

WAC 173-350-210 Recycling and material recovery facilities. (1) Recycling and material recovery facilities - Applicability.

(a) These standards apply to recycling and material recovery facilities.

(b) These standards do not apply to:

(i) Storage or treatment of solid waste in outdoor piles subject to WAC 173-350-320;

(ii) Storage or recycling of solid waste in surface impoundments subject to WAC 173-350-330;

(iii) Composting facilities subject to WAC 173-350-220;

(iv) Solid waste that is beneficially used and approved in accordance with the procedures of WAC 173-350-200 or 173-350-230;

(v) Storage of waste tires prior to recycling subject to WAC 173-350-350;

(vi) Storage of moderate risk waste prior to recycling subject to WAC 173-350-360;

(vii) Energy recovery or incineration of solid waste subject to WAC 173-350-240;

(viii) Anaerobic digesters subject to WAC 173-350-250;

(ix) Other organic materials handling subject to WAC 173-350-225;

(x) Drop boxes used solely for collecting recyclable materials subject to WAC 173-350-310;

(xi) Treatment of contaminated soils or contaminated dredge material indoors subject to WAC 173-350-490.

(2) **Recycling and material recovery facilities - Permit exemptions.** In accordance with RCW 70.95.305, recycling and material recovery facilities managed in accordance with the terms and conditions of Table 210-A of this subsection are exempt from solid waste handling permitting. If a facility does not operate in compliance with the terms and conditions established for an exemption under this subsection, the facility may be subject to the permitting requirements for solid waste handling under this chapter. In addition, violations of the terms and conditions of this subsection may be subject to the enforcement provisions of RCW 70.95.315.

**Table 210-A
Terms and Conditions for Solid Waste Permit Exemption**

	Waste Materials	Specific Requirements for Activity or Operation
(1)	Cured concrete or wood waste at point of generation	(a) Meet the performance standards of WAC 173-350-040; and (b) Recycle and use materials back on-site.
(2)	Comingled brick, cured, concrete, or asphaltic materials	(a) Meet the performance standards of WAC 173-350-040; (b) Recycle or ship for recycling at least fifty percent of all incoming material annually; (c) Comply with all applicable requirements of chapter 173-345 WAC, Recyclable materials—Transporter and facility requirements; (d) Allow inspections by the department or jurisdictional health department at reasonable times; (e) 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 and must be complete; and (f) Prepare and submit an annual report to the jurisdictional health department and the department by April 1st on forms supplied by the department. The annual report must detail material recovery or recycling activities during the previous calendar year and must include the following information: (i) Name and address of the operation;

	Waste Materials	Specific Requirements for Activity or Operation
		(ii) Calendar year covered by the report; (iii) Annual quantities and types of waste received, recovered or recycled, and disposed, in tons; (iv) Destination of materials; and (v) Any additional information required by the department.
(3)	Source-separated recyclable materials	(a) Meet the performance standards of WAC 173-350-040; and (b) Accept only wastes segregated into individual material streams. Examples of individual material streams are loads composed solely of cardboard, mattresses, or metal of one type or several types. More than one individual material stream may be accepted at the same facility, but mixed waste materials, including commingled recyclable materials, may not be accepted under this exemption; (c) Dispose of an incidental and accidental residual not to exceed five percent of weight or volume of the total waste received per year or per load, whichever is more stringent; (d) Manage the operation to prevent the attraction of vectors; (e) Recycle or ship for recycling at least fifty percent of all incoming material annually; (f) Comply with all applicable requirements of chapter 173-345 WAC, Recyclable materials—Transporter and facility requirements; (g) Allow inspections by the department or jurisdictional health department at reasonable times; (h) 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 and must be complete; and (i) Prepare and submit an annual report to the jurisdictional health department and the department by April 1st on forms supplied by the department. The annual report must detail material recovery or recycling activities during the previous calendar year and must include the following information: (i) Name and address of the operation; (ii) Calendar year covered by the report; (iii) Annual quantities and types of waste received, recovered or recycled, and disposed, in tons; (iv) Destination of materials; and (v) Any additional information required by the department.

(3) **Recycling and material recovery facilities - Permit requirements - Location.** There are no specific location standards for recycling and material recovery facilities subject to permitting under this chapter; however, recycling and material recovery facilities must meet the performance standards of WAC 173-350-040.

(4) **Recycling and material recovery facilities - Permit requirements - Design.** Recycling and material recovery facilities must be designed so that the facilities can be operated to meet the performance standards of WAC 173-350-040, and the following design standards:

- (a) Control public access, and prevent unauthorized vehicular traffic and illegal dumping of waste;
- (b) Be sturdy and constructed of easily cleanable materials;
- (c) Provide effective means to control rodents, insects, birds, and other vectors;
- (d) Provide effective means to control litter including, but not limited to, orientation of the tipping floor in a manner that prevents prevailing winds from moving waste outside the collection area when other structures are not in place to prevent this;
- (e) Provide a tip floor made of impervious material such as concrete or asphalt to prevent soil and groundwater contamination. The

surface must be durable enough to withstand equipment. The jurisdictional health department may approve other types of surfaces if the applicant can demonstrate that it will prevent soil and groundwater contamination;

(f) Cover the tipping floor to protect it from precipitation;

(g) Convey leachate from the tipping floor and any ancillary areas likely to collect leachate, such as wash down areas, to a surface impoundment, tank, or sanitary sewer, or use other methods approved by the jurisdictional health department to prevent uncontrolled discharge;

(h) Provide for stormwater runoff collection and discharge from a twenty-five-year storm;

(i) Provide pollution control measures to protect air quality; and

(j) Provide all-weather surfaces for vehicular traffic.

(5) Recycling and material recovery facilities - Permit requirements - Documentation.

(a) The owner or operator must submit facility drawings and construction documents for, at a minimum, any proposed addition or modification of elements described in subsection (4) of this section to the jurisdictional health department for review and approval. The facility drawings and construction documents for proposed construction of engineered features must be prepared by a professional engineer registered in the state of Washington, and must include:

(i) An engineering report that presents the design basis and calculations for the engineered features. The engineering report must demonstrate that the proposed design will meet the performance standards of WAC 173-350-040;

(ii) Scale drawing of the facility including the location and size of waste handling areas, fixed equipment, buildings, stormwater management features where applicable, access roads, traffic patterns, and other constructed areas and buildings integral to facility operation;

(iii) Design specifications for the engineered features of the facility as applicable; and

(iv) For new construction, a construction quality assurance plan that describes monitoring, testing, and documentation procedures that will be performed during construction of the facility, to ensure the facility is constructed in accordance with the approved design.

(b) The owner or operator must provide copies of the construction record drawings for engineered features at the facility and a report documenting facility construction, including the results of observations and any testing carried out as part of the construction quality assurance plan, to the jurisdictional health department and the department. The owner or operator must not commence operation in a newly constructed portion of the facility until the jurisdictional health department has determined that the construction was completed in accordance with the approved engineering report/plans and specifications and has approved the construction documentation in writing.

(6) Recycling and material recovery facilities - Permit requirements - Operating. The owner or operator of a recycling or material recovery facility must:

(a) Operate the site in compliance with the performance standards of WAC 173-350-040 and this subsection. In addition the owner or operator must develop, keep, and follow a plan operation approved as part of the permitting process. The plan of operation must be available for inspection at the request of the jurisdictional health department. If

necessary, the plan must be modified with the approval, or at the direction of the jurisdictional health department. Each plan of operation must include the following:

(i) A description of the types of waste materials to be handled at the facility;

(ii) A description of the procedures used to ensure that dangerous waste and other unacceptable waste are not accepted at the facility;

(iii) A description of how waste materials are to be handled on-site, including recycling or recovery, storage, maximum site capacity, method of adding or removing waste materials from the facility, and equipment used;

(iv) A description of how the owner or operator will ensure the facility is operated in a way to:

(A) Control litter, dust, and nuisance odors;

(B) Control rodents, insects, and other vectors;

(C) Provide attendant(s) on-site during hours of operation. Materials may be transferred after hours without an attendant on-site if other controls approved by the jurisdictional health department are in place;

(D) Provide a sign at the site entrance that identifies the facility and shows at a minimum the name of the site;

(E) Immediately summon fire, police, or emergency service personnel in the event of an emergency;

(F) Remove or otherwise manage leachate from containment structure(s) to prevent soil and/or groundwater contamination;

(G) Remove waste materials from the tipping floor at a frequency approved by the jurisdictional health department; and

(H) Ensure that handling of waste capable of attracting birds does not pose an aircraft safety hazard.

(v) A description of how operators will inspect and maintain the facility to prevent malfunctions, deterioration, operator errors, and discharges that may cause or lead to the release of wastes to the environment or a threat to human health, including the inspection form operators will use. Inspections must be conducted as needed, but at least weekly, unless an alternate schedule is approved by the jurisdictional health department as part of the permitting process;

(vi) A description of how operators will maintain operating records on the amounts (weight or volume) and types of waste received and removed from the facility, including the form or computer printout used to record this information. Facility annual reports must be maintained in the operating record. Facility inspection reports must be maintained in the operating record, including at least the date of inspection, the name and signature of the inspector, a notation of observations made, and the date and nature of any needed repairs or remedial action. Significant deviations from the plan of operation must be noted in the operating record. Records must be kept for a minimum of five years and must be available upon request by the jurisdictional health department;

(vii) Safety and emergency plans; and

(viii) Other details to demonstrate that the facility will be operated in accordance with this subsection and as required by the jurisdictional health department.

(b) Prepare and submit an annual report to the jurisdictional health department and the department by April 1st on forms supplied by the department. The annual report must detail recycling or material

recovery activities during the previous calendar year and must include the following information:

(i) Name and address of the recycling or material recovery operation;

(ii) Calendar year covered by the report;

(iii) Annual quantities and types of waste received, recovered or recycled, and disposed, in tons;

(iv) Destination of material; and

(v) Any additional information required by the jurisdictional health department as a condition of the permit.

(7) **Recycling and material recovery facilities - Permit requirements - Groundwater monitoring.** There are no specific groundwater monitoring requirements for recycling and material recovery facilities subject to this chapter; however, recycling and material recovery facilities must meet the performance standards of WAC 173-350-040.

(8) **Recycling and material recovery facilities - Permit requirements - Closure.** The owner or operator of a recycling or material recovery facility must develop, keep, and follow a closure plan that includes:

(a) Notification to the jurisdictional health department sixty days in advance of closure;

(b) Removal of all waste material to a facility that conforms with the applicable regulations for handling the waste; and

(c) Methods of removing waste material.

(9) **Recycling and material recovery facilities - Permit requirements - Financial assurance.** There are no specific financial assurance requirements for recycling and material recovery facilities subject to this chapter; however, recycling and material recovery facilities must meet the performance standards of WAC 173-350-040.

(10) **Recycling and material recovery facilities - Permit application contents.** The owner or operator of a recycling or material recovery facility must obtain a solid waste permit from the jurisdictional health department. All applications for permits must be submitted according to the procedures established in WAC 173-350-710. In addition to the requirements of WAC 173-350-710 and 173-350-715, each application for a permit must contain:

(a) Engineering reports/plans and specifications that address the standards of subsections (4) and (5) of this section;

(b) A plan of operation meeting the applicable requirements of subsection (6) of this section;

(c) A closure plan meeting the requirements of subsection (8) of this section; and

(d) Any additional information required by written notification of the jurisdictional health department.

[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), § 173-350-210, filed 8/1/18, effective 9/1/18. Statutory Authority: Chapter 70.95 RCW. WSR 03-03-043 (Order 99-24), § 173-350-210, filed 1/10/03, effective 2/10/03.]