

## Waste Connections (Rick Vahl)

Please find comments related to Solid Waste Facilities WAC 173-350 rulemaking attached. Thank you, Rick



WASTE CONNECTIONS  
*Connect with the Future*

October 19, 2026

Washington State Department of Ecology  
Attn: Chris Fredley  
Solid Waste Management Program  
P.O. Box 47600  
Olympia, WA 98504-7600

**RE: Comments on Draft Revisions to Chapters 173-350 and 173-351 WAC**

Dear Mr. Fredley:

Waste Connections appreciates the opportunity to provide comments on the draft revisions to Chapters 173-350 and 173-351 WAC. As an operator of a municipal solid waste landfill, hauling operations, residential MRF, and a construction and demolition MRF in Washington, we support regulations that are environmentally protective, practical to implement, and developed through meaningful stakeholder engagement. The comments below identify several areas where additional clarification and discussion would be beneficial before the rulemaking advances.

**Key Issue 1: Material Recovery Facility Recovery Threshold**

Waste Connections supports efforts to distinguish legitimate recovery operations from disposal activities. However, the proposed 75% recovery threshold raises significant implementation questions, particularly for construction and demolition recovery facilities that manage complex waste streams.

We request clarification regarding:

- What analysis did Ecology perform to determine that 75% is an achievable and appropriate standard for residential and construction-and-demolition material recovery facilities operating in Washington?
- How can a Material Recovery Facilities that may generate significant residuals while still achieving substantial diversion be classified as a Transfer Station?
- How will beneficial use materials will be treated?

**Key Issue 2: Residuals, Flow Control, and Municipal Solid Waste**

Waste Connections supports the requirement that residuals be properly managed and disposed of at permitted municipal solid waste facilities. However, additional clarity is needed regarding how the proposed residuals definition interacts with flow-control ordinances and transportation requirements. We believe residuals should be regulated with respect to proper disposal, but should remain distinct from traditional municipal solid waste for purposes of transportation and facility designation

We request clarification regarding:

- How will classification of residuals as MSW affect transportation authority?

- How will residuals generated from regional processing facilities be treated when feedstocks originate from different counties or cities?

### **Key Issue 3: Ecology Oversight and Permit Administration**

Waste Connections supports effective enforcement and regulatory consistency. However, several provisions appear to expand Ecology's role beyond the traditional relationship between Ecology and local health jurisdictions.

We request clarification regarding:

- How permit administration responsibilities will be shared between Ecology and local health departments?
- How will Ecology and local health departments coordinate inspections, sampling, and permit reviews to avoid duplication?
- Under what circumstances will Ecology conduct independent sampling when a local health department is already overseeing a facility?

### **Key Issue 4: Permit Modifications**

The proposed modification language appears broad and could potentially capture routine operational changes and maintenance activities.

We request clarification regarding:

- What activities constitute a permit modification?
- Will Ecology establish a streamlined process for minor facility changes that do not increase environmental risk?

### **Key Issue 5: Landfill Design and Monitoring Requirements**

The proposed revisions appear to expand requirements related to landfill gas monitoring, methane exceedance response, groundwater monitoring, well design, leachate management, and other engineered systems.

We request clarification regarding:

- Will existing landfill gas and groundwater monitoring networks need to be modified to comply with the proposed rule?
- What changes are being made to methane exceedance response requirements compared to current practice? If any, what evaluation was made to determine the changes?

Waste Connections encourages Ecology to continue engaging facility operators, local governments, haulers, recyclers, composters, and landfill operators as the rulemaking progresses. We appreciate the opportunity to provide these initial comments and look forward to continued participation in the process.

Sincerely,

Rick Vahl  
Government Affairs Manager  
Waste Connections