

**WAC 173-350-410 Inert waste landfills.** (1) **Inert waste landfills - Applicability.** These standards apply to landfills that receive only the following types of solid waste if the waste has not been tainted, through exposure from chemical, physical, biological, or radiological substances, such that it presents a threat to human health or the environment greater than that inherent to the material:

- (a) Cured concrete;
- (b) Asphaltic materials;
- (c) Brick and masonry;
- (d) Ceramic materials produced from fired clay or porcelain;
- (e) Glass; and
- (f) Stainless steel and aluminum.

(2) **Inert waste landfills - Permit exemptions.** In accordance with RCW 70.95.305, inert waste landfill facilities meeting the terms and conditions of Table 410-A 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 410-A  
Terms and Conditions for Solid Waste Permit Exemption**

Waste Material	Volume	Specific Requirements for Activity or Operation
Inert wastes as listed in WAC 173-350-410 (1)(a)	250 cubic yards or less	Meet the performance standards of WAC 173-350-040; No notification or reporting requirements.

(3) **Inert waste landfills - Permit requirements - Location.** All inert waste landfills must be located to meet the following requirements. No inert waste landfill's active area may be located:

- (a) On an unstable slope;
- (b) Closer than ten feet from the facility property line;
- (c) Closer than one thousand feet to an existing water supply well; or
- (d) In a channel migration zone or within one hundred feet measured horizontally, of a stream, lake, pond, river, or saltwater body, or in any wetland.

(4) **Inert waste landfills - Permit requirements - Design.** Inert waste landfills must be designed so that the facility can be operated to meet the performance standards of WAC 173-350-040, and the design standards of this subsection. The existing site topography, including the location and approximate thickness and nature of any existing waste, the vertical and horizontal limits of excavation and waste placement, final closure elevation and grades, and the design capacity of each landfill unit, total design capacity, and future use of the facility after closure, must be included. Inert waste landfills must be designed and constructed to:

- (a) Ensure that all waste is above the seasonal high level of groundwater. For the purpose of this section, groundwater includes any water-bearing unit which is horizontally and vertically extensive, hydraulically recharged, and volumetrically significant;
- (b) Maintain a stable site;
- (c) Manage surface water, including run-on prevention and runoff conveyance, storage, and treatment, to protect the waters of the state; and

(d) Provide controls to limit public access and prevent unauthorized vehicular traffic and illegal dumping of wastes by use of artificial barriers, natural barriers, or both, as appropriate to protect human health and the environment. A lockable gate is required at each entry to the landfill.

**(5) Inert waste landfills - Permit requirements - Documentation.**

(a) The owner or operator must submit construction documents for, at a minimum, any proposed addition or modification of elements of the landfill described in subsection (4) of this section to the jurisdictional health department for review and approval. The 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 of the facility including any run-on/runoff controls, impoundments, stormwater management features, and emission control features as required by the permitting air authority where applicable. The engineering report must demonstrate that the proposed design will meet the performance standards of this chapter;

(ii) Scale drawings of the facility including the location and size of waste storage and disposal 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 including any run-on/runoff controls, impoundments, stormwater management features, and aeration and emission management features as required by a permitting air authority where applicable; and

(iv) 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 of an inert waste landfill 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 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) Inert waste landfills - Permit requirements - Operating.** The owner or operator of an inert waste landfill must:

(a) Operate the facility 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 of operation approved as part of the permitting process. The plan must describe the facility's operation and convey to site operating personnel the concept of operation intended by the designer. The plan of operation must be available for inspection at the request of the jurisdictional health department. If necessary, the plan may 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 solid waste 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 tipping procedures, routine filling and grading, maximum site capacity, 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 and dust;

(B) Control runoff;

(C) Prevent unstable conditions during landfilling; and

(D) Control unauthorized vehicular traffic and prevent illegal dumping.

(v) A description of how equipment, structures, run-on/runoff controls, and other systems are to be inspected and maintained, including the frequency of inspection and inspections logs. The inspections must be 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 of the amounts (weight or volume) and types of waste received, 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 meet the requirements of 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 shall detail the facility's activities during the previous calendar year and must include the following information:

(i) Name and address of the facility;

(ii) Calendar year covered by the report;

(iii) Annual quantities and types of waste received; and

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

**(7) Inert waste landfills - Permit requirements - Groundwater monitoring.** There are no specific groundwater monitoring requirements for inert waste landfills subject to this chapter; however, inert waste landfills must meet the performance standards of WAC 173-350-040.

**(8) Inert waste landfills - Permit requirements - Closure.** The owner or operator of an inert waste landfill must develop, keep, and follow a closure plan that includes:

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

(b) Closure of the inert waste landfill unit by leveling the wastes to the extent practicable, or as appropriate for the proposed future use, and fill all voids which could pose a physical threat for persons, or which provide disease vector harborages;

(c) Closure of inert waste landfills in a manner that will control fugitive dust and protect the waters of the state; and

(d) Recording of maps and a statement of fact concerning the location of the landfill as part of the deed with the county auditor not later than three months after closure.

(9) **Inert waste landfills - Permit requirements - Financial assurance.** There are no specific financial assurance requirements for inert waste landfills subject to this chapter; however, inert waste landfills must meet the performance standards of WAC 173-350-040.

(10) **Inert waste landfills - Permit application contents.** The owner or operator must obtain a solid waste permit from the jurisdictional health department. All applications for permits shall be submitted in accordance with 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 shall contain:

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

(b) A plan of operation that meets the requirements of subsection (6) of this section;

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

(d) Documentation that all owners of property located within one thousand feet of the boundary of the landfill as it is proposed to be located in the solid waste permit application have been notified that the proposed facility may impact their ability to construct water wells, in accordance with chapter 173-160 WAC, Minimum standards for construction and maintenance of wells.

[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), § 173-350-410, filed 8/1/18, effective 9/1/18. Statutory Authority: Chapter 70.95 RCW. WSR 03-03-043 (Order 99-24), § 173-350-410, filed 1/10/03, effective 2/10/03.]