy recovery;

(iii) Establish procedures to insure that dangerous wastes are not knowingly accepted at the incineration or energy recovery facility including developing lists of consumer or commercial items that may or may not be acceptable for incineration;

(iv) Establish a timetable for implementing (b)(i), (ii), and (iii) of this subsection, and a method for evaluating the effectiveness of the program in reducing the toxicity and volume of special incinerator ash.

(c) Collection and handling requirements.

(i) All incineration or energy recovery facilities must be designed and operated to prevent fugitive dust emissions and direct exposure of the ash to the weather. Special incinerator ash must be collected, stored, and handled in enclosed buildings or the equivalent (e.g., covered conveyors and transfer points). This requirement is not applicable to ferrous metal separated from bottom ash.

(ii) Floor or surface drains serving ash collection, storage, and handling areas must not be connected to uncontaminated stormwater runoff drains. Spills and process waters must be handled in one or more of the following methods:

(A) Reused in the process;

(B) Discharged to surface waters under a National Pollution Discharge Elimination System Permit issued under chapter 173-220 WAC;

(C) Discharged to surface water, groundwater, or a municipal sewer system under a state discharge permit issued under chapter 173-216 WAC;

(D) Injected through wells under an underground injection control permit issued under chapter 173-218 WAC; or

(E) Managed in another method approved by the department.

(iii) All incineration and energy recovery facilities must be designed and operated to comply with chapter 296-62 WAC, the general occupational health standards.

(iv) The percentage of carbon in bottom ash may not exceed six percent by weight, dry, as determined by ASTM D3178-84 or other methods approved by the department. Alternative carbon content limits may be established by the department, upon a demonstration by the owner or operator that methane generation and settlement does not exceed levels associated with bottom ash meeting the six percent carbon standard. Representative samples must be taken according to the guidelines established by the department.

(d) Storage requirements.

(i) Ash must be stored in totally-enclosed buildings, in leak-proof containers, or in tanks;

(ii) Storage may not exceed forty-five days from the date of generation of the ash, and/or the storage amount may not exceed thirty days of daily production;

(iii) Storage must be in an area served by the floor and surface drain requirements in (c)(ii) of this subsection.

(e) Ash from an incineration or energy recovery facility must be transported to an offsite or on-site disposal facility in covered and sealed vehicles or containers to avoid wind dispersal or fluid leakage. Owners and operators shall prevent ash trackout onto the site and the public right of way by employing tire washing or any equivalent means. Contaminated washwaters must be disposed of according to (c)(ii) of this subsection.

(f) Waste management accountability. All owners or operators of incineration or energy recovery facilities shall:

(i) Establish procedures acceptable to the department for tracking movements of special incinerator ash from the point of generation and/or handling to the site of final deposit or disposal. The tracking method may include inventory control and tracking systems, scale, ticket, and receipt tracking, gate logs, operating logs, or material balances;

(ii) File a report with the department if the owner or operator has not confirmed that an ash waste has been received at the intended destination within forty-five days of the date the waste was accepted by the transporter. The report must include:

(A) A legible copy of the shipping paper or manifest for which the owner or operator does not have confirmation of delivery; and

(B) A cover letter signed by the generator or his representative explaining the efforts taken to locate the waste and the results of these efforts.

(g) Other state and local requirements. All generators shall comply with all federal, state, and local environmental and industrial hygiene right-to-know laws and rules, including chapter 197-11 WAC, the State Environmental Policy Act rules; chapter 173-304 WAC, the Minimum functional standards for solid waste handling; and chapter 173-434 WAC, the air emission rules for incinerators.

(4) Annual report requirements. All generators shall submit annual reports to the department by March 1 of the following calendar year on forms specified by the department specifying:

(a) Annual amounts, in tons, of:

(i) Municipal solid waste incinerated;

(ii) Bottom ash generated; and

(iii) Flyash/scrubber residue generated.

(b) Disposal sites for all special incinerator ash. For multiple disposal sites, the amounts of disposal that are occurring in tons per year;

(c) Permittee's name, address, telephone number, date of permit issuance and expiration date for the disposal sites listed in (b) of this subsection;

(d) Designation test results. The results of testing bottom ash and flyash/scrubber residues separately and combined flyash and bottom ash on representative samples taken each quarter of the year and subjected to the criteria of WAC 173-303-100. Results of testing bottom ash quarterly for carbon residue according to subsection (3)(c)(iv) of this section must be included unless otherwise approved by the department. After one year of testing, the department may reduce this requirement if a less frequent program can provide adequate data to determine the effectiveness of an ash toxicity reduction program. Repre-

sentative sampling methods shall follow guidelines specified by the department;

(e) Toxics separation test results. The results of testing bottom ash and flyash separately for toxic metals from samples taken in (d) of this subsection must be included, in order to judge the progress made in toxic metals separation and reduction;

(f) Special test results. The results of testing bottom ash and flyash separately for dioxins and dibenzofurans on a composite sample made from the eight quarterly samples taken in (d) of this subsection must be included; and

(g) Ambient lead and cadmium samples taken in the air and soil respectively at the property boundary must be included to demonstrate compliance with the performance standard of WAC 173-306-440 (2)(b) and (c). The samples must be taken annually for cadmium and quarterly for lead, unless otherwise approved by the department.

[Statutory Authority: Chapter 70.138 RCW. WSR 00-19-018 (Order 00-17), § 173-306-200, filed 9/8/00, effective 10/9/00; WSR 90-10-047, § 173-306-200, filed 4/30/90, effective 5/31/90.]