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It appears that this code update appears less restrictive than the current solid waste handling standards. As expressed in previous draft version comments, Clark County Public Health (CCPH) has concerns regarding potential ramifications of "deregulating" solid waste streams and would prefer to retain authority to regulate recyclable materials.

The addition of the term "commodity" places the burden on local municipalities to determine the market value of commodities to determine the solid waste status is unrealistic. Additionally, given the global climate at this time in the variable recycling markets, recent changes have made the determination of "positive market value" for a solid waste/commodity even more challenging. For solid waste enforcement, it could be challenging in some instances to obtain documentation to support material truly IS a solid waste.

Under source separated materials, Table 210-A lists, "accept only wastes segregated into individual material streams. Examples of individual material streams are loads composed solely of cardboard, mattresses, or METAL of one type or several types. More than one individual material stream may be accepted at the same facility, but mixed waste materials, including comingled recyclable materials, may not be accepted under this exemption"; it may cause confusion to include metal in this list as prior definitions would exclude metal as a solid waste as it is a "commodity".

In 2014, RCW 19.290 (Metal Property) and WAC 208-70 (Scrap Metal Business-Recycler-Processor- Supplier) were adopted granting Department of Licensing permitting oversight regarding scrap metal businesses. Clark County Public Health staff have actively pursued several investigations in conjunction with DOL staff. Prior to CCPH involvement, many of these "pop-up" scrap metal "recycling" locations created a public nuisance, attract illegal dumping and accept scrap metal that contain properties that threaten public health and the environment (including but not limited to, leaking of various fluids from vehicle parts, lead-acid from batteries, refrigerants etc.) Scrap metal collection and recycling facilities are each unique in regards to volume, type and source of waste handled. Regretfully, scrap metal is quite often an unsightly and dirty business activity and a source of contaminated stormwater discharges. During a recent exempt solid waste facility inspection, CCPH staff observed storm water violations associated with scrap metal handling activities. Had this activity been outside the scope of solid waste handling, the violation may have continued to compromise public health and the environment. Again, CCPH staff would prefer to retain authority to regulate recyclable materials as solid waste.

Street Waste is included in the definition of "Impacted soil and impacted sediment" management of impacted soil and impacted sediment consistent with the criteria in WAC 173-350-995 is not subject to regulation as solid waste handling. Does this mean that solid waste facilities currently under vector waste (with street sweeping) will not be required to hold a permit any longer? If so, CCPH does have concerns of having these facilities be without local oversight. CCPH has experienced at our facilities instances where the "final product" has been allowed to accumulate in voluminous piles that were determined to be unmanageable—the piles were later hauled for landfill disposal. Additionally, the facility has had nuisance odor, leachate management and runoff concerns. Regulatory oversight at these facilities has ensured processes are implemented to protect public health and the environment.

For consistency, recommend utilizing the same terminology "rats" vs "rodents" throughout the document: (NOTE: prefer rodents)

WAC 173-350-310(4)(b)(ii) "and access by rats and other vectors"

WAC 173-350-310(4)(a)(iii); WAC 173-350-310(6)(iv)(B) "Control rodents, insects, and other vectors"

Table 320-A

From a solid waste enforcement perspective, up to 250 cubic yards of non-putrescible waste is a LOT of material—and QUITE an eyesore-- on a parcel that would not have any time limits and no reporting requirements. Concerned this may open the flood gates for abuse.

Transfer Stations & Drop Box Facilities (WAC173-350-310(8)(a))have reduced the notification of closure from 180 days to 90 days. Why is this not universal to include other facilities (ie MRW WAC173-350-360(8)(a)(i))? (NOTE: closure of a transfer station would have far greater implications on our community with only 90 days notice of closure than an MRW facility).

995 – Soil and sediment and use criteria There have been so many "offline discussions", changes and updates to this section and it is still complicated and challenging to follow from a solid waste enforcement perspective. A webinar or training explaining how this impacts LHJs and various business examples as it pertained to this topic would have been helpful. (it appears this has been removed all together— it has been challenging to follow this specific topic). Additionally, as it was not fully INCORPORATED into the heart document, it really seemed more like an afterthought.