

WAC 173-351-220 Additional operating criteria. All owners or operators of MSWLF units must operate the facility so as to:

(1) Control road dust;

Note: Operators should carefully select dust suppressants approved by the jurisdictional health departments that do not pose a threat to surface or groundwater quality.

(2) Collect scattered litter as necessary to prevent vector harborage, a fire hazard, an aesthetic nuisance, or adversely affect wildlife or its habitat;

(3) Prohibit scavenging;

(4) Landfill personnel. All landfills must:

(a) Ensure that at least two landfill personnel are on-site with one person at the active portion when the site is open to the public for landfills with a permitted capacity of greater than fifty thousand cubic yards per year; and

(b) Comply with the certification requirements of chapter 173-300 WAC, Certification of operators of solid waste incinerator and landfill facilities.

Note: The definition of operators in chapter 173-300 WAC is not the same as the definition of operator in this rule.

(5) Ensure that reserve operational equipment is available to maintain and meet all operating criteria;

(6) Clearly mark the active area boundaries authorized in the permit, with permanent posts or equivalent method;

(7) Thoroughly compact the solid waste before succeeding layers are added except for the first lift over a liner;

(8) Maintain the monitoring system required in WAC 173-351-400, Groundwater monitoring systems and remedial action, WAC 173-351-200(4), explosive gas monitoring of this regulation and any other monitoring specified in the permit issued in WAC 173-351-700;

(9) Require recycling.

(a) All owners and operators must provide the opportunity for the general public to conveniently recycle cans, bottles, paper, and other material brought to the landfill site and for which a market exists or as required according to the most recently adopted county comprehensive solid waste management plan:

(i) During the normal hours of operation; and

(ii) In facilities convenient to the public (i.e., near entrance to the gate).

(b) Owners or operators must conduct recycling activities in an orderly, sanitary manner and in a way that does not interfere with MSWLF operations.

(c) Owners or operators may demonstrate during the permit process of WAC 173-351-700 or through the permit modification process of WAC 173-351-720(6) alternative means to providing an opportunity to the general public to recycle household solid waste including other conveniently located facilities which offer recycling opportunities.

(10) Prohibiting disposal of municipal sewage sludge or biosolids in MSWLF units.

(a) The disposal of municipal sewage sludge or biosolids or any material containing municipal sewage sludge or biosolids in a MSWLF unit is prohibited unless the municipal sewage sludge or biosolids or material containing municipal sewage sludge or biosolids is not a liquid as defined in this rule, and such disposal is specifically approved as part of a valid NPDES permit, or a valid permit issued in accordance with chapter 70.95J RCW and rules promulgated under that authority.

(b) Notwithstanding WAC 173-351-220 (10)(a), the jurisdictional health department may allow disposal of municipal sewage sludge or biosolids, or any material containing municipal sewage sludge or biosolids in a landfill on a temporary basis if the jurisdictional health department determines that a potentially unhealthful circumstance exists and other management options are unavailable or would pose a threat to human health or the environment.

(c) In accordance with (b) of this subsection upon determination that a potentially unhealthful circumstance exists, the jurisdictional health department must notify the department in writing, of its findings and basis for its determination. In its notification, the jurisdictional health department must state the date on which disposal is approved to commence, any conditions, and the date after which continued disposal is prohibited.

(d) For the purposes of this regulation, the use of sewage sludge or biosolids or any material containing sewage sludge or biosolids, which is subject to regulation under 40 C.F.R. Part 503 and or chapter 70.95J RCW, as daily cover or as an amendment to daily cover is considered disposal.

(11) Disposal of dangerous waste prohibited. Owners or operators of landfills must not knowingly dispose, treat, store, or otherwise handle dangerous waste unless the requirements of the Dangerous waste regulation, chapter 173-303 WAC are met;

(12) Jurisdictional health department inspection of activities. In accordance with RCW 70.95.190, employees of the jurisdictional health department or their agents may enter upon, inspect, sample, and move freely about the premises of any MSWLF, after presentation of credentials.

[Statutory Authority: RCW 70.95.020(3), 70.95.060(1), and 70.95.260(1), (6). WSR 12-23-009 (Order 07-15), § 173-351-220, filed 11/8/12, effective 12/9/12. Statutory Authority: Chapter 70.95 RCW and 40 C.F.R. 258. WSR 93-22-016, § 173-351-220, filed 10/26/93, effective 11/26/93.]