

**WAC 173-351-740 Permit issuance criteria.** The jurisdictional health department may issue, reissue, or modify a MSWLF permit to a facility, only if:

(1) The application's engineering and hydrogeological data and construction plans and specifications required by this regulation demonstrate that the proposed MSWLF unit or MSWLF units meets the requirements of this regulation;

(2) The application demonstrates the facility's ability to operate and close in accordance with the requirements of this regulation;

(3) The application demonstrates the facility's ability to conduct post-closure activities in accordance with the requirements of this regulation;

(4) The owner or operator has established a financial assurance mechanism meeting the requirements of this regulation and has submitted, as applicable:

(a) A copy of the ordinance establishing the reserve account; or

(b) The original signed documents for trust funds, surety bonds, or letters of credit for closure and post-closure financial assurance; and

(5) The application demonstrates the facility's consistency with the local solid waste management plan in effect at the time of application.

[Statutory Authority: RCW 70.95.020(3), 70.95.060(1), and 70.95.260(1), (6). WSR 12-23-009 (Order 07-15), § 173-351-740, filed 11/8/12, effective 12/9/12. Statutory Authority: Chapter 70.95 RCW and 40 C.F.R. 258. WSR 93-22-016, § 173-351-740, filed 10/26/93, effective 11/26/93.]