

## Public Health - Seattle & King County

Please see attached file for comments from PHSKC. Thank you.

**Environmental Health Services Division**

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**MEMORANDUM**

DATE: March 20, 2018

TO: Kyle Dorsey, Waste 2 Resources Program

CC: Leah Helms, Interim Solid Waste Program Supervisor, Environmental Health Services Division, Public Health – Seattle & King County (PHSKC)

FROM: Darrell A. Rodgers, Interim Division Director, Environmental Health Services Division, Public Health – Seattle & King County

**RE: Public Health – Seattle & King County (PHSKC) Environmental Health Services Division comments on the January 2018 Revision of the Solid Waste Handling Standards in Chapter 173-350 of the Washington Administrative Code (WAC)**

Dear Mr. Dorsey:

The following comments have been provided by the Environmental Health Services Division at PHSKC for your consideration:

- WAC 173-350-021 Determination of Solid Waste: Please keep all components within this section to ensure recyclable materials have positive market value, stored and managed to preserve its value, and stored in a manner that does not impact human health and the environment.
- WAC 173-350-100 Definition for “Collection Event” would allow the Auburn HHW operation to be considered a collection event. The operation would not be required to obtain a solid waste handling permit. Most collection events have two or three events a year, unlike the Auburn HHW which is open every weekend year round. Is it acceptable to Ecology to have this operation handle Moderate Risk Waste without more affixed engineering controls? Because the operation is located in a loading dock area, the nearest downgradient drain is a storm drain and is only covered when the weather is dry as it cannot be covered during a rain event because it is meant to direct stormwater into the drain.
- WAC 173-350-100 Definition for “Cured Concrete” makes reference to off-spec concrete not meeting the 1200 pounds-per-square-inch compressive strength requirement which may be evaluated for consideration as a cured concrete by the solid waste permitting agency (i.e., jurisdictional health departments [JHDs]).

How would JHDs evaluate this material? What technical standards, if any, does Ecology wish JHDs to apply in categorizing material as cured concrete? Will training be provided by Ecology to assist JHDs in evaluating this material? Will Ecology have technical staff available to assist with this evaluation?

- WAC 173-350-100 Definition for “Glass” makes reference to “glass materials having significant concentrations...” Ecology’s response to the question in the 2<sup>nd</sup> Preliminary Draft, “What is meant by ‘significant concentrations...’” states the JHDs would be determining what is significant. The regulations do not provide a set of objective factors or standards for JHDs to use in determining what is deemed “significant,” and allows for inconsistency across county boundaries for materials in use in multiple counties.

Please note that the word “significant” in WAC 173-350-710(4) for Permit Modifications was removed due to ambiguity in the absence of standards for determining whether a “significant” change would trigger a permit modification. Also, inert waste landfills are limited to ceramics and glass due to local C&D bans now so JHDs' determinations need to be supported by the regulations.

Provide a definition for “significant” or “significant concentrations” as levels that will have impact to human health or the environment based on the test results from how the material will be handled, or provide objective factors or standards that would deem a material to have significant concentrations.

- WAC 173-350-100 Definition for “Manure and bedding” needs to include pet waste if indeed it is to be considered an organic material for composting with a current facility in Pierce County. Also, the testing required may not cover testing for the zoonotic diseases needed to be under consideration for pet waste.
- WAC 173-350-210 (6)(a)(iv)(C): Please specify what is considered “hours of operation.” Some transfer stations have waste deposited after public access hours and there is no attendant on-site, but have 24-hour surveillance cameras of the tipping floor. Would the 24-hours surveillance cameras suffice?
- WAC 173-350-320 Piles used for storage or treatment: Please keep all components within this section to track materials stored in outdoor piles and require notification and reporting for the recyclable materials in order for JHDs to ensure exempt parameters are met.
- WAC 173-350-710(2)(a): In the instance that Ecology may need or desire more than the 45 days from receipt of a complete application, the jurisdictional health department would like the 90-day requirement to be extended for the same number of days.