

Title 10
BOARD OF HEALTH SOLID WASTE REGULATIONS

UPDATED: March 12, 2014

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10.02 CITATION AND PURPOSE

Sections:

- 10.02.010 Citation.
- 10.02.020 Purpose and policy.

10.02.010 Citation. This title may be cited and referred to, and shall be known as, the “King County Board of Health Solid Waste Regulations.” (R&R No. 03-06 § 2 (part), 11-21-2003).

10.02.020 Purpose and policy.

A. Authority is established under RCW Chapter 70.05 and WAC Chapters 173-304, 173-350 and 173-351 for solid waste and RCW Chapter 70.93 and WAC Chapter 173-310 for litter control. This title is enacted as an exercise of the Board of Health powers of King County to protect and preserve the public peace, health, safety and welfare. Its provisions shall be liberally construed for the accomplishment of these purposes. This title governs solid waste handling, storage, collection, transportation, treatment, utilization, processing and final disposal of all solid waste generated within King County, including issuance of permits and enforcement.

B. It is expressly the purpose of this title to provide for and promote the health, safety and welfare of the general public, and not to create or otherwise establish or designate any particular class or group of persons who will or should be especially protected or benefited by the terms of this title.

C. It is the specific intent of this title to place the obligation of complying with its requirements upon waste generators, haulers and/or operators of disposal sites, and no provision of nor term used in this title is intended to impose any duty whatsoever upon King County or any of its officers or employees, for whom the implementation or enforcement of this title shall be discretionary and not mandatory.

D. Nothing contained in this title is intended to be nor shall be construed to create or form the basis for any liability on the part of King County, or its officers, employees or agents, for any injury or damage resulting from the failure of any person subject to this title to comply with this title, or by reason or in consequence of any act or omission in connection with the implementation or enforcement of this title on the part of King County by its officers, employees or agents. (R&R No. 03-06 § 2 (part), 11-21-2003).

10.03 APPLICABILITY AND DEFINITIONS

Sections:

- 10.03.010 Applicability - State definitions adopted.
- 10.03.020 Definitions.

10.03.010 Applicability - State definitions adopted. Except as otherwise specifically provided in this title, the “definitions” set forth in Chapter 173-303 WAC, Chapter 173-304 WAC, Chapter 173-350 WAC and Chapter 173-351 WAC are hereby adopted and by this reference made a part of this title. (R&R No. 03-06 § 2 (part), 11-21-2003)

10.03.020 Definitions.

A. Approved. “Approved” means approved in writing by the health officer.

B. Health officer. "Health officer" means the Director of the Seattle-King County Department of Public Health or his/her designated representative.

C. Reserved. "Reserved" means a section having no requirements and which is set aside for future possible rulemaking as a note to the regulated community. (R&R No. 03-06 § 2 (part), 11-21-2003)

10.04 ADMINISTRATION

Sections:

- 10.04.010 Other agencies and jurisdictions.
- 10.04.020 Enforcement authority.
- 10.04.030 Imminent and substantial dangers.

10.04.010 Other agencies and jurisdictions. All solid waste management shall be subject to the authority of other laws, regulations or other agency requirements in addition to this title. Nothing in this title is intended to abridge or alter the rights of action by the state or by a person which exist in equity, common law or other statutes to abate pollution or to abate a nuisance. (R&R No. 03-06 § 2 (part), 11-21-2003).

10.04.020 Enforcement authority. The health officer shall have the authority to enforce the provisions of this title in accordance with Chapter 1.08 of this code. The health officer is also authorized to adopt rules not inconsistent with the provisions of this title for the purpose of enforcing and carrying out its provisions.
(R&R No. 03-06 § 2 (part), 11-21-2003).

10.04.030 Imminent and substantial dangers. Notwithstanding any provisions of this title the health officer may take immediate action to prevent an imminent and substantial danger to the public health by the improper management of any waste irrespective of quantity or concentration. (R&R No. 03-06 § 2 (part), 11-21-2003).

10.05 PERMITS FOR VEHICLES

Sections:

- 10.05.010 Definitions.
- 10.05.020 Permit required.
- 10.05.030 Permit application.
- 10.05.040 Permit issuance.
- 10.05.050 Permit expiration.

10.05.010 Definitions. "Collection/transportation vehicle" means a vehicle, other than a biomedical waste collection/transportation vehicle, used to transport residential and commercial solid waste generated by others over the highways of King County. (R&R No. 03-06 § 2 (part), 11-21-2003).

10.05.020 Permit required. It shall be unlawful for any person to operate a collection/transportation vehicle without a valid permit issued by the health officer. Permits shall not be transferable and shall be valid only for the person or vehicle for which issued. (R&R No. 03-06 § 2 (part), 11-21-2003).

10.05.030 Permit application. Any person desiring to operate a collection/transportation vehicle shall submit two copies of a written application to the health officer, on a form to be obtained from the health officer. Such application shall include the applicant's full name, post office address, and the signature of an authorized representative of the applicant; shall disclose whether such applicant is an individual, firm, corporation or partnership, and, if a partnership, the names and mailing addresses of all of the partners; the vehicle storage address; and type of the respective solid waste collection/transportation vehicle; and shall be accompanied by the permit fee amount described in Chapter 2.14 of this code. (R&R No. 05-05 § 133, 6-17-2005; R&R No. 03-06 § 2 (part), 11-21-2003).

10.05.040 Permit issuance. When inspection reveals that the applicable requirements of this title have been met and the applicable fee has been paid, a permit shall be issued to the applicant by the health officer. The health officer may deny the application if in his/her judgment the operation of the vehicle is likely to result in a hazard to the public health and/or will not meet the requirements of this title. The health officer may also suspend or revoke a permit during its term for noncompliance with conditions of the permit, the permittee's failure to disclose relevant facts at any time, or if the permittee's activity

endangers or manifests irresponsibility concerning public health or the environment. The health officer shall consider any relevant health and safety factors in making this determination. If an application is denied or a permit is suspended or revoked, the health officer at the time of the denial, suspension, or revocation shall inform the applicant in writing of the reasons for the denial or revocation and the applicant's right to an appeal pursuant to Chapter 70.95 RCW. (R&R No. 03-06 § 2 (part), 11-21-2003).

10.05.050 Permit expiration. All permits issued in accordance with this title expire on the December 31 following the date of issuance, except permits for collection/transport vehicles and biomedical waste transporters, which expire on the June 30 following the date of issuance. (R&R No. 05-05 § 134, 6-17-2005).

10.06 (RESERVED)

Reviser's Note

Former Chapter 10.06, entitled Fees, was amended in its entirety, and relocated to Chapter 2.14 of this code, by Rule and Regulation No. 05-05.

10.07 BIOMEDICAL WASTE

Sections:

- 10.07.010 Definitions.
- 10.07.020 Permitting.
- 10.07.030 Biomedical waste vehicle permitting.
- 10.07.040 Requirements related to transport of biomedical waste.
- 10.07.050 Requirements for biomedical waste vehicles.
- 10.07.060 Biomedical waste.

10.07.010 Definitions.

A. Biomedical Waste. "Biomedical waste" means and is limited to the following types of waste defined as "Biomedical waste" in RCW 70.95K.010, as amended:

1. "Animal waste" is waste animal carcasses, body parts, and bedding of animals that are known to be infected with, or that have been inoculated with, human pathogenic microorganisms infectious to humans.

2. "Biosafety level 4 disease waste" is waste contaminated with blood, excretions, exudates, or secretions from humans or animals who are isolated to protect others from highly communicable infectious diseases that are identified as pathogenic organisms assigned to biosafety level 4 by the Centers for Disease Control, National Institute of Health, Biosafety in Microbiological and Biomedical Laboratories, current edition.

3. "Cultures and stocks" are wastes infectious to humans and includes specimen cultures, cultures and stocks of etiologic agents, wastes from production of biologicals and serums, discarded live and attenuated vaccines, and laboratory waste that has come into contact with cultures and stocks of etiologic agents or blood specimens. Such waste includes but is not limited to culture dishes, blood specimen tubes, and devices used to transfer, inoculate, and mix cultures.

4. "Human blood and blood products" is discarded waste human blood and blood components, and materials containing free-flowing blood and blood products.

5. "Pathological waste" is waste human source biopsy materials, tissues, and anatomical parts that emanate from surgery, obstetrical procedures, and autopsy. "Pathological waste" does not include teeth, human corpses, remains, and anatomical parts that are intended for interment or cremation.

6. "Sharps waste" is all hypodermic needles, syringes with needles attached, IV tubing with needles attached, scalpel blades, and lancets that have been removed from the original sterile package.

B. Biomedical Waste Collection/Transportation Vehicle. "Biomedical waste collection/transportation vehicle" means a collection/transportation vehicle used for the collection and transportation of biomedical waste over the highways.

C. Biomedical Waste Generator. "Biomedical waste generator" means any producer of biomedical waste to include without limitation the following categories: general acute care hospitals, skilled nursing facility or convalescent hospitals, intermediate care facilities, in-patient care facilities for the developmentally disabled, chronic dialysis clinics, community clinics, health maintenance organizations, surgical clinics, urgent care clinics, acute psychiatric hospitals, laboratories, medical buildings, physicians' offices and clinics, veterinary offices and clinics, dental offices and clinics, funeral homes, or other similar facilities. "Biomedical waste generator" does not include residences that generate waste from occupants' self-treatment. Home-generated syringe wastes are excluded from this category if the containment and disposal requirements specified in Section 10.07.060 B.11.c of this title are followed.

D. Biomedical Waste Storage/Treatment Operator. "Biomedical waste storage/treatment operator" means a person who treats and/or stores biomedical waste and is not a biomedical waste generator.

E. Biomedical Waste Storage/Treatment Site. "Biomedical waste storage/treatment site" means a location where biomedical waste is stored for more than fifteen (15) days or treated by a person who is not a biomedical waste generator. Sites such as incinerators, steam sterilizers and other approved facilities will be considered biomedical waste storage/treatment sites.

F. Biomedical Waste Transporter. "Biomedical waste transporter" means a person who transports biomedical waste over public roads commercially or one who transports in volumes that equal or exceed one hundred (100) pounds per month.

G. Biomedical Waste Treatment. "Biomedical waste treatment" means biomedical waste treated by processes described in 10.07.060 C of this title or by a method approved in writing by the health officer.

H. Steam Sterilization. "Steam sterilization" means sterilizing biomedical waste by use of saturated steam within a pressure vessel at temperatures sufficient to kill all microbiological agents in the waste as determined by biological and chemical indicator monitoring requirements set forth in this title. (R&R No. 03-06 § 2 (part), 11-21-2003).

10.07.020 Permitting. It shall be unlawful for any person to operate a biomedical waste storage/treatment site or operate as a biomedical waste transporter without a valid permit issued by the health officer. Permits shall not be transferable and shall be valid only for the person and place or vehicle for which issued. Owners and operators of biomedical waste facilities shall comply with the permitting and other requirements of WAC 173-350-490. (R&R No. 03-06 § 2 (part), 11-21-2003).

10.07.030 Biomedical waste vehicle permitting. Any person intending to operate as a biomedical waste transporter shall submit two (2) copies of a written application to the health officer, on a form to be obtained from the health officer. Such application shall include the applicant's full name, post office address, and the name and signature of an authorized representative of the applicant; shall disclose whether such applicant is an individual, firm, corporation or partnership, and, if a partnership, the names and mailing addresses of all of the partners; and the address and type of the respective biomedical waste collection/transportation vehicle; and shall be accompanied by the permit fee amount described in Section 2.14.010 of this code. The biomedical waste transporter permit application shall also state the legal description of the site(s) that the applicant is planning to use to treat biomedical waste, and have a contingency plan as described in Section 10.07.060 C.4 of this code. (R&R No. 05-05 § 135, 6-17-2005; R&R No. 03-06 § 2 (part), 11-21-2003).

10.07.040 Requirements related to transport of biomedical waste. Biomedical waste shall be transported over public roads only in a leakproof and fully enclosed container or vehicle compartment. Biomedical waste shall not be transported in the same vehicle with other waste or medical specimens unless the biomedical waste is contained in a separate, fully enclosed leakproof container within the vehicle compartment. Biomedical waste shall be delivered for treatment only to a facility that meets all local, state and federal environmental regulations, as determined by the appropriate local, state and federal agencies. The transporter shall keep records of disposal for a period of at least three (3) years, and they shall be available to the health officer upon request. Surfaces of biomedical waste collection/transportation vehicles that have contacted spilled or leaked biomedical waste shall be decontaminated as described in this title. (R&R No. 03-06 § 2 (part), 11-21-2003).

10.07.050 Requirements for biomedical waste vehicles. Biomedical waste collection/transportation vehicles used by permitted biomedical waste transporters shall have a leakproof fully enclosed vehicle compartment of a durable and easily cleanable construction, and shall be identified on each side of the vehicle with the name or trademark of the biomedical waste transporter. Vehicles shall be cleaned frequently to prevent rodent/vector and odor nuisances. In addition, the health officer may require disinfection of any vehicle. All wastewater from vehicle cleaning shall be disposed of in a sanitary sewer system unless otherwise authorized by the health officer. (R&R No. 03-06 § 2 (part), 11-21-2003).

10.07.060 Biomedical waste.

A. Biomedical Waste Management Plan. Each biomedical waste generator (BWG) and biomedical waste storage/treatment operator (BWSTO) must write a biomedical waste management plan with an internal annual review. The plan shall include all aspects of the BWG's or BWSTO's biomedical waste management. The plan must be followed by the BWG or BWSTO. The plan must include a listing of the BWG'S or BWSTO's infection control staff/committee member(s); phone numbers of responsible

individuals; definition of wastes handled by the system; department and individual responsibilities; procedures for waste identification, segregation, containment, transport, treatment, treatment monitoring, disposal, contingency planning, staff/house-keeping training for biomedical waste identification, as applicable, and compliance with biomedical waste regulations. The plan must include the chief executive officer's endorsement letter. The plan shall be available for inspection at the request of the health officer.

B. Storage and Containment of Biomedical Waste.

1. Storage of biomedical waste shall be in a manner and location which affords protection from animals, rain and wind; does not provide a breeding place or a food source for insects or rodents; and is accessible only to personnel authorized in the biomedical waste generator's biomedical waste management plan.

2. Biomedical waste shall be segregated from other waste by separate containment from other waste at the point of origin.

3. Biomedical waste, except for sharps, shall be contained in disposable leakproof plastic bags having a strength to prevent ripping, tearing, breaking or bursting under normal conditions of use. The plastic bags shall be appropriately marked by the generator as containing biomedical waste. The plastic bags shall be secured to prevent leakage or expulsion during storage. Note: This shall not apply to biomedical waste stored in rigid plastic, single-use or approved multiple-use marked containers.

4. Sharps shall be contained in leakproof, rigid, puncture resistant, break resistant containers which are labeled and tightly lidded during storage, handling and transport.

5. Biomedical waste held in plastic bags as described in subsection B.3 of this section shall be placed in other leakproof containers such as disposable or reusable pails, drums, or bins for storage, handling or transport. The containers shall be conspicuously labeled with the international biohazard symbol, and the words "Biomedical Waste" or other words that clearly denote the presence of biomedical waste.

6. Reusable containers:

a. Reusable containers for biomedical waste storage, handling or transport shall be thoroughly washed and decontaminated by an approved method each time they are emptied unless the surfaces of the containers have been protected from contamination by disposable liners, bags or other devices removed with the waste, separate from those required in subsection B. 3 of this section.

b. Approved methods of decontamination are agitation to remove visible solid residue combined with one of the following procedures:

i. Chemical Disinfection. Chemical disinfectants should be used in accordance with the manufacturer's recommendations for tuberculocidal and viricidal (Polio type 1 or 2, SA Rotovirus) killing capacities or by disinfectant concentration/contact times approved in writing by the health officer.

ii. Other method approved in writing by the health officer.

c. Reusable pails, drums or bins used for containment of biomedical waste shall not be used for any other purpose except after being disinfected by procedures as described in this paragraph and after the international biohazard symbol and words "Biomedical Waste" are removed.

7. Trash chutes shall not be used to transfer biomedical waste.

8. Unless approved in writing by the health officer, biomedical waste, other than sharps, shall be treated in accordance with subsection C of this section or delivered to a biomedical waste storage/treatment operator within fourteen (14) days from the generation of the waste. Sharps waste must be disposed in accordance with Section 10.07.060 B.11 or be transported to a storage/treatment facility within ninety (90) days commencing from the time the sharps container is sealed.

9. Biomedical waste shall not be subject to compaction prior to treatment.

10. Biomedical waste shall not be placed into the general solid waste stream prior to treatment.

11. At no time shall treated sharps waste, except incinerated sharps waste, be disposed into the general solid waste stream, unless approved in writing by the health officer.

a. Treated sharps waste, except incinerated sharps waste, shall be segregated from the general solid waste stream in approved sharps containers for disposal at a medical waste treatment facility or landfill approved by the health officer. Treated sharps waste shall not be mixed with the general solid waste stream at any time.

b. The transporter of treated sharps waste, excluding incinerated sharps waste, must notify the disposal site operator prior to transporting the sharps waste to allow for adequate site preparation and staff availability. The sharps waste shall be covered with at least six inches (6") of compacted waste material within twenty-four (24) hours of disposal.

c. Home-generated sharps are exempt from other provisions of Section 10.07.060 if prepared for disposal by a means that protects medical handlers, solid waste workers and the public from injury. The disposal of home generated sharps shall be limited to:

i. Depositing sharps at a medical facility which has agreed to accept home-generated sharps;

ii. Depositing properly contained sharps at a pharmacy that provides a program to dispose sharps waste that meets the requirements of these regulations;

iii. Acquiring a pickup service from a biomedical waste transporter permitted by the health officer;

iv. Outside the City of Seattle: Depositing the sharps in the regular household garbage, provided that they are contained in a manner that protects solid waste workers and the public. Such containment shall be limited to the following:

(A) Needle clippers approved by the health officer. Such devices shall clip the needle from the syringe directly into a crush-proof container and render the syringe barrel harmless, or

(B) Two (2) liter clear P.E.T. plastic bottles commonly used for soft drink containers. Such bottles shall be tightly capped and taped to further secure the cap to the bottle. The bottle must be labeled/marked "Warning: Syringes, Do Not Recycle.";

v. Within the City of Seattle: The Seattle Municipal Code governs the disposal of home-generated sharps as solid waste.

vi. Other methods approved by the health officer.

C. Biomedical Waste Treatment.

1. Biomedical waste shall be treated prior to disposal by one or more of the following methods:

a. Cultures and stocks of etiologic agents and associated biologicals: steam sterilization, incineration or other treatment method approved in writing by the health officer;

b. Biomedical waste: steam sterilization, incineration or other treatment method approved in writing by the health officer;

c. Sharps: incineration, containment as described in this title or other treatment method approved in writing by the health officer;

d. Pathological waste: incineration, interment or other treatment method approved in writing by the health officer. Tissue of 0.5 centimeters or less in diameter may be disposed into an approved sewer system with the approval of the local sewer authority;

e. Human body fluids shall be considered treated biomedical waste when they are:

i. Poured directly into an approved sanitary sewer system;

ii. Incinerated; or

iii. Absorbed by materials such as bandages, sanitary napkins or commercial absorbents so that the fluid will not be released from the material and/or become airborne during normal solid waste handling practices;

f. Wastes that have come into contact with human body fluids from patients diagnosed with pathogenic organisms assigned to Biosafety Level 4: steam sterilization, incineration or other treatment method approved in writing by the health officer;

g. Animal waste exposed to pathogens in research: incineration or other treatment method approved in writing by the health officer.

2. Biomedical waste treatment and disposal shall be conducted as follows:

a. Steam Sterilization. Steam sterilization by heating in a steam sterilizer so as to kill all microbiological agents as determined by chemical and biological indicator monitoring requirements set forth in this section. Operating procedures for steam sterilizers shall include, but not be limited to, the following:

i. Adoption of standard written operating procedures for each steam sterilizer, including time, temperature, pressure, type of waste, type of container(s), closure on container(s), pattern of loading, water content and maximum load quantity;

ii. Check of recording and/or indicating thermometers during each complete cycle to ensure the attainment of a minimum temperature of two hundred fifty degrees Fahrenheit (250° F) or one hundred twenty-one degrees centigrade (120° C) for one-half (1/2) hour or longer, depending on quantity and compaction of the load, in order to achieve sterilization of the entire load. Thermometers shall be checked for calibration at least annually;

iii. Use of heat-sensitive tape or other device for each load that is processed to indicate that the load has undergone the steam sterilization process;

iv. Use of the chemical migrating integrator Thermalog-S, or other chemical integrator meeting equivalent time, temperature and steam indicator specifications, based upon *Bacillus stearothermophilus* spore kill steam sterilization parameters, approved in writing by the health officer. The chemical integrator shall be placed at the center load of each cycle to confirm attainment of adequate sterilization conditions for each biomedical waste treatment cycle run;

v. Use of the biological indicator, *Bacillus stearothermophilus*, or other biological indicator approved in writing by the health officer, placed at the center of a load processed under standard operating conditions at least monthly to confirm the attainment of adequate sterilization conditions.

vi. Maintenance of records of procedures specified in paragraphs i, ii, iii, iv and v of this subsection for a period of not less than three (3) years;

vii. Development and implementation of a written steam sterilization training program for steam sterilizer operators. Biomedical waste so treated shall be disposable into the general solid waste stream provided it is not otherwise hazardous waste or nonincinerated sharps waste.

b. Incineration. Incineration shall be conducted at a sufficient temperature and for sufficient duration that all combustible material is reduced to ash; that no unburned combustible material is evident in the ash. Operating procedures for incinerators shall include, but not be limited to, the following:

i. Adoption of a standard written operating procedure for each incinerator that takes into account: variation in waste composition, waste feed rate and combustion temperature;

ii. Development and implementation of a written incinerator operator training program for incinerator operators;

iii. Implementation of a program to test incinerator ash for extractable heavy metals prior to disposal at a licensed disposal site. Should the incinerator ash fail the Toxicity Characteristics Leaching Procedure (TCLP) analysis for heavy metals, the ash must be handled as a State Dangerous Waste under WAC Chapter 173-303;

iv. Records of generator, quantities and destruction shall be maintained by the incinerator owner/operator for a period of not less than three (3) years.

c. Interment. Interment of pathological waste shall be conducted in such a manner so as to meet all federal, state and local regulations.

3. Biomedical waste treated in accordance with this section, with the exception of nonincinerated sharps waste, shall be considered solid waste and may be disposable into the general solid waste stream.

4. Contingency planning. Each biomedical waste generator and biomedical waste storage/treatment operator must have an alternative plan for the treatment of biomedical waste to be used in the event that changes at the primary treatment facility result in that facility no longer conforming to the requirements of this code.

D. Biomedical Waste Storage/Treatment Site Requirements. Biomedical waste storage areas must comply with the following requirements:

1. Unless otherwise approved by the health officer, the biomedical waste storage area must be located on the same site as the treatment facility.

2. The storage area shall be kept locked and accessible only to authorized personnel at all times.

3. The storage area shall be conspicuously marked with a sign twelve inches by twelve inches (12" x 12") with the words "Biomedical Waste" and the international biohazard symbol.

4. The storage area shall be constructed of cleanable materials and kept in a sanitary condition. A spill kit must be available at the site.

5. The waste shall be stored in a nonputrescent state using refrigeration when necessary.

6. The total combined time biomedical waste can be stored with the biomedical waste transporter and the storage/treatment site, prior to disposal, shall be fifteen (15) days unless otherwise approved by the health officer.

E. Transfer of Biomedical Waste. Any biomedical waste generator who produces more than one hundred (100) pounds of biomedical waste per month that requires off-site biomedical waste treatment shall have the waste transported only by a biomedical waste transporter.

F. Inspection. The health officer shall have the authority to inspect any biomedical waste generator (BWG) or biomedical waste storage/treatment operator (BWSTO), at any reasonable time, for the purpose of evaluating the BWG's or BWSTO's written biomedical waste management plan, to determine if the BWG's or BWSTO's biomedical waste is being handled, stored, treated and disposed in accordance with this regulation. The health officer shall have the authority to inspect any biomedical waste transporter at any reasonable time, for the purpose of determining if the provisions of this title are being met. (R&R No. 03-06 § 2 (part), 11-21-2003).

10.08 WASTE MANAGEMENT

Sections:

- 10.08.010 Definitions.
- 10.08.020 Yard debris.
- 10.08.030 Asbestos-containing waste material.
- 10.08.040 Animal waste.
- 10.08.050 Garbage removal.
- 10.08.060 City of Seattle requirements.

10.08.010 Definitions.

A. Asbestos. "Asbestos" means the asbestiform varieties of actinolite, amosite (cummingtonite-grunerite), tremolite, chrysolite (serpentinite), crocidolite (riebeckite) or anthophyllite.

B. Construction, Demolition, Landclearing (CDL) Waste. "CDL waste" means any combination of recyclable or nonrecyclable construction, demolition and landclearing waste that results from construction, remodeling, repair or demolition of buildings, roads or other structures, or from landclearing for development, and requires removal from the site of construction, demolition or landclearing.

C. Construction Waste. "Construction waste" means wood, concrete, drywall, masonry, roofing, siding, structural metal, wire, insulation, and other building material; and plastics, styrofoam, twine, baling and strapping materials, cans, buckets, and other packaging materials and containers. It also includes sand, rocks and dirt that are used in construction. In no event shall "construction waste" include dangerous or extremely hazardous waste of any kind, garbage, sewerage waste, animal carcasses or asbestos.

D. Demolition Waste. "Demolition waste" means concrete, drywall, asphalt, wood, masonry, roofing (including composition roofing), siding, structural metal, wire, insulation, and other materials found in demolished buildings, roads, and other structures. It also includes sand, rocks and dirt that result from demolition. In no event shall "demolition waste" include dangerous or extremely hazardous waste, liquid waste, garbage, sewerage waste, animal carcasses or asbestos.

E. Land Clearing Waste. "Land clearing waste" means natural vegetation and minerals such as stumps, brush, blackberry vines, tree branches, and associated dirt, sand, tree bark, sod and rocks. (R&R No. 03-06 § 2 (part), 11-21-2003).

10.08.020 Yard debris.

A. Yard debris that has been segregated from the waste stream for the purposes of recycling at a centralized facility shall be stored and transported in such a way as to minimize the creation of odors and excess waste.

B. Outside the City of Seattle. Plastic bags shall not be used to store or transport yard debris. Residential yard debris collection companies shall reject pick-up service of yard debris that has been stored in plastic bags. Rejected loads shall be tagged to explain the reason for rejection. Solid wastes other than yard debris shall not be disposed with yard debris segregated for the purposes of recycling at a centralized facility. Residential yard debris collection companies shall reject pick-up services of yard debris that are substantially contaminated with other solid wastes. Rejected loads shall be tagged to explain the reason for its rejection. (R&R No. 03-06 § 2 (part), 11-21-2003).

10.08.030 Asbestos-containing waste material.

A. Asbestos-containing waste shall be handled and disposed pursuant to 40 CFR Part 61 Subpart M, WAC Chapter 173-303, and Article 10 of Regulation No. III, Article 4 of the Puget Sound Clean Air Agency (PSCAA).

B. Disposal. Generators of regulated asbestos-containing waste material, regardless of quantity, shall dispose of their waste at a landfill approved by the health officer. The generator must notify the disposal site operator prior to transporting the asbestos waste to allow for adequate site preparation and staff availability. The asbestos-containing waste material shall be covered with at least fifteen (15) centimeters (six inches (6")) of compacted nonasbestos-containing waste material within twenty-four (24) hours of disposal. Asbestos waste shall not be disposed of at transfer stations unless separate provisions are approved (by the health officer) and in place for receiving, storing, monitoring and transporting the material to an approved landfill. (R&R No. 03-06 § 2 (part), 11-21-2003).

10.08.040 Animal waste.

A. Dead Animals. Dead animals shall be disposed of in a manner to protect the public health and the environment. Their disposal shall be consistent with local codes. Outside the City of Seattle, animals weighing fifteen (15) pounds or less may be disposed with the general household waste. Animals weighing more than fifteen (15) pounds shall be taken to a rendering plant, a veterinary clinic, an animal shelter, pet cemetery or can be disposed of directly at landfills or transfer stations so as not to create a nuisance. Property owners may bury dead animals on their property, so long as no nuisance is created.

B. Dog Droppings. Dog droppings shall be disposed of in a manner, such as burial, which does not create a nuisance. Their disposal shall be consistent with other applicable laws, ordinances, rules and regulations. Dog droppings may be disposed of into the sewer if the system is served by Metro or other large sewer treatment facility which will accept such waste. This waste shall not be put into a septic system. (R&R No. 03-06 § 2 (part), 11-21-2003).

10.08.050 Garbage removal. Garbage shall be removed from the premises no less than once per week, unless a different frequency is approved by the health officer. (R&R No. 03-06 § 2 (part), 11-21-2003).

10.08.060 City of Seattle requirements. Within the City of Seattle, the solid waste management, collection, transportation and storage requirements of Seattle Municipal Code Chapter 21.36, as may hereafter be amended, shall govern instead of this title. (R&R No. 03-06 § 2 (part), 11-21-2003).

10.09 LANDFILLING

Sections:

- 10.09.010 Definitions.
- 10.09.020 Adoption of state minimum functional standards for solid waste handling and criteria for municipal solid waste handling.
- 10.09.030 Closure.
- 10.09.040 Abandoned landfill sites.
- 10.09.050 Methane monitoring.
- 10.09.060 Construction standards for methane control.

10.09.010 Definitions. Abandoned Landfills. "Abandoned landfills" means those landfills closed prior to the requirement of obtaining a closure permit. (R&R No. 03-06 § 2 (part), 11-21-2003).

10.09.020 Adoption of state minimum functional standards for solid waste handling and criteria for municipal solid waste handling. Except as otherwise specifically provided in this title, the provisions of Chapter 173-304 WAC, Minimum Functional Standards for Solid Waste Handling, as amended, and Chapter 173-351 WAC, Criteria for Municipal Solid Waste Landfills, as amended, are hereby adopted and by this reference made a part of this title. In case of conflict between the state administrative code provisions and this title, the more stringent provisions of this title shall be controlling. (R&R No. 03-06 § 2 (part), 11-21-2003).

10.09.030 Closure. Following the closure of a landfill or landfill site, and inspection by the health officer, necessary maintenance and repairs shall be made by either the owner or operators, or both, of the site for thirty years or as long as required by the health officer, except that municipal solid waste landfill units as defined under chapter 173-351 WAC and that received waste on or after November 26, 1993, are subject to the closure and post-closure rules and financial assurance criteria of chapter 173-351 WAC. Necessary maintenance includes leachate collection and treatment, methane testing and control, fumarole and surface repairs and other conditions required by the health officer. Either the owner or operator, or both, shall inspect the site on an approved schedule as necessary to verify conditions. Annually, until the site has been stabilized, either the owner or operator, or both, of a closed disposal site shall submit a report prepared by an approved engineer stating the conditions noted from the inspections of the site and any alterations from the original closure plan, and any recommended revisions. Any construction or excavation on a completed landfill shall proceed only after written notification to and approval by the health officer. (R&R 14-01 § 1, 2014: RR&R No. 03-06 § 2 (part), 11-21-2003).

10.09.040 Abandoned landfill sites. All abandoned landfills shall be maintained by the owner and/or operator so as not to create a risk to the public health. The health officer shall have the authority to require surface repairs, methane monitoring and control, surface water and groundwater monitoring, leachate control, and any additional measures determined necessary to protect the public health and the environment. (R&R No. 03-06 § 2 (part), 11-21-2003).

10.09.050 Methane monitoring. All landfills except inert waste landfills shall provide for adequate venting, collecting or redirecting of gases generated by solid waste. No methane shall be allowed to migrate to or beyond the property boundary above or below the ground in concentrations greater than the lower explosive limit for methane, or in excess of one hundred (100) parts per million by volume of hydrocarbons (expressed as methane) in off-site structures, or in excess of twenty-five percent (25%) of the lower explosive limit for gases in facility structures (excluding gas control or recovery system components). It shall be the responsibility of the landfill operator and/or owner to develop a sampling and testing program to monitor gas production and migration, and to obtain approval from the health officer for such program. (R&R No. 03-06 § 2 (part), 11-21-2003).

10.09.060 Construction standards for methane control.

A. Applicability. This construction restriction applies to all construction activities on or within one thousand feet (1,000') of an active, closed or abandoned landfill that has been documented by the health officer to be generating levels of methane gas on-site at the lower explosive limit or greater levels. The

distance shall be calculated from the location of the proposed structure to the nearest property line of the active or former landfill site.

B. Requirements. All enclosed structures to be built within the one-thousand-foot (1,000') landfill zone must be protected from potential methane migration. The method for insuring a structure's protection from methane shall be addressed in a report submitted by a licensed professional engineer to the local building department for approval. Such a report shall contain a description of the investigation and recommendation(s) for preventing the accumulation of explosive concentrations of methane gas within or under enclosed portions of the proposed building or structure. At the time of final inspection, the professional engineer shall furnish a signed statement attesting that the building or structure has been constructed in accordance with his/her recommendations for addressing methane gas migration. (R&R No. 03-06 § 2 (part), 11-21-2003).

10.10 WASTE SCREENING

Sections:

- 10.10.010 Dangerous waste.
- 10.10.020 Disposal site inspection and screening.
- 10.10.030 Notice requiring screening.
- 10.10.040 Excavated material inspection and screening.

10.10.010 Dangerous waste. The health officer may screen any wastes or fill material suspected of being a regulated dangerous waste. The screening process may involve certified testing, a disclosure of the waste constituents and waste generation process, and other additional information. If the health officer determines that the waste is not a regulated dangerous waste but still poses a significant threat to the public health, safety or the environment, he/she may direct the generator or transporter to transfer the waste to a specified treatment or disposal site. If the health officer determines that the waste is a regulated dangerous waste, he/she shall notify the Department of Ecology, which shall have full jurisdiction regarding handling and disposal. The Dangerous Waste Regulations, WAC Chapter 173-303, shall be considered when screening and making waste determinations. (R&R No. 03-06 § 2 (part), 11-21-2003).

10.10.020 Disposal site inspection and screening. If during inspections of waste the health officer observes waste suspected of being regulated dangerous waste because of physical properties of the waste, he/she shall have the authority to require the site operator to segregate and hold any such waste. If the health officer determines that testing is required to identify the waste, the generator shall be responsible for such analysis and if the generator is not known, the site operator shall be responsible for funding such analysis. The disposal site operator and/or attendants shall have similar authority not to accept suspect wastes. (R&R No. 03-06 § 2 (part), 11-21-2003).

10.10.030 Notice requiring screening. When such wastes are identified as being suspect dangerous wastes the health officer may issue a notice requiring screening. This notice will specify requirements which must be met to satisfy the screening process and a schedule for compliance. (R&R No. 03-06 § 2 (part), 11-21-2003).

10.10.040 Excavated material inspection and screening. The health officer shall have the authority to inspect and screen any excavated dirt, dredge spoil, soil or other material intended for use as upland fill if the material is suspected of containing contaminants at significant levels to endanger the public health, safety or the environment. The health officer may require the suspect material to be tested to identify the contaminant(s) and/or the concentration. If the material is determined not to be a dangerous waste, but still contains a significant level of contaminants which could create a problem from becoming airborne (breathing or nuisance odor), skin contact, leaching into surface waters or groundwaters or entering the food chain, or contains a level of contamination above that specified in the Washington State Model Toxics Control Act Regulations (WAC Chapter 173-340) for soils, the health officer can regulate the material as solid waste. Persons excavating soils in any areas of unincorporated King County or the incorporated cities that encounter a significant quantity of suspect material – such as leaked or spilled fuel oil (Bunker C or Diesel), gasoline, or other volatile (odorous) compounds, slag, industrial waste or other solid waste – shall contact the health officer for determination of appropriate handling and disposal. (R&R No. 03-06 § 2 (part), 11-21-2003).

10.11 UNLAWFUL DUMPING

Sections:

- 10.11.010 Definitions.
- 10.11.020 Solid waste dumping prohibited.
- 10.11.030 Identification of responsible person.
- 10.11.040 Other agency requirements.

10.11.010 Definitions. "Nuisance" consists in unlawfully doing an act, or omitting to perform a duty, which act or omission either annoys, injures, or endangers the comfort, repose, health or safety of others, offends decency, or unlawfully interferes with, obstructs or tends to obstruct, any lake or navigable river, bay, stream, canal, or basin, or any public park, square, street or highway; or in any way renders other persons insecure in life, or in the use of property. (R&R No. 03-06 § 2 (part), 11-21-2003).

10.11.020 Solid waste dumping prohibited. It is unlawful for any person to dump or deposit or permit the dumping or depositing of any solid waste onto or under the surface of the ground or into the waters of this State, except at a solid waste disposal site for which there is a valid permit; provided, that nothing herein shall prohibit a person from dumping or depositing agricultural waste resulting from his/her own activities onto or under the surface of ground owned or leased by him/her when such action does not violate statutes or ordinances, or create a nuisance. (R&R No. 03-06 § 2 (part), 11-21-2003).

10.11.030 Identification of responsible person.

A. Whenever solid waste dumped in violation of this title contains three (3) or more items bearing the name of one (1) individual, there shall be a rebuttable presumption that the individual whose name appears on such items committed the unlawful act of dumping.

B. When the health officer investigates a case of unlawful dumping and finds no identification in the solid waste, nor other evidence, he/she may then order the property owner to remove said solid waste from his/her land. Where this occurs on private land the property owner or occupant shall be responsible for removal. Where this occurs on public land the appropriate governmental agency shall be responsible for removal. (R&R No. 03-06 § 2 (part), 11-21-2003).

10.11.040 Other agency requirements. The provisions of this chapter are not intended to supersede or take the place of ordinances, rules and regulations of other local government agencies governing unlawful dumping. (R&R No. 03-06 § 2 (part), 11-21-2003).

10.12 SOLID WASTE HANDLING STANDARDS

Sections:

- 10.12.011 Solid Waste Handling Standards, chapter 173-350 WAC, adopted - choice of provisions in case of conflict.

10.12.011 Solid Waste Handling Standards, chapter 173-350 WAC, adopted - choice of provisions in case of conflict.

Except as otherwise specifically provided in this title, the provisions of chapter 173-350 WAC, Solid Waste Handling Standards, as amended, are hereby adopted and by this reference made a part of this title. In case of conflict between the state administrative code provisions and this title, the more stringent provisions of this title shall be controlling. (R&R No. 14-01 § 2, 2014).