

**WAC 173-312-050 Project and cost eligibility.** (1) Financial assistance reserved for local solid waste planning and implementation will be used to develop or maintain the department-approved local solid or hazardous waste management plan, and for eligible programs contained in those plans.

(2) Financial assistance reserved for local solid waste enforcement programs will be used to enforce rules and regulations adopted under chapter 70.95 RCW, and must provide for an outcome that is measurable. Programs include, but are not limited to:

(a) Develop and maintain local regulations or ordinances governing solid waste handling.

(b) Enforce locally adopted regulations or ordinances governing solid waste handling.

(c) Enforce state minimum functional standards as set forth in chapters 173-350, 173-351, and 173-304 WAC.

(d) Inspect and authorize the disposal of abandoned junk vehicles in accordance with RCW 70.95.240.

(e) Investigate illegal dumping of solid waste (provided that the enforcing authority takes reasonable action to determine and identify the person responsible for illegally dumping solid wastes).

(3) The department will consider eligible solid waste programs in the following descending order:

(a) **Local hazardous waste plans and programs** that:

(i) Develop or maintain the local hazardous waste management plan.

(ii) Manage household hazardous wastes that are generated or otherwise present within the jurisdiction.

(iii) Provide for ongoing public involvement and public education in regard to the management of moderate risk waste to include information as identified under RCW 70.105.220 (1)(b).

(iv) Provide for an outcome that is measurable.

(b) **Local solid waste plans and programs** that:

(i) Develop or maintain the local solid waste management plan.

(ii) Reduce waste and recycle.

(iii) Address local need (provided proposed expenditures meet eligible cost criteria).

(iv) Provide for an outcome that is measurable.

(4) Projects or related costs that are not eligible include:

(a) Solid waste incinerator feasibility studies, construction, maintenance, or operation.

(b) New landfill construction or landfill expansion, or landfill upgrading at an operating facility to meet the requirements of chapters 173-350 and 173-351 WAC.

(c) Landfill closure as required by chapters 173-350 and 173-351 WAC.

(d) Garbage collection and disposal, except start up and operational costs for waste reduction and recycling programs.

(e) Solid and hazardous waste expenses not directly related to compliance with state solid and hazardous waste laws and rules.

(f) Projects designed to address restoration of Puget Sound, funded in a competitive grant process, that are in conflict with the action agenda developed by the Puget Sound partnership under RCW 90.71.310.

(g) High performance buildings.

(h) Natural disasters where there is no hazardous substance contamination.

(i) Costs associated with biosolids managed under chapter 173-308 WAC including feasibility studies, trainings, compliance and monitoring.

(5) The department will review applications and evaluate projects, as defined in WAC 173-312-070, and as further described in guidelines.

[Statutory Authority: RCW 70.95.130, 70.95.220, 70.105.235, 70.105D.030, 70.105D.070. WSR 17-19-021 (Order 15-15), § 173-312-050, filed 9/8/17, effective 10/9/17. Statutory Authority: Chapters 70.105D and 43.21 RCW. WSR 02-05-070 (Order 01-11), § 173-312-050, filed 2/19/02, effective 3/22/02. Statutory Authority: RCW 70.105D.070(3). WSR 00-19-016 (Order 00-19), § 173-312-050, filed 9/8/00, effective 10/9/00. Statutory Authority: RCW 43.21A.080. WSR 91-11-090 (Order 90-65), § 173-312-050, filed 5/21/91, effective 6/21/91. Statutory Authority: RCW 43.21A.080 and chapter 70.105D RCW. WSR 90-18-064 (Order 90-17), § 173-312-050, filed 9/4/90, effective 10/5/90. Statutory Authority: RCW 70.105B.220 and 70.95.220. WSR 88-17-001 (Order 88-26), § 173-312-050, filed 8/4/88.]