

**WAC 173-434-020 Applicability and compliance.** (1) The provisions of this chapter shall apply statewide to all incinerator facilities that:

(a) Are constructed after January 1, 1985, which are designed to burn twelve or more tons per day of solid waste; or

(b) Were constructed prior to January 1, 1985, but begin to burn twelve or more tons per day of solid waste after January 1, 1985.

(2) This chapter subjects solid waste incinerator facilities to either a primary compliance scheme or an alternate compliance scheme. The requirements for the primary compliance scheme are contained in WAC 173-434-090, 173-434-130, 173-434-160, 173-434-170, 173-434-190, 173-434-200, and 173-434-210. The requirements for the alternate compliance scheme are contained in WAC 173-434-110. The alternate compliance scheme applies to solid waste incinerator facilities that meet the criteria specified in WAC 173-434-110 and to solid waste incinerator facilities that opt in to the alternate compliance scheme pursuant to WAC 173-434-110 (3)(b). The primary compliance scheme applies to all other solid waste incinerator facilities.

[Statutory Authority: RCW 70.94.331 and 70.94.510. WSR 04-01-159 (Order 02-05), § 173-434-020, filed 12/22/03, effective 1/22/04. Statutory Authority: RCW 70.94.331. WSR 90-19-062 (Order 90-10), § 173-434-020, filed 9/17/90, effective 10/18/90. Statutory Authority: Chapter 70.94 RCW. WSR 87-07-041 (Order 86-38), § 173-434-020, filed 3/16/87.]