

WAC 173-306-405 General facility operational standards. (1) Applicability. All special incinerator ash disposal facilities shall meet the requirements of this section.

(2) Imminent hazard. Notwithstanding any provisions of this chapter, enforcement actions may be brought in the event that the management practices of an ash disposal facility present an imminent and substantial hazard to the health of employees, the public health or the environment.

(3) Plan of operation. Each owner or operator shall develop and use the plan of operation required during the permitting process in WAC 173-306-300. The plan shall describe the facility's operation and convey to the operating personnel the concept of operation intended by the designer. The facility must be operated in accordance with the plan. Modifications to the plan must be approved by the department. The plan of operation must be available for inspection at the request of the department. Each plan of operation shall include:

- (a) Ash management during the facility's active life;
- (b) Frequency and methods of inspections and monitoring;
- (c) Employee safety and training that addresses:
 - (i) Protection from exposure and contact with ash;
 - (ii) Employee training;
 - (iii) Medical monitoring; and
 - (iv) A safety plan or procedure;
- (d) Actions to take for mitigating any sudden release of ash to surface water or dispersal by wind;
- (e) Modifications to the plan permit, or plan of operation, or both, in the event of groundwater contamination;
- (f) Equipment maintenance, particularly for leachate collection and treatment; and
- (g) Other details as required by the department.

(4) Recordkeeping. The facility owner or operator shall keep a written operating record at the facility that must be furnished upon request and made available at all reasonable times, to any employee of the department.

(a) The following information must be recorded, as it becomes available, and maintained in the operating record until closure of the facility:

- (i) The type and quantity of each ash shipment received or managed on-site and the methods and dates of management at the facility;
- (ii) Records and inspection results as required by subsections (5) and (6) of this section;
- (iii) Monitoring, testing, or analytical data where required by WAC 173-306-500;
- (iv) All closure and, for final deposit, post-closure cost estimates required for the disposal facility; and
- (v) Deviations from the plan of operation specified in subsection (3) of this section.

(b) The retention period for all facility records required under this chapter is extended automatically during the course of any unresolved enforcement action regarding the facility or as requested by the department.

(5) Reporting. Each owner or operator shall prepare and submit a copy of the annual report to the department by March 1 of the following year. The annual report shall cover facility activities during the previous year and must include the following information:

- (a) The name and address of the disposal facility;
- (b) The calendar year covered by the report;

(c) Annual quantity in tons and the type of ash accepted by the disposal facility and the method of management;

(d) Results of soil, air quality, and groundwater monitoring required in WAC 173-306-440;

(e) The most recent closure cost estimate and, for final deposit monofills, post-closure cost estimates under WAC 173-306-410; and

(f) Other information required by the department.

(6) Inspections. The owner or operator shall inspect the facility to prevent malfunctions and deterioration, operator errors, and discharges that may cause or lead to the release of ash to the environment or a threat to human health. The owner or operator must conduct these inspections often enough to identify problems in time to correct them before they harm human health or the environment. The owner or operator shall keep an inspection log or summary including, at a minimum, the date and time of inspection, the printed name and the handwritten signature of the inspector, a notation of observations made and the date and nature of any repairs or corrective action. The log or summary must be kept at the facility or other convenient location if permanent office facilities are not on-site, for at least three years from the date of inspection. Inspection records must be made available to the department upon request.

(7) Other state and local requirements. All owners or operators of ash disposal facilities shall comply with all state and local laws and rules such as zoning, land use, fire protection, industrial safety and hygiene, water pollution, air pollution, nuisance and aesthetics.

[Statutory Authority: Chapter 70.138 RCW. WSR 00-19-018 (Order 00-17), § 173-306-405, filed 9/8/00, effective 10/9/00; WSR 90-10-047, § 173-306-405, filed 4/30/90, effective 5/31/90.]