

**WAC 173-303-804 Emergency permits.** Requirements for an emergency permit. In the event the department finds that an imminent and substantial endangerment to human health or the environment exists, the department may issue a temporary emergency permit to a facility to allow treatment, storage, or disposal (TSD) of dangerous waste at a non-permitted facility, or at a facility covered by an effective permit that does not otherwise allow treatment, storage, or disposal of such dangerous waste. Notice of the issuance of an emergency permit will be given to the fire marshal, police department, and other local emergency service agencies with jurisdiction near the location of the facility. The emergency permit:

(1) May be oral or written. If oral, it will be followed within five days by a written emergency permit;

(2) Will not exceed ninety days in duration for dangerous wastes;

(3) Will not exceed one hundred eighty days in duration for special waste;

(4) Will clearly specify the dangerous wastes to be received, and the manner and location of their treatment, storage, or disposal;

(5) May be terminated by the department at any time without following the decision making procedures of WAC 173-303-840 if the department determines that termination is appropriate to protect public health and the environment;

(6) (a) Will be accompanied by a public notice published under WAC 173-303-840 (3) (d) that includes:

(i) The name and address of the department;

(ii) The name and location of the permitted TSD facility;

(iii) A brief description of the wastes involved;

(iv) A brief description of the action authorized and reasons for authorizing it; and

(v) The duration of the emergency permit; and

(b) Will be given public notice by:

(i) Publication in a daily newspaper within the area affected;

(ii) By radio broadcast within the area affected;

(iii) By mailing a copy of the public notice to the persons described in WAC 173-303-840 (3) (e) (i); and

(iv) Any other method reasonably determined to give actual notice of the emergency permit to persons potentially affected by it; and

(7) Will incorporate, to the extent possible and not inconsistent with the emergency situation, all applicable requirements of this chapter.

[Statutory Authority: Chapters 70.105, 70.105D, 15.54 RCW and RCW 70.105.007. WSR 00-11-040 (Order 99-01), § 173-303-804, filed 5/10/00, effective 6/10/00. Statutory Authority: Chapters 70.105 and 70.105D RCW. WSR 98-03-018 (Order 97-03), § 173-303-804, filed 1/12/98, effective 2/12/98; WSR 95-22-008 (Order 94-30), § 173-303-804, filed 10/19/95, effective 11/19/95. Statutory Authority: Chapter 70.105 RCW. WSR 86-12-057 (Order DE-85-10), § 173-303-804, filed 6/3/86; WSR 84-09-088 (Order DE 83-36), § 173-303-804, filed 4/18/84.]