

**WAC 173-350 Revision
Piles Workgroup Face-to-Face Meeting
Ecology HQ Building
March 3, 2015 (9am – 12 noon)**

Meeting Participants

Name	Organization	E-mail	Phone	In Attendance
Al Salvi	Ecology – W2R	Asal461@ecy.wa.gov	360-407-6287	Y
Dan Watts	Tacoma Pierce County Health Department (TPCHD)	dwatts@tpchd.org	253-798-3512	Y
Jan Brower	Kitsap County Health Department	Jan.brower@kitsappublichealth.org	360-337-5672	Y
Jeff Rudolph	Pierce County Public Works – Road Shop	jrudolph@co.pierce.wa.us	253-798-7692	N
Chris Martin	Ecology – Water Quality Program	Cmar461@ecy.wa.gov	425-649-7110	Y
Jennifer Hill	WA Dept of Transportation	hilljen@wsdot.wa.gov	360-570-6656	Y
Bruce Chattin	WA Aggregate and Concrete Assoc.	bchattin@washingtonconcrete.org	206-878-1622	Y
Rebecca Craig	Best Parking Lot Services	Rebecca@bestparkinglot.com	253-863-3330	Y
Jody Snyder	Waste Connections Inc.	JodyS@WasteConnections.com	253-377-0362	N
Andrew Kenefick	Waste Management Inc.	akenefick@wm.com	206-264-3062	Y
Non-Workgroup:				
Rod Whittaker	WRRRA	Substitute for Jody Snyder		Y
Rich Hamilton	Best Parking Lot Services	Accompanied Rebecca Craig		Y

Agenda

1. Brief Introductions - All
2. Confirm last meeting's notes(attached) – any edits/comments? - All
3. Discuss “**Additional Items for Future Discussion**” section of notes - All
4. Discuss any issues that have emerged for stakeholders (you) since we last met - All
5. Relate early direction seen (by Al, maybe others) from first meeting and get stakeholder feedback – Al/All
6. Discuss requirements for permit exempt facilities to remain exempt (keep, omit, add new ones, etc) - All
7. Discuss design and operating requirements for permitted piles facilities(keep, omit, add new ones, etc) – All
8. Adjourn

Background and Scope of Work

- 3-yr process began Nov, 2013. Will need draft language for public comment by approximately May of 2016.
- Ecology decides on language, but hope for a consensus-based process where we all feel heard and can understand the justification for whatever final rule language looks like.
- In general, the workgroup will look to clarify the applicability section for residency times and certain materials. For exempt piles facilities, the workgroup will evaluate the requirements to remain an exempt pile and discuss adding requirements such as notification, reporting, and an operations plan. For permitted piles facilities, the work group will clarify existing requirements and discuss the need for any new ones, including financial assurance. These are just a few of the things to discuss at the meeting. There are others I am sure. If any of you have specific areas you would like to discuss, please reply all to this with your ideas or be prepared to bring them up at our first meeting.

Notes

Confirm last meeting's notes(attached) – any edits/comments?

Meeting notes were confirmed. Some in the group wanted it restated and made clear that they prefer to remove the conditional exemptions that currently exist in the piles section and make those activities permitted.

Additional Items for Future Discussion

- **Applicability Section.** This section may need to be expanded to possibly include piles of manure or crop residues being stored or for other waste piles being stored before being used in anaerobic digester facilities. **See WAC 173-350-320(1)(a) OK to fold exemptions for anaerobic digesters into the piles section to be clear which section applies.**
- **Applicability Section.** Continue to track what is occurring with the impacted soils group. May need to add impacted soils to the list of what is applicable in the piles section. So far indications are the impacted soil section would not cover storage of said impacted soils. **Ongoing and being tracked.**
- **Inert Waste Exemption.** Correct a grammatical error in WAC 173-350-320(1)(d). This section states – “In accordance with RCW 70.95.305, the storage of inert waste in piles is subject solely to the requirements of (e)(i) through (vi) of this subsection and **are** exempt from solid waste handling permitting.” Need to correct the subject/verb on the second clause – change “are” to “is” **See WAC 173-350-320(1)(d). OK**
- **Inert Waste Exemption.** Currently for an inert waste pile to qualify for an exemption it must be of 250 cubic yards or less. This threshold is often overlooked for some reason. If this exemption is maintained, consider rewording this section to move the 250 cubic yard threshold more to the forefront to make it more clear the only way to have an exempt inert waste pile is for it to be 250 cubic yards or less. Also discuss if this is the right number should exemptions be maintained. **See WAC 173-350-320(1)(d) The 250 cy number is also used in the applicability section for inert waste landfills so need to look at both in tandem**

Discuss any issues that have emerged for stakeholders (you) since we last met – All

None

Relate early direction seen (by AI, maybe others) from first meeting and get stakeholder feedback – AI/All

The early direction seen from the group is:

- To clarify in the applicability section that facilities with continuous piles need to be permitted
- To eliminate conditional exemptions

Ecology is not so sure the conditional exemptions should go away. However, there does need to be easier ways for health departments and Ecology to determine compliance with conditions of exemptions. This is discussed further below.

Discuss requirements for permit exempt facilities to remain exempt (keep, omit, add new ones, etc) - All

If conditional exemptions are maintained the requirements would need to change some. Currently it is difficult to determine if a conditionally exempt piles facility is meeting its throughput requirements. Also, the requirements are not consistent between the inert and wood waste exemptions. Notification and reporting should be required for any conditional exemptions. Additionally, annual reports would need to change to better address/track any throughput requirements.

Discuss design and operating requirements for permitted piles facilities(keep, omit, add new ones, etc) - All

- 173-350-320(3)(a)(i) – control public access. Some asked why and where? If to prevent illegal or control access then say so or define.
- 173-350-320(3)(a)(ii) – comply with uniform fire code. Why is this here – JHD's cannot enforce fire code. This is done in the building permit process so why include it here?
- 173-350-320(3)(a)(iv) – provide all-weather approach road and exits. Some asked why is this here and what does it mean? May want to think about better defining this.
- 173-350-320(3)(b)(i) – This requires waste to be placed on a sealed surface. Some in the group asked: is it really necessary to have a sealed surface? Could the sealed surface be tied to the type of material that would be placed on it? Could certain BMP's be incorporated to replace the requirement of a sealed surface?
- 173-350-320(3)(b)(ii) – control run-on and run-off from a 25 year storm. Should look at this and compare to what is in the stormwater permit and match them up if they do not.

Future Mtgs

The group decided to meet next when there is draft language to review and comment on.

Note: Some in the group are also on other groups, specifically the soils or definitions groups. Some were a little uncomfortable moving too far forward without knowing what the definitions of solid waste might look like and how that might affect the piles section of the rule.