

WAC 173-303-280 General requirements for dangerous waste management facilities.

(1) Applicability. The requirements of WAC 173-303-280 through 173-303-395 apply to all owners and operators of facilities which store, treat, or dispose of dangerous wastes and which must be permitted under the requirements of this chapter 173-303 WAC, unless otherwise specified in this chapter. Whenever a shipment of dangerous waste is initiated from a facility, the owner or operator of that facility must comply with the requirements for generators, WAC 173-303-170 through 173-303-230.

(2) Imminent hazard. Notwithstanding any provisions of this chapter, enforcement actions may be brought in the event that the management practices of a facility present an imminent and substantial hazard to the public health and the environment, regardless of the quantity or concentration of a dangerous waste.

(3) Identification numbers. Every facility owner or operator must apply for an EPA/state identification number from the department in accordance with WAC 173-303-060.

(4) The owner or operator must comply with the special land disposal restrictions for certain dangerous wastes in WAC 173-303-140.

(5) Salt dome formations, salt bed formations, underground mines and caves. The placement of any noncontainerized or bulk liquid dangerous waste in any salt dome formation, salt bed formation, underground mine or cave is prohibited.

(6) The requirements of WAC 173-303-290 through 173-303-360 and WAC 173-303-395 do not apply to cleanup-only facilities. Instead, owners/operators of cleanup-only facilities must comply with the following requirements.

(a) Obtain an EPA/state identification number in accordance with WAC 173-303-060(2).

(b) Obtain a detailed chemical and physical analysis of a representative sample of the dangerous remediation waste to be treated, stored or disposed at the site. At a minimum, this analysis must contain all information that must be known to treat, store or dispose of the dangerous remediation waste according to WAC 173-303-140 (2)(a), 173-303-280 through 173-303-395 and WAC 173-303-600 through 173-303-695 and must be kept accurate and up to date.

(c) Prevent people who are unaware of the danger from entering, and minimize the possibility for unauthorized people or livestock to enter onto the active portion of the remediation waste management site, unless the owner or operator can demonstrate to the director that:

(i) Physical contact with the dangerous remediation waste, structures or equipment within the active portion of the remediation waste management site will not injure people or livestock who may enter the active portion of the remediation waste management site; and

(ii) Disturbance of the dangerous remediation waste or equipment by people or livestock who enter onto the active portion of the remediation waste management site will not cause a violation of the requirements of WAC 173-303-280 through 173-303-395 or WAC 173-303-600 through 173-303-695.

(d) Inspect the remediation waste management site for malfunctions, deterioration, operator errors, and discharges that may lead to a release of dangerous constituents to the environment or a threat to human health. Inspections must be conducted often enough to identify problems in time to correct them before they harm human health or the environment. Problems must be remedied before they lead to a human

health or environmental threat. Where a hazard is imminent or has already occurred, remedial action must be taken immediately.

(e) Provide personnel with classroom or on-the-job training on how to perform their duties in a way that ensures the remediation waste management site complies with the requirements of WAC 173-303-280 through 173-303-395 and WAC 173-303-600 through 173-303-695 and on how to effectively respond to emergencies.

(f) Take precautions to prevent accidental ignition or reaction of ignitable or reactive dangerous remediation waste and prevent threats to human health and the environment from ignitable, reactive and incompatible dangerous remediation waste.

(g) Develop and maintain a construction quality assurance program for all surface impoundments, waste piles and landfill units that are required to comply with WAC 173-303-650 (2)(j) and (k), 173-303-660 (2)(j) and (k) or 173-303-655 (2)(h), (i) and (j). The construction quality assurance must meet the requirements of WAC 173-303-335.

(h) Develop and maintain procedures to prevent accidents and a contingency and emergency plan to control accidents that occur. The procedures must address proper design, construction, maintenance and operation of remediation waste management units at the site. The goal of the plan must be to minimize the possibility of, and the hazards from, a fire, explosion or any other unplanned sudden or nonsudden release of dangerous remediation waste or dangerous constituents to the air, soil or surface water that could threaten human health or the environment. The plan must explain specifically how to treat, store or dispose of the remediation waste in question and must be implemented immediately whenever a fire, explosion or release of dangerous remediation waste or dangerous constituents occurs and could threaten human health or the environment.

(i) Designate at least one employee, either on the remediation waste management site premises or on call (that is, available to respond to an emergency by reaching the remediation waste management site quickly), to coordinate all emergency response measures. The emergency coordinator must be thoroughly familiar with all aspects of the remediation waste management site contingency plan, all operations and activities at the site, the location and characteristics of dangerous remediation waste handled, the location of all records within the site, and the site layout. The emergency coordinator must have authority to commit the resources needed to carry out the contingency plan.

(j) Develop, maintain and implement a plan to meet the requirements of this subsection.

(k) Maintain records documenting compliance with this subsection.

[Statutory Authority: Chapters 70.105, 70.105D, 15.54 RCW and RCW 70.105.007. WSR 00-11-040 (Order 99-01), § 173-303-280, filed 5/10/00, effective 6/10/00. Statutory Authority: Chapters 70.105 and 70.105D RCW. WSR 98-03-018 (Order 97-03), § 173-303-280, filed 1/12/98, effective 2/12/98; WSR 95-22-008 (Order 94-30), § 173-303-280, filed 10/19/95, effective 11/19/95. Statutory Authority: Chapter 70.105 RCW. WSR 88-02-057 (Order DE 83-36), § 173-303-280, filed 1/5/88, effective 2/5/88; WSR 87-14-029 (Order DE-87-4), § 173-303-280, filed 6/26/87; WSR 86-12-057 (Order DE-85-10), § 173-303-280, filed 6/3/86; WSR 84-09-088 (Order DE 83-36), § 173-303-280, filed 4/18/84. Statutory Authority: Chapter 70.105 RCW and RCW 70.95.260. WSR 82-05-023 (Order DE 81-33), § 173-303-280, filed 2/10/82.]