

June 11, 2015

WAC 173-350-230, Land Application - Workgroup

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Non-Workgroup:				
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Agenda

- Questions/comments on revised rule language
- Pile storage
- Test parameters
- Tiered permitting processes

Questions/comments on revised rule language

- For crop residue, Marni added “produce from storage facilities” to the definition and explained that it is common practice for storage facilities (potato shed, etc.) to land apply spoiled produce. Many years ago, Ecology recommended this material should be treated as crop residue since it has not gone through any processing and when applied at agronomic rates is exempt from permitting. The workgroup had no problem with the change.
- Regarding the new conditional exemption for on-farm generated vegetative waste:
 - Purpose is to exempt from permitting vegetative waste produced on a farm and land applied on the same farm. For example, mint oil can be extracted from portable units around a farm and subsequent mint waste land applied on that farm. Vineyards that make their own wine and have resulting fruit pomace could fit this category.
 - The definition for “on-farm” allows use of non-contiguous properties controlled by a single entity
 - The definition for “on-farm vegetative waste” is limited to wastes produced in the raising, growing, or processing of plants. Other vegetative waste are often produced in animal operations (e.g. feed straw that goes bad at a dairy) and applied to fields. The waste is vegetative and produced on that farm, but is not tied to raising, growing, or processing of plants. The workgroup was good with altering language to exempt it as well. Perhaps looking at the definition of “crop residue” or changing the definition of “on-farm veg waste” to eliminate tie to raising, growing, or processing of plants could work.

- Rule can pertain to liquids, though there is no clear line between a liquid waste and solid waste. For example, settled solids from a lagoon could be removed in a solid or semi-solid form, but it could also be removed by creating a slurry by mixing with liquid to pump out and land apply that way. Ecology Water Quality and Waste 2 Resources Programs consult on such projects to decide whether a wastewater discharge permit or solid waste permit is the best fit. These types of projects are rare.
 - The applicability section of 173-350-230 refers to “impacted soil and impacted sediment”. Marni explained that she is drafting a new section in the rule that pertains to those materials and that definitions will be included. “Impacted soil and impacted sediment” will replace language in the rule now for “contaminated soil” and “contaminated dredged material”.
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Pile storage

- The land application section sets pile storage standards in some cases, but in others refers readers to the piles storage standards in 173-350-320. The reason for this is that -320 already includes standards for pile storage of agricultural waste on a farm, as well as would apply to situations where other pile storage standards will not be met. The workgroup thought it was okay to have standards in two different places. Marni committed to following revisions to the piles storage section closely to ensure there would be no resulting conflicts.
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Tiered permitting processes

- Marni was unable to come up with a tiered permitting approach, an idea raised at the previous meeting. No one could remember this topic and so no further consideration is warranted.
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Close

Marni will accept all changes to revised language, make additional changes based on comments for the on-farm vegetative waste exemption, and send around to the group.