

WAC 173-306-310 Permit procedures. (1) Application procedures.

(a) Persons owning or operating new or expanded ash disposal facilities shall apply to the department for a permit, before accepting any special incinerator ash for disposal. These procedures apply to permit renewal. Monofill owners who have successfully complied with the requirements for Type B design in WAC 173-306-450 (4)(a)(i) during the eighteen-month demonstration period shall apply for a permit before using the Design B liner. Applicants shall file two copies of the application with the department that have:

(i) Been signed and notarized as correct by the owner and operator; and

(ii) Attached evidence of compliance with the requirements of chapter 197-11 WAC, the State Environmental Policy Act rules.

(b) Permit applications must contain the information set forth in WAC 173-306-330 in order to be considered complete. Upon receipt of a permit application, the department shall review the application for completeness and notify the permit applicant accordingly.

(c) Within thirty days of receipt of a complete application, the department shall give notice of its receipt of a proposed complete permit application to the public and to interested persons for public comment for thirty days after the date of publication.

(d) The department will perform the following additional public notification requirements:

(i) Mail the notice to persons who have expressed an interest in being notified;

(ii) Mail the notice to other state agencies and local governments with a regulatory interest in the proposal;

(iii) The public notice shall include a statement that any person may express his or her views in writing to the department within thirty days of the last date of publication;

(iv) Any person submitting written comment or any other person, upon request, may obtain a copy of the department's final decision; and

(v) The department shall add the name of any person, upon request, to a mailing list to receive copies of notices for all applications within the state or within a geographical area.

(2) Issuance procedures.

(a) The department shall review each completed application to determine:

(i) Whether the disposal facility meets the requirements of this chapter;

(ii) Whether the disposal facility has been adequately addressed in the city and county comprehensive solid waste management plan as applicable; and

(iii) Whether the disposal facility complies with other environmental laws and rules.

(b) The department may approve, deny, or conditionally approve a completed permit application within sixty days of receipt of the department's notice.

(c) The department may issue up to five-year term permits for ash disposal; applications for reissuance of permits must be made at least six months before permit expiration. The applicant and the department shall follow the procedures of WAC 173-306-310 (1) and (2) in applying for and reissuing permits.

(3) Modification and revocation procedures. When the department obtains any information justifying modification, or the applicant applies for modification of an existing permit, the department may modi-

fy or revoke and reissue the permit according to the procedures of this section. An updated application may be requested if necessary. When a permit is modified only the conditions subject to modification are reopened. If a permit is revoked and reissued the entire permit is reopened and subject to revision and the permit is reissued for a new term.

[Statutory Authority: Chapter 70.138 RCW. WSR 00-19-018 (Order 00-17), § 173-306-310, filed 9/8/00, effective 10/9/00; WSR 90-10-047, § 173-306-310, filed 4/30/90, effective 5/31/90.]