

WAC 173-304-600 Permit requirements for solid waste facilities.

(1) Applicability.

(a) All facilities which are subject to the standards of WAC 173-304-130, 173-304-300, and 173-304-400 are required to obtain permits. Permits are not required for single family residences and single family farms dumping or depositing solid waste resulting from their own activities on to or under the surface of land owned or leased by them when such action does not create a nuisance, violate statutes, ordinances, or regulations, including this regulation.

(b) Permits are not required for corrective actions at solid waste handling facilities performed by the state and/or in conjunction with the United States Environmental Protection Agency to implement the Comprehensive Environmental Response Compensation and Liability Act of 1980 (CERCLA), or corrective actions taken by others to comply with a state and/or federal cleanup order provided that:

(i) The action results in an overall improvement of the environmental impact of the site;

(ii) The action does not require or result in additional waste being delivered to the site or increase the amount of waste or contamination present at the site;

(iii) The facility standards of WAC 173-304-400 are met; and

(iv) The jurisdictional health department is informed of the actions to be taken and is given the opportunity to review and comment upon the proposed corrective action plans.

(c) Effective dates. The effective dates are as follows:

(i) The permit requirements of this section apply to all existing waste handling facilities eighteen months after the effective date of this regulation.

(ii) Between the effective date of this regulation and eighteen months thereafter, existing facilities will operate under the terms and conditions of existing permits valid on the effective date of this regulation. Jurisdictional health departments shall incorporate compliance schedules into valid existing permits; such compliance schedules shall insure that existing facilities meet the effective dates of WAC 173-304-400(3).

(iii) New and expanded waste handling facilities shall meet the requirements of this section on the effective date of this regulation.

(2) Procedures for permits.

(a) Any owner or operator subject to the permit requirements who intends to operate a facility must apply for a permit with the jurisdictional health department. Filing shall not be complete until two copies of the application have been signed by the owner and operator and received by the jurisdictional health department, and the applicant has filed an environmental checklist required under the State Environmental Policy Act rules, chapter 197-11 WAC.

(b) Applications for a permit must contain the information set forth in subsection (3) of this section.

(c) Once the jurisdictional health department determines that an application for a permit is factually complete, it shall refer one copy to the appropriate regional office of the department for review and comment.

(d) The jurisdictional health department shall investigate every application to determine whether the facilities meet all applicable laws and regulations, conforms with the approved comprehensive solid waste handling plan and complies with all zoning requirements.

(e) The jurisdictional health department may establish reasonable fees for permits and renewal of permits. All permit fees collected by

the health department shall be deposited in the county treasury in the account from which the health department's operating expenses are paid.

(f) The department shall report to the jurisdictional health department its findings on each permit application within forty-five days of receipt of a complete application or inform the jurisdictional health department as to the status of the application. Additionally, the department shall recommend for or against the issuance of each permit by the jurisdictional health department.

(g) When the jurisdictional health department has evaluated all pertinent information, it may issue a permit. Every completed solid waste permit application shall be approved or disapproved within ninety days after its receipt by the jurisdictional health department or the applicant shall be informed as to the status of the application.

(h) Except for applications specified in subsection (3)(h) of this section every permit issued by a jurisdictional health department shall be on a format prescribed by the department and shall contain specific requirements necessary for the proper operation of the permitted site or facility including the requirement that final engineering plans and specifications be submitted for approval to the jurisdictional health department.

(i) All issued permits must be filed with the department no more than seven days after the date of issuance.

(j) The owner or operator of a facility shall apply for renewal of the facility's permit annually. The jurisdictional health department shall annually:

(i) Review the original application for compliance with these regulations and submit such additional information as spelled out in subsection (4) of this section;

(ii) Review information collected from inspections, complaints, or known changes in the operations;

(iii) Collect the renewal fee;

(iv) Renew the permit; and

(v) File the renewed permit with the department no more than seven days after the date of issuance. The department shall review and may appeal the renewal as set forth in RCW 70.95.185 and 70.95.190.

(3) Application contents for permits for new or expanded facilities.

(a) All permit applications except for inert waste, demolition waste, special purpose landfills, woodwaste landfill and recycling facilities applications, which are specified in (h) of this subsection, shall contain the following:

(i) A general description of the facility;

(ii) The types of waste to be handled at the facility;

(iii) The plan of operation required by WAC 173-304-405(2);

(iv) The form used to record weights or volumes required by WAC 173-304-405(3);

(v) An inspection schedule and inspection log required by WAC 173-304-405(5); and

(vi) Documentation to show that any domestic or industrial waste water treatment facility, such as a leachate treatment system, is being reviewed by the department under chapter 173-240 WAC.

(b) Application contents for permits for new or expanded landfill facilities. In addition to the requirements of (a) of this subsection, each landfill application for a permit must contain:

(i) A geohydrological assessment of the facility that addresses:

- (A) Local/regional geology and hydrology, including faults, unstable slopes and subsidence areas on site;
 - (B) Evaluation of bedrock and soil types and properties;
 - (C) Depths to groundwater and/or aquifer(s);
 - (D) Direction and flow rate of local groundwater;
 - (E) Direction of regional groundwater;
 - (F) Quantity, location and construction (where available) of private and public wells within a two thousand foot radius of site;
 - (G) Tabulation of all water rights for groundwater and surface water within a two thousand foot radius of the site;
 - (H) Identification and description of all surface waters within a one-mile radius of the site;
 - (I) Background ground and surface water quality assessment, and for expanded facilities, identification of impacts of existing facilities of the applicant to date upon ground and surface waters from landfill leachate discharges;
 - (J) Calculation of a site water balance;
 - (K) Conceptual design of a groundwater and surface water monitoring system, including proposed installation methods for these devices and where applicable a vadose zone monitoring plan;
 - (L) Land use in the area, including nearby residences; and
 - (M) Topography of the site and drainage patterns.
- (ii) Preliminary engineering report/plans and specifications that address:
- (A) How the facility will meet the locational standards of WAC 173-304-130;
 - (B) Relationship of facility to county solid waste comprehensive plan and the basis for calculating the facility's life;
 - (C) The design of bottom and side liners;
 - (D) Identification of borrow sources for daily and final cover, and soil liners;
 - (E) Interim/final leachate collection, treatment, and disposal;
 - (F) Landfill gas control and monitoring;
 - (G) Trench design, fill methods, elevation of final cover and bottom liner, and equipment requirements; and
 - (H) Closure/post-closure design, construction, maintenance, and land use.
- (iii) An operation plan that addresses:
- (A) Operation and maintenance of leachate collection, treatment, and disposal systems;
 - (B) Operation and maintenance of landfill gas control systems;
 - (C) Monitoring plans for groundwater, surface water, and landfill gases to include sampling technique, frequency, handling, and analyses requirements;
 - (D) Safety and emergency accident/fire plans;
 - (E) Routine filling, grading, cover, and housekeeping;
 - (F) Record system to address records on weights (or volumes), number of vehicles and the types of waste received;
 - (G) Vector control plans; and
 - (H) Noise control.
- (iv) Closure plan to address:
- (A) Estimate of closure season/year;
 - (B) Capacity of site in volume and tonnage;
 - (C) Maintenance of active fill versus completed, final covered acreage;
 - (D) Estimated closure construction timing and notification procedures;

(E) Inspection by regulatory agencies.
(v) Post-closure plan to address:
(A) Estimated time period for post-closure activities;
(B) Site monitoring of landfill gas, groundwater, and surface water;
(C) Deed clause changes, land use, and zoning restrictions;
(D) Maintenance activities to maintain cover and runoff systems;
and
(E) Identification of final closure costs including cost calculations and the funding mechanism.

(c) Application contents for new or expanded transfer stations, drop box facilities, and baling and compaction systems requiring a permit. In addition to the requirements of (a) of this subsection, each applicable application for a permit must contain preliminary engineering report/plans and specifications that address:

(i) The proposed facility's zoning status;
(ii) The relationship to the county solid waste comprehensive plan and the area to be served by the facility; and
(iii) The facility design to address how the facility shall meet requirements of WAC 173-304-410, including closure.

(d) Application contents for new or expanded surface impoundments requiring a permit. In addition to the requirements of (a) of this subsection, each applicable application for a permit must contain:

(i) A geohydrological assessment of the facility that addresses all of the factors of (b)(i) of this subsection;
(ii) Preliminary engineering report/plans and specifications that address, where applicable:
(A) How the proposed facility will meet the locational standards of WAC 173-304-130;
(B) The relationship of facility to the county solid waste comprehensive plan;
(C) The design of liners and foundation to be incorporated in the facilities design including the design leachate of collection and treatment systems;
(D) The design of groundwater monitoring;
(E) The design of dikes including calculations on dike stability analyses under conditions of liner failure;
(F) Other design details, including sludge cleanout and disposal, overfilling alarms and inlet design; and
(G) Closure/post-closure design, construction maintenance and land use.

(iii) An operation plan that addresses:
(A) Operation and maintenance of leachate collection system, or groundwater monitoring;
(B) Operation and maintenance of overfilling equipment or details of filling and emptying techniques;
(C) Inspection of dikes and liners for integrity; and
(D) Safety and emergency plans.

(iv) A closure plan to address:
(A) Estimate of closure year and cost;
(B) Methods of removing wastes, liners and any contaminated soils, and location of final disposal;
(C) Closure timing and notification procedures; and
(D) Final inspection by regulatory agencies.

(e) Application contents for new or expanded piles requiring a permit. In addition to the requirements of (a) of this subsection, each application for a permit must contain:

- (i) Preliminary engineering reports/plans and specifications that address:
 - (A) How the proposed facility will meet the locational standards of WAC 173-304-130;
 - (B) The relationship of the facility to the county solid waste comprehensive plan and zoning;
 - (C) The design of the liner or sealed surface upon which the liner rests, including an analysis of the liners ability to withstand the stress;
 - (D) The design of the run-on and runoff system;
 - (E) The design to avoid washout when the pile is located in a one hundred-year flood plain; and
 - (F) Maximum elevation and boundaries of the waste pile.
- (ii) An operation plan that addresses:
 - (A) Methods of adding or removing wastes from the pile and equipment used;
 - (B) Inspection of the liner for integrity; and
 - (C) Safety and emergency plans.
- (iii) A closure plan to address:
 - (A) Estimate of closure year and cost;
 - (B) Methods of removing wastes, liners and any contaminated soils, and location of final disposal;
 - (C) Closure timing and notification procedures; and
 - (D) Final inspection by regulatory agencies.
- (f) Application contents for new or expanded energy recovery and incinerator facilities requiring a permit. In addition to the requirements of (a) of this subsection, each application for a permit must contain:
 - (i) Preliminary engineering reports/plans and specifications that address:
 - (A) The relationship of the facility to the county solid waste comprehensive plan and zoning;
 - (B) The design of the storage and handling facilities on-site for incoming waste as well as fly ash, bottom ash and any other wastes produced by air or water pollution controls; and
 - (C) The design of the incinerator or thermal treater, including changing or feeding systems, combustion air systems, combustion or reaction chambers, including heat recovery systems, ash handling systems, and air pollution and water pollution control systems. Instrumentation and monitoring systems design shall also be included.
 - (ii) An operation plan that addresses:
 - (A) Cleaning of storage areas as required by WAC 173-304-440 (2) (a);
 - (B) Alternative storage plans for breakdowns as required in WAC 173-304-440 (2) (c);
 - (C) Inspection to insure compliance with state and local air pollution laws and to comply with WAC 173-304-405(5). The inspection log or summary must be submitted with the application; and
 - (D) How and where the fly ash, bottom ash and other solid wastes will be disposed of.
 - (iii) A closure plan to address:
 - (A) Estimate of closure year and cost;
 - (B) Methods of closure and methods of removing wastes, equipment, and location of final disposal;
 - (C) Closure timing and notification procedures; and
 - (D) Final inspection by regulatory agencies.

(g) Application contents for new or expanded landspreading disposal facilities requiring a permit. In addition to the requirements of (a) of this subsection, each application for a permit must contain:

(i) A geohydrological assessment of the facility that addresses all of the factors of (b)(i) of this subsection;

(ii) Preliminary engineering reports/plans and specifications that address:

(A) How the proposed facility will meet the locational standards of WAC 173-304-130;

(B) The relationship of the facility to the county solid waste comprehensive plan and the basis for calculating the facility's life;

(C) Waste analyses and methods to periodically sample and analyze solid waste;

(D) Design of interim waste storage facilities if such facilities are not otherwise permitted by the department;

(E) Design of run-on and runoff systems;

(F) A contour map of the active area showing contours to the nearest foot;

(G) A groundwater and surface water monitoring program; and

(H) Access barriers such as fences, and warning signs.

(iii) An operation plan that addresses:

(A) Operation and maintenance of runoff and run-on systems;

(B) Methods of taking groundwater samples and for maintaining groundwater monitoring systems;

(C) Methods of applying wastes to meet the requirements of WAC 173-304-450 (2)(d):

(I) Estimated multiples of agronomic rates;

(II) Frequency of discing; and

(III) Avoidance of standing water.

(D) The written contract required between landowners, waste generators and waste operators.

(iv) Closure plan to address:

(A) Estimate of closure season/year;

(B) Capacity of site in volume and tonnage;

(C) Year-to-year maintenance of the active area versus completed, final covered acreage;

(D) Closure construction timing and notification procedures; and

(E) Final inspection by regulatory agencies.

(v) Post-closure plan to address:

(A) Estimated time period for post-closure activities;

(B) Site monitoring of groundwater;

(C) Deed clause changes, land use, and zoning restrictions;

(D) Maintenance activities to maintain cover and runoff systems;

(E) Plans for food chain crops being grown on the active areas, after closure; and

(F) Identification of final closure costs including cost calculations and the funding mechanism.

(h) Application contents for new or expanded inert waste and demolition waste, special purpose landfill, woodwaste landfills, and recycling facilities.

Applications for permits subject to the standards of WAC 173-304-300, 173-304-460(5), 173-304-461, and 173-304-462 shall be on forms whose content shall be specified by the jurisdictional health department.

(4) Application contents for existing facilities renewing permits. All owners or operators of existing facilities shall renew permits or application forms specified in subsection (3) of this section.

Previous information submitted to the jurisdictional health department may be referred to on the application forms. Changes in operating methods or other changes must be noted on the application in order to be authorized by permit.

(5) Inspections. As a minimum, annual inspections of all permitted solid waste facilities shall be performed by the jurisdictional health department. Any duly authorized officer, employee, or representative of the jurisdictional health officer or his designee having jurisdiction may enter and inspect any property, premises or place at any reasonable time for the purpose of determining compliance with this chapter, and relevant laws and regulations. Findings shall be noted and kept on file. A copy of the inspection report or annual summary shall be furnished to the site operator.

[Statutory Authority: RCW 70.95.215. WSR 88-20-066 (Order 88-28), § 173-304-600, filed 10/4/88. Statutory Authority: Chapter 43.21A RCW. WSR 85-22-013 (Order 85-18), § 173-304-600, filed 10/28/85.]