

BENEFICIAL USE PERMIT EXEMPTIONS



UPDATING THE “350” RULE

Solid Waste Handling Standards, Chapter 173-350 of the Washington Administrative Code, is a regulation addressing waste management issues as diverse as used tires, surface impoundments, and incineration.

These rules govern how individuals, businesses and governments can manage solid waste, what materials can be recycled, when permits are required, and many other technical details.

Updating the rule allows Ecology to address emerging issues, look for ways to improve its effectiveness and get feedback from stakeholders.



Section 200 — Beneficial use permit exemptions

A beneficial use determination, or “BUD,” is designation that offers a statewide exemption from the solid waste permitting requirements. To qualify for the exemption, an applicant must identify both the specific solid waste and the proposed use of the material. The waste must be non-hazardous, and the use must present little or no risk to human health or the environment.

In the draft 350 update, Section 200’s application requirements and procedures, general terms and conditions, and public involvement procedures remain mostly unchanged. A key exception is review of beneficial use proposals by the Washington State Department of Agriculture as mandated by the 2016 Legislature.

Intermediate storage

Current rule language requires that staging and storage of solid waste prior to use occur in accordance with conditions of an approved beneficial use determination and that they must be in accordance with requirements of all applicable sections of WAC 173-350. Proposed language would allow consideration of alternative intermediate storage as part of the beneficial use determination application review process.

Evidence of Performance

The proposed revisions to the section clarify that a beneficial use application must include evidence that the solid waste performs as asserted in the application.

Public notice

Public notice procedures have been updated to reflect current technology efficiencies that were not available when the original rule was

Contacts

You can find documents, schedules and other information on our website: www.ecy.wa.gov/programs/swfa/rules/wac173350/1308ov.html

To be kept up to date on developments in the 350 rulemaking, please subscribe to our ListServ at the link above.

For questions on section 200, “Beneficial Use Permit Exemptions,” contact Chuck Matthews, environmental specialist with Waste 2

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Special accommodations

To request ADA accommodation for disabilities, or printed materials in a format for the visually impaired, call Ecology at 360-407-6900 or visit <http://www.ecy.wa.gov/accessibility.html>. Persons with impaired hearing may call Washington Relay Service at 711. Persons with speech disability may call TTY at 877-833-6341.

implemented in 2003. Jurisdictional health departments, interested parties, and solid waste industry associations will receive electronic notification of a proposal and have immediate access to application documents.



Public input

After releasing a draft version of the revised 350 rule, Ecology will hold informal workshops to educate interested persons about the proposed changes. Feedback during this informal process may result in changes to the draft rule.

In September 2016, Ecology plans to formally announce proposed revisions. This will begin a formal comment period, including hearings where stakeholders can comment on the changes and ask questions that will be answered in the official rulemaking documents. Ecology hopes to adopt changes to the rule in the spring of 2017.

350 rule update schedule (dates subject to change)

Now	Draft rule available
July 21	Informal workshop—Lacey
July 26	Informal workshop—Ellensburg
July 27	Informal workshop—Spokane
Sept. 6	Informal comments due
December	Proposed rule filed
January-	
March, 2017	Public hearings on proposed rule
Spring, 2017	Rule adopted