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March 20, 2018

Kyle Dorsey  
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Waste to Resources Program  
PO BOX 47600  
Olympia, Washington 98504-7600

**RE: Comments on Solid Waste Rules Draft WAC 173-350**

Mr. Dorsey:

Miles Resources would like to take the time to comment on the draft Solid Waste Rules WAC 173-350 language. We appreciate the opportunity to comment on the proposed draft and continue to support the outreach from the Department of Ecology (DOE) on impactful rule changes. Below are our comments regarding the draft rule language:

- Definition of Cured Concrete (WAC 173-350-100)
  - The proposed definition extremely complex and appears to be developed with the intention of limit materials containing cement being treated as concrete. The definition needs to be more descriptive of the material in a meaningful way. How are material handlers going to determine the engineering specifications, such as a 28 day design strength which has an ASTM spec, for material coming into a facility? What testing standard do we use to determine compliance?
  - Miles Recommends the following definition change:
    - **Cured Concrete:** hardened material primarily composed of processed aggregate, sand, cement and/or fly ash that has undergone hydration.
- Positive Market Value
  - What is the definition of positive market value? Does this definition take into account the value of the market or the value of the product within the market? Does this include the negative value associated with disposal vs recycling?
  - Additionally, the description for positive market value given in section 173-350-021 3c does not address market fluctuations. How does this description impact material like scrap steel, where steel values can fluctuate greatly. Scrap companies will pay for the scrap steel at a certain price but if the price drops then the customer has to pay for disposal. Will those facilities need solid waste permits on a temp basis?
  - Recommend including a definition of positive market value specific to the goals of this rule in section 172-350-100

- Positive Market Value: Value of a material that incorporates the actual value, the value from removing the material from the waste stream, and other value gained or lost through material handling i.e. tipping fees.
  - The goal of this definition should be to support the recycling of material

- Piles Rule

- DOE currently supports the use of asphalt shingles in hot mix asphalt DOE publication 09-07-074 Acceptable Uses for Recycled Asphalt Roofing in Washington State
    - Within the document the “use of (asphalt roofing) as part of hot mix asphalt or cold patch does not need to go through an approval process under state solid waste regulation”
  - Miles supports the inclusion of asphalt shingles under the piles section with the following language:

Table 320-a

Waste Materials	Volume, Storage Time, and Capacity Requirements	Specific Requirements for Activity or Operation
Asphalt shingles	None	<p><b>(a) Store on impervious surface.</b></p> <p><b>(b) Facility must hold and be in compliance with an active Sand &amp; Gravel Stormwater Permit or equivalent stormwater permit.</b></p> <p><b>(c) Use 100% of asphalt shingles in asphalt pavement mix production.</b></p>

- In addition to better define the term asphalt shingle we propose to have the following definition included in the draft rule:
    - **Asphalt shingles:** A type of wall or roofing shingles, including 1-/2-/3-tab, architectural and dimensional shingles, that are made from asphalt, fiber (commonly fiberglass or cellulose), and surface granules of stone, ceramic, brick, or other materials. Asphalt shingles does not include hot mopped, cold mopped, modified bitumen, built-up, rolled roofing, or other types of non-asphalt roofing.

- Waste Tire Storage

- The language in WAC 173-350-350 includes a number of tires (section a) and a maximum tonnage (section b).
  - The inclusion of tonnage limit can greatly impact operations of large off road tires do have significant value depending on market conditions.



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- Recommendation: Remove the tonnage limit from the draft language, as large off road vehicle tires can be several thousand pounds each.

Miles appreciates the effort put forward in the updated draft rules and looks forward to working with DOE to increase recycling efforts in the future.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Ryan Ransavage', with a long horizontal flourish extending to the right.

Ryan Ransavage  
Environmental

CC: Brad Griffith  
Dave Lewis

Miles Resources  
Miles Resources