

## Criteria for Municipal Solid Waste Landfills, Chapter 173-351 WAC

The Department of Ecology has adopted revisions to Chapter 173-351 WAC. Changes were necessary to align the rule with its federal counterpart in 40 CFR Part 258.

### What is Chapter 173-351 WAC?

The rule establishes standards for the design and operation of municipal solid waste landfills, and also describes the permit process. Local health authorities implement the rule through local solid waste permits. The Department of Ecology provides technical assistance and oversight.

### Summary of the rule changes adopted on October 1, 2015

The Department of Ecology revised Appendix 3 of WAC 173-351-990 to include two hazardous organic constituents: 2, 3, 7, 8-Tetrachlorodibenzo-p-dioxin [CAS 1746-01-6] and alpha, alpha-Dimethylphenethylamine [CAS 122-09-8]. This revision is necessary to be consistent with federal rules in 40 CFR Part 258. Operators of municipal solid waste landfills must meet federal program requirements. Revising our rule eliminates possible noncompliance for facilities that inadvertently omit the two additional constituents in their monitoring program. It also clarifies requirements for local jurisdictional health authorities that have the lead for issuing and enforcing solid waste permits. These revisions will enable Ecology to obtain full approval of our municipal solid waste rules from the U.S. Environmental Protection Agency (EPA).

### Response to Comments

No one attended the public hearing in Lacey on September 8, 2015, and Ecology did not receive any comments on the proposed rule during the comment period.

### Whom does this rule affect?

Chapter 173-351 WAC affects persons responsible for the permitting and operation of municipal solid waste landfills. The current update affects only those landfills that are required to perform assessment monitoring under the rule.

#### WHY IT MATTERS

In order to ensure compliance, landfills performing assessment monitoring should check the list of pollutants they are analyzing during assessment monitoring, against the revised list in Appendix 3 of WAC 173-351-990.

#### Effective November 6, 2015

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##### Special accommodations:

If you need this document in format for the visually impaired, call the Waste 2 Resources Program at 360-407-6900.

Persons with hearing loss, call 711 for Washington Relay Service. Persons with a speech disability, call 877-833-6341.

## More information

There is more information about this rulemaking on our web pages starting at <http://www.ecy.wa.gov/programs/swfa/rules/wac173351/1501time.html>.

If you are interested in periodic notices about rulemaking and other activities related to the *Criteria for Municipal Solid Waste Management*, join the ListServ at <http://listserv.wa.gov/cgi-bin/wa?SUBED1=351-CRITERIA-FOR-MSWL-RULEMAKING&A=1>. There is also a link to join at <http://www.ecy.wa.gov/programs/swfa/rules/wac173351/1501time.html>.

To get updates on Ecology's rulemaking activities in general, sign-up for the WACTrack e-mail list at [www.ecy.wa.gov/maillist.html](http://www.ecy.wa.gov/maillist.html).

## Appeal procedures

This adoption can be appealed under procedures described in the Administrative Procedure Act (RCW 34.05.330). For more information about appealing this rule adoption, please contact Bari Schreiner, Agency Rules Coordinator, at (360) 407-6998 or [bari.schreiner@ecy.wa.gov](mailto:bari.schreiner@ecy.wa.gov).

