



DEPARTMENT OF
ECOLOGY
State of Washington

Guidelines for Developing and Updating Local Hazardous Waste Plans

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Waste 2 Resources Program
Washington State Department of Ecology
Olympia, Washington

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Chapter 1 - Introduction and Purpose

Introduction

The *Hazardous Waste Management Act*, Chapter 70.105 Revised Code of Washington (RCW), directed local governments to prepare Hazardous Waste Management Plans by 1991 and required them to be implemented. The early plans primarily focused on collection and proper handling of moderate risk waste (MRW) - hazardous waste produced in small quantities by businesses and households.

When MRW management programs started it was enough to collect materials that were not properly managed. In 2002, even with the marked increase in collection totals, Ecology estimated only 16 percent of household hazardous waste (HHW) and 1 percent of conditionally exempt small quantity generator (CESQG) waste were being collected. Costs to local governments to collect and manage those wastes exceeded more than \$10 million.

There is a growing recognition that despite the growth in the MRW collection infrastructure, it will never be enough. The resources and infrastructure required to capture and manage all generated MRW is beyond local government capabilities.

Maintaining the current approach to MRW management is clearly unsustainable if we wish to minimize threats posed by this waste stream.

Product Stewardship programs are one way to shift from a system focused on government funded and ratepayer financed waste disposal and diversion, to one that relies on producer responsibility. Doing so would reduce public costs, increase accessibility to services, attain higher environmental benefits and drive improvements in product design that promotes environmental sustainability.

Growth in MRW Collection	
1992	2007
5 million pounds collected	32.2 million pounds collected
7 counties with fixed facilities	33 counties with at least one fixed facility

Over the years considerable effort has been made to make positive changes in hazardous waste management practices. Despite these changes, toxic substances remain prevalent in our environment as evidenced by the presence of mercury in fish, polychlorinated biphenyls (PCBs) in whales and flame-retardant polybrominated diphenyl ether (PBDE) present in human breast milk. It is obvious an increased focus is needed on prevention.

The term '*moderate-risk waste*' is misleading because these wastes are not necessarily moderate in their risks to human health and the environment. Also, the distinction between a hazardous waste and a hazardous product is artificial, since both carry potential risks.

The *Hazardous Waste Management Act* (RCW 70.105) lists waste reduction as the first priority for hazardous waste management. The *Beyond Waste Plan*, Washington State's Solid and Hazardous Waste Plan, recognizes that "*to lower the risks to people and the environment, Washington needs to shift to an approach that will significantly reduce wastes and toxic substances over time.*" It recognizes that partnerships are the key to achieve the goals of *Beyond Waste*.

All levels of government need to work together to implement recommendations of the *Beyond Waste Plan*.¹ The Plan establishes specific goals to reduce MRW or small-volume hazardous materials and waste (from households and businesses), including full implementation of local hazardous waste plans.² Concepts like product stewardship, environmentally preferred purchasing (EPP) and pollution prevention offer tools to counter the environmental and health threats posed by MRW. These tools help transition from maintaining the status quo in hazardous waste management (reactive) to becoming more proactive in reducing the amount and effects of hazardous materials.

The concept of comprehensive planning serves a variety of purposes. In the world of hazardous waste, we use planning as a tool for public input, financing, capital improvement, market development, oversight and project implementation, all for the protection of public health and the environment.

A jurisdiction's hazardous waste plan is the "roadmap" for managing a comprehensive MRW system. The more current your roadmap, the more likely you are to reach your destination. The same is true of a hazardous waste plan. Implementation of waste reduction and prevention programs, and the anticipated need for new facilities and other infrastructure should be well thought out into the future. Population growth, changing waste types and increasing waste generation are important factors to consider when preparing a plan to manage MRW. Planning ahead is absolutely essential for efficient operation of an MRW system.

Purpose of the Guidelines

The purpose of these guidelines is to help local governments update their hazardous waste plans to better reflect the reality of today and future challenges. Ecology also wants to help jurisdictions be eligible to receive applicable grant funding, such as Coordinated Prevention Grants (CPG)³, to update and implement plans if needed. It is very likely that conditions in your jurisdiction have changed since your first hazardous waste plan was approved.

The following scenarios illustrate why your hazardous waste plan could benefit from an update:

- You may have only planned for collection events, but over time built a fixed facility.
- There may be an increased number of small quantity generators needing more education and technical assistance.
- You may want to do more public education on waste prevention, toxic product reduction and safer alternatives.
- New waste streams may have become part of your management programs, such as fluorescent lights.
- You have become aware that increased involvement in local, state and national product stewardship efforts can help your overall programs now and in the future.

¹ Washington Department of Ecology, Summary of the Washington State Hazardous Waste Management Plan and Solid Waste Management Plan, Final Plan, Publication Number 04-07-022, November 2004, p. 3. The 2009 update will be available soon.

² See *Beyond Waste Summary*, pages 17-24.

³ It should be noted that at the time of this publication CPG grants are available. The availability of this grant program in the future is not known. Therefore, local governments should strive for programs that are internally sustainable and do not continually rely on this funding source. Please keep this in mind whenever CPG or applicable grant funding is referenced in this document.

These guidelines will provide suggestions on how to incorporate *Beyond Waste* concepts and programs into your local MRW management system, when feasible.

Ecology recognizes each jurisdiction is unique, and not all programs are feasible or sensible for all. As you read these guidelines, consider what realistic goals can be made to reduce the volume and toxicity of MRW in your community. In doing so, you help move in the direction of *Beyond Waste* and a better Washington. To receive applicable grant funding such as CPG, the program must be in an Ecology approved Hazardous Waste Management Plan or an approved combined Solid and Hazardous Waste Management Plan.

These guidelines will also offer suggestions to make your plans more functional and flexible. For example, including alternative programs that you may not be able to afford to implement at this time in your plan will allow flexibility to pursue applicable grant funding if you want to implement those programs in the future without requiring a plan update. Furthermore, these guidelines lay out processes to amend and revise your plan.

Ecology views hazardous waste planning as a collaborative process. We are available to help you develop and implement the best plan for your jurisdiction. We strongly recommend that you contact your regional Ecology planner early in the process to get you started on the right track. Contact information is provided in Appendix J or online at <http://www.ecy.wa.gov/programs/swfa/contact/>.

Chapter 2 - Legislative and Planning History

Hazardous Waste Reduction and Management

The purpose of [Chapter 70.105 RCW](#) (Hazardous Waste Management) is “to establish a comprehensive statewide framework for the planning, regulation, control and management of hazardous waste which will prevent land, air and water pollution and conserve the natural, economic and energy resources of the state.”

The state Hazardous Waste Management Act, as amended, establishes priorities to address hazardous waste, with waste prevention being the top choice.

In general terms, Chapter 70.105 RCW addresses:

- Managing hazardous waste in a way that results in less waste being produced in the first place. For the remaining waste, the following waste management practices should be followed in order of descending priority:

Waste reduction⁴.

- Waste recycling.
 - Physical, chemical and biological treatment.
 - Incineration.
 - Solidification/stabilization treatment.
 - Landfill.
- Assigning responsibilities for planning related to hazardous wastes to both state and local governments.
 - Preventing problems related to improper management of hazardous substances before they can occur.
 - Assuring the needed infrastructure for facilities where managing hazardous waste exists and ensuring safe operation of these facilities.



The Waste Hierarchy, as described in Chapter 70.105.150(1)(a) RCW.

Chapter 70.105 RCW, as amended, directed the Washington Department of Ecology (Ecology) to establish a regulatory framework and requirements for designating, permitting and ensuring the proper management of hazardous wastes, dangerous wastes and extremely hazardous waste. The regulatory requirements are contained in [Chapter 173-303](#) (Dangerous Waste Regulations) of the Washington Administrative Code (WAC). See Appendix H for more information on Chapter 70.105 RCW and Chapter 173-303 WAC.

⁴ Waste reduction is defined as:

Reducing waste so hazardous byproducts are not produced [RCW 70.105.150(1)(a)].

Reducing the amount or toxicity of waste [RCW 70.95.030(28)].

Moderate Risk Waste Management

In the early 1980s, several local jurisdictions in Washington State began studying impacts of household hazardous wastes and collection of hazardous waste from households. In response to growing concerns about this waste stream, in 1985 and 1986 the Washington State Legislature amended the state's Hazardous Waste Management Act (RCW 70.105), first adopted in 1976.

The Legislature determined that local governments should assume responsibility for addressing “(a) any waste that exhibits any of the properties of hazardous waste but is exempt from regulation under this chapter solely because the waste is generated in quantities below the threshold for regulation, and (b) any household wastes which are generated from the disposal of substances identified by the department as hazardous household substances.”⁵

The Legislature named this “**Moderate Risk Waste**,” and directed local governments to develop local MRW programs based on guidelines that Ecology would develop and submit the plans to Ecology by June 1990. In 1987, the Legislature appropriated funds for grants to local governments to prepare their plans⁶.

Ecology issued *Planning Guidelines for Local Hazardous Waste Management Plans* in July 1987. These guidelines established procedural requirements, the plan development process, required plan elements and Ecology's role.⁷ This formed the framework for development of local hazardous waste plans.

In 1991, the Legislature added another requirement, specifying that “*Local governments and combinations of local governments shall amend their local hazardous waste plans required under RCW [70.105.220](#) to comply with RCW [70.951.020](#)*” (The Used Oil Recycling Act).⁸ By the end of 1991, all counties submitted a hazardous waste management plan for their jurisdiction to Ecology.

During the next couple of years, Ecology provided additional guidance for local governments engaged in hazardous waste planning. In 1992, implementation guidelines were issued⁹ and in 1994, revised planning guidelines for local hazardous waste management plans were published.¹⁰

The *Guidelines for Developing and Updating Local Hazardous Waste Plans* (this document) replaces the 1992 implementation guidelines and the 1994 planning guidelines.

⁵ See RCW.70.105.010 (17).

⁶ The appropriation made legislative requirements mandatory (RCW 70.105.270), directing local governments to submit letter of intent by October 31, 1987, and to complete local plans by June 30, 1990.

⁷ Washington State Department of Ecology, Planning Guidelines for Local Hazardous Waste Plans, July 1987 (Publication #WDOE-87-18).

⁸ See RCW 70.105.221 and RCW 70.951. The legislation requires local governments to manage used oil as part of their efforts to manage MRW.

⁹ Washington Department of Ecology, Implementation Guidelines for Local Hazardous Waste Plans, July 1992 (Publication #WDOE-92-14).

¹⁰ Washington Department of Ecology, Guidelines for Development of Local Hazardous Waste Plans, August 1994 (Publication #WDOE-93-99).

Moving Beyond Waste – the *Beyond Waste Plan* and MRW Initiatives

Ecology is required by law (Chapters 70.105 and 70.95 RCW) to develop and regularly update statewide hazardous waste and solid waste plans. In 2004, Ecology simultaneously updated the 1994 State Hazardous Waste Management Plan and the 1991 State Solid Waste Management Plan. The plans were updated in consultation with a broad-based group of stakeholders throughout Washington. The final updated plans were published as the [Beyond Waste Plan](#) in November 2004.¹¹ An updated version of the *Beyond Waste Plan*, which lists the next five years of recommendations and milestones, is available at <http://www.ecy.wa.gov/biblio/0907026.html>.

The *Beyond Waste* 30-year vision states: “*We can transition to a society where waste is viewed as inefficient, and where most wastes and toxic substances have been eliminated. This will contribute to economic, social, and environmental vitality.*”¹²

The *Beyond Waste Plan* recognizes that “*waste generation in Washington continues to increase, and that toxic substances are more prevalent in our everyday lives now than they were just a few years ago.*” It explains why it is important to move beyond waste and concludes that “*To lower the risks to people and the environment, Washington needs to shift to an approach that will significantly reduce wastes and toxic substances over time.*”¹³

The *Beyond Waste Plan* established five initiatives as starting points for reducing wastes and toxic substances in Washington.

Initiative #2 is Reducing Small-Volume Hazardous Materials and Wastes. The goal of this initiative “*. . . is to accelerate progress toward eliminating the risks associated with products containing hazardous substances.*” Specifically, the initiative encompasses products and substances commonly used in households and in relatively small quantities by businesses.¹⁴

There are three main reasons for the inclusion of Initiative #2 in the *Beyond Waste Plan*:

1. **MRW affects everyone.** Small-volume hazardous materials and wastes are everywhere and people come into contact with them daily. Chronic and acute exposure to hazardous chemicals in our homes and businesses can be a significant health risk. This can prove very costly to businesses and society due to health care costs, environmental degradation, insurance and liability.
2. **The current management system is not affordable for the future and cannot sustain itself over the long term.** Most of these monies pay for special collection, treatment and disposal programs to keep MRW out of municipal solid waste landfills and incinerators, and away from illegal disposal. Yet only a small percentage of all MRW is actually captured. It is difficult to foresee how the public sector can afford to provide the needed level of service for a truly effective system. The future needs to include safer alternatives, product stewardship, waste reduction, recycling and convenient collection/drop-off opportunities that do not rely primarily on public systems and finances.

¹¹ The *Beyond Waste Plan* can be downloaded from www.ecy.wa.gov/beyondwaste/finalplan.html.

¹² Washington State Department of Ecology, *Beyond Waste Project, Summary of the Washington State Hazardous Waste Management Plan and Solid Waste Management Plan, Final Plan*, November 2004, page 3.

¹³ See *Beyond Waste Plan*, Background, pages 3-6.

¹⁴ See *Beyond Waste Plan*, Initiative #2, page 18.

3. **Great strides are possible.** Many opportunities exist to reduce and eliminate risks associated with MRW. Consumer demand is building for less harmful products, and more reuse and recycling. Several regional and national initiatives are already underway including the E-Cycle Washington Program and the Take-It-Back Network for Fluorescent Lamp Recycling.

The *Beyond Waste Plan* identifies recommendations for the Small Volume Hazardous Materials Initiative to succeed. *Note: These recommendations are in the process of being updated. The current version of the Beyond Waste Plan can be found at <http://www.ecy.wa.gov/beyondwaste/> and contains the 10 original recommendations. The updated version will be found at <http://www.ecy.wa.gov/biblio/0907026.html>, and includes the updated 12 recommendation).*

Local governments can most easily address the following recommendations through their local hazardous waste plans:

<i>Beyond Waste Plan</i> Recommendations (for the Small Volume Hazardous Materials Initiative)	
1.	Eliminate or minimize groups of the most toxic chemicals as part of the agency's Reducing Toxic Threats work.
2.	Reduce threats from mercury.
3.	Reduce threats from PBTs (Persistent Bioaccumulative Toxins).
4.	Develop a more comprehensive list of covered electronics to be addressed through the existing product stewardship infrastructure of the E-Cycle Washington Program.
5.	Reduce the use of high-risk pesticides, emphasize proper use and encourage effective alternatives.
6.	Reduce and manage all architectural paint wastes.
7.	Implement and promote Environmentally Preferable Purchasing at state and local governments and in institutional settings, with Ecology leading by example. Support the Climate Action Team proposals and other initiatives.
8.	Ensure MRW and hazardous substances are regulated and managed according to hazards, toxicity and risk.
9.	Support full implementation of local hazardous waste plans. ¹⁵
10.	Ensure businesses and facilities handling MRW comply with environmental laws and regulations. Encourage as much reuse and recycling of MRW as possible.
11.	Educate the public and businesses on prevention, proper use, storage and disposal of hazardous products and wastes. Encourage safer alternatives to minimize toxic threats, especially to vulnerable populations.
12.	Develop and implement a strategy for a more regionally focused MRW program by evaluating the most significant threats and effective approaches, including safer alternatives, to reduce those threats.

¹⁵ **Recommendation 9** calls for Ecology to encourage all local jurisdictions to fully implement six required elements of local hazardous waste plans. These elements are not the only requirements outlined in RCW 70.105.220, but do form the basis for local plans. The used oil collection requirement was added after the adoption of Chapter 70.105 RCW as is contained in RCW 70.95I.020.

The six required elements referenced above in general terms are:

1. HHW collection.
2. Household and public education.
3. Small business technical assistance.
4. Small business collection assistance.
5. Enforcement.
6. Used oil collection and education.

Ecology is revising these guidelines to more completely reflect the *Beyond Waste* goals and vision for the future. Additional actions that Ecology can take to help local governments implement their plans include:

- Developing ways to use the existing MRW infrastructure to support product stewardship and additional closed-loop recycling efforts.
- Providing assistance to local jurisdictions to update and implement their plans.
- Providing regular review of local hazardous waste programs as provided in these guidelines.

Additional information on *Beyond Waste* recommendations is in Appendix A and on the Beyond Waste website at <http://www.ecy.wa.gov/beyondwaste/>. Ideas for incorporating Beyond Waste recommendations and projects into your plan are in Appendix A.

Ecology and local governments both have important roles to play in reducing use of hazardous wastes, including small volume hazardous waste. Coordination and collaboration are critical for Washington to succeed in shifting to an approach that will significantly reduce wastes and toxic substances. All sectors of our society must actively work together, while creating new business opportunities and markets. Partnerships among local governments, state agencies, the private sector and others will be needed to accomplish the *Beyond Waste* vision.

Local Governments are Encouraged to Update Local Hazardous Waste Plans

Updating plans allows local governments to:

- **Identify current MRW systems and needs.** The plan update will reflect how local programs are operating today and will give local governments the opportunity to incorporate *Beyond Waste* goals and priorities (preventing, reducing and recycling small volume wastes) in areas feasible for each local jurisdiction's needs.
- **Adjust programs to changing conditions.** For example, if 95 percent of the used oil in an area is now recycled, it may be time to focus efforts on a different waste stream, such as pesticides.
- **Find a balance among the required elements of a plan.** The plan update process prompts local governments to consider whether a change is needed in how resources are used.

For example, if a jurisdiction uses 80 percent of its resources toward HHW collection (including the used oil requirement) and disposal, and 20 percent toward HHW education, it would not be implementing all required elements of its plan. A local government might choose to shift resources to business waste prevention and collection, alternative products education and overall enforcement to fulfill some of the other required elements of a local hazardous waste plan.

- **Brief participating jurisdictions on what the program has accomplished, and get their renewed buyoff and support for future programs.** This may help with obtaining funding from tipping fees and other sources, as well as in passing annual budgets.
- **Work collaboratively with Ecology, other local governments and other organizations to support the Beyond Waste goals to the maximum extent feasible.** This could include developing programs and educational materials focused more on prevention and reduction.
- **Improve their eligibility and competitive standing for new legislative and Ecology grant-funded programs (such as the legislative provisions to fund programs that implement Beyond Waste).**

It also increases the likelihood of receiving applicable grant funding (such as CPG), which can only be used for programs contained in an Ecology approved plan. For example, if the adopted plan refers to collection events and the program now has a fixed facility, Ecology's financial assistance may not fund the fixed facility because it is not reflected in the Ecology approved plan.

The process of reviewing and updating a local hazardous waste plan is intended to allow all jurisdictions, including Ecology, to work together to improve the quality of MRW efforts in Washington.

Chapter 3 - Planning and Procedural Processes

Overview

State and local coordination is essential to implement local hazardous waste plans and keep them current. In almost all cases, several jurisdictions work together to implement the local plan. It is important to involve all stakeholders when making significant changes to local plans.

This chapter outlines procedures and processes that should be followed to update plans. In some plans or in related interlocal agreements, jurisdictions may choose to delegate some or all amendatory authority to another jurisdiction or group. For example, some cities have delegated authority to the planning authority, which is usually the county. **In areas where these plans or agreements currently exist, the terms of the agreements shall supersede the procedures for local concurrence outlined below.**

Each Ecology regional office has authority to approve or deny all plans to ensure they meet the requirements of RCW 70.105.220 and the *Local Hazardous Waste Planning Guidelines* (this document).

As you contemplate the planning process, it is helpful to discuss specific timelines and requirements appropriate to your planning area with your regional Ecology staff. They are available to provide support and assistance throughout the planning process. This will ensure you make the most efficient use of your resources and time, and can also increase the likelihood of Ecology approval when submitted.

Regional Ecology staff are available to review and comment on chapters or whole plans prior to formal submittal to Ecology and at other times during the plan development process. See Appendix J for Ecology contact information.

The Planning Process

The planning process has 12 basic steps. Taking these steps in the order suggested will facilitate amending or revising a plan.

12 Steps of the Planning Process	
1. Determine the planning area.	8. Comply with the State Environmental Policy Act (SEPA).
2. Determine the scope, method and planning period.	9. As appropriate, submit revised plan for approval of participating jurisdictions.
3. Involve stakeholders in the planning process.	10. Submit the completed and fully adopted plan to Ecology.
4. Develop a scope of work.	11. Implement the plan.
5. Develop the draft plan.	12. Maintain the plan.
6. Submit the draft plan for public review.	
7. Submit the draft plan to Ecology for informal review.	

Step 1: Determine the Planning Area

Local hazardous waste plans traditionally have been prepared on a county-wide or multi-county basis. These planning areas were defined by the Notices of Intent submitted to Ecology required by RCW 70.105.230. These notices remain valid until the jurisdiction files a new notice of intent with Ecology. Until a new notice is filed, Ecology will assume the planning areas delineated in the existing plan will be the same for any subsequent plan.

A new Notice of Intent should be filed for jurisdictions that were part of a multi-county plan, but have since developed their own MRW Program or are no longer part of their partnering county's plan, to reflect their redefined planning area. All affected jurisdictions will need to develop their own plan. Without notice given and/or a newly developed plan, a county may not be eligible to permit and operate a facility and/or receive applicable grant funding (such as CPG) unless programs are part of an approved plan with an accurately defined planning area.

Ecology must have a Resolution of Adoption passed by the council or commissioners for a city, town or county to establish it as a participating jurisdiction to a plan.

Step 2: Determine the Scope, Method and Planning Period

- **Decide on the scope of the plan update - amendment or revision.** Plans can be modified two ways – amendment or revision. These are two very different processes and should not be confused with each other. Ecology has developed a clear threshold to determine the two processes. **Before starting the amendment or revision process, we recommend that the planning jurisdiction contact an Ecology regional planner for guidance on which process to follow.**

It should be noted that the only scenario **requiring** a plan to be updated through the amendment or revision processes delineated below is when a local program will need Ecology funding (such as CPG) for a program that is not part of the most currently approved plan. It is not Ecology's intent to require a plan update every time there is a change to a plan. However, Ecology would encourage jurisdictions to make those changes to their plan when proceeding with the amendment or revision process.

- **Amending the plan.** Adjustments to the plan are sometimes necessary to keep the plan updated, ensure permits can be properly issued and grant funding can be secured. An amendment may be encouraged when:
 - A significant change in a timeline, or a delay or advance of a milestone, e.g. a delay in a facility opening due to a lengthy permit review process, or implementing a facility or program earlier due to increased resources.
 - An interim program to provide equivalent service while a program is delayed, such as continuation of collection events until a fixed facility can open.
 - Significant changes in the scope of a program, such as a total of two oil facilities instead of ten.
 - Reassignment of a project (not a complete program) to a new agency with agreement of both the rescinding and receiving agency, e.g. a feasibility study/pilot project or the publicity task for a collection event or facility.
 - Followup actions to implementation activities, such as recommendations of a feasibility study/pilot project. For example, the construction of a fixed facility in a particular location following completion of feasibility studies to select a site.
 - Ongoing updates to a plan, short of completely revising it.

The amendment process should be defined in the local hazardous waste plan and interlocal agreements with participating jurisdictions. **Local governments are free to develop their own process for developing and adopting an amendment to the plan internally. The jurisdiction should notify and send a copy of the amendment to Ecology within 45 days of adoption. As long as the amendment process defined in a jurisdiction's approved plan is followed and Ecology is notified within 45 days of adoption, the amendment becomes part of the most recently approved plan. Following this process will help ensure programs are eligible for applicable grant funding.**

If a planning jurisdiction does not define their own process for developing and adopting amendments, the planning jurisdiction should contact an Ecology planner to determine the appropriate steps to take. Upon adoption of the amendment, all future copies of the plan should include the amendment and the amendment date on the cover (e.g. *Washington County Hazardous Waste Management Plan, Revised July 2009, Amended April 2011*).

Amendments are generally made by the planning authority with informal consultation of affected jurisdictions, as necessary. Formal concurrence from affected jurisdictions in the form of a resolution or motion is not necessary. However, formal correspondence from the mayor, equivalent elected official or designee of all affected jurisdictions should be obtained so the action cannot be interpreted as unilateral on the part of the lead agency.

If an amendment is noncontroversial or consensus of the governments was obtained through a different process (such as the process outlined in the Master Section of the plan or budget process), evidence of implicit consensus may be substituted for formal correspondence, waiving the amendment process for the proposed subject change.

Implicit consensus is where the planning authority contacts the jurisdictions and the jurisdictions are given a reasonable timeframe to object to an adjustment. Lack of response will then imply concurrence.

- **Revising the Plan.** Jurisdictions with completely new plans or plans with substantial changes affecting other jurisdictions in the planning area may be encouraged to revise their plan. The revision process should be defined in the local hazardous waste plan and interlocal agreements with participating jurisdictions.

A revision may be encouraged when:

1. There is a fiscal impact on the jurisdictions which will increase their costs to support the Implementation Section of the plan due to proposed increased services or new programs. For a revision with a fiscal impact, **all** jurisdictions that are signatories to the plan are automatically affected, whether the proposed amendments impact service levels or not.

Examples of a fiscal impact would an increased countywide tipping fee, a per household or per business fee, fees assessed on jurisdictions, or fees or assessments to account for inflation.

Note: Increases *projected* in the plan do not require a revision.

2. There is a major shift in the level of service of a program, such as:
 - A permanent facility is replacing collection events.
 - Business inspections are replacing voluntary audits.

- The initiation of a program without a clear direction in the plan. A clear direction is evidenced by projected expenditures budgeted for a specific program. A jurisdiction participating in the plan requests, in writing and with justification, that a particular change be designated as a revision. This request should be sent to the regional Ecology planner.

The local lead agency should work with Ecology to determine the level of change to a plan.

If a plan revision is proposed, the affected jurisdictions must adopt the revised plan before submitting the proposed update to the regional Ecology planner for final plan approval. Ecology must approve or deny all revisions.

The submission should include:

1. Text of the change(s).
2. Location of the change(s) in the plan.
3. List of affected jurisdictions.
4. Documentation of approval of the local government plan update by participating jurisdictions.
5. Proof the plan update/plan revision process contained in the local plan was followed.

If a local jurisdiction proposes a sufficiently substantial change in a program that would require a revision, and the local jurisdiction prefers to do a study before making the change, the revision process may occur any time after the study has begun and before actual implementation begins.

The status of all changes will be verified by Ecology as an amendment or a revision. The regional planner will coordinate a preliminary review of the proposed changes within Ecology, and will respond to the lead local agency with comments within 45 days. These comments will include concurrence or denial of the designation of the changes and the list of affected jurisdictions. Jurisdictions that notify the lead local agency that they are designating themselves as affected in respect to the revision under consideration will automatically be included as an affected jurisdiction.

In cases where a plan revision is proposed, Ecology may approve a revision that:

- Increases environmental protection.
 - Is consistent with pertinent rules, regulations and statutes, as well as the Local Hazardous or Comprehensive Solid Waste Plan.
 - Is supported by the general consensus of the area's local governments.
- **Determine how the updated plan will be submitted.** Local jurisdictions may either submit their local hazardous waste plan as a standalone plan or in conjunction with their comprehensive solid waste management plan.

If a local jurisdiction decides to combine their local hazardous waste plan and solid waste plan, they **must submit a letter to Ecology stating their intent to update the local hazardous waste plan as part of their solid waste plan update. A sample template for this letter of intent is in Appendix E.**

If this is not expressly stated in a letter to Ecology, Ecology will not approve it as an update to the jurisdictions hazardous waste plan. **This could have implications when a jurisdiction applies for applicable grant funding.** The Legislature has specified that *“No local government is eligible for funding under RCW 70.105.235 for implementing a local hazardous waste plan unless the plan for that jurisdiction has been approved by the Department.”*

Whether as a standalone plan or combined with a comprehensive solid waste management plan, Ecology will only approve the hazardous waste plan when it addresses all the elements required by RCW 70.105.220, RCW 70.95I.020 and these guidelines.

Note: Over the years, some jurisdictions have written a chapter into their solid waste plan that refers to the handling of MRW. This has primarily been done to fill planning voids in order to qualify for CPG funding.

In 2008, Ecology made a decision that the guidelines should adopt a standard procedure for addressing this issue. The following conditions are now in effect for combined local hazardous waste and solid waste plans:¹⁶

- The local hazardous waste section of the combined plan must meet all planning requirements prescribed in the Local Hazardous Waste Planning Guidelines, [RCW 70.105.220](#), and [RCW 70.95I.020](#).
- All previous versions of the local hazardous waste plan will no longer be in effect upon approval of the new combined plan.

Ecology planners are available to provide guidance and technical assistance to meet these requirements.

- **Decide how long the planning period should be.** The appropriate length of the planning period depends on:
 - If the plan is submitted as part of the Comprehensive Solid Waste Plan.
 - Level of implementation detail included in the plan.
 - How complicated the plan adoption process is.

If the planning period is too short, the plan may require frequent updating. In this case, many resources are spent on frequent plan preparation, which in turn may hinder implementation efforts. If the planning period is too long, information and projections may be too vague or inaccurate to define a task when the time comes to apply for any applicable grant funding.

Ecology recommends local jurisdictions periodically update their Local Hazardous Waste Management Plan. The plan may include two sections:

1. The “**Master**” Section would cover an indefinite period of time, but be reviewed every five years.
2. The “**Implementation**” Section would cover a one, five or other determined year implementation period and address the objectives, strategies and milestones for the proposed programs.

Chapter 4 of this document describes the content for each section

It is anticipated that each local jurisdiction will regularly review and revise the Implementation Section of their plan as needed to ensure eligibility for applicable grant funding (such as CPG). Local jurisdictions receiving applicable grant funding are expected to:

¹⁶ Counties and cities that are actively drafting a hazardous waste or combined plan revision on the date these guidelines are released will be allowed two (2) years to complete their plan and will be exempt from having to meet the new criteria for combined plans. Counties and cities that meet the exemption may include an MRW section in their plan and still qualify for CPG funding, but must reference their existing LHWP and will need to follow the criteria above in their next plan revision.

- Have a local hazardous waste management plan that reflects current conditions and programs in its jurisdiction; and
- Meet with Ecology every five years to review the status of their plan. This review will determine where updates are needed to keep the plan current and ensure eligibility for applicable grant funding.

Step 3: Involve Stakeholders in the Planning Process

- **Prepare a public involvement strategy for use in the plan update process.** The planning process should actively involve interested parties in all jurisdictions of the planning area. It should also provide an opportunity for stakeholders to participate, particularly in developing the “implementation” section of the plan. It is recommended that the Ecology regional planner be involved from the beginning of plan development to ensure the process addresses all required elements.
- **Identify which stakeholders should be involved during the plan update process.** This may include the use of the local SWAC or other committee(s). When developing your stakeholder process, remember “*to the extent practicable, the local hazardous waste plan shall be coordinated with other hazardous materials-related plans and policies in the jurisdiction*” [RCW 70.105.220(2)]. Related plans may address solid waste management, emergency response, disaster preparedness, groundwater management, watershed and shellfish protection, growth management requirements and others.
- **Develop a process and schedule for public input.** Include time for the review of documents as well as public hearings, meetings and workshops. The plan is required to provide “*a description of the public involvement process used in developing the plan*” [RCW 70.105.220(1)(d)]. Ecology also recommends including any minutes and other documents produced through the process in an appendix of the final plan.

Step 4: Develop a Scope of Work

- **Develop a scope of work including the contents and timeline.** The scope of work should identify other local plans to be considered during the local hazardous waste planning process. The State Environmental Policy Act (SEPA) process (Step 8) should also be considered as part of the scope of work.
- **Solicit input from stakeholders in developing the scope of work.** You may find it helpful to consult with your regional Ecology planner at this point.¹⁷

Step 5: Develop the Draft Plan

- Develop the draft plan using the checklists in Appendix D. The plan may include two sections:
 1. The **Draft “Master” Section** which addresses all of the issues listed in Chapter 4 of these guidelines.
 - Make sure to address all the required elements of a plan. If your program has focused on HHW collection and education, think about shifting resources to CESQG technical assistance and education or other programs that may focus more on prevention.
 - Consider alternative methods, programs and funding mechanisms for achieving your goals.
 2. A **Draft “Implementation” Section** that establishes specific objectives, strategies and milestones the jurisdiction will seek to implement during the next five years or specified planning period.

¹⁷ See Appendix J for Ecology contact information.

- When updating the plan, a jurisdiction may choose to evaluate current programs and obtain public feedback on the mix of services provided. One possible way to do an evaluation is to examine MRW efforts and activities either underway or previously executed during the life of the plan.

The evaluation could involve a program-by-program analysis. This analysis measures the success of each activity compared to current plan goals and the purpose of the MRW system as a whole. Information that can be gained through this analysis includes:

- Are the goals adequate?
- Should any goals or objectives be eliminated and/or others added?
- Are any goals or objectives outdated, inappropriate or completed?
- What barrier or impediments to success are associated with each goal?
- Finally, what gaps and overlaps exist in current efforts and activities?

When the evaluation is completed, a jurisdiction could choose to go through a planning exercise to decide what programs they will offer in the updated plan. There are many different planning processes a jurisdiction may use. The following are offered as examples and not required:

- **Identified Problem or Need.** Programs in the planning area for collection and proper handling of household hazardous wastes need to become more cost effective.
- **Goal.** Manage household hazardous waste in a manner that will result in reduced disposal fees for household hazardous waste.
- **Objective.** Provide the opportunity for the general public to conveniently reduce or recycle their household hazardous waste. This will also allow higher priority management as required by law.
- **Alternatives.**
 - Provide point-of-sale information on safer alternative products.
 - Maintain, facilitate or support a materials exchange.
 - Lead or participate in a local, regional, statewide or national product stewardship effort.
 - Pursue legislation to allow establishment of front-end disposal fees on toxic products as an incentive to businesses and the public to use less toxic products (waste reduction).

Design and select programs for funding and implementation and list each alternative according to a consistent set of evaluation criteria. The local planning process would develop these criteria. Possible criteria:

- Implementation of the hazardous waste priorities, focusing on waste prevention and reduction.
- Basic feasibility.
- Cost.
- Likelihood of success.

Local governments should revisit program listings as often as changing conditions warrant. An example of changing conditions is the implementation of one program may render another obsolete. The obsolete program, under new analysis, would lose its listing.

Step 6: Submit the Draft Plan for Public Review and Make Revisions

Hold a public hearing(s) or publish a notice that the draft plan is available for public review. Follow the normal administrative procedures for notice and public comment. Revise the plan as appropriate.

Step 7: Submit Draft Plan to Ecology for Informal Review and Make Revisions (Optional)

Local jurisdictions are encouraged to submit revised draft plans to Ecology for an informal review. This could increase the likelihood for final plan approval.

- If Ecology indicates a draft plan is ready for local adoption and submittal for final review, complete the remaining steps.
- If Ecology provides feedback that the revised draft plan has shortcomings, the jurisdiction should address them prior to requesting local adoption and formal submittal to Ecology for approval. Depending on the scope of the changes that need to be made, a revised SEPA checklist may be required.

Local jurisdictions requesting informal review should submit the revised draft plan along with a summary of responses to all comments received and any other revisions that may have been made.

Step 8: Comply with the State Environmental Protection Act

Local Hazardous Waste Plans are subject to the requirements of the State Environmental Policy Act (SEPA). SEPA is intended to provide agencies, applicants and the public with information that encourages development of environmentally sound proposals. The environmental review process involves identification and evaluation of probable environmental impacts, and development of mitigation measures that reduce adverse environmental impacts.

Once the plan is submitted to Ecology for final review, an environmental checklist and non-project checklist must be completed and the SEPA review process should be started. This process can be initiated earlier, such as in Step 5, but changes made as a result of public comment may result in additional SEPA review. Before Ecology can formally approve the plan, the SEPA checklists and determination must be forwarded to Ecology for inclusion in the final plan.

Checklists and other information are obtained from your local SEPA officer. Contact Ecology at 360-407-6922 or sepaunit@ecy.wa.gov for information about your SEPA officer.

Step 9: As Appropriate, Submit Revised Plan for Approval of Participating Jurisdictions

Combine comments received into the draft plan and circulate to all participating jurisdictions for resolutions of plan adoption or other documentation of local approval.

Methods to demonstrate the Plan Update is locally approved could include:

- Local government resolutions.
- Memoranda of agreement.
- Inter-local agreements.
- Other official agreements or statements, or through actions in binding or representative processes, or through a combination of these methods.

Step 10: Submit Completed and Fully Adopted Plan to Ecology

There are two options in which a local jurisdiction may submit their local hazardous waste plan update to Ecology for review and final approval: 1) Submit a **standalone plan**; or 2) submit a **combined hazardous and comprehensive solid waste management plan**.

- **Standalone Hazardous Waste Plan.** If it is determined the Master Section of the local hazardous waste management plan does not need updating, an updated Implementation Section may be all that is required. In this case, when submitting the updated Implementation Section, also include the current Master Section so a complete final plan is submitted.

The submittal package must include:

- Three (3) copies of the final draft plan.
- A transmittal letter formally requesting final plan review.
- All SEPA documentation, including checklist and determination.
- Evidence of local agreement for Hazardous Waste Planning from all participating jurisdictions.
- Summary of changes from the draft plan submittal (Step 7 above, if applicable).
- *Optional* - A completed checklist of steps taken if useful to the jurisdiction to show all elements are included.
- *Optional* – The LHWP in electronic format (can be submitted by email or disk - agency software currently supports .pdf, .doc, and .docx formats). *Note: This does not substitute for the three mandatory hard copies. It makes the comment response process simpler and allows for more efficient intra-agency distribution.*

Ecology will start the 90-day review upon receipt of a complete submittal package. Ecology will provide formal notification acknowledging receipt of the plan to the planning jurisdiction and an end date of the review period will be set.

- **Combined Hazardous and Comprehensive Solid Waste Management Plan.** When choosing this option, the local jurisdiction agrees to abide by the conditions outlined in this section. Hazardous waste plans that are combined with solid waste plans will be subject to the process for reviewing solid waste plans.
- **Preliminary Review.** When the planning jurisdiction submits a combined solid and hazardous waste plan during the “preliminary draft” review stage of the solid waste planning process, Ecology will review the local hazardous waste planning portion informally. Ecology will provide informal comments on the hazardous waste portion to the planning jurisdiction and formal comments on the solid waste portion within 120 days.

A complete submittal package for PRELIMINARY draft review includes	
1.	Three (3) copies of the preliminary draft plan.
2.	A transmittal letter clearly stating the intent for combining plans and requesting an: <ul style="list-style-type: none"> • Informal review of the hazardous waste portion of the combined plan pursuant to 70.105.220 RCW and 70.951.020 RCW. • Preliminary draft review of the solid waste portion of the combined plan pursuant to 70.95.094 RCW.
3.	Copy of inter-local agreement(s) required for solid waste planning only (list signatories): <ul style="list-style-type: none"> • Can include evidence of local agreement for hazardous waste planning in an inter-local agreement, but not required.
4.	Evidence of local agreement for hazardous waste planning (may be submitted at final draft review stage).
5.	Evidence of SWAC participation (required for solid waste planning only).
6.	All SEPA documentation, including checklist and determination (may be submitted at final draft review stage).
7.	Completed WUTC cost assessment questionnaire, completed on XXX (required for solid waste plan only).
Optional:	
8.	A completed checklist of steps taken if useful to the jurisdiction to show all elements are included.
9.	The plan in electronic format (can be submitted by email or disk – agency software currently supports .pdf, .doc and .docx formats). <i>Note: This does not substitute for the three mandatory hard copies. It makes the comment response process simpler and allows for more efficient intra-agency distribution.</i>

- **Final Draft Review Stage.** When the planning jurisdiction submits their combined solid and hazardous waste plan during the “final draft” review stage of the solid waste planning process, Ecology will formally review the local hazardous waste portion of the plan in conjunction with a final review of the local solid waste portion of the plan. Ecology will complete both reviews in 45 days. Ecology will either approve or reject the combined plan at this time.

Within the review period, an Ecology regional planner will review the plans concurrently to ensure all issues identified in the preliminary draft review have been adequately addressed, and all planning requirements are satisfied. If the regional Ecology planner determines the final draft plan meets the planning requirements for both hazardous waste and solid waste, the combined plan will receive Ecology’s approval.

If the planning jurisdiction receives no response from Ecology prior to the end of 45-day review period, the combined plan is automatically approved. If Ecology determines the combined plan does not satisfy the planning requirements, Ecology will formally notify the planning jurisdiction with specific findings to support the disapproval. If the plan is disapproved, insufficiencies will need to be addressed prior to resubmission for final approval.

A complete submittal package for FINAL draft review includes	
1.	Three (3) copies of the combined final draft plan.
2.	A transmittal letter formally requesting final plan review for the combined plan.
3.	Evidence of SWAC participation required for solid waste planning only (if not previously submitted).
4.	Evidence of local agreement for hazardous waste planning from all participating jurisdictions (if not previously submitted).
5.	All SEPA documentation, including checklist and determination (if not previously submitted).
6.	Summary of incorporated comments from the preliminary draft plan submittal.
<i>Optional:</i>	
7.	A completed checklist of steps taken if useful to the jurisdiction to show all elements are included.
8.	The plan in electronic format (can be submitted by email or disk – agency software currently supports .pdf, .doc and .docx formats). <i>Note: This does not substitute for the three mandatory hard copies. It makes the comment response process simpler and allows for more efficient intra-agency distribution.</i>

All future revisions of the solid waste management plan (SWMP) *must* include the existing or updated LHWP, whether it is revised or not. This will ensure the LHWP is not buried in an old solid waste management plan that is no longer current. The LHWP could be separated from the SWMP during future SWMP revisions. In other words, if the LHWP is incorporated into a SWMP that is no longer the approved SWMP, it must either be published separately or included in future SWMPs. This will reduce confusion in determining the currency of LHWPs.

Step 11: Implement the Plan

Upon approval by Ecology, carry out the plan in accordance with your Implementation Section. Implementing the plan is the most important step in the process. This is the step where the value of planning becomes most evident.

The Implementation Section of your plan provides a mechanism to ensure projects and activities support the overall program objectives and goals. Performance monitoring is recommended so the planning authority can measure progress, evaluate program success and adjust program efforts as necessary. This can be accomplished through an internal mechanism identified in the Master Section of your plan or through the reporting process for programs receiving applicable grant funding.

The Implementation Section of your plan should be evaluated often enough to determine if the proposed strategies and actions have been carried out as planned, and are effective in achieving the goals of the plan. Local jurisdictions should update the Implementation Section of their plan as needed. Your regional Ecology planner can help you determine if an update is needed.

Ecology understands it is difficult to predict the future. If a project in the Implementation Section of your plan changes due to lack of funding, additional funding becoming available or other unforeseen circumstances, an amendment to the Implementation Section of your plan may be all that is required to be eligible for applicable grant funding.

Step 12: Maintain the Plan

Evaluate the Implementation Section of your Local Hazardous Waste Plan at least on an annual or semi-annual basis to ensure implementation is occurring. Ecology recommends the planning authority meet with Ecology's regional planner at least every five years to discuss whether an update to the Local Hazardous Waste Plan is needed and what the scope of the update should be.

Procedural Requirements

Ecology may waive specific planning requirements under RCWs 70.105.220(9) and 70.95I.030(2). The waiver may cover plans or elements from a plan. In order to obtain a waiver, the local government must demonstrate that the objectives of the requirement are being met. Procedures and specific criteria for a planning waiver are the same as those for an implementation waiver.

- **Obtaining Waivers.** There may be cases when a local government desires to implement one of its programs in a way that would not meet the baseline requirements specified in RCW 70.105.220 and these guidelines. To remain in compliance, the local government must request and be granted a waiver from Ecology (RCW 70.105.220(9)). Waiver requests must be submitted to the regional planner.

Ecology will use two criteria in granting or denying a waiver:

1. **Justification of Need.** Questions used to determine whether the requested waiver is justified may include:
 - Why is this action necessary?
 - Are there reasonable alternatives that would maintain this program?
 - Are there any special circumstances related to this request?
 - Are/were there other jurisdictions in similar circumstances? How are they continuing their program or addressing this issue?
2. **Impact of the Action.** Questions used to determine the impact of the requested waiver may include:
 - Will this action increase service to the local area for MRW?
 - Will this action increase protection of the environment?
 - Will this action lead to a reduction in MRW generated in an area?
 - Will this action increase the jurisdiction's ability to manage MRW more effectively?
 - Will this action improve the compliance status of the planning area?
 - Will this action improve the cooperation of the jurisdiction(s) in MRW implementation?

Both short- and long-term scenarios will be evaluated. There may be some cases where a waiver cannot be granted unless a program amendment is also submitted. The Ecology regional planner will respond to the petitioning jurisdiction within 90 days of submission. The response will include information on the need for an amendment or revision if applicable.

Chapter 4 - What Needs to be in the Local Hazardous Waste Plan

Local jurisdictions have many options to organize their plan. The option Ecology recommends is to create a plan with two sections: a Master Section and an Implementation Section containing the information presented below. Using this format will make plan updates easier. It will also allow Ecology and jurisdictions to track implementation progress. Other organizational formats are acceptable, provided they include the elements listed below.

Master Section

Much of the information contained in this section could carry over from one plan update to the next. When it does not, those areas should be changed at the time of the update. This section of the plan provides the enduring framework for the programs you wish to implement and should contain the following descriptive headings or components:

- **Introduction/Background.** This component defines the purpose of the plan. This would be a good place to describe the planning area, including its political boundaries, population, regional economics, land use, geographic information and other parameters that affect MRW generation. It should also describe how the plan update was done and public involvement in the process.
- **Analysis of Current Conditions.** This section should describe MRW and hazardous waste conditions, programs and changes since the last plan update, using available local data and information provided by Ecology.

Master Section Elements

- Introduction/Background
- Analysis of Current Conditions
- Legal Authority for the Program
- Financing of the Program
- Governance Structure
- Program Philosophy
- Program Service
- Process for Updating the Plan

Two important elements of this section are:

1. **Moderate Risk Waste Inventory.** A successful inventory of the moderate risk waste stream entails a study of its two components: household hazardous waste and conditionally exempt small-quantity generator waste. The inventory “*shall include an assessment of the quantities, types, generators, and fate of MRWs in the jurisdiction.*” See RCW 70.105.220(1)(a).

This type of information *may* be helpful when trying to determine what programs to offer in your jurisdiction. *However*, experience gained over the years has shown these inventories, especially a CESQG generator inventory, are highly unreliable for the time required to prepare them. Updating them can be done when feasible, although it may be more beneficial to rely on local knowledge and information Ecology can provide when completing this task.

The list of Hazardous Household Substances in Appendix F can be used as a starting point when creating a list of substances local governments will manage under their plan. The example can be modified to best fit the overall vision of their program.

Facilities and other sites that handle MRW should also be inventoried and evaluated on their ability to adequately meet the needs of the planning area.

It is extremely useful to include all applicable information regarding wastes collected by the MRW system in this inventory. An important component would be discovering and/or quantifying any changes in behavior or awareness since the last plan was prepared.

2. **Hazardous Waste Inventory.** This inventory is based on information provided by Ecology. Contact your regional Ecology solid waste planner¹⁸ for the following information:

Dangerous Waste Generators	Businesses in the jurisdiction that have an EPA/State identification number issued under Chapter 173-303 WAC, and a summary of the wastes they generate.
Remedial Action Sites	Locations listed by Ecology's Toxics Cleanup Program as needing investigation or undergoing hazardous waste cleanup activity.
Transporters	Hazardous waste transportation companies (registered with Ecology) which service businesses in the jurisdiction.
Facilities	Facilities that recycle, treat, store and/or dispose of hazardous waste generated in the jurisdiction.
Zone Designations	Description of the eligible zones designated according to RCW 70A.105.225. Also see RCW 70.105.220(1)(e) for description requirements.

The Hazardous Waste Inventory should describe why changes were made and how well current programs are working. It should also describe current or proposed changes in goals, objectives and programs, and why those changes are being proposed.

- **Legal Authority for the Program.** This component should list all applicable RCWs and WACs, Board of Health codes, local government enforcement structure, Ecology guidance documents and past Ecology authorization of the Program. Any local ordinances applicable to MRW should also be referenced.
- **Financing of the Program.** This component should describe the current revenue structures (e.g. percent of tip fees to fund programs and applicable grant funding). Explain any plans to explore other options or rate structure, and/or to make programs financially sustainable absent any Ecology provided grant program (such as CPG).
- **Governance Structure.** This component should *outline* the legal authority for plan implementation decisions. More detailed information on programs an agency might carry out would be provided in the Implementation Section of the plan. Designating a lead agency for implementation allows the lead to negotiate directly with Ecology for grant funds.
- **Program Philosophy.** This component should broadly state the mission or vision of the plan. More detail could be provided in the Implementation Section of the plan.

¹⁸ Appendix J.

- **Program Services.** This component should outline the services this plan proposes to offer stated in a broad sense or presented thematically. It should address the following six required elements of a plan:
 1. HHW Collection.
 2. Household and Public Education.
 3. Small Business Technical Assistance.
 4. Small Business Collection Assistance.
 5. Enforcement.
 6. Used Oil Education and Collection.

More details on the actual program offered to meet these requirements should be provided in the Implementation Section of the plan.

- **Process for Updating the Plan.** This section should clarify for all stakeholders and program partners how and when the plan will be updated, under what circumstances, and describe the process for amending and revising the plan.

Implementation Section

The Implementation Section of the plan describes exactly how the Master Section will be carried out (e.g. what is to be done by whom and when), and lists specific steps you will take to implement your plan.

There are numerous approaches a local government could use in accomplishing this task. Two examples could be:

1. **Provide a detailed five-year implementation plan.** Ecology recommends checking with your regional planner annually or bi-annually to briefly go over progress in implementing your plan. Changes could then be made to proposed actions, estimated costs, sources of funding or any other area needed.
2. **Provide a conceptual five-year implementation plan with a detailed one-year work plan.** Local jurisdictions choosing this method should check with in their regional Ecology planner annually, or at least provide the next year's detailed work plan. With this approach, the Master Section of the plan needs to clearly lay out this process and describe how approval from signatories of the plan will be satisfied.

Implementation Elements

- Vision or Mission Statement
- Guiding Principle
- Strategic Goals / Elements of the Plan
- Objectives
- Programs and Milestones
- Alternative Programs
- Annual Budgets

An example of what an Implementation Section might look like is in Appendix C. This section should contain the following elements:

- **Vision or Mission Statement (Optional).** This area could expand on the vision, mission or program philosophy described in the Master Section. This type of statement can be a good lead into what the guiding principles of the plan may be.
- **Guiding Principles.** This area outlines what is important or criteria to take into account when a jurisdiction develops goals and specific elements of their plan.

- **Strategic Goals/Elements of the Plan.** There are six elements common to all local hazardous waste plans under which preferred programs and alternatives can be categorized. The strategic goals and elements of the plan may be presented in a variety of ways, as long as the following six elements are addressed:

1. **Household Collection.** Household collection provides convenient opportunities for the public to drop off leftover or unwanted hazardous products and wastes.

Local governments can accomplish household collection in many ways:

- Operation of permanent facilities.
- Series of collection events.
- Mobile system.
- Combination of these actions.
- Arrange take-back programs with local retailers.
- Work to establish product stewardship programs at the local, state and national level.
- Anything else new and innovative.

Criteria that could be considered in selecting a collection program may include, but is not limited to:

- Cost.
- Cost-effectiveness.
- Population density in the planning area.
- Relative location of a population to a convenient collection site.
- Level of public awareness.
- Types of wastes to be collected.

Wastes can be managed at a facility permitted to handle and process moderate risk or other hazardous wastes. However, this is only as an intermediate stop prior to final disposition. Unless circumstances dictate otherwise, once a local government takes possession of an MRW, it is handled and disposed of as if it were dangerous waste.

2. **Household and Public Education.** Establish programs for ongoing public information and education on MRW prevention and management. Programs should provide information that encourages safer alternative products, waste reduction, recycling and other proper management, use and disposal. Such programs should also address legal requirements and collection/disposal alternatives.
3. **Small Business Technical Assistance.** As with public education, business programs should provide information encouraging safer alternative product use, waste reduction, recycling and other proper management, use and disposal. Education concerning regulatory (Chapter 173-303 WAC, Dangerous Waste Regulations) and other legal requirements should be included.

The most critical aspect of a Business Technical Assistance Program is working onsite with businesses. Local government staff may use onsite visits to educate generators on waste prevention, higher priority management methods, safer alternatives, and proper waste handling and disposal practices. Staff may discover and correct improper handling and disposal practices, and evaluate effectiveness and needs of generator education efforts.

4. **Small Business Collection Assistance.** Some local jurisdictions choose to rely on the private sector for collection and management of CESQG wastes. Local governments are encouraged to use the private sector as much as possible to manage MRW [RCW 70.105.220(3)]. However, it has become evident the private sector does not provide adequate services for businesses that generate extremely small quantities of hazardous waste on an infrequent basis.

Many local governments choose to implement direct collection for small business wastes in the form of collection events, mobile systems or by doing joint collection at their household events and facilities. This type of service is usually done for a fee to cover disposal costs and by appointment only. The fee charged is typically the same cost the facility is charged for disposal, which can be a significant savings to small businesses. However, it is up to the local jurisdiction to determine whether fees being paid to support the program offset the need for a direct charge at the point of collection.

Local governments may help small businesses in many other ways, such as:

- Providing financial incentives.
- Providing recognition incentives.
- Publicizing management companies and facilities.
- Publicizing technologies for onsite management.

The local system must be consistent with the conditions of exemption in the Dangerous Waste Regulations, WAC 173-303-070(8). Failure to do so could subject businesses in the planning area to regulation under the Dangerous Waste Regulations.

5. **Enforcement.** This section is directed at providing local governments with a legal framework (ordinances and/or rules). This framework offers the basis with which to manage MRW, and the authority to respond to incidents of improper management and illicit disposal. For example, in the case of illicit disposal, Ecology may manage spills or releases through WAC 173-303-050, -145, and/or - 960.

Local government ordinances and/or rules may contain:

- Bans on disposal of certain chemicals or waste types in the local landfill.
- Standards for CESQGs in the handling and disposal of hazardous waste.
- Procedures for responding to nuisances created by mismanagement of hazardous waste.
- Fees for onsite inspections for CESQGs, assistance in cleanup efforts and use of the local public MRW facility.
- Other actions as determined by the local government.

6. **Used Oil Education and Collection.** Local governments need to provide convenient collection for used oil. The collection system should be a combination of private and public efforts wherever practical. Additional information on options local governments have in determining the number of used oil collection sites in their area is in Appendix G.

RCW 70.95I.020 outlines requirements for local governments in regards to incorporating a used oil recycling element in their local hazardous waste plan. Some of those requirements in general terms are:

- How jurisdictions will reach their goals for household used oil recycling. The statewide goal, established by locals and Ecology and written in statute, is 80 percent. However, Ecology understands it is difficult to achieve and measure this goal because generation rates are not known. Local jurisdictions should seek agreements with the private sector and state agencies to provide the sites for collection of used oil. The plan shall also incorporate household collection of used oil.
 - How jurisdictions will enforce the sign and container ordinances required by RCW [70.95I.040](#)
 - How jurisdictions will provide public education on used oil recycling.
 - Jurisdictions need to estimate the funding needed to meet the requirements of this chapter. The estimate should factor in additional funds needed for disposal of any contaminated, used oil that shows up at their sites.
- **Objectives.** This section lists the objectives or sub goals of the goals identified earlier in the plan. The Implementation Section will contain measurable objectives for each significant program area.
 - **Programs and Milestones.** This component should list the assigned tasks and programs selected to address the objectives in sequential order of anticipated rollout. The programs chosen to be implemented must address the six required elements of Local Hazardous Waste Plans. This section should also state the lead agency responsible for coordinating plan implementation and list the agency responsible for implementing each program.
 - **Alternative Programs (Optional).** This component should address programs the jurisdiction would consider if priorities change or funding becomes available during the planning period. This element is optional, but highly recommended to give jurisdictions flexibility in starting new programs, especially if applicable grant funding may be sought for the program.
 - **Annual Budgets.** This component should address the funding source, cost and number of employees needed for the programs to be implemented under the plan (to the extent known at the time the plan is written). When a program relies on grant funding, jurisdictions should think about the long-term sustainability of their programs if the grant was reduced or no longer available. Consider options such as raising tipping fees, supporting product stewardship or finding more creative ways to maintain funding for programs.

The Implementation Section of the plan should be a living document. The local jurisdiction should review and update it on a sufficient basis to enable Ecology and local governments to:

- Determine implementation status and eligibility for applicable grant funding (such as CPG).
- Determine the effectiveness of programs and adjust them accordingly.

Also, consider Environmental Justice principles, the *Beyond Waste* vision of reducing toxic substances and Disaster Preparedness in addressing local hazardous waste needs. This may require initiating new partnerships, pilot projects, fresh approaches to old problems, expanded services, new facilities, temporary locations, new equipment and/or revised regulations to ensure public health and environmental safeguards.

Finally, when possible, plans should be coordinated with other planning efforts related to hazardous materials, including watershed planning and groundwater management, emergency management, worker and community right-to-know, growth management and shorelands. As appropriate, describe coordination needs and efforts with MRW activities in the surrounding areas.

Chapter 5 - How to Get Help

Information

Upon request, Ecology will provide technical and procedural assistance to local government in interpreting and implementing RCW 70.105.220 and these guidelines. This may include:

- Providing draft plan language.
- Success stories of programs in other jurisdictions.
- Cost estimates for program implementation.
- Analysis of proposed programs.
- Educational materials that can be replicated for local use.
- Other information Ecology is required to provide as outlined in RCW 70.105.220.

Ecology may also facilitate discussions among jurisdictions or with other groups regarding MRW, or provide presentations on MRW for public meetings, briefings of elected officials and other occasions.

When contacting Ecology, the following staff can provide the most relevant assistance:

- Planners.
- Grant Officers.
- MRW Coordinators.

Contact information is in Appendix J and at <http://www.ecy.wa.gov/programs/swfa/contact/>.

Another valuable MRW planning resource is the Washington State Solid Waste Information Clearinghouse located at <https://fortress.wa.gov/ecy/swicpublic/>. This web-based database is designed to help local government professionals share their experiences, information and resources about solid and hazardous waste programs and activities with their colleagues around the state. Previous CPG funded projects are posted, and materials from those projects are available to any public agency, including budget data, lessons learned and more. Local and statewide MRW collection data is also available on the site.

Financial Assistance

Financial assistance for plan preparation and implementation is authorized in RCW 70.105.235. Due to Washington State's budget deficit in the 2007-09 Biennium and the projected budget deficit in the 2009-11 Biennium, the Legislature moved capital programs previously funded from the Local Toxics Control Account to the State Building Construction Account (SBCA). SBCA is supported through the sale of bonds and is now the new funding source for the CPG Program. SBCA monies can be used for any eligible cost associated with an approved plan.

At the time of publication of these guidelines, Ecology provides funding to local governments to develop and implement local hazardous waste management plans through the CPG Program. This program includes at least one cycle every biennium. The regular cycle is based on a base plus per-capita allocation for each planning jurisdiction, with an additional fixed amount of approximately \$100,000 per jurisdictional health department for enforcement. When funds are available, a second offset cycle may also be offered. The offset cycle funds are distributed through a competitive application process. The Legislature has instituted a proviso that some of the funds be directed toward *Beyond Waste* initiatives.

In the 2007-09 Biennium, CPG funding totaled \$25,500,000 from the Local Toxics Control Account. The funding included \$15,600,000 for the regular cycle planning and implementation grants; \$3,900,000 for regular cycle enforcement grants; \$4,000,000 awarded through the offset cycle for programs consistent with the *Beyond Waste* initiatives; and \$2,000,000 in competitive funds awarded through the regular cycle for programs that provide alternatives to burning organic materials. To see a list of all CPG funded projects, click on the Search button at the bottom of the projects page on the Information Clearinghouse at <https://fortress.wa.gov/ecy/swicpublic/UIProjects/SearchProjects.aspx>.

The rules that govern the CPG program are Chapters [173-312 WAC](#) and [173-313 WAC](#). [WAC 173-312-040\(3\)](#) states: “. . . counties whose solid waste plans are adopted and approved by the Department (Ecology) as required by Chapter [70.95 RCW](#) are eligible to apply for coordinated prevention grants to help pay for the implementation of waste reduction and recycling projects in the most recently approved and adopted (solid waste) plan . . .” [WAC 173-312-040\(5\)](#) also states: “. . . Local governments with Department-approved local hazardous waste plans as required by Chapter [70.105 RCW](#) are eligible to apply for coordinated prevention grants to help pay for the implementation of projects in the plan . . .”

For more information regarding CPG eligibility and solid and hazardous waste planning, consult the most recent edition of the CPG Program Guidelines at <http://www.ecy.wa.gov/programs/swfa/grants/cpg.html> or contact your region’s CPG officer.

For more information on financial assistance programs available through Ecology’s Waste 2 Resources Program, go to <http://www.ecy.wa.gov/programs/swfa/grants/>.

Appendix A: Beyond Waste Background, Examples and Resources

Information on the *Beyond Waste Plan* can be accessed at:

<http://www.ecy.wa.gov/beyondwaste/>

This appendix contains examples of programs that complement the *Beyond Waste* vision and help reduce MRW. These examples are based on recommendations in the MRW, Green Building and Organics initiatives in the *Beyond Waste Plan*. Product stewardship, environmentally preferred purchasing, pollution prevention, lean manufacturing, education on safer alternatives and more all focus on preventing waste.

This information and the additional resources provided can help you generate program ideas beyond those listed here. The intent is to show how the *Beyond Waste* vision can be included in local hazardous waste plans, and help reduce both the amount and toxicity of MRW to manage at end of life.

If you plan to apply for grant funding (such as CPG) for these types of projects, verify eligibility with your regional Ecology CPG grant officer.¹ Grant officers are also available to help you develop an eligible grant task (project).

Product Stewardship

What is Product Stewardship and How Does it Relate to MRW?

Product Stewardship means whoever designs, produces, sells or uses a product takes responsibility for minimizing the product's environmental impact throughout all stages of its lifecycle, including end-of-life management. The greatest responsibility lies with whoever has the greatest ability to affect the full lifecycle environmental impacts. This is most often the producer of the product, though all within the product chain of commerce have roles.

The terms *Product Stewardship* and *Extended Producer Responsibility* (EPR) are often used interchangeably. They describe a long-term solution to manage waste products by shifting the responsibility for collection, transportation and management away from local governments to the manufacturers. Participants typically include manufacturers, retailers, consumers, government officials and others. Product stewardship is standard practice in many European countries, and growing quickly in Canada.

The Northwest Product Stewardship Council (NWPSC) is a coalition of government organizations in Washington and Oregon. The mission of the NWPSC is to work together and with governments, businesses and nonprofit groups to integrate product stewardship principles into the policy and economic structures of the Pacific Northwest.

¹ See Appendix J for contact information.

The Council is working to shift Washington and Oregon's product waste management system from one focused on government funded and ratepayer financed waste disposal and waste diversion to one that relies on producer responsibility in order to reduce public costs, increase accessibility to services, attain higher environmental benefits and drive improvements in product design that promote environmental sustainability.

In 2008, the Northwest Product Stewardship Council and [California Product Stewardship Council](http://www.calpsc.org/) released the joint *Framework Principles for Product Stewardship Policy*. The policy is at http://www.productstewardship.net/PDFs/Joint_PS_Framework_Principles.pdf. These principles are intended to guide development of product stewardship policies and legislation that govern multiple products. They are primarily aimed at state legislation, but also intended as a guide for local and federal policy.

Product Stewardship principles were the driving force behind Washington State's Electronics Recycling Bill, which was passed by the 2006 Legislature. This program makes electronic manufacturers responsible for collecting and properly managing electronics in Washington State. The NWPSC played an instrumental role in the process. The culmination of this bill is a great example of how product stewardship principles can be used to change the way a product is managed at end of life. Visit the electronics programs website at www.ecyclewa.org for more information.

How can I Incorporate Product Stewardship into our Local Hazardous Waste Plan?

- **Join the NWPSC.** The Northwest Product Stewardship Council welcomes new members. There are three different levels of membership, and membership does not require additional staff time. See <http://www.productstewardship.net/> for more information.
- **Take-It-Back Networks.** Form, participate in and promote take-back projects coordinated by local government that include retailers such as Bartell Drugs, Home Depot and IKEA, who voluntarily accept CFLs for recycling. Visit www.takeitbacknetwork.org for more information. Examples of these efforts can be found on the Information Clearinghouse when searching for Product Take-Back Program under the MRW category at <http://ecyapps4/SWIC/UIProjects/SearchProjects.aspx>.
- **Local Ordinances.** Pass an ordinance or establish a policy encouraging product stewardship. Examples can be found at http://www.recyclenow.org/EPR_Final_Report.pdf.

Additional Product Stewardship Resources:

- Northwest Product Stewardship Council: <http://www.productstewardship.net/>
- Product Stewardship Institute: <http://www.productstewardship.us/>
- California Product Stewardship Council: <http://www.calpsc.org/>
- Sonoma County Extended Producer Responsibility Implementation Plan: http://www.recyclenow.org/EPR_Final_Report.pdf
- Product Policy Institute: www.productpolicy.org

Environmentally Preferable Purchasing

What is Environmentally Preferable Purchasing (EPP) and How Does it relate to MRW?

EPP means purchasing products and services that cause less harm to humans and the environment than other products and services serving the same purpose.

EPP product attributes include:

- Reduces wastes.
- Made from recycled material or renewable resources.
- Easily recyclable.
- Durable, repairable or upgradeable.
- Saves energy or water.
- Lower toxin levels in the product and during manufacturing.
- Product stewardship or take-back.
- Lower end-of-life management costs.
- Minimal, less toxic, recyclable packaging.

By purchasing less toxic, less wasteful products, we have the ability to create and increase demand for products that not only lead to less waste for local governments to manage, but lead to a healthier environment overall. This also supports the continued development of “green chemistry.” EPP can make a difference on issues like climate change, toxics in the environment and solid waste. It can also stimulate businesses to redesign their products to be more environmentally sound.

How can I Incorporate EPP into our Plan?

You can develop EPP programs for your own jurisdiction (in-house), and for businesses and the public.

- **In-house EPP Programs.** Develop an EPP program for your jurisdiction or partner with other jurisdictions to enhance your buying power. Government needs to lead, as much as possible, in purchasing and using less toxic supplies and products. By purchasing environmentally preferable goods and services, government can help drive innovation toward safer products. Many local governments have developed policies and programs you can adapt for your own jurisdiction.

The following links offer more information on establishing an EPP program in your jurisdiction:

Responsible Purchasing Network: <http://www.responsiblepurchasing.org/>

King County Procurement and Contract Services:

http://www.kingcounty.gov/operations/procurement/Services/Environmental_Purchasing/Policies.aspx

Rethink Recycling, from the Solid Waste Management Coordinating Board, MN:

<http://www.rethinkrecycling.com/government/eppg>

Stop Waste.org, from Alameda County: <http://www.stopwaste.org/home/index.asp?page=439>

Information Clearinghouse (In-House Environmentally Preferable Purchasing Policy under the category of MRW) at <http://ecyapps4/SWIC/UIProjects/SearchProjects.aspx>.

- **Public EPP Programs.** Another way to further EPP in your jurisdiction is public education and outreach on how and why to buy environmentally preferable products. These efforts might be termed “Shop Smart.” Education can be targeted to specific types of products (i.e. cleaners) or groups of people (i.e. teens). These efforts can lead to a healthier population and less MRW to manage at end of life. The public can also help drive innovation to safer alternative products.

Here are links to some shopping guides for the public:

Thurston County Environmental Health:

<http://www.co.thurston.wa.us/health/ehhm/saferproducts.html>

Department of Ecology Toxic free Tips:

<http://www.ecy.wa.gov/toxicfreetips/shoppersguide.html#labels>

The Green Guide, National Geographic: <http://www.thegreenguide.com/>

Greener Choice, Consumer Reports: www.greenerchoices.org

- **Standards and Certification Programs.** Standards and certification can be useful when developing EPP programs. Standards establish specific human health, environmental and social criteria that products and services must meet to qualify for certification. Standards can be incorporated into policies, and purchasers can incorporate EPP standards into bid documents directly or by reference to make the procurement process easier.

Here are links to more information:

US Environmental Protection Agency EPP site: <http://www.epa.gov/opptintr/epp/index.htm>

Ecology, EPP standards: http://www.ecy.wa.gov/beyondwaste/epp/stand_certifications.html

Ecology, Third-Party Certification: <http://www.ecologo.org/en/greenproducts/consumers/>

- **Additional Environmentally Preferable Purchasing Resources**

Ecology EPP: <http://www.ecy.wa.gov/beyondwaste/epp.html>

Department of General Administration: <http://www.ga.wa.gov/PCA/Forms/EPP-Manual.pdf>

US EPA EPP: <http://www.epa.gov/epp/pubs/about/about.htm>

Pollution Prevention and Lean Manufacturing

What is Pollution Prevention and Lean Manufacturing and How Do They Relate to MRW?

Pollution Prevention (P2) is defined as “*source reduction and other practices that reduce or eliminate the creation of pollutants through increased efficiency in the use of raw materials, energy, water, or other resources, or protecting resources through conservation.*” In the MRW world, this tool can be applied to small-quantity generators (SQGs).

Pollution prevention occurs when materials, water, energy and other resources are used more efficiently, when less harmful substances are substituted for hazardous ones and when toxic substances are eliminated from the production process. By reducing use and production of hazardous substances and operating more efficiently, we protect human health, strengthen our economic well-being and preserve the environment.

A complementary activity to pollution prevention is “lean” manufacturing. Lean manufacturing provides tools and methods to optimize production operations and achieve pollution reduction results in concert with cost and labor savings. This frequently provides businesses with improved environmental compliance, reduced environmental impacts, reduced cost of production and therefore a competitive advantage. Businesses with competitive advantages increase the economic vitality of their community and the state, which is part of the *Beyond Waste* vision.

How can I Incorporate Pollution Prevention and Lean Manufacturing into our Plan?

Both lean manufacturing and pollution prevention are SQG programs that can be part of a local hazardous waste plan. Ecology’s Lean Team can work with businesses in your area. Visit Ecology’s Lean manufacturing website at <http://www.ecy.wa.gov/programs/hwtr/lean/index.html>

Incorporate pollution prevention concepts into your local hazardous waste plan’s strategies for working with CESQGs. If your jurisdiction does not currently provide onsite technical assistance for CESQGs, a pollution prevention model should be incorporated once you decide to start such a program.

More information is available at <http://aww.ecology/programs/hwtr/P2-Toolbox/P2TOOLS.HTM>

Additional Pollution Prevention and Lean Manufacturing Resources

- Ecology Pollution Prevention: <http://www.ecy.wa.gov/programs/hwtr/P2/index.html>
- Incorporating Pollution Prevention into Small Businesses <http://www.ecy.wa.gov/programs/hwtr/P2/Nothing-to-Waste.pdf>
- EPA Pollution Prevention: <http://www.epa.gov/opptintr/p2home/>
- Pollution Prevention Resource Center: <http://www.pprc.org/>
- National Pollution Prevention Roundtable: <http://www.p2.org>

Safer Alternatives

What are Safer Alternatives and How Do they Relate to MRW?

One required element of the hazardous waste plan is education on hazardous waste management. The goal is to reduce exposure to and demand for hazardous products, improve end-of-life management options and increase demand for availability of safer alternatives.

To help reduce use and disposal of hazardous materials, it is vital that outreach information focuses not only on proper disposal, but also on safer alternatives. For this education to be compelling, it must include the reasons we need safer alternatives and the risks of hazardous substances.

Green Chemistry is an important building block for safer alternatives. Green chemistry is the design and application of chemical products and processes to reduce or eliminate the use and generation of hazardous substances. Consider adding green chemistry education into your school programs, using existing curricula. See <http://www.beyondbenign.org/K12education/kthru12.html> for more information.

How can I Incorporate Safer Alternatives into our Plan?

- **Education.** Use the web, brochures and outreach events to teach safer alternatives. Much education material already exists and can be shared via the [Information Clearinghouse](#) or other means. Collection events and your MRW collection facility should always have information on safer alternatives to hazardous products available for the public.
- **Product Specific Ideas.** The *Beyond Waste Plan* has chosen a few chemicals and products to specifically focus on which include mercury, lead and other persistent bio-accumulative toxics (PBTs), pesticides, paints, electronics and hazardous substances that have safer alternatives available. Some product-specific ideas are listed in the table at the end of this appendix.

Natural Yard Care

What is Natural Yard Care and How Does it Relate to MRW?

In taking care of our yards and gardens, we often overuse chemicals that are bad for the environment and our families' health. We also use water inefficiently and produce a lot of yard waste. Natural yard care is a way to maintain your lawn and garden without risking damage to the surrounding environment. This is a valuable program to promote, with many benefits and interested parties to partner with.

A variety of toxic products are used in yards and gardens including weed and feed, slug bait and petroleum based fertilizers. Using these products can have far-reaching consequences. Scientists have found 23 pesticides (weed and bug killers) in our local streams, many at levels that may damage salmon and other wildlife. Studies have also identified increased health risks among families using lawn and garden pesticides, especially for pets and children.

Natural Yard Care provides alternatives, such as:

- Avoid use of chemicals.
- Build healthy soils that nourish plants and deter pests.
- Mulch garden beds to keep soil moist and reduce watering needs.

- Design a low-maintenance garden with low-maintenance plants.
- Select plants that attract birds and insects, and grow well in our climate.
- Use your garden to enhance nature, rather than change it.

How can I Incorporate Natural Yard Care into our Plan?

- Set up and implement a natural yard care program in your jurisdiction. Partner with master gardeners and composters, and/or stormwater programs. Informational brochures, websites and how-to workshops can all be used as educational tools to support the program. Ecology has a Natural Yard Care brochure available for use by local governments.

For more information, visit these websites:

Ecology Natural Yard Care Brochure: <http://www.ecy.wa.gov/biblio/0807064.html>

Columbia Springs: <http://www.naturallybeautifulbackyards.org/>

The Local Hazardous Waste Management Program in King Co:
<http://www.govlink.org/hazwaste/house/yard/>

Thurston County Environmental Health: <http://www.co.thurston.wa.us/health/ehcsg/5stepslawn.html>

Information Clearinghouse by searching under Natural Yard Care under the category of Organics at <http://ecyapps4/SWIC/UIProjects/SearchProjects.aspx>.

- **Integrated Pest Management.** Another way to reduce pesticide use is to promote Integrated Pest Management (IPM). As defined by statute, “*integrated pest management means a strategy that uses various combinations of pest control methods, including biological, cultural, and chemical methods, in a compatible manner to achieve satisfactory control and ensure favorable economic and environmental consequences.*”

IPM is based first and foremost on preventing problems, and offers a process to determine if a pest problem needs to be treated. IPM promotes education to select the best control methods with the least impact to people, pets and the environment. By anticipating and preventing pest activity and combining several control methods, long-term results are achievable.

Work with your jurisdiction to adopt an IPM policy for your grounds maintenance. School districts with IPM policies in place not only benefit their students, but can also reduce reporting requirements. Encourage your local school districts to follow suit. Work with landscape companies to learn about and use IPM techniques.

For more information about IPM, visit these websites:

WSU Pesticide Safety Education: <http://pep.wsu.edu/>

Urban Pesticide Education: <http://www.ecy.wa.gov/programs/swfa/upest/what.html>

Schools IPM policies: <http://www.ecy.wa.gov/programs/swfa/upest/schoolExamples.html>

- **Composting.** Composting is a vital component of natural yard care. It increases organics diversion from disposal, and reduces the need for fertilizers and pesticides. You can partner with others to promote backyard composting, and work with schools or other large food service businesses to develop larger scale composting programs.

For examples of composting projects, go to the Information Clearinghouse and search under Municipal Composting under the Organics category at <http://ecyapps4/SWIC/UIProjects/SearchProjects.aspx>.

Additional Natural Yard Care Resources:

Thurston County Composting:

http://www.co.thurston.wa.us/wwm/Recycling_and_Disposal/Recycle/Composting/Compost_home.htm

Clark County School Composting: <http://www.co.clark.wa.us/recycle/school/sos.html>

Vancouver, B.C. Composting:

<http://www.metrovancouver.org/services/solidwaste/composting/Pages/naturalyardcare.aspx>

Green Building

What is Green Building and How Does it Relate to MRW?

Green building refers to both the practice and product of creating buildings that are better for our health, environment and economy. Definitions of green building vary, but the green building movement has three main goals:

- Ensure a healthy, productive indoor environment for occupants at work or home.
- Prevent negative impacts to our environment.
- Reduce operating costs and increase profitability for building owners through energy and resource conservation.

Green buildings rely on an integrated design approach which considers building location and orientation, site preparation, energy and water efficiency, material selection and indoor environmental quality.

Green Building relates to MRW because many of the products we use in and around our homes and offices are toxic. It supports the use of less- or non-toxic alternatives, thereby creating healthy indoor environments with minimal pollutants (e.g. reduced product emissions).

How can I Incorporate Green Building into our Plan?

- **Healthy Home Maintenance.** Conduct “Healthy Home Maintenance” courses for residents in your jurisdiction. Provide information on toxic products (both to human and environmental health) commonly found in homes, and background information on why the products are toxic. Offer examples of healthier alternatives. Informational brochures, product samples and website information could be used as supporting documents at the workshops.

For more information, visit:

Ecology Green Building website: <http://www.ecy.wa.gov/programs/swfa/greenbuilding/>

Pharos Green Building materials: <http://www.pharosproject.net/>

Ecology Environmentally Preferred Purchasing: <http://www.ecy.wa.gov/beyondwaste/epp.html>

- **Green Remodel.** Create a “Green Home Remodel and Upgrade” program for your jurisdiction. The program, through workshops, brochures, websites or green home tours, could provide information on how to upgrade and remodel homes with non-toxic materials. Standard material choices often have detrimental impacts to both human and environmental health. The program would provide a list of resources for finding healthy building products and professionals that can install them.

For more information visit:

Ecology Green Building: <http://www.ecy.wa.gov/programs/swfa/greenbuilding/>

Built Green of Washington: <http://www.builtgreenwashington.org/>

EcoHaus: <http://www.environmentalhomecenter.com/>

Northwest Ecobuilding Guild: <http://www.ecobuilding.org/>

Other Project Ideas for Local Plans

Area of Focus	Potential Project Ideas
Mercury	<ul style="list-style-type: none">▪ Implement collections and exchanges that ALSO include stewardship and prevention efforts for thermometers, mercury switches and thermostats, auto switches and fluorescent lamps.▪ Develop take-back partnerships with retailers and manufacturers.▪ Develop and distribute outreach materials specifically related to prevention, product stewardship or PBT awareness.
E-waste	<ul style="list-style-type: none">▪ Expand and promote a local electronic product stewardship infrastructure.▪ Promote and institutionalize the purchase and use of “greener” electronics.▪ Promote and institutionalize recycling programs in local government and local businesses.

Area of Focus	Potential Project Ideas
Pesticides	<ul style="list-style-type: none"> ▪ Provide integrated pest management outreach to city and county departments, schools, landscapers, etc. ▪ Implement healthy soils programs and/ or “Natural Yard Care” education. ▪ Provide training for workers and homeowners on reducing pesticide use and alternatives. ▪ Provide outreach to retailers with alternatives to pesticides. ▪ Partner with green building training programs to educate about the use of alternatives.
Lead and Other PBTs	<ul style="list-style-type: none"> ▪ Provide outreach materials specifically related to prevention, product stewardship or PBT awareness. ▪ Educate landlords and renters on lead hazards and resources available to address hazards. ▪ Educate homeowners and renters on do-it-yourself lead hazard assessment. ▪ Update outreach materials to local health care providers to reflect new information on the hazards of lead. ▪ Encourage business to provide/use alternatives. ▪ Share information on workplace hazards and availability of technical assistance from the Department of Labor and Industries. ▪ Educate source control specialists on lead hazard assessment.
Paint	<ul style="list-style-type: none"> ▪ Promote use of recycled content paint with contractors and consumers. ▪ Assist with take-back infrastructure development. ▪ Partner with green building training programs to educate about the use of recycled paint. ▪ Develop and implement incentives for builders to use paint with recycled content. ▪ Educate builders on the regional infrastructure for paint diversion. ▪ Provide support to a National Product Stewardship initiative for managing paint.
MRW Education to Businesses	<ul style="list-style-type: none"> ▪ Provide technical assistance to CESQGs. ▪ Provide public education on safer alternative products. ▪ Provide education on proper use, storage and disposal of MRW.

Appendix B: Implementation Guidelines

Local governments are responsible for implementing their hazardous waste plan. Ecology also has responsibilities, which include providing information for the plan, monitoring and assisting local jurisdictions in implementing programs. State and local coordination is essential in implementing local hazardous waste plans.

This appendix provides guidance on several key implementation issues.

Definition of Implementation

What is Implementation?

Implementation is defined as **any action or series of actions that will result in the accomplishment of tasks and goals that are part of an approved Local Hazardous Waste Management Plan.**

Examples of implementation include, but are not limited to:

- **Actual performance of a task** described in the Implementation Section of a plan (i.e., providing CESQG technical assistance, collection of CESQG waste, participating in a product stewardship effort or HHW education).
- Performance of administrative tasks that directly support the program including:
- Procurement of resources to implement plan tasks.
 - Building and maintenance of necessary infrastructure (this includes ensuring facilities and operations are in compliance with Chapter 173-350 WAC) to implement the plan. This includes actions such as coordination between implementing agencies, or information gathering and dissemination of reports to Ecology, supporting jurisdictions and the public regarding the status of the local MRW program.
 - Training appropriate staff in MRW and hazardous waste management.
 - Implementing recommendations of a study described in a plan.

Activities that do not directly support local hazardous waste management programs and staff are not considered part of program implementation.

What is NOT Implementation?

Actions which are neither performance of a task in a plan nor an administrative task as delineated above are not considered implementation.

Examples of actions that will not be considered implementation include, but are not limited to:

- **Administration of other waste management programs**, such as aluminum recycling or landfill closure.
- **Tasks** related to MRW, such as building a fixed facility in a planning area **where the plan does not reference such a task**. Jurisdictions may perform such additional tasks, but these tasks will not be counted as implementation and will not be eligible for financial support.

Other factors may also be considered non-implementation:

- Failure to complete moderate risk waste tasks in a timely or adequate fashion, such as not procuring adoption or approval of a Local Hazardous Waste Management Plan, not completing tasks and/or programs recommended in an approved plan, or not coordinating activities with Ecology or the participating jurisdictions.
- Not providing adequate resources to implement the plan or any portion of it.

Use of these Guidelines to Determine Implementation

Each local hazardous waste plan may contain two parts. The Master Section describes the basic organization, vision, funding, structure, goals and overall programs that will be implemented. The Implementation Section gives a more detailed description of the MRW programs and activities that will be carried out including project milestones. It includes information about program and project budgets.

The local jurisdiction is responsible for monitoring the Implementation Section and adjusting it as needed, following the process outlined in the Master Section of the plan. Local jurisdictions are encouraged to meet with the regional Ecology planner at an interval from one to every five years. The purpose is to monitor implementation activities for grant funding eligibility (such as CPG) and assess the effectiveness of programs.

If the local jurisdiction applies for and receives grant funding, the grant agreement may provide additional detail regarding implementation schedules and milestones. It also offers an opportunity to review the implementation status of funded tasks with Ecology's regional grant officer.

The local hazardous waste plan provides the yardstick against which local actions and performance will be evaluated. Thus, this document should be used by Ecology and local government according to the needs of each local area. Decisions regarding the applicability of sections within the guidelines should be made with consensus of the local government and regional Ecology planner.

Although local government is the primary contact for MRW generators, they may request Ecology's assistance with direct contact with generators. For example, when::

- Request for information concerns state law or regulations.
- Generator periodically produces over the Quantity Exclusion Limit (QEL).
- Generator wants or needs to obtain an EPA identification number.
- On an interim basis, while the local government program for technical assistance is not functioning fully.

Roles and Responsibilities in Implementation

- The basic roles of Ecology and local government are defined by statute:

“It is the intent of the Legislature that the specific risk posed by such [moderate risk] waste be investigated and assessed and that programs be carried out as necessary to manage the waste appropriately. In addition, the Legislature finds that, because local conditions vary substantially in regard to the quantities, risks, and management opportunities available for such wastes, local government is the appropriate level of government to plan for and carry out programs to manage moderate risk waste, with assistance and coordination provided by the department [of Ecology].”
[RCW 70.105.005(10)]

- **The Role of Local Government.** Local governments are required to set up programs to manage MRW (RCW 70.105.220). These requirements fit into six broad areas (the sixth requirement of Used Oil Recycling comes from Chapter 70.95I RCW):
 - Household and Public Education.
 - Household Hazardous Waste Collection.
 - Business Technical Assistance.
 - Business Collection Assistance.
 - Enforcement.
 - Used Oil Recycling.

In addition, under RCW 70.105.220(1)(f), local governments may add additional programs as needed, such as evaluation, agricultural education, environmentally preferred purchasing or product stewardship education/efforts. Where applicable, additional programs may not replace nor detract from the main programs delineated in these *“Planning Guidelines.”*

Local government is the primary implementer of the Local Hazardous Waste Management Plan and the programs contained therein. Each plan designates a local agency, such as the health department, as lead agency in implementing the plan or sections thereof. The delegated lead local agency is responsible to both Ecology and participating jurisdictions to ensure the goals and objectives of the plan are accomplished in accordance and in the manner described in the approved plan. It is the responsibility of the planning authority to keep the plan current.

Local government is also responsible for allocating resources and completing tasks described in its approved plan according to the Implementation Section of its plan.

Actions in MRW management should be tracked at the local level and reported to Ecology on a regular basis. Local government is the primary contact on MRW issues for both the public and small businesses, including providing technical assistance. If Ecology receives requests for assistance from members of these groups, Ecology will refer the request to the appropriate local government.

It is also the responsibility of local government to protect the safety and health of waste management workers in its employ, and provide appropriate, adequate training for those employees handling MRW, either as part of their jobs or through casual contact (such as workers at a transfer station or landfill who do not work directly with MRW).

- **The Role of Ecology.** In addition to the roles of coordination and assistance mentioned above, Ecology was assigned another role by statute:

“ . . . it is the purpose of this Chapter (70.105 RCW): . . . (3) To promote cooperation between state and local governments by assigning responsibilities for planning for hazardous wastes to the state and planning for moderate-risk waste to local governments.” (RCW 70.105.007)

Ecology’s regional offices have been assigned the lead to work with local governments to implement their plans. Headquarters and regional staff participate in the design of eligible grant tasks (projects) for local governments.

Ecology is also responsible for providing certain data. For example, inventory of all existing generators of hazardous wastes and facilities managing hazardous wastes for inclusion in local plans.

- **Ecology’s Regional Planner.** In each regional office (CRO, ERO, NWRO, SWRO), there is at least one solid waste planner. Solid waste planners are responsible for hazardous waste planning assistance to local governments for MRW management.

Regional planners are the initial contact for MRW planning and implementation within their region. Jurisdictions should contact Ecology with all requests for planning and implementation assistance, and should regularly report progress on MRW implementation to their planner, grant officer or MRW coordinator (depending on how their region has assigned these duties).

Issues and progress on grant agreements should be reported to the regional grant officer and coordinated with the regional planner. To provide better service to local governments, Ecology’s regional planner:

Provides technical assistance in solid and hazardous waste planning and may meet regularly with the local jurisdiction’s MRW coordinator and staff, either one-on-one or in groups to review progress, discuss current issues of concern and/or provide assistance as requested.

Routinely attends local Solid Waste Advisory Committee (SWAC) meetings, and provides information on the state’s perspective on solid and hazardous waste issues and Beyond Waste goals. A local SWAC is required by RCW 70.95.165(3).

The regional planner is also responsible for:

- Recommending approval or denial of plan amendments and revisions to the Ecology regional section supervisor.
- Coordinating with the regional CPG grant officer to ensure proposed implementation and enforcement tasks (projects) are included in the current plan.
- Representing Ecology at local public hearings, meetings and public outreach/education efforts (i.e. school assemblies) related to the *Beyond Waste Plan*, and solid and hazardous waste prevention and management.
- Assisting in Ecology policy and program development for MRW.

- **Ecology's Regional MRW Coordinator:**

- Oversees local MRW planning efforts and evaluation of these efforts for adequacy in complying with RCW 70.105.220(8).
- Assists in Ecology policy and program development for MRW, including the interface between local MRW plans and programs and the state's *Beyond Waste Plan*.
- Provides technical assistance for compliance with Chapter 173-350 WAC for collection sites, permits, dangerous waste regulations and SQG regulatory assistance.
- Coordinates or advertises MRW training for local government staff.
- Facilitates exchange of information in their region.

Due to its nature, MRW is regulated by Ecology's Waste 2 Resources Program (W2R) and the Hazardous Waste and Toxics Reduction Program (HWTR). These two programs will coordinate wherever possible on MRW issues.

Regional W2R Program staff is available to assist local governments in providing waste reduction and recycling assistance to small quantity generators, information on safer alternatives to hazardous products, and household hazardous waste education.

If MRW information is not available at the local level, local governments can direct Households and Small Quantity Generators (SQGs) to Ecology's toll-free information lines:

- **Recycle Information Line:** 1-800-RECYCLE (1-800-732-9253)
- 1-800-RECYCLE website: <http://1800recycle.wa.gov>.

These two resources provide access to educational brochures, information on methods of waste reduction and recycling, locations of recycling and disposal facilities and information on Household Hazardous Waste collection events: **Hazardous Substance Information & Education Office (HSIEO):** 1-800-633-7585 or HSIEO@ecy.wa.gov or www.ecy.wa.gov/hsieo/index.html. HSIEO offers the following services:

- Responds to questions from households and the general public.
- Shares information on the environmental and health hazards of substances, and how members of the public can protect both the environment and health of their families.
- Provides a website and statewide toll-free phone number for households, schools, workers and community organizations with questions related to hazardous substances and safer alternatives.

If a local government does not have a MRW small business program, those seeking this type of assistance should contact Ecology's regional MRW Coordinator to find out what resources are available elsewhere.

Following is a summary of Ecology Moderate Risk Waste staff responsibilities, listed by program and division.

Ecology Program	MRW Staff Responsibilities
Waste 2 Resources Program (W2R) - Regional Solid Waste Planner (CRO, ERO, NWRO, SWRO) ¹	<ul style="list-style-type: none"> ▪ Provides training and technical assistance to local government on waste reduction and recycling issues, <i>Beyond Waste</i> goals and related local government education programs. ▪ Provides technical assistance and education to schools, community groups, businesses and the general public in coordination with local government education efforts. ▪ Works on MRW plan amendments and updates. ▪ Designs eligible grant tasks (projects) for local governments. ▪ Coordinates with other parts of Ecology to provide assistance to local governments. ▪ Provides input to the regional Coordinated Prevention Grant officer on the execution and monitoring of grants.
W2R Program - Regional MRW Coordinator	<ul style="list-style-type: none"> ▪ Reviews applications for solid waste permits to operate an MRW fixed facility, mobile or collection event. ▪ Coordinates with other parts of Ecology and other local governments to provide assistance to counties. ▪ Provides training and technical assistance to local government on waste reduction, recycling, <i>Beyond Waste</i> issues and related local government education programs. ▪ Oversees and evaluates local efforts for compliance with 70.105.220(8) RCW. ▪ Provides technical assistance and education to schools, community groups, businesses and the general public in coordination with local government education efforts.
Hazardous Waste Toxics Reduction Program – Regional Staff	<ul style="list-style-type: none"> ▪ Develops regulations and policy related to management of Dangerous Waste. ▪ Provides information to counties and businesses on Dangerous Waste regulations. ▪ Supports coordination of enforcement on MRW generators by local governments. ▪ Operates the Hazardous Substance Information & Education Office (HSIEO) at 1-800-633-7585 (HQ Staff only).
W2R Program - Headquarters Staff	<ul style="list-style-type: none"> ▪ Supports development of amendments to the Solid Waste Handling Standards (Chapter 173-350 WAC) as appropriate. ▪ Operates the 1-800-RECYCLE Information Line.

- **Assistance in Coordination and Communication.** Ecology staff can facilitate coordination and communication among jurisdictions for joint projects. The purpose of this effort is to prevent “reinventing the wheel” in every local area of the state. As with technical assistance, this service will be provided to local governments through the designated regional Ecology MRW Coordinator or

¹ See Appendix J for regional Ecology contact information.

regional planner. In addition, Ecology has developed the statewide HHW-CESQG listserv (HHW-CESQG@LISTSERV.WA.GOV) to facilitate information sharing.

Ecology publishes the *Solid Waste in Washington State Annual Report* on a yearly basis. A chapter of this report is dedicated to MRW activities. The report is intended to serve both local coordinators and Ecology in tracking data related to MRW.

Another source of assistance are the biannual MRW Coordinators Meetings, held in the east and west sides of Washington State. The purpose is to bring the various local MRW staff together to discuss common issues.

To receive notification of future MRW Coordinators Meetings, contact:

Department of Ecology
Waste 2 Resources Program - SWRO
PO Box 47775
Olympia, WA 98504-7775

(or visit Ecology's MRW Website at <http://www.ecy.wa.gov/programs/swfa/mrw/>)

Local jurisdictions can also post and review a wide variety of information on the Information Clearinghouse website. The Clearinghouse is a web-based database designed to help local government professionals share their experiences, information and resources about solid and hazardous waste programs and activities with colleagues around the state. For more information, visit <https://fortress.wa.gov/ecy/swicpublic/>.

Verification of Implementation

RCW 70.105.255 mandates that Ecology shall provide technical assistance to local governments in the preparation, review, revision and implementation of local hazardous waste plans. The lead for this assistance is the regional Ecology planner.

These revised guidelines establish a framework and schedule that should assist both local jurisdictions and Ecology in monitoring program implementation and making program improvements. The intent is to:

- Encourage the local planning authority to meet with Ecology's regional planner on a basis sufficient enough to evaluate whether there is a need to update any portion of its plan.
- Encourage the local planning authority to define the process for amending and revising their plan. (Local jurisdictions are asked to review the Implementation Section regularly and make adjustments appropriate to improve service delivery.)
- Provide guidance about the types of situations that might warrant an amendment or revision in the plan.
- Encourage an implementation 'check-in' between Ecology and local jurisdictions to:
 - Ensure grant monies are spent appropriately.
 - Evaluate future programs' eligibility for grant funding.
 - Evaluate effectiveness of current programs.

When feasible, this could provide an opportunity to promote *Beyond Waste Plan* priorities. Programs in an approved plan that include these priorities have a greater likelihood of receiving grant funding in the competitive offset cycle than those that do not.

Regional planners will coordinate with other Ecology staff to monitor activities related to plans and their Implementation Section. If the milestones in the Implementation Section start falling behind, the regional planner will contact the lead agency for implementing the plan to resolve the delays.

While the general framework for oversight will be consistent throughout the state, the level and methods of oversight may vary on a case-by-case basis. Ecology recognizes that conditions vary from county to county and each plan is unique. Specific decisions regarding oversight are the responsibility of the Ecology regional office. Counties are encouraged to include the regional planner as much as possible as a resource and technical advisor in local decision making. This can help avoid problems by their early detection and resolution.

Appendix C: Sample Implementation Plan

NOTE: This is only an example, and local jurisdictions may provide more or less information depending on their program. Different formats, such as tables, may also work. The key is to address all required elements of a local hazardous waste plan and provide enough information for Ecology and local jurisdiction staff to determine if the plan is being implemented.

Because priorities change or opportunities may arise in the future, another consideration is to include potential waste management programs in your plan, even those you may not implement during this planning period. Programs that are not already part of your plan may not meet eligibility requirements for grant funding.

Examples in Appendix C offer different versions of the same element. Depending on their current situation, each jurisdiction can use the most applicable version.

Sample “Implementation” Plan

Vision & Mission

Our Mission is to protect and enhance public health and environmental quality in XXX County by reducing the threat posed by the production, use, storage and disposal of hazardous materials.

Our Vision is that residents, businesses and government will demand, use and produce products that are the least harmful to the environment and all segments of the county’s population. Exposure to toxic or otherwise hazardous chemicals is virtually eliminated. The quality of life and potential of citizens is in no way limited due to chemical exposures, and health disparities because of chemical exposures among different segments of the population are eliminated.

Products that still present risks from chemical content are managed in a closed-loop stewardship system, funded by those who make and sell the products, until they can be replaced with safer ingredients. Waste of all types is minimized, and the county’s waste management systems (solid waste, wastewater, storm water) are not compromised in any way due to hazardous chemical content.

Guiding Principles

XXX County will:

1. In priority order, promote the following hazardous waste management strategies:
 - Waste prevention.
 - Waste reduction.
 - Reuse.
 - Recycling.

- Physical, chemical, and biological treatment.
 - Incineration.
 - Solidification or stabilization.
 - Landfill.
2. Establish program priorities, target resources and focus efforts accordingly.
 3. Ensure program services are available to and easily accessed by all county residents and businesses regardless of income levels or where they reside.
 4. Use emerging information technologies to the Program's advantage. At the same time, use alternative communication methods to ensure that no group or community is excluded from Program information or services.
 5. Be adaptive to changing conditions, such as:
 - Community values
 - Environmental and health indicators
 - Political priorities
 6. Be responsive and accountable to ratepayers.
 7. Continually improve Program efficiency and effectiveness by measuring Program performance.
 8. Foster an ethic of responsibility among those who produce, sell and use hazardous products to minimize risks to human health and the environment.
 9. Be strategic in developing partnerships that advance the Program's mission, including nontraditional partnerships.
 10. Work "upstream" to reduce human and environmental exposure to hazardous materials and products, and reliance on publicly funded services. Examples include:
 - Promoting greater producer responsibility.
 - Encouraging businesses to use existing and emerging "green" technologies.
 11. Encourage greater coordination of effort by government and non-governmental organizations, businesses and residents.
 12. Facilitate interagency coordination and cooperation to:
 - Improve regulatory oversight and enforcement.
 - Minimize regulatory gaps.
 - Reduce duplication of effort.

Strategic Goals Planning Timeframe 2009-13¹

This section should describe continuing and new programs for managing hazardous materials and wastes from households and small businesses in XXX County. Programs will be updated as circumstances change or in response to new information or technologies.

¹ Substitute the year(s) of the planning timeframe for what best suits your local conditions – yearly, bi-annually, every five years, etc.

Examples of a change in circumstances may include a new national or state product stewardship program, a decrease or increase in funding or a change in program priorities. This section should also include programs that are supported at the policy level, but lack funding at this time.

Household Hazardous Waste Collection

Objective: Provide HHW Collection Services that Meet Customer Needs

1. XXX County Collection Facilities. Ongoing 2009-2013.

Implementing Agency: XXX County Public Works Department (or other appropriate agency).

Estimated Cost: _____

Funding Source: Tipping fees (\$), CPG funds – give approximate breakdown.

2. By the end of 2009, assess future regional HHW collection needs and develop recommendations. This planning effort should examine:

- Service level and mix of fixed and mobile collection services (including homebound).
- Identify and address barriers to increased use of Program HHW collection services by multi-family residents.
- The need to pilot collection services in low-income and ethnic communities.

Implementing Agency: XXX County Health Department (or other appropriate agency).

Estimated Cost: _____

Funding Source: _____

3. By the end of 2009, be registered in the state electronics recycling program and be collecting electronics.

Implementing Agency: XXX County Public Works Department (or other appropriate agency).

Estimated Cost: _____

Funding Source: Will be compensated at \$ per pound collected by the WMMFA.

4. By the end of 2010, provide a material exchange program for the reuse of household hazardous products at the XXX County household hazardous waste facility. This program will provide a service to the public as well as cut down on costs associated with recycling and disposal of reusable items.

Implementing Agency: XXX County Public Works Department (or other appropriate agency).

Estimated Cost: _____

Funding Source: Receipts from the collection of electronics.

5. Participate in National or State Product Stewardship Program for compact fluorescents, pharmaceuticals, or other material to lessen management impact to the County.

Implementing Agency: XXX County Public Works Department (or other appropriate agency).

Estimated Cost: _____

Funding Source: _____

6. By the end of 2013, prepare an emergency preparedness plan for collecting household hazardous waste during and after a disaster. At minimum, the plan will identify temporary sites, contractors to be used, and policies to follow.

Implementing Agency: XXX County Public Works Department (or other appropriate agency).

Estimated Cost: _____

Funding Source: _____

Household and Public Education

Objective: Provide HHW Information Services that Meet Customer Needs

1. Residents have convenient access to hazardous material/waste information (e.g. waste reduction, reuse, recycling and disposal, safer alternatives, proper hazardous material storage, etc.). Programs may target the general public, specific populations or specific waste streams. The implementing agency will evaluate program effectiveness and adjust as needed. Ongoing 2009-13.
 - Household Hazards telephone number (XXX County's own number, or can reference the HSIEO customer service number at Ecology).
 - Program website or link to the HSIEO website at Ecology.
2. **Implementing Agency:** XXX County Health Department (or other appropriate agency).

Estimated Cost: _____

Funding Source: _____

Small Business Technical Assistance

Objective: Provide Small Business Information Services that Meet Customer Needs

1. Research and establish a small business technical assistance program (2009-2011). Campaigns will be developed based on the needs of the chosen target sector. The campaigns will start as non-regulatory technical visits focusing on providing compliance assistance, waste prevention, waste reduction, and recycling information (2012-2013).

Implementing Agency: XXX County Health Department (or other appropriate agency).

Estimated Cost: _____

Funding Source: _____

OR

Continue technical assistance and/or compliance campaigns (2009-2013). XXX County will continue to develop and run technical assistance campaigns. Staff will visit businesses within the chosen target sector and focus on providing compliance assistance, waste prevention, waste reduction and recycling information.

Implementing Agency: XXX County Health Department (or other appropriate agency).

Estimated Cost: _____

Funding Source: _____

2. Establish or continue a Business Information Line (2009-2013). XXX County will establish or continue to operate a Business Information Line as a service to businesses who need compliance and waste management assistance.

Small Business Collection Assistance

Objective: Provide Small Business Collection Services that Meet Customer Needs

OR *Provide Small Business Collection Services at a cost savings to businesses to encourage proper management of waste leftover after waste prevention measures have been implemented.*

1. Develop, pass, and implement a XXX County Ordinance allowing small businesses to use the XXX County HHW Facility at a cost that covers the operating expenses of the facility to manage business waste (2009-2011).

Implementing Agency: XXX County Health Department (or other appropriate agency).

Estimated Cost: _____

Funding Source: _____

2. Begin or continue to accept small business waste at the XXX County HHW Facility (2011-13 or 2009-13). To use this service, businesses must preregister their wastes, ensuring only eligible businesses and wastes are accepted. This service is by appointment only and eligible businesses will be billed for services rendered.

Implementing Agency: XXX County Public Works Department (or other appropriate agency).

Estimated Cost: _____

Funding Source: _____

Enforcement

Objective: Provide Protection of Human Health and the Environment for all Citizens of XXX County.

1. Continue to respond to complaints of hazardous waste violations (2009-2013). The XXX County Health Department investigates most of these complaints by visiting the site of the suspected violation under the authority of XXX County XXX Ordinance. Inspect all MRW Facilities in XXX County to ensure compliance with Chapter 173-350 WAC (2009-2013).

Implementing Agency: XXX County Public Works Department (or other appropriate agency).

Estimated Cost: _____

Funding Source: _____

Used Oil Recycling

Objective: Provide Used Oil Collection/Recycling Services that Meet Customer Needs

1. By the end of 2012, add two or more used motor oil collection sites in XXX County.

Implementing Agency: XXX County Public Works Department (or other appropriate agency).

Estimated Cost: _____

Funding Source: _____

2. In addition to number 1 above, continue a used oil collection program established in the planning jurisdiction. Ongoing 2009-13.

Implementing Agency: XXX County Public Works Department (or other appropriate agency).

Estimated Cost: _____

Funding Source: _____

Evaluation (Optional, but recommended)

Objective: Evaluate Effectiveness and Implementation Status of Programs

1. XXX County will evaluate the effectiveness and status of each program listed in this implementation plan. An annual report will summarize the findings and recommend any necessary adjustments.

Additional Recommendations

Programs have been identified during the planning process that are supported at a policy level, but funding is not approved or available at this time in order to consider these programs for implementation at this time. Should funding become available in the future, these programs could be implemented during this planning period. Examples:

1. Establish take-back programs for hazardous products.
2. Develop an Environmentally Preferred Purchasing Policy for all XXX County agencies.
3. Provide additional HHW education to non-English speaking XXX County residents.
4. Integrate HHW with surface and groundwater education.
5. Reduce availability and environmental contamination of the following products or materials:
 - Mercury.
 - Pesticides.
 - PBDEs.
 - Or some other priority for your county.

Appendices

1. Resolutions of Plan Adoption (or other documentation of approval by signatories to the plan).
2. SEPA Compliance.
3. Response Summary to Public Comments.

Appendix D: Planning Checklists

These checklists are designed to aid local jurisdictions in determining if they have included all the required elements needed to approve their updated Local Hazardous Waste Plan.

There are four checklists:

1. Local Hazardous Waste Plan Update (Master Section).
2. Local Hazardous Waste Plan Update (Implementation Section).
3. Appendices and Other Required Documentation.
4. Submittal Package.

This tool will be especially helpful when a jurisdiction combines a hazardous waste plan with their solid waste plan. In this instance, information required to approve a hazardous waste plan may not be included in the MRW chapter, but referenced another place in the document.

The checklists will allow Ecology and local jurisdictions to point to certain areas throughout a plan to demonstrate they have fulfilled the requirements. However, if a jurisdiction submits a standalone plan or updated sections of a previously approved plan, the previously approved plan should accompany the updated sections.

IMPORTANT: Remember to include page references for locating the element in the plan (right-hand column), and include any pertinent comments in the space provided.

Local Hazardous Waste Plan (Master Section) Checklist	Included in plan?
A. Introduction and Background	
1. Purpose of the Plan Comments:	Page #
2. General Background of the Planning Area Comments:	Page #
3. Public Participation Process in Plan Development Comments:	Page #
B. Analysis of Current Conditions	
1. Moderate Risk Waste Inventory Comments:	Page #
a. Household Hazardous Waste (Use available local data and information provided by Ecology) Comments:	Page #

Local Hazardous Waste Plan (Master Section) Checklist	Included in plan?
1. Waste quantity, type, and management practices. Comments:	Page #
2. Documentation of the waste categories and volumes currently managed. Comments:	Page #
3. Potentials and constraints for improving waste management. Comments:	Page #
4. Changes from the last plan. Comments:	Page #
b. Small Quantity Generators (Use available local data and information provided by Ecology) Comments:	Page #
1. Waste quantities, type, and management practices. Comments:	Page #
2. Documentation of the waste categories and volumes currently being managed. Comments:	Page #
3. Identification of targeted wastes and waste sources. Comments:	Page #
4. Potentials and constraints for improving waste management. Comments:	Page #
5. Changes from the last plan. Comments:	Page #
2. The Hazardous Waste Inventory (The information in this section is to be provided by Ecology) Comments:	Page #
a. Dangerous Waste Generators: List of businesses in the jurisdiction that have an EPA/State Identification number issued under Chapter 173-303 WAC, and a summary of wastes they generate. Comments:	Page #
b. Remedial Action Sites: List of locations listed by Ecology's Toxics Cleanup Program as needing investigation or undergoing hazardous waste cleanup activity. Comments:	Page #
c. Transporters: List of hazardous waste transportation companies (registered with Ecology) which service businesses in the jurisdiction. Comments:	Page #

Local Hazardous Waste Plan (Master Section) Checklist	Included in plan?
d. Facilities: List of facilities which recycle, treat, store and/or dispose of hazardous waste generated in the jurisdiction. Comments:	Page #
e. Zone Designations: Description of the eligible zones designated according to RCW 70.105.225. Comments:	Page #
C. Legal Authority for the Program	
1. Evaluation of existing regulations and regulatory program. Comments:	Page #
2. Current Enforcement Program. Comments:	Page #
3. Moderate risk waste ordinance(s). Comments:	Page #
D. Financing of the Program	
1. Current revenue source(s) for the program. Comments:	Page #
2. Future sources or alternative revenue sources for programs. Comments:	Page #
E. Governance Structure of Jurisdiction	
1. Legal authority for plan implementation decisions. Comments:	Page #
F. Program Philosophy	
1. The vision or mission of the plan (broadly stated). Comments:	Page #
G. Program Services	
1. Services this plan proposes to offer (broadly stated). Comments:	Page #
H. Process for Updating Each Section of the Plan	
1. When will the plan be updated and under what circumstances. Comments:	Page #

Local Hazardous Waste Plan (Implementation Section) Checklist	Included in plan?
A. Program Philosophy	
1. The mission and/or vision of the plan. Comments:	Page #
2. Guiding principles of the plan. Comments:	Page #
B. Strategic Goals / Elements of the Plan	
1. Household hazardous waste collection element. Comments:	Page #
2. Household and public education element. Comments:	Page #
3. Small business technical assistance element. Comments:	Page #
4. Small business collection assistance element. Comments:	Page #
5. Enforcement element. Comments:	Page #
6. Used oil recycling element. Comments:	Page #
C. Programs and Milestones	
1. Programs selected to implement to meet your objectives. Comments:	Page #
2. Lead agency responsible for coordinating plan implementation. Comments:	Page #
3. Implementing entity for each program selected. Comments:	Page #
D. Alternative Programs (Optional, but Highly Recommended)	
1. List of alternative programs not chosen to be implemented at this time, but would be finances or priorities change. Comments:	Page #
E. Annual Budgets	
1. Funding source, cost and number of employees needed for the programs to be implemented under the plan. Comments:	Page #

Appendices and Other Required Documentation Checklist	Included in plan?
1. Documentation of Local Government Plan Update approval by participating jurisdictions. Comments:	Page #
2. SEPA compliance. Comments:	Page #
3. Response summary to public comment. Comments:	Page #

Submittal Package Checklist	Included?
A. Transmittal <i>letter</i> .	Yes ()
B. Copies of the proposed Plan or Amendment. <ul style="list-style-type: none"> ▪ Three copies (if a standalone plan). ▪ Five copies (if combined with Solid Waste Plan) 	Yes ()
C. SEPA Documents, including Environmental Checklist and Determination of Non-Significance. (one copy should accompany each plan submitted as outlined in B above)	Yes ()
D. Documentation of Local Government Plan Update approval by participating jurisdictions. (one copy should accompany each plan submitted as outlined in B above)	Yes ()
E. Completed checklists of steps taken.	Yes ()

Appendix E: Sample Submittal Letters

*SAMPLE LETTER to ECOLOGY for
PRELIMINARY DRAFT REVIEW of XXX County
COMBINED DRAFT Solid Waste / Local Hazardous Waste Plan*

(date)

XXX, Planner ¹
Department of Ecology
Waste 2 Resources Program, XXX (CRO, ERO, NWRO, or SWRO)
PO Box XXX
XXX, WA (Zip Code) XXXXXX

SUBJECT: XXX County
Preliminary Draft - Comprehensive Solid Waste Management Plan

Dear (Regional Planner):

At this time, XXX County would like to request Ecology's formal review of the *Preliminary Draft 20XX XXX County Comprehensive Solid Waste Management Plan*.

The local hazardous waste plan (LHWP) has been incorporated into our solid waste management plan (SWMP) and it is the County's intention for Ecology to review and approve both plans to meet their respective requirements, per 70.95.094 RCW and the guidelines for SWMP; and 70.105.220 RCW, 70.95I.020 RCW, and the guidelines for HWMP.

XXX County understands that Ecology is allowed 120 calendar days to review a preliminary draft SWMP and will informally review the LHWP in accordance with the same schedule as the SWMP, as described in the solid waste and hazardous waste planning guidelines. A formal request for final approval of the LHWP will be made in conjunction with our request for final approval of the SWMP.

Enclosed are the following per your request:

1. Five copies of the County's combined draft Solid Waste and Local Hazardous Waste Plan, dated XXX.
2. Evidence of SWAC participation.
(Is it enclosed or will it be sent by separate mailing? Can be in the form of SWAC meeting minutes or by letter from your SWAC on county letterhead.)
3. Copy of inter-local agreement for Solid Waste Planning.
(List signatories.)

¹ See Appendix J for regional Ecology contact information

*SAMPLE LETTER to ECOLOGY for
PRELIMINARY DRAFT REVIEW of XXX County
COMBINED DRAFT Solid Waste / Local Hazardous Waste Plan*

(Can include evidence of local agreement for Hazardous Waste Planning in inter-local agreement but is not required.)

4. Evidence of local agreement for Hazardous Waste Planning
(Is it enclosed or will it be sent by separate mailing? The following list of documents can be used.)
 - Local government resolution
 - Memoranda of agreement
 - Inter-local agreements
 - Other similar official agreements or statements
 - Through actions in binding or representative processes
 - Through a combination of these methods.
5. Completed WUTC cost assessment questionnaire for Solid Waste Plan only, completed on XXX (date).
6. Evidence of compliance with SEPA (is it enclosed or will it be submitted with a final draft?)

Please acknowledge your receipt of this package and advise when we can expect your comments.

Sincerely,

XXX (LOCAL GOVERNMENT representative)

Enclosures

*SAMPLE LETTER to ECOLOGY for
FINAL DRAFT REVIEW of XXX County
COMBINED DRAFT Solid Waste / Local Hazardous Waste Plan*

(date)

XXX, Planner ²
Department of Ecology
Waste 2 Resources Program, XXX (CRO, ERO, NWRO, or SWRO)
PO Box XXX
XXX, WA (Zip Code) XXXXXX

SUBJECT: XXX County
Final Draft - Comprehensive Solid Waste Management Plan

Dear (Regional Planner):

Enclosed are copies of the *Final Draft 20XX XXX County Comprehensive Solid Waste Management Plan*. At this time, XXX County is requesting Ecology's formal review and subsequent approval of this combined plan. As you already know, we combined our local hazardous waste plan (LHWP) with our solid waste management plan (SWMP).

XXX County understands that Ecology has agreed to review both plans in 45 days.

Enclosed are the following per your request:

1. Three copies of the County's combined (title of plan and date).
2. Evidence of SWAC participation.
(Delete if previously submitted—can be in the form of SWAC meeting minutes or letter from SWAC on county letterhead.)
3. Evidence of local agreement for Hazardous Waste Planning.
(Delete if previously submitted.)
4. Evidence of compliance with SEPA.
(Delete if previously submitted.)

Please acknowledge your receipt of this package and advise when we can expect your response.

Sincerely,

XXX (LOCAL GOVERNMENT representative)
Enclosures

² See Appendix J for regional Ecology contact information

Appendix F: Hazardous Household Substances List

The hazardous household substances list on the following pages can be used as a starting point to identify household products that may pose public health or environmental risks in the planning area. Local government may use any part or the entire list in developing hazardous household substances programs, and may target substances not on the list when identified during the planning process.

Chemical ingredients for most products are listed on the label or on a *Material Safety Data Sheet*. Local planning efforts can use chemical ingredients of individual products as the basis for developing local programs. Generally, if a product has a hazardous ingredient, it will be hazardous when it becomes a waste. For information regarding a product, contact Ecology's Hazardous Substances Information and Education Office (HSIEO) at 1-800-633-7585.

Local governments should encourage the following practices for waste reduction, recycling and disposal:

1. Use nontoxic or lower toxic alternatives products when available. Promote environmentally preferable purchasing.
2. Read the product label. Watch for key words such as *Poison, Toxic, Danger, Caution* or *Warning*. Look for any disposal instructions.
3. Buy the right amount of product for the job. Read the label carefully before purchase. Make sure the product will do what you want done.
4. Use the entire product. If that is not possible, give it to someone who can.
5. Recycle wastes. Take used motor oil, oil filters and antifreeze to an oil recycling station or authorized collection site. Trade in old car batteries.
6. Take all other wastes to the most convenient MRW facility or event. For the location of the various collection activities, call your local MRW coordinator or Ecology's Recycle Information Line at 1-800-RECYCLE (732-9253).
7. Support/promote producer responsibility (product stewardship) programs.
8. Do not:
 - Dispose of any products by pouring them on the ground or down the storm drain.
 - Dispose of in the garbage.
 - Bury any containers, empty or not, in the backyard.
 - Dump anything along the road or other locations.
 - Remove product labels.
 - Remove products from their original containers for storage or future use.
 - Refill empty containers, even with the same material unless the label recommends it; once a container is empty, dispose of it properly.

Hazardous Household Substances List

Substance(s) or Class(es) of Substances	Primary Hazards			
	Flammable	Toxic	Corrosive	Reactive
Group 1: Repair and Remodeling				
Adhesives, Glues, Cements	X	X		
Roof Coatings, Sealants		X		
Caulkings and Sealants		X		
Epoxy Resins	X	X		X
Solvent Based Paints	X	X		
Solvents and Thinners	X	X	X	X
Paint Removers and Strippers		X	X	
Group 2: Cleaning Agents	Flammable	Toxic	Corrosive	Reactive
Oven Cleaners		X	X	
Degreasers and Spot Removers	X	X	X	
Toilet, Drain, and Septic Cleaners		X	X	
Polishes, Waxes, and Strippers	X	X	X	
Deck, Patio, and Chimney Cleaners	X	X	X	
Solvent Cleaning Fluid	X	X	X	X
Household Bleach (< 8% solution)			X	
Group 3: Pesticides	Flammable	Toxic	Corrosive	Reactive
Insecticides	X	X		
Fungicides		X		
Rodenticides		X		
Molluscides		X		
Wood Preservatives		X		
Moss Retardants		X	X	
Herbicides		X		
Fertilizers		X	X	X
Group 4: Auto, Boat, and Equipment Maintenance	Flammable	Toxic	Corrosive	Reactive
Batteries		X	X	X

Hazardous Household Substances List

Substance(s) or Class(es) of Substances	Primary Hazards			
	Flammable	Toxic	Corrosive	Reactive
Waxes and Cleaners	X	X	X	
Paints, Solvents, and Cleaners	X	X	X	X
Additives	X	X	X	X
Gasoline	X	X	X	X
Flushes	X	X	X	X
Auto Repair Materials	X	X		
Motor Oil		X		
Diesel Oil	X	X		
Antifreeze		X		
Group 5: Hobby and Recreation				
	Flammable	Toxic	Corrosive	Reactive
Paints, Thinners, and Solvents	X	X	X	X
Pool/Sauna Chemicals	X	X	X	X
Photo Processing Chemicals	X	X	X	X
Glues and Cements	X	X	X	
Inks and Dyes	X	X		
Glazes		X		
Chemistry Sets	X	X	X	X
Pressurized Bottled Gas	X	X		X
White Gas	X	X		X
Charcoal Lighter Fluid	X	X		
Batteries		X	X	X
Group 6: Persistent Bioaccumulative Toxins (PBT's)				
	Flammable	Toxic	Corrosive	Reactive
Mercury <ul style="list-style-type: none"> • CFLs and Fluorescent Tubes • Auto Switches • Thermometers • Barometers • Thermostats • Button Cell Batteries 		X (all)	X(all)	

Hazardous Household Substances List

Substance(s) or Class(es) of Substances	Primary Hazards			
	Flammable	Toxic	Corrosive	Reactive
Lead <ul style="list-style-type: none"> • Lead Acid Car Batteries • Fishing Weights • Unused Lead Shot • Unused Traffic Paint • Unused Art Supplies (for Stained Glass and Lead Pottery Glaze) 		X (all)		
Polybrominated Diphenyl Ether (PBDE's) <ul style="list-style-type: none"> • Televisions • Computers • Other Electronic Products <u>Note:</u> These items should all be treated as electronics and recycled.		X (all)		
Polycyclic Aromatic Hydrocarbons (PAH) <ul style="list-style-type: none"> • Roofing Sealant • Pavement Sealant • Used Motor Oil 		X (all)		
Polychlorinated biphenyl (PCB) <ul style="list-style-type: none"> • Caulking (manufactured prior to 1979) • Light Ballasts (manufactured prior to 1979) 		X (all)		
Group 7: Miscellaneous	Flammable	Toxic	Corrosive	Reactive
Ammunition	X	X	X	X
Asbestos		X		
Fireworks	X	X	X	X
Marine Aerial Flares	X	X		
Pharmaceuticals		X		
Non-controlled Substances		X		
Sharps				
Personal Care Products	X	X	X	

Appendix G: Options for Determining the Number of Used Oil Collection Sites

Option One: Service Area Designations

This option is based on the assumption that fulfillment of the recycling goals is directly related to how convenient used oil collection and recycling services are to the public. In this option, the local government determines the where and when by establishing service areas for each facility (for planning purposes only). The service areas would be designed to service sufficient population to fulfill the recycling goals.

Ecology recommends that local governments plan to service the percentage of population of at least 1.25 times the recycling goal for that year. If the recycling goal is 40 percent of generated household oil for 2003, then 50 percent of the population should be served that year. In earlier years, a higher ratio (1.25-2.00) may be required to meet the recycling goal.

Service areas should be determined based on where people routinely go in performing day-to-day activities, and size (capacity) of the facility. Larger facilities may service areas with larger populations.

Locations especially suited for facilities are:

- Central business districts.
- Businesses located along major highways or arterials.
- Industrial areas with large employment bases.
- Malls and shopping centers, especially those containing outlets that sell motor oil.
- Solid and MRW collection and handling facilities, if convenient to a significant amount of the population.

Option Two: Use of Benchmarks

Based on Ecology's design criteria for recycling service, the following benchmarks are provided to local governments not desiring to use the Service Area approach noted in Option One. Benchmarks are given separately for urban and rural areas.

Determination of urban vs. rural designations can be done by:

1. Using the designation used in the local solid waste plan as revised (RCW 70.95.110).

OR

2. Using the Federal Census, which designated *all areas within 30 minutes' travel time of an urban area of 10,000 or more* as "urban."

Benchmark Considerations

Consider one (or a combination of) the following benchmarks:

For Urban Areas:

Option 2a: Curbside collection.

Option 2b: 90% of all residents live within two miles of a collection facility.

and/or

Option 2c: A minimum of one used oil collection facility per 10,000 residents, distributed to maximize convenience to residents.

For Rural Areas:

Option 2d: Used oil collection exists at every attended solid waste receiving facility open to the public including multi-material recycling stations.

In addition, all towns and cities with over 2,000 residents must have at least one used oil collection site within five miles of the town or city.

or

Option 2e: Towns and cities with over 1,000 residents must have at least one used oil collection site within five miles of the town or city.

Appendix H: Regulatory References

Washington State Hazardous Waste Management Act (Chapter 70.105 RCW)¹

Sections of Chapter 70.105 RCW Most Applicable to Local Hazardous Waste Plans

RCW 70.105.007

Purpose.

The purpose of this chapter is to establish a comprehensive statewide framework for the planning, regulation, control, and management of hazardous waste which will prevent land, air, and water pollution and conserve the natural, economic, and energy resources of the state. To this end it is the purpose of this chapter:

- (1) To provide broad powers of regulation to the department of ecology relating to management of hazardous wastes and releases of hazardous substances;
- (2) To promote waste reduction and to encourage other improvements in waste management practices;
- (3) To promote cooperation between state and local governments by assigning responsibilities for planning for hazardous wastes to the state and planning for moderate-risk waste to local government;
- (4) To provide for prevention of problems related to improper management of hazardous substances before such problems occur; and
- (5) To assure that needed hazardous waste management facilities may be sited in the state, and to ensure the safe operation of the facilities.

RCW 70.105.150

Declaration — Management of hazardous waste — Priorities — Definitions.

The Legislature hereby declares that:

(1) The health and welfare of the people of the state depend on clean and pure environmental resources unaffected by hazardous waste contamination. Management and regulation of hazardous waste disposal should encourage practices which result in the least amount of waste being produced. Towards that end, the legislature finds that the following priorities in the management of hazardous waste are necessary and should be followed in order of descending priority as applicable:

- (a) Waste reduction;
- (b) Waste recycling;
- (c) Physical, chemical, and biological treatment;
- (d) Incineration;

¹ The link to Chapter 70.105 RCW is: <http://apps.leg.wa.gov/RCW/default.aspx?cite=70.105>

- (e) Solidification/stabilization treatment;
- (f) Landfill.

(2) As used in this section:

- (a) “Waste reduction” means reducing waste so that hazardous byproducts are not produced;
- (b) “Waste recycling” means reusing waste materials and extracting valuable materials from a waste stream;
- (c) “Physical, chemical, and biological treatment” means processing the waste to render it completely innocuous, produce a recyclable byproduct, reduce toxicity, or substantially reduce the volume of material requiring disposal;
- (d) “Incineration” means reducing the volume or toxicity of wastes by use of an enclosed device using controlled flame combustion;
- (e) “Solidification/stabilization treatment” means the use of encapsulation techniques to solidify wastes and make them less permeable or leachable; and
- (f) “Landfill” means a disposal facility, or part of a facility, at which waste is placed in or on land and which is not a land treatment facility, surface impoundment, or injection well.

RCW 70.105.220

Local governments to prepare local hazardous waste plans — Basis — Elements required.

(1) Each local government, or combination of contiguous local governments, is directed to prepare a local hazardous waste plan which shall be based on state guidelines and include the following elements:

- (a) A plan or program to manage moderate-risk wastes that are generated or otherwise present within the jurisdiction. This element shall include an assessment of the quantities, types, generators, and fate of moderate-risk wastes in the jurisdiction. The purpose of this element is to develop a system of managing moderate-risk waste, appropriate to each local area, to ensure protection of the environment and public health;
- (b) A plan or program to provide for ongoing public involvement and public education in regard to the management of moderate-risk waste. This element shall provide information regarding:
 - (i) The potential hazards to human health and the environment resulting from improper use and disposal of the waste; and
 - (ii) Proper methods of handling, reducing, recycling, and disposing of the waste;
- (c) An inventory of all existing generators of hazardous waste and facilities managing hazardous waste within the jurisdiction. This inventory shall be based on data provided by the department;
- (d) A description of the public involvement process used in developing the plan;
- (e) A description of the eligible zones designated in accordance with RCW [70.105.225](#). However, the requirement to designate eligible zones shall not be considered part of the local hazardous waste planning requirements; and
- (f) Other elements as deemed appropriate by local government.

(2) To the maximum extent practicable, the local hazardous waste plan shall be coordinated with other hazardous materials-related plans and policies in the jurisdiction.

(3) Local governments shall coordinate with those persons involved in providing privately owned hazardous and moderate-risk waste facilities and services as follows: If a local government determines

that a moderate-risk waste will be or is adequately managed by one or more privately owned facilities or services at a reasonable price, the local government shall take actions to encourage the use of that private facility or service. Actions taken by a local government under this subsection may include, but are not limited to, restricting or prohibiting the land disposal of a moderate-risk waste at any transfer station or land disposal facility within its jurisdiction.

(4)(a) The department shall prepare guidelines for the development of local hazardous waste plans. The guidelines shall be prepared in consultation with local governments and shall be completed by December 31, 1986. The guidelines shall include a list of substances identified as hazardous household substances.

(b) In preparing the guidelines under (a) of this subsection, the department shall review and assess information on pilot projects that have been conducted for moderate-risk waste management. The department shall encourage additional pilot projects as needed to provide information to improve and update the guidelines.

(5) The department shall consult with retailers, trade associations, public interest groups, and appropriate units of local government to encourage the development of voluntary public education programs on the proper handling of hazardous household substances.

(6) Local hazardous waste plans shall be completed and submitted to the department no later than June 30, 1990. Local governments may from time to time amend the local plan.

(7) Each local government, or combination of contiguous local governments, shall submit its local hazardous waste plan or amendments thereto to the department. The department shall approve or disapprove local hazardous waste plans or amendments by December 31, 1990, or within ninety days of submission, whichever is later. The department shall approve a local hazardous waste plan if it determines that the plan is consistent with this chapter and the guidelines under subsection (4) of this section. If approval is denied, the department shall submit its objections to the local government within ninety days of submission. However, for plans submitted between January 1, 1990, and June 30, 1990, the department shall have one hundred eighty days to submit its objections. No local government is eligible for grants under RCW [70.105.235](#) for implementing a local hazardous waste plan unless the plan for that jurisdiction has been approved by the department.

(8) Each local government, or combination of contiguous local governments, shall implement the local hazardous waste plan for its jurisdiction by December 31, 1991.

(9) The department may waive the specific requirements of this section for any local government if such local government demonstrates to the satisfaction of the department that the objectives of the planning requirements have been met.

Dangerous Waste Regulations (Chapter 173-303 WAC)²

Chapter 173-303 WAC requires all businesses to determine whether the wastes they generate are hazardous waste, and to ensure hazardous wastes are properly stored, transported and disposed of from “cradle to grave.” The regulations contain detailed requirements that must be met by hazardous waste generators, transporters and owners/operators of hazardous waste treatment, storage, recycling and disposal facilities. WAC 173-303 requires businesses to track hazardous waste shipments to the point of

² The link to Chapter 173-303 WAC is: http://www.ecy.wa.gov/programs/hwtr/reg_comp_guide/173-303.HTM

ultimate disposal, maintain paperwork documenting that the waste has been properly managed, and submit annual reports to the Washington Department of Ecology.

Businesses and other institutions that generate small volumes of hazardous waste are exempt from the state Dangerous Waste regulations, provided they properly store, transport and dispose of their wastes. A business is a **conditionally exempt small quantity generator** (CESQG) if it generates less than 220 pounds (about half a 55-gallon drum) of hazardous waste a month (or batch) and never accumulates more than 2,200 pounds (about five 55-gallon drums). Lower thresholds exist for certain particularly toxic wastes (e.g. there is a limit of 2.2 pounds per month for certain chemicals on the Discarded Chemical Products List found in Chapter 173-303 WAC). If a CESQG exceeds the quantity limits and/or does not properly manage its waste, the business will become fully regulated.³

The state hazardous waste regulatory system excludes household wastes, “. . . *including household waste that has been collected, transported or disposed . . .*” Household wastes means any waste material (including garbage, trash and sanitary waste in septic tanks, “. . . *derived from households (including single and multiple residences, hotels and motels, bunkhouses, ranger stations, crew quarters, campgrounds, picnic grounds and day-use recreation areas.*”⁴

Sections of Chapter 173-303 WAC most applicable to MRW management are:

- **WAC 173-303-070 – Designation of dangerous waste.**
- **WAC 173-3-3-071 – Excluded categories of waste.**

Regulatory Status of Moderate Risk Waste

- **Household Hazardous Waste** (HHW) is generally excluded from the state Dangerous Waste (DW) regulations under WAC 173-303-071(3)(c). Based on statute, a working definition of HHW is waste that is hazardous in characteristic and derived from a household. Under these regulations, the only criteria used in identifying HHW is that it originated from one of the following household sources. The term “household” as set out in these regulations includes:
 - Single and multiple residences.
 - Hotels and motels.
 - Bunkhouses.
 - Ranger stations.
 - Crew quarters.
 - Picnic areas.
 - Day-use recreation areas.
 - Businesses occupying facilities identified as “households” do not generate HHW. These businesses, like all businesses in the state, should refer to the DW Regulations to determine their generator status as described below.

³ See WAC 173-303-070 (8).

⁴ See WAC 173-303-071 (3) (c).

HHW will retain its exclusion, regardless of quantity accumulated or whether the accumulator is the householder or someone else (a local government collection system). However, when collected by a local government collection system, the waste should be reused, recycled or delivered to a licensed hazardous waste treatment, storage or disposal facility.

Federal regulation allows for disposal of HHW in landfills that meet 40 CFR Part 258 or Chapter 173-351 WAC. However, most local jurisdictions choose to implement HHW programs to divert this waste stream from landfills as much as possible, and some jurisdictions may specifically forbid HHW disposal in landfills.

Mixing with other hazardous wastes may cause HHW to lose its exemption and become fully regulated as a DW. An example of exemption loss is when HHW is mixed with fully regulated hazardous waste; however, if HHW is mixed with CESQG waste, the combined waste is still exempt.

HHW as defined above does fall under the DW Regulations on an infrequent basis in the following circumstances:

- There has been or is a potential for discharge or release which could pose a threat to human health or the environment (WAC 173-303-050).
- There has been a spill (WAC 173-303-145).
- There is an imminent and substantial endangerment to health or the environment during the handling, storage, treatment, transportation, recycling or disposal of the waste (WAC 173-303-960).

In these cases, Ecology may require a household, business or local government to follow the DW Regulations.

Additionally, the following requirements may regulate the handling of HHW:

- Air and/or water quality standards.
- Labor and Industries requirements for working with hazardous materials.
- Requirements for transporting hazardous materials.
- International Codes (formerly the Uniform Codes).
- **Small Quantity Generator (SQG)**, also called Conditionally Exempt Small Quantity Generator (CESQG) Waste – Determining Generator Status. In WAC 173-303-070(8), small businesses use three criteria to determine their generator status:
 1. Waste on the site of the small business designates as DW either by being listed or by characteristic.
 2. Hazardous waste generation, storage or accumulation amount by weight.

Businesses that produce hazardous waste or first cause a waste to be regulated as a hazardous waste are called hazardous waste generators.

Generators that generate over a certain weight of waste, called the Quantity Exclusion Limit (QEL) are fully regulated generators under the Dangerous Waste Regulations.

The QEL varies depending on the risk of the waste. The QEL is generally 220 pounds per month or batch for DW, but can be as low as 2.2 pounds per month or batch for a discarded chemical product listed as an Acutely Dangerous Chemical Product in the table in WAC 173-303-9903. The total amount of waste onsite determines generator status. Acutely Dangerous Wastes are typically highly toxic pesticides and similar materials. A business that generates less than 220 pounds per month of DW (or 2.2 pounds of acutely dangerous wastes) is a Small Quantity Generator.

For information regarding specific circumstances, contact the appropriate Ecology regional office.⁵

3. Waste handling and management practices.

There are five waste handling and management practices allowed for SQGs to maintain exemption from the DW Regulations. Waste must be treated or recycled onsite under an appropriate permit, or delivered to one of the following offsite locations:

- A treatment, storage or disposal facility permitted under WAC 173-303, often called TSDs or TSDFs.
- A treatment, storage or disposal facility permitted under 40 CFR (Code of Federal Regulations) Part 270 or by the authorized hazardous waste program of another state.
- A facility permitted under Chapter 173-350 WAC to handle MRW and identified as such in the local hazardous waste plan approved by Ecology.
- A facility that beneficially reuses, legitimately recycles, or reclaims the waste.
- A facility permitted under Chapter 173-350 WAC or the solid waste regulations of the receiving state to handle municipal or industrial solid waste including CESQG disposal in accordance with state and local regulations.

Permits for the onsite treatment and/or recycling of hazardous waste for SQGs can be obtained from the Ecology regional office.

SQGs that meet any of the five conditions and are properly storing and managing that waste may be considered “Conditionally Exempt Small Quantity Generators (CESQG).” CESQGs are minimally regulated under the state DW Rules, but are still subject to local regulation and fall under the purview of local hazardous waste management plans.

All generators with an EPA identification number, including those CESQGs with an EPA identification number, must submit an annual report to Ecology. The forms are available at <http://www.ecy.wa.gov/pubs/0304018.pdf> or by request from the Hazardous Waste and Toxic Reduction Program at the following address:

Dangerous Waste Notifications
Department of Ecology
PO Box 47658
Olympia, WA 98504-7658

⁵ See Appendix J for regional Ecology contact information.

Completed reports must be postmarked no later than March 1 of the subsequent year (i.e. 2009 reports are due March 1, 2010). Reporting parties can use TurboWaste.Net to file their reports. To do this, go to <https://fortress.wa.gov/ecy/turbowaste> or send the report to the address above. This information is compiled to produce Ecology's "Annual Summary of Hazardous Waste."

Based on criteria #2 and #3 (the weight of accumulated waste and management practices), three groups of generators can be identified.

Two groups can be distinguished using criteria #2 (amount, by weight, of dangerous waste generated):

1. Regulated generators that generate, store or accumulate over the QEL.
2. Small quantity generators that generate, store or accumulate under the QEL.

CESQGs can then be split into two groups using criteria #3 (disposal and management practices):

1. Those managing their waste according to the requirements above (CESQGs).
 2. Those not managing their waste properly (regulated SQGs).
- **Regulated Generators.** Ecology and/or the Environmental Protection Agency are responsible for regulating hazardous waste generators that store or accumulate more than 220 pounds of hazardous waste or 2.2 pounds of extremely hazardous waste per month.

Ecology is responsible for regulating generators of hazardous waste in quantities above those just listed. Those that do not reach the regulated amount or "quantity exclusion limit" (QEL) described above, or those that meet any of the five categorical exemptions are normally exempt from state regulation as hazardous waste generators. They remain subject to any local government MRW controls. If small quantity generators of hazardous waste are not properly managing waste, they would become "regulated generators" subject to state reporting requirements and enforcement. These generators can regain their exempt status by demonstrating proper management of their otherwise exempt small quantities of hazardous waste.

Local governments are responsible for providing technical assistance and educational programs to CESQGs who are managing their waste properly in order to exercise their conditional exemption. These generators may still need help to manage their wastes. Local governments can provide education about proper management of small amounts of hazardous waste to assist the generator from coming under state regulation in the future.

Like HHW, CESQG waste can be accumulated at a local government collection facility or event without becoming regulated by the DW Regulations. It may become regulated if mixed with other solid or hazardous wastes.

All CESQG waste should be disposed of at a permitted (RCRA Subtitle C) treatment, storage and disposal facility, or otherwise managed as dangerous waste. Also like HHW, CESQG waste may be subject to additional regulations, such as those mentioned for HHW.

Once delivered to a local government facility, HHW and CESQG waste can be bulked, lab packed, loose packed or otherwise commingled in the same container without creating a regulated waste. This allows for easier management of the wastes, more efficient use of facility space and the ability

for smaller facilities to accumulate an economic load for shipping. However, Washington State Department of Transportation regulations only allow mixing if the materials have the same DOT hazard classification.

Some treatment, storage and disposal facilities may not accept mixed HHW and CESQG waste. Local governments should check with their collection contractor to see if this is the case.

- **MRW Fixed Facilities.** Because HHW is excluded from regulation as dangerous waste, and SQG waste may be conditionally exempt from the DW Regulations, collection of the waste and regulation of facilities handling these wastes fall under Chapter 70.95 RCW, Solid Waste Management - Reduction and Recycling Act, and Chapter 173-350 WAC, Solid Waste Handling Standards.

Chapter 173-350 WAC requires MRW fixed facilities to obtain a solid waste handling permit from the local jurisdictional health district or department, and all other applicable permits (such as building and fire). If a county or other proponent proposes an MRW fixed facility as part of a larger solid waste facility (such as a landfill or transfer station), the permit for the larger facility could be written or modified to include the MRW fixed facility or a separate standalone permit could be issued for MRW operations.

Ecology will use Chapter 173-350 WAC when reviewing permit applications for MRW facilities. Counties are encouraged to work with appropriate health district staff, as well as the Ecology regional MRW coordinator, solid waste planner and grant officer in development and implementation of these projects.

Facility owner/operators must take special care at collection facilities to avoid accepting waste from regulated hazardous waste generators. Owners and operators of MRW facilities are responsible for having policies and procedures in place to screen businesses and prohibit acceptance of regulated dangerous waste.

Acceptance of dangerous waste from regulated generators places the owner/operator and business in violation of Chapter 173-303 WAC and Chapter 173-350 WAC. The most common method used to screen businesses involves some form of pre-inspection and/or pre-registration.

- **Limited MRW Facilities.** Limited MRW facilities are facilities that accept only batteries, waste oil and waste antifreeze generated from households. Current regulations require neither solid nor hazardous waste handling permits for operation of a limited MRW facility provided certain terms and conditions are met. WAC 173-350-360(3) describes these terms and conditions.
- **Collection Events and Mobile Collection Facilities.** Current regulations require neither solid nor hazardous waste handling permits for operation of a collection event or a mobile collection system provided certain terms and conditions are met. WAC 173-350-360(2) describes these terms and conditions.

A mobile system traveling to different locations can be considered a series of collection events orchestrated to maximize service in a given area. For more information on development of collection events and mobile systems, interested persons should reference Ecology's "*Guidelines for Collection Events WDOE 88-6.*"

Local governments or jurisdictional health districts may issue regulations governing these activities under Chapters 70.95 RCW and/or 70.05 RCW. These activities must meet all local building, fire and health codes, and should be reflected in the current Solid and Hazardous Waste Management Plans.

- **Liability.** Even though HHW and CESQG wastes can be exempt from both the DW Regulations and RCRA, they are not exempt from the federal Comprehensive Environmental Response, Compensation and Liability Act (CERCLA or Superfund).

Washington's counterpart to CERCLA, the Model Toxics Control Act (MTCA) also has jurisdiction over these wastes.

Local governments can incur liability under these laws for these wastes in four ways:

1. **Past practices.** Due to improper MRW disposal practices in the past, potential or realized environmental damage has been identified. Facilities already affected by past practices include many of Washington's landfills. There have been reports of wastewater treatment plant contamination from improper disposal of MRW, although no plant has yet needed cleanup action.
2. **By continued allowance of improper disposal techniques.** Currently, MRW may be disposed of in the solid waste or wastewater management systems. These actions may contaminate facilities accepting the waste and can lead to discharges to the environment. Neither solid waste landfills nor wastewater treatment plants are completely designed to accept these wastes.

If significant environmental contamination is detected at these facilities, CERCLA and/or MTCA are triggered. Municipalities and local governments (who generally own and/or operate these facilities or contribute waste to them) then become a potentially responsible party in the cleanup of the facility and environment.

3. **Actions leading to an accident or spill at an MRW collection facility.** Upon discharge of hazardous waste into the environment and detection of contaminants above specified levels, CERCLA and/or MTCA are triggered. As owner/operator of the facility, the local government may be designated a potentially responsible party for the cleanup. However, the risk associated with this possibility can be lessened by the appropriate design, construction and operation of collection facilities.

Appropriate guidance on design and operation of a fixed facility is available from WAC 173-350-360.

A licensed hazardous waste treatment, storage and disposal (TSD) facility may be contracted to handle the waste at collection events or mobile facilities. In some of these cases, the TSD may choose to accept liability for the waste and its handling. This shift in responsibility will, of course, increase the cost of the event. Nonetheless, the cleanup laws are written with a large enough liability net that it is difficult to provide total separation from potential liability for the local government.

Consequently, any TSD services contracted for by local government should be carefully scrutinized before using the services. Such scrutiny should include:

- Review of safety and spill response plans prepared for the local collection site.
- Onsite inspection of the TSD.
- Contact Ecology regarding compliance history.
- Discussions with other jurisdictions that have used this TSD. Sharing of liability on a multi-jurisdictional project is generally determined on a case-by-case basis.

4. **MRW taken to a disposal facility that improperly manages the MRW.** This has happened in Washington State. A disposal facility collected MRW from many local jurisdictions and then abandoned the large accumulation of waste. Local jurisdictions were liable for cleanup costs. To prevent this, Chapter 173-350 WAC requires all owners and operators of MRW collection systems to ensure the MRW *“results in delivery to a facility that meets the performance standards of WAC [173-350-040](#).”*

Ecology strongly encourages you to inspect and contact regulatory agencies to determine compliance for any transfer, storage or disposal facility under consideration.

- **Local Regulations.** Both Ecology and local governments may now regulate certain classes of generators, each by promulgating and enforcing its own laws and regulations.

Ecology derives its regulatory authority from the Hazardous Waste Management Act, RCW 70.105.020 through 145, the Dangerous Waste Regulations (Chapter 173-303 WAC), and the Solid Waste Handling Standards (Chapter 173-350 WAC). Ecology has authority to enforce against generators violating these regulations.

Local governments have specific authority to adopt ordinances and regulations under RCW 70.95.160, to manage MRW and implement the plan. In addition, jurisdictional health districts may choose to use RCWs 70.05.060 and .070 when appropriate (protection of public health).

MRW, by definition, is solid waste. Therefore all authority granted to local governments for solid waste apply to MRW. Local ordinances may parallel or be more stringent than state laws and regulations. Local governments do not have the authority to implement the DW Regulations.

- **MRW – Local Ordinances.** Local ordinances related to MRW generally come in four types:
 1. **Waste Acceptance Control Program.** This type of ordinance depends on municipal solid waste load checking. It focuses on the point at which MRW enters a solid waste system, such as a landfill or transfer station, or even curbside. When the owner/operator discovers MRW in an incoming load, they either divert the waste to the MRW collection system or refuse the load.

The owner/operator also notifies the generator of the waste that MRW is not accepted at the facility. Repeat offenders, and households or businesses who continue to have MRW discovered in their trash may receive onsite consultations, and/or special disposal fees, and/or fines may be assessed.

2. **Mandatory Disposal.** Some jurisdictions are attempting to facilitate proper management of their MRW waste stream by passing a local ordinance that prohibits MRW from being disposed in the solid waste stream. For sample language of this type of ordinance, go to http://www.kitsapcountyhealth.com/environmental_health/solid_waste/docs/swregs.pdf.

This type of ordinance employs an approach similar to current solid waste and litter control ordinances and laws. The ordinance states where disposal locations for MRW exist and includes a prescribed penalty for dumping elsewhere.

Another example of this approach is in RCW 70.95I.060 (Used Oil Recycling Act). This statute requires used oil to be delivered to a collection point for recycling. Using used oil for weed abatement, dust suppression or disposal in a solid waste landfill is prohibited.

Each prohibition has an effective date, varying from January 1992 to January 1994. Violation of these prohibitions is a misdemeanor [RCW 70.95I.060(5)].

- 3. Nuisance Abatement.** This type of ordinance employs a CERCLA-style (based on liability and the generator's responsibility for cleanup) approach. The ordinance focuses on the effects of improper management of MRW. Each generator assumes responsibility for its own waste.

Action by the regulatory agency is triggered if there is an accident or release into the environment involving the generator or a complaint is received regarding the generator.

The cleanup of the affected area or remedy of the conditions of the complaint is the responsibility of the generator. This burden of liability can act as a deterrent to improper handling or disposal of MRW.

In addition, regulations can be promulgated under this option specifying proper waste handling and management techniques to prevent the release of waste into the environment. This can lead to a program where the local government works onsite with the business to prevent environmental releases.

- 4. Business Inspections.** This type of ordinance employs the same style as EPA and Ecology use to enforce RCRA and DW Regulations. This is probably the best known methodology. Staff inspects selected businesses in the area. Prior notification may be given to the recipient business. However, since this may prejudice results of the ensuing inspection, they are often not announced.

During the inspection, violations may be found and documented at the site and a compliance order may be written. This approach captures the hazardous waste and diverts it to proper management before it enters into and impacts the solid waste and wastewater systems as well as the environment.

This type of ordinance may also contain a component to provide for a CESQG program at a local jurisdiction's MRW facility. It would allow CESQGs to use the facility (usually by appointment only) for a fee which covers the cost of offering the service. State grant funds cannot be used to pay disposal costs for CESQG wastes. This service provides a substantial cost savings to the business when compared to dealing directly with a hazardous waste management company. For sample language of this type of ordinance go to <http://www.mrsc.org/ords/S61o02-044.pdf>.

Onsite actions such as business inspections or voluntary waste audits are the most effective actions a local government can perform to prevent mishandling and improper disposal of MRW. While onsite, waste reduction and recycling techniques can be taught and prescribed, and corrective action for improper waste management can be taken prior to any negative impact on the municipal waste stream or the environment.

As implementation progresses, all local MRW systems should move toward including onsite actions with businesses in their local hazardous waste plan.

- **Compliance Coordination with Dangerous Waste.** Because both Ecology and local government are working onsite with businesses, it is possible both agencies may end up working with the same business. This could confuse the business community and decrease effectiveness of the programs.

To prevent this, a coordination policy between Ecology and local government is recommended. To facilitate the exchange of information between agencies:

- Ecology should submit referrals to the senior or supervisory inspector assigned to MRW within the designated local agency.
- Local governments participating in the compliance coordination effort should forward their information to the Ecology representative in the appropriate regional office. This person is normally found in the Regional Hazardous Waste and Toxic Reduction Program.

It should be noted this section applies to local governments that directly contract work onsite with businesses. It is important that local compliance staff receive proper training, especially in inspection techniques. The regional Ecology MRW coordinator may assist in design and implementation of a local training program.⁶

Ecology recommends that local jurisdiction staff attain proficiency in the following areas:

- Inspection/audit techniques and procedures.
- Personal safety in the workplace.
- Waste designation and generator status (WAC 173-303-070).
- Methods of waste reduction and recycling technologies.

Perform joint onsite field work with Ecology staff, as available, which may include working at least one day with a regional Ecology inspector. Local inspectors should contact their regional Ecology office to determine the availability of field training.

Classes of Generators and Compliance Coordination

- **Regulated Generators.** Regulated generators are Ecology's responsibility. If this type of generator contacts local government for technical assistance, these businesses will be asked to call their regional Ecology office. This is the only legal option for this class.

Ecology cannot delegate authority over this class of generators. However, some types of education and information dissemination that lead the business into compliance with the regulations may be done by the local governments under the direction of the Ecology regional office.

Local governments may request Ecology's consent to allow local staff to provide education and information to these businesses.

- **Regulated Small Quantity Generators (SQG).** These businesses are violating the DW Regulations and may be violating local ordinances and regulations as well. Thus, both levels of government (local and state) have jurisdiction over these generators.

When Ecology or local staff contact a regulated SQG, the contacting agency will notify its counterpart. Ecology will notify the local government, and local government will notify Ecology. An inspection report or summary is part of the notification process.

⁶ See Appendix J for Ecology contact information.

Ecology's regional office and the appropriate local regulatory agency will work out a compliance strategy. The agencies may choose to take action:

- **Jointly.** Working together on a particular case, within agreed upon roles and actions, leading to a single response to the business.
- **In concert.** Each agency working on a piece of the case, leading to a separate, but unified and coordinated response.
- **Independently.** Each agency pursuing its own separate actions.

Both agencies need not take action if one agency achieves results satisfactory to both. However, one agency taking action does not preclude the other agency from taking action. It is the responsibility of the agency that initially contacts the business to inform and involve all players in the coordination process, following the initial identification of a Regulated Small Quantity Generator.

- **Conditionally Exempt Small Quantity Generators.** These are MRW generators. Local government is the primary contact for this group. If these generators contact Ecology for technical assistance, they will be asked to contact the appropriate local agency responsible for business assistance and/or compliance. If there is no local agency able to assist them, Ecology may provide assistance to ensure MRW is properly managed.
- **Generators Regulated Solely Because of Accumulation (GRSAs).** Under the Dangerous Waste Regulations, fully regulated generators are those that generate over the Quantity Exclusion Limit (QEL) per month or batch, or accumulate over the QEL onsite. Generators that accumulate over the QEL remain fully regulated generators until the waste is removed from the site and properly disposed as dangerous waste.

There are many businesses in the state that fall into this class. For example, they generate hazardous waste at a rate below the QEL, but due to lack of information regarding disposal options, have continued to store their hazardous waste onsite. Often, the intention of the business is to accumulate and store these wastes rather than improperly dispose of them. However, they now have accumulated enough waste to exceed the QEL.

In these cases, it is in the best interest of the state and the environment to move these wastes to a licensed hazardous disposal site in an efficient, effective and environmentally safe manner.

Since action in this area is optional for local governments, those choosing to work with this class of generators should contact their regional Ecology Hazardous Waste and Toxics Reduction Program staff. They will assist the local government by providing and procuring appropriate expertise in the DW Regulations.

Because generators that accumulate over 2,200 lbs are also regulated at the federal level, local governments are limited to assisting SQGs with an accumulation less than 2,200 lbs.

When contacting a GRSA, the following procedure should be followed:

1. Upon contacting the generator, the local staff will proceed with the inspection or audit.
2. An information sheet with the generator's name and address (at minimum) will be forwarded with the inspection report to the Ecology regional office. Local staff retains a copy of the information sent to Ecology.

3. Ecology staff will consider the information presented by local staff. Use of the information, submitted by local staff for evaluation of the case, does not require nor preclude a followup inspection by Ecology staff.
4. Regional Ecology staff will formulate and execute an enforcement response, if any. Consultation with EPA will be made by regional Ecology staff, as needed.
5. Local staff may choose to assist as requested by and under the direction of Ecology staff. Tasks requested by Ecology may include:
 - Assist the business to fill out reporting documents. This may include revisions to previously completed forms to remove the generator from the list of dangerous waste generators once the accumulated wastes have been properly dispatched from the generator's site to a licensed facility.
 - Assist the business to locate and obtain the services of a permitted hazardous waste treatment, storage and disposal facility and transporter.
 - Coordination or procurement of technologies related to waste reduction and recycling for use by the business.

Once the generator properly disposes of the waste, they will notify both Ecology and the original local inspector of its compliance. The generator is now under local jurisdiction, and tracking of the generator will be the responsibility of local government.

If accumulation over the QEL recurs, the generator will be referred to Ecology as a regulated generator and may then be regulated solely by Ecology.

Appendix I: List of Selected MRW Publications

Statutes (in RCW)

70.05	Local Health Departments, Boards, Officers--Regulations
70.95	Solid Waste Management--Reduction and Recycling Act
70.95E	Hazardous Waste Reduction Act
70.95I	Used Oil Recycling Act
70.105	Hazardous Waste Management Act
70.105D	Model Toxics Control Act

Regulations (in WAC)

173-303	Dangerous Waste Regulations
173-350	Solid Waste Handling Standards
173-312	Coordinated Prevention Grants

Guidance

[The Beyond Waste Plan – November 2004 Publication #04-07-022](#)

[Household Hazardous Waste: Guidelines for Conducting Collection Events Publication # 88-6](#)

[CPG Program Guidelines – July 2007 Publication # 07-07-021](#)

Publications

[Problem Waste Study, Volume 2-1: Moderate Risk Waste--A Progress Report](#)

Problem Waste Study, Volume 2-2: Moderate Risk Waste--Best Available Technologies

Problem Waste Study, Volume 3: Used Oil

Appendix J - Ecology Regional MRW Contacts

MRW Planning & Implementation Assistance (All Regions) http://www.ecy.wa.gov/programs/swfa/contact/				
Regional Office	Central	Eastern	Northwest	Southwest
Address	Department of Ecology Waste 2 Resources Program Central Regional Office 15 W Yakima Ave, Suite 200 Yakima, WA 98902-3387	Department of Ecology Waste 2 Resources Program Eastern Regional Office North 4601 Monroe Spokane, WA 99205-1295	Department of Ecology Waste 2 Resources Program Northwest Regional Office 3190 - 160 th Avenue SE Bellevue, WA 98008-5452	Department of Ecology Waste 2 Resources Program Southwest Regional Office 300 Desmond Drive SE PO Box 47775 Olympia, WA 98504-7775
Phone Number	509-575-2490	509-329-3400	425-649-7000	360-407-6300
Counties in Region (includes all cities)	Benton Chelan Douglas Kittitas Klickitat Okanogan Yakima	Adams Asotin Columbia Ferry Franklin Garfield Grant Lincoln Pend Oreille Spokane Stevens Walla Walla Whitman	Island King Kitsap San Juan Skagit Snohomish Whatcom	Clallam Clark Cowlitz Grays Harbor Jefferson Lewis Mason Pacific Pierce Skamania Thurston Wahkiakum

