

**WAC 173-350 Revision
Piles Workgroup Face-to-Face Meeting
Ecology HQ Building
October 21, 2014**

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	Y
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	N
Rebecca Craig	Best Parking Lot Services	Rebecca@bestparkinglot.com	253-863-3330	N
Jody Snyder	Waste Connections Inc.	JodyS@WasteConnections.com	253-377-0362	Y
Andrew Kenefick	Waste Management Inc.	akenefick@wm.com	206-264-3062	Y

Agenda

- 12:30 Introduction and logistics
- 12:40 Solicit initial thoughts/changes to the piles section of the rule (attached) from stakeholders (that's all of you)
- 2:00 Break
- 2:10 Discuss thoughts/changes to the piles section of the rule from Ecology (that would be me)
- 3:20 Next Steps
- 3:30 Adjourn

Notes

Background and Scope of Work

- *3-yr process began Nov, 2013. Will need draft language for public comment approximately 1.5 years from now - May 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.*
- *Today is get to know each other, get comfortable, and for Ecology to come away with general idea for how to get started on rule language. Want a work product that we can add to/revise as we go through process.*
- *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.*

Items Discussed

- **Applicability Section.** This section has a part that addresses when the piles section of the rule is not applicable. Currently the piles section of the rule is not applicable to piles stored at composting facilities, piles of waste tires, and piles of non-putrescible waste stored in buildings. This section needs to be expanded to possibly make waste piles stored at MRF's and recycling facilities, land application sites, tire storage facilities, and piles containing materials that have received a beneficial use determination either excluded from regulation or exempt from piles regulations for non-putrescible recyclable materials. While more discussion is needed, the group was open to considering these types of changes. **See WAC 173-350-320(1)(a)(i-iii).**
- **Applicability Section.** The current scope of applicability does not provide for an exclusion or exemption for piles of a de minimus volume. The group was open to considering NOT making permitting required, regardless of time in storage, for wastes of a certain amount. What would be the amount? More discussion needed here. **See WAC 173-350-320(1)**
- **Applicability Section.** The way this section is currently worded and from past actions, a piles facility could pile wastes right up to the time limit stated in this section, remove the pile, then immediately start a new pile and not be required to get a permit under the piles section. This was not the original intent. If the facility stores piles of solid wastes on a continual basis it needs to be a permitted facility. While more discussion is needed here, the group was open to making this change. **See WAC 173-350-320(1)**
- **Wood Waste and Inert Waste Exemptions.** The majority of this group would like to see these exemptions eliminated. A lot of time was spent discussing this topic. Health Department representatives commented on how they have less compliance issues with permitted sites than they do with exempt sites (more on this in the next bullet). **See WAC 173-350-320(1)(b and c)**
- **Wood Waste and Inert Waste Exemptions.** These exemptions are conditioned on compliance with residence time/throughflow requirements (50% of pile used in 1 year and all of it within 3 years). However, these exempt facilities are not required to report the data needed to determine compliance with these requirements. If exemptions are maintained, requirements need to change to require reporting for these exempt facilities. Any reporting form would need to ask for and contain the data needed to determine compliance with any time/throughflow requirements. The group was open to making these changes. **See WAC 173-350-320(1)(c)(i-iii) and 320 (1) (e)(i-vi).**
- **Wood Waste and Inert Waste Exemptions.** Notification requirements for these exemptions are not consistent (must notify for inert exemption, but not for wood waste exemption). If

exemptions are maintained, notification should be required for all of them. The group was open to making this change. **See WAC 173-350-320(1)(c)(i-iii) and 320 (1) (e)(i-vi).**

- **Wood Waste and Inert Waste Exemptions.** The current notification form for an exempt inert waste pile (no notification form required for wood waste exemption) is not sufficient to assess compliance with requirements. If exemptions are maintained, consider adding an operations plan requirements to the notification tailored specifically for assessing compliance with exempt requirements. More discussion is needed here. **See WAC 173-350-320(1)(c)(i-iii) and 320 (1) (e)(i-vi).**
- **Operating Standards.** The current standards do not explicitly address the prevention of contamination in the event of a flood or fire or the minimization of potential for combustion within the pile and from combustion from other sources. The land application section does address these. Consider applying the language addressing these in the land application section to the piles section as well. **See WAC 173-350-320(4) and WAC 173-350-230(4)(a)(i)(A and B).**
-

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)**
- **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.
- **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).**
- **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)**

Future Mtgs

- Next Meeting will be another face to face meeting at the Lacey Ecology Headquarters Building (Same place as last meeting). I will get a doodle poll out to check availability soon.