

WAC 173-204-110 Applicability. (1) The sediment quality standards of WAC 173-204-300 through 173-204-315, and 173-204-350, and the sediment cleanup standards of WAC 173-204-500 through 173-204-575 shall apply to all surface sediments.

(2) The sediment quality standards of WAC 173-204-320, 173-204-330, and 173-204-340 and the applicable sediment cleanup standards of WAC 173-204-560 shall apply to marine, low salinity and freshwater surface sediments, respectively.

(3) The source control standards of WAC 173-204-400 through 173-204-420 shall apply to each person's actions which exposes or re-suspends surface sediments which exceed, or otherwise cause or potentially cause surface sediments to exceed, the applicable standards of WAC 173-204-320 through 173-204-340.

(4) The sediment recovery zone standards of WAC 173-204-590 shall apply to each person's cleanup action decision made pursuant to WAC 173-204-570 and 173-204-575 where the selected cleanup action leaves in place marine, low salinity, or freshwater sediments that exceed the applicable sediment cleanup standards of WAC 173-204-560.

(5) The sediment quality standards of WAC 173-204-320 through 173-204-340 shall not apply:

(a) Within a sediment impact zone as authorized by the department under WAC 173-204-415; or

(b) Within a sediment recovery zone as authorized by the department under WAC 173-204-590; or

(c) To particulates suspended in the water column; or

(d) To particulates suspended in a permitted effluent discharge; or

(e) To Part V of this chapter.

(6) Nothing in this chapter shall constrain the department's authority to make appropriate sediment management decisions on a case-specific basis using best professional judgment and latest scientific knowledge for cases where the standards of this chapter are reserved or standards are not available.

[Statutory Authority: Chapters 70.105D and 90.48 RCW. WSR 13-06-014 (Order 08-07), § 173-204-110, filed 2/25/13, effective 9/1/13. Statutory Authority: Chapters 43.21C, 70.105D, 90.48, 90.52, 90.54 and 90.70 RCW. WSR 91-08-019 (Order 90-41), § 173-204-110, filed 3/27/91, effective 4/27/91.]