



RULE-MAKING ORDER

CR-103 (June 2004) (Implements RCW 34.05.360)

Agency: Department of Ecology AO # 06-06

Permanent Rule
 Emergency Rule

Effective date of rule:
Permanent Rules
 31 days after filing.
 Other (specify) _____ (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

Effective date of rule:
Emergency Rules
 Immediately upon filing.
 Later (specify) _____

Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?
 Yes No If Yes, explain:

Purpose: This rule establishes requirements for all treatment works treating domestic sewage, including sewage treatment plants and other facilities which generate, treat, or use biosolids pursuant to RCW 70.95J and 70.95. The rule prescribes permitting processes; addresses septage management requirements; changes the program implementation fee; clarifies previous rule interpretations and program policy; and corrects some inconsistencies between the biosolids rule and the biosolids general permit.

Citation of existing rules affected by this order:
Repealed:
Amended: Chapter 173-308, Biosolids Management
Suspended:

Statutory authority for adoption: RCW 70.95J and 70.95

Other authority : N/A

PERMANENT RULE ONLY (Including Expedited Rule Making)

Adopted under notice filed as WSR 07-03-099 on January 19, 2007 (date).
Describe any changes other than editing from proposed to adopted version:
Based on public comments, Ecology made some changes to the rule language. These changes include: clarifying the requirements for the mixing of grease trap wastes and other commercial/industrial septage with domestic septage; clarifying the requirements for the removal of manufactured inerts and allowable concentrations of manufactured inerts in land applied biosolids; and eliminating the requirement for a management plan for the storage of biosolids that does not meet a vector attraction reduction standard. Please see Concise Explanatory Statement for more details.
If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting:

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EMERGENCY RULE ONLY

Under RCW 34.05.350 the agency for good cause finds:
 That immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.
 That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this finding:

Date adopted: 5/24/07

NAME (TYPE OR PRINT)
Jay J. Manning

SIGNATURE
Jay Zehm for Jay Manning

TITLE
Director

CODE-REVISER-USE-ONLY	
CODE REVISER'S OFFICE STATE OF WASHINGTON FILED	
MAY 24 2007	
TIME <u>4:15</u>	AM <input checked="" type="checkbox"/>
WSR <u>07-12-010</u>	

**Note: If any category is left blank, it will be calculated as zero.
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.
A section may be counted in more than one category.**

The number of sections adopted in order to comply with:

Federal statute:	New	_____	Amended	_____	Repealed	_____
Federal rules or standards:	New	_____	Amended	_____	Repealed	_____
Recently enacted state statutes:	New	_____	Amended	_____	Repealed	_____

The number of sections adopted at the request of a nongovernmental entity:

New	_____	Amended	_____	Repealed	_____
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The number of sections adopted in the agency's own initiative:

New	_____	Amended	_____	Repealed	_____
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	<u>12</u>	Amended	<u>27</u>	Repealed	<u>4</u>
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The number of sections adopted using:

Negotiated rule making:	New	_____	Amended	_____	Repealed	_____
Pilot rule making:	New	_____	Amended	_____	Repealed	_____
Other alternative rule making:	New	_____	Amended	_____	Repealed	_____