



Guidelines For Development of Local Hazardous Waste Plans

Washington State Department of Ecology
Solid Waste Services Program

August 1994

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I. INTRODUCTION

The purpose of these guidelines is to provide direction to local governments for complying with requirements related to moderate risk waste planning. Sections of Chapters 70.951 and 70.105 RCW form the basis for these requirements. In addition, these guidelines are part of the regulatory reform campaign put in place by Governor Lowry. They are being prepared to provide a simple and readable presentation of the information found in previous documents.

In the early 1980's, several local jurisdictions within Washington State began studying the impacts of and collecting hazardous waste from households. In response to the concerns regarding this waste stream, the Legislature, in 1985 and 1986, amended the state's Hazardous Waste Management Act (Chapter 70.105 RCW). These amendments provided direction on how to manage these wastes. The legislation focused on two actions:

DEFINED A NEW WASTE STREAM: *Moderate Risk Waste*

These wastes are hazardous. However, due to their small quantity or household origin, they are exempt or conditionally exempt from the Dangerous Waste Regulations. Both local and state solid waste regulations govern these wastes.



One portion of the moderate risk waste stream is household hazardous waste. Household hazardous waste is any waste created by the discard of a hazardous household substance. The hazardous household substances list in Appendix A provides assistance in developing the hazardous household waste elements of local hazardous waste plans. The list of products should form the basis for waste assessments as well as problems and needs analyses. Local governments may include other hazardous products. See RCW 70.105.220(1)(f).

The other portion of the moderate risk waste stream comes from commercial generators of small quantities of hazardous waste and are commonly referred to as small quantity generators (SQG's). These businesses generate less than 220 pounds per month or per batch for most hazardous wastes. For some hazardous wastes, a lower generation rate is required for SQG status. For more information, contact the local MRW coordinator or the MRW coordinator at the Ecology regional office.

The statutory reference defining moderate risk waste is RCW 70.105-01007)

CREATED A NEW PARTNERSHIP:



“The Legislature hereby finds and declares [that] . . . wastes that are exempt or excluded from full regulation under this chapter due to their small quantity or household origin have the potential to pose significant risk to public health and the environment if not properly managed. It is the intent of the legislature that the specific risks posed by such 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 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 from the department.” See RCW 70.105.005(10). The legislature further stated that its purpose in the statute was “to promote cooperation between state and local government by assigning responsibilities for planning for hazardous waste to the state and planning for moderate-risk waste to local government.” See RCW 70.105.007(3).

Thus, the management of moderate risk waste is to be a joint effort, within the roles described by the legislature. In these guidelines, the preparation of a plan update is not intended to be a goal unto itself. Rather the planning process is to allow all the jurisdictions supporting the current efforts, including Ecology, to work together to increase the quality of the MRW efforts. Ecology encourages jurisdictions to review and update their plans on a regular basis. This process can be used to:

- Adjust programs to changing conditions; for example, if 95% 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. The purpose of the inventories is simply to characterize in “snapshot” fashion the current conditions;

- Get renewed buyoff from all participating jurisdictions, and to let these jurisdictions know, in a focused document what has been accomplished with their support; and

- To allow Ecology to better coordinate state-wide programs and better allocate its resources to serve the needs of the counties.

Additional detail on the moderate risk waste system is set out in sections 220, 221, 230, 235, 250, 255, and 270 of chapter 70.105 RCW. These guidelines shall refer to these sections collectively as “the Act.”

Section 220(4) of the Act requires Ecology to prepare guidelines for the development of local hazardous waste plans. Ecology may also improve and update the guidelines. These guidelines fulfill that requirement and replace the *Planning Guidelines for Local Hazardous Waste Plans* Pub. # 87-18.

In 1987, the Legislature appropriated funds for grants to local governments to prepare their hazardous waste plans. This appropriation made the legislative requirements mandatory (RCW 70.105.270), directing local governments to submit letters of intent by October 31, 1987 and to complete local plans by June 30, 1990.

In 1991, the Legislature enacted the Used Oil Recycling Act, chapter 70.95I RCW. The legislation requires local governments to manage used oil as part of their efforts to manage moderate risk waste. RCW 70.95I.030 requires Ecology to prepare guidelines for local used oil programs. These guidelines also fulfill that requirement and replace the *Used Oil Recycling Amendment Guidelines for Local Hazardous Waste Plans*. Pub #92-38.

II. A QUICK GLANCE AT A PLAN

This section summarizes some basic requirements associated with preparing a local hazardous waste plan. Section IV of these guidelines provides additional specifics.

Local plans should include assessment of alternatives that address the needs and problems associated with all aspects of moderate risk waste management. These include waste reduction, recycling, public education, as well as treatment, storage, and disposal programs and facilities. Sometimes, this may require pilot projects, or expanded services, facilities, equipment, and/or health and environmental safeguards through revised local regulations. See RCW 70-105.220(1)(a).

Plans should inventory households and small quantity generators (SQG's) and document the quantities, types, and fate of the wastes they generate. Plans should also recommend programs and actions to address problems and needs with waste handling, storage, and disposal. In addition, plans should recommend outcome-based goals or measurable objectives. See RCW 70.105.220(1)(a).

Local plans should recognize the role of the private sector in providing management facilities and transportation services for hazardous and moderate risk waste. Besides other public involvement activities, coordination is essential between local governments and those persons involved in providing such facilities and services. See RCW 70.105.220(3).

The planning process should actively involve interested parties in all jurisdictions of the area, including, as appropriate, the local Solid Waste Advisory Committee. Upon completion, each jurisdiction should adopt the plan before approval by Ecology. Each plan should also be consistent with other planning efforts in the region including emergency response, groundwater management, watershed, and shellfish protection, among others. See RCW 70.105.220(2).

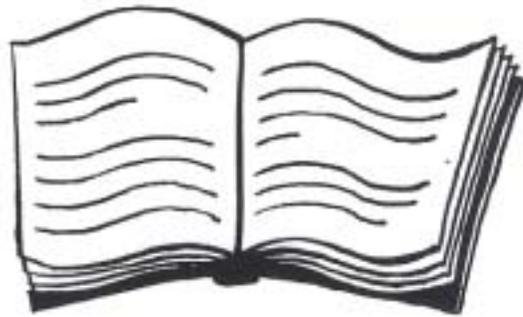
Local plans generally have been prepared on a county-wide or multi-county basis. These planning areas were defined by the notices of intent submitted to Ecology as required by RCW 70-105-2300). These notices are still valid, unless the jurisdiction files a new notice of intent with Ecology. Until a new notice is filed, Ecology will assume that the planning areas delineated in the current plans will be the same for subsequent plans. Coordinated preparation of regional plans may be more efficient, due to increased consistency between jurisdictions, and reduced confusion to the public through- out the planning area.

In deciding how long to plan for, there appear to be two considerations:

If the planning period is too short it may require frequent updating. In this case, too many resources are spent on plan preparation which, in turn, may lessen implementation efforts.

If the planning period is too long, information and projections near the end of the plan may be too vague or inaccurate to carry out when the time comes.

In a survey of the counties, consensus was apparent that a six-year period seemed appropriate. A six-year plan can coincide and be coordinated with key portions of the local Comprehensive Solid Waste Management Plan.



III. NOTES ON THE PLANNING PROCESS

The following items are critical to the planning process.

A. Waivers

Ecology may waive any or all planning requirements under RCW 70.105.220(9) and RCW 70.951.030(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 implementation waiver. Section V, part D of the *Implementation Guidelines for Local Hazardous Waste Plans* (Ecology Publication # 92-14) contains the process and requirements for receiving a waiver.

B. Submitting Plans to Ecology

The regional Solid Waste Planner is lead within Ecology regarding the approval of the plan. Plan submittals and inquiries regarding planning should be directed to him/her. Ecology, through the Planner, will respond within ninety days of submission either approving the plan or forwarding a letter to the appropriate jurisdiction(s) expressing the agency's concerns.

C. Reporting Waste Collection and Disposal

Moderate risk waste facilities are required to report annually to Ecology and the jurisdictional health district. This report will include: the number of participants or households served, the quantities and types of waste collected and the final disposition of each waste type. Areas using mobile and/or collection events are also encouraged to report. See WAC 173-304-405(4).



Additionally, local governments are required to submit annual reports regarding the collection and recycling of used oil. These reports contain the number of used oil collection sites functioning in the jurisdiction or region. These reports also contain the amount of used oil collected and recycled during the previous calendar year. See RCW 70.951.020(3).

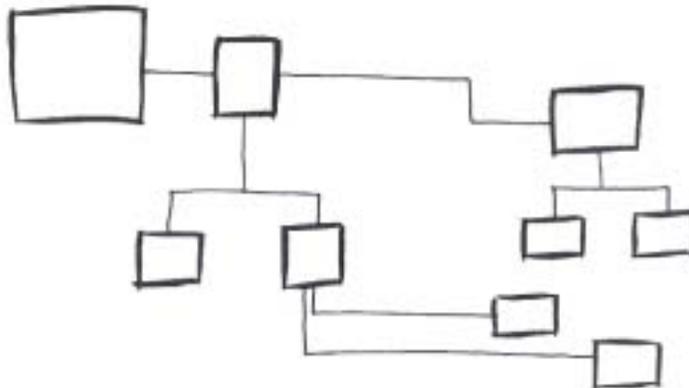
Ecology will distribute reporting forms at the beginning of each year. The information will be included in the department's Solid Waste Annual Report.

D. Typical Plan Development Process

There are many steps that go into the development of local hazardous waste management plans. These steps provide a guide to an orderly process. They are:

- Step 1** Prepare a public involvement strategy for use in plan development. This may include the use of the SWAC or other committee(s). Include time for the review of documents produced as well as public hearings, meetings, and workshops.
- Step 2** Develop the draft plan. Local government staff should provide enough time to review the draft plan ahead of public hearing(s).
- Step 3** Hold a public hearing(s) on the draft plan, following normal administrative procedures for notice and public comment.
- Step 4** As appropriate, combine comments received into the draft plan.
- Step 5** Submit the completed draft plan to Ecology.
- Step 6** Upon approval by Ecology, carry out the plan according to the schedule in the plan.

The State Environmental Policy Act (SEPA) should also be complied with, although a programmatic checklist is generally used and results in a Determination of Non-Significance. Checklists and other information can be obtained from the local SEPA officer.



IV. WHAT'S IN A PLAN

What's in a plan depends on local needs. The legislation says that the local moderate risk waste programs will be established which are "appropriate to each local area." The local hazardous waste plans are also to "ensure protection of the environment and public health." Although tailored to local needs, each plan should contain certain basic elements, described below. Tailoring occurs in the way the plan meets a specific requirement. For example, there is a requirement to manage moderate risk waste that includes a collection program. Local governments have the option of using any combination of collection event(s), standard or tailgate mobile system(s), permanent facility(s), or any other new or innovative method.

As with all hazardous waste systems, moderate risk waste plans and programs should follow the waste hierarchy established in RCW 70.105.150. The hierarchy, in descending order of priority, is:

- ✘ Waste Reduction
- ✘ Waste Recycling
- ✘ Physical, Chemical, and Biological Treatment Incineration
- ✘ Solidification/Stabilization Treatment
- ✘ Landfill

Instead of isolating the priorities in a chapter, they are considered as an umbrella over the total planning process. Starting with the problems and needs analysis, data collection should focus on waste reduction, recycling, and waste treatment and disposal. Landfilling is a last resort.

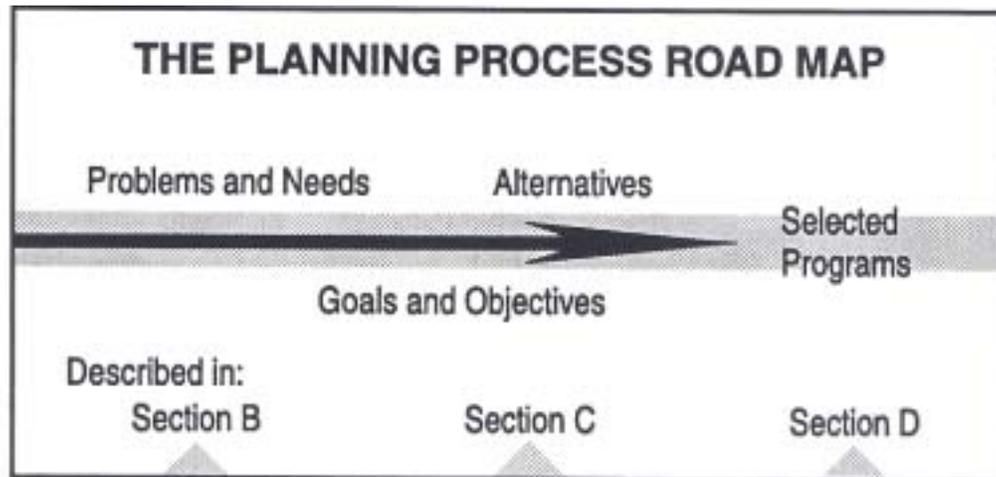
A TYPICAL PLAN'S FORMAT

This section of the guidelines is organized in a suggested plan format:

- A. Introduction/ Background
- B. Analysis of Current Conditions or Where Are We Now?
- C. Plan Objectives and Alternatives or Where Are We Going?
- D. Recommended Programs and Actions or How We Will Get There?
- E. Long-term Projections or Our Final Destination
- F. Recommendations for State Action

A. Introduction/Background

Standard to all plans, this section defines the purpose of the plan, and describes the planning area. Information in this section may include the political boundaries of the planning area. Also included may be the roles of the local governments that participated in developing the plan. Local governments should analyze the parameters that influence moderate risk waste generation such as population, regional economics and land use. This is an excellent location to describe the public involvement process used in developing the plan, as required in RCW 70.105.220(1)(d).



Sections B, C, and D are interwoven to produce the body of the plan. This is illustrated in the above "road map." Information regarding the MRW system is gathered in the evaluation and inventories in section B. Each local government can use the information gained from the evaluation and inventories to identify problems and needs associated with moderate risk waste management. These problems and needs (section C) are used in the process to produce the recommendations and actions which will be implemented.

B. Analysis of Current Conditions or Where Are We Now?

This section has three parts: an evaluation of current MRW programs, an inventory of the moderate risk waste stream, and an inventory of the generators and facilities managing hazardous waste in the jurisdiction. The evaluation of current programs is necessary only for the planning process itself. The statute requires these inventories. See RCW 70.105.220(1)(a) and (c).

The Evaluation

Generally, the evaluation follows this format:

Local governments should examine current MRW efforts and activities either currently underway or previously executed during the life of the current plan. This examination covers activities by all participating jurisdictions (including private efforts). The evaluation involves 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.

This evaluation process examines the goals and objectives of the current plan. 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?



The 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 moderate risk wastes in the jurisdiction.” See RCW 70.105.220(1)(a).

Household hazardous waste and conditionally-exempt small quantity generator (CESQG) waste are defined in RCW 70.105.010(17). This definition is quoted on page one of these guidelines. The list of Hazardous Household Substances referenced in the definition is Appendix A of these guidelines. Local governments can use this list as a point of reference, and add or delete substances to arrive at the list of wastes they will manage under their plan. They may also use the list as a starting point in analyzing the CESQG waste stream. Standard Industrial Codes may also be used as a starting point in identifying CESQGs, either alone or together with the list. Businesses must comply with the conditions in the Dangerous Waste Regulations (WAC 173-303-070(8)) to qualify as a CESQG.

Facilities and other sites which handle moderate risk waste should also be inventoried. The adequacy of these sites to meet the needs of the planning area should be evaluated.

It would be extremely useful to include all applicable information regarding wastes collected by the MRW system in the inventory. An important part of the inventory is attempting to discover and/or quantify any changes in behavior or awareness since the last plan was prepared.

Local governments are encouraged to use all applicable information developed during the implementation of the previous plans. Such information may include:

- Ecology's most recent Waste Characterization Study;

- Information from local collection and small business audit or inspection programs; and/or

- Surveys done with collection events or other local government activities.

The Hazardous Waste Inventory

The hazardous waste inventory is based on information provided by Ecology. Local governments should contact the regional solid waste planner to get this information. See RCW 70.105.220(1)(c). The elements of an inventory are as follows:

- Dangerous Waste Generators: a list of businesses in the jurisdiction who have an EPA/State Identification number issued under chapter 173-303 WAC, and a summary of the wastes they generate;

- Remedial Action Sites: a list of locations listed by Ecology's Toxics Clean-up program as needing investigation or undergoing hazardous waste clean-up activity;

- Transporters: a list of hazardous waste transportation companies (registered with Ecology) which service businesses in the jurisdiction;

- Facilities: a list of facilities which recycle, treat, store and/or dispose of hazardous waste generated in the jurisdiction, and

- Zone Designations: a description of the eligible zones designated according to RCW 70-105.225. See also RCW 70.105.220(1)(e) for description requirements.

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. RCW 70.105.220(2). As appropriate, describe coordination needs and efforts with MRW activities of surrounding areas.

Local governments may also add elements at their own discretion. See RCW 70.105.220(1)(f). Examples of additions in previous plans include agricultural wastes, commercial pesticides, vector waste, hazardous waste from schools, and tourist or transient wastes.

C. Plan Objectives and Alternatives or Where Are We Going?

This section of the plan documents the relationship of problems and needs, developed in the previous section (B), to goals and objectives for solving problems and meeting needs. Plans will contain a measurable objective for each significant problem or need that has emerged as an outgrowth of the problem analysis process. In turn, the plan will then delineate preferred alternatives and programs to achieve each objective. “Brainstorming” and creativity often produce novel and excellent alternatives.

Following is an example of this procedure:

Identified Problem or Need

Programs in the planning area for the collection and proper handling of household hazardous wastes need to become more cost-effective.

Goal

Manage household hazardous waste in manners 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

- a.** Provide point-of-sale information on less toxic substitute products.
- b.** Maintain, facilitate, or support a materials exchange.
- c.** Provide separate collection for waste streams to enhance recycling opportunities, such as for used oil. In many cases, separated chemical wastes are easier and less expensive to recycle or dispose of. In the case of used oil: clean oil can be recycled at 16 cents/gallon, whereas contaminated oil costs \$2.50/gallon (Office of State Procurement).
- d.** Pursue legislation to allow the establishment of front end disposal fees on toxic products as an incentive to businesses and the public to use less toxic products (waste reduction).

To design and select programs for funding and implementation, rank each alternative according to a consistent set of evaluation criteria. The local planning process would develop these criteria. Implementation of the hazardous waste priorities, basic feasibility, cost, and likelihood of success are examples of possible criteria. Remember that the choice may not always come down to two mutually exclusive actions. Rather the choice may be between two excellent complementary programs, only one of which can be afforded, such as in the example above. Local governments should revisit rankings as often as changing conditions warrant. An example of changing conditions is that the implementation of one program may render another obsolete. The obsolete program, under new analysis, would lose its ranking.

In addition, local governments are required to set and implement programs for the collection and re-refining of used oil (RCW 70-951.020 and .030).

D. Recommended Programs and Actions or How Will We Get There?

This section is the essence of the plan itself. It describes what is to be done, by whom, and when. The recommended programs and preferred alternatives should relate to the ranked alternatives from the consistent evaluation criteria. The preferred alternatives then become the strategy selected to achieve the objectives. They designate priorities between selected programs, responsibilities of implementing entities, timing of proposed actions, estimated costs, sources of funding, problems to be solved, and objectives to be achieved. Additional alternatives that would be implemented if funding were available could also be delineated.

There are five components common to all MRW plans under which alternatives and activities are categorized. There are two education components:



Public Education (RCW 70-105.220(1)(b) and 70.951.020):

Establishment of a program for ongoing public information and education about moderate risk waste. Programs should provide information that encourages waste reduction, recycling, and other proper management. Such information/ education programs should also address legal requirements and collection/disposal alternatives. Programs should also address the needs related to used oil management, either as a separate effort or integrated into the MRW education efforts.

Business Technical Assistance (RCW 70.95E.090):

As with public education, programs should provide information that encourages waste reduction, recycling, and other proper management. Education concerning regulatory (Chapter 173-303 WAC) and other legal requirements are also included. The most critical aspect of the Business Technical Assistance Program is working on-site with the businesses. Local government staff may use on-site visits to educate generators on higher priority management methods, 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. (see Clark County Business Survey)

The other three components of an MRW plan fall under the requirement to prepare a “program to manage moderate risk waste” (RCW 70.105.220(1)(a)). Generally, there are two types of infrastructure in a waste management system: one to provide for the physical handling and final disposition of the waste, the other to provide a legal or regulatory framework, which, among other things defines the universe of acceptable practices (for an example, see RCW 70.95.090(2)-(5)). For moderate risk waste, these three components break out in the following manner:

Household Collection:

Since households usually cannot directly access hazardous waste management facilities, this program provides convenient opportunities to the public to drop off their hazardous waste for proper management. As noted at the beginning of this section, local governments can accomplish household collection in many ways: a series of collection events, operation of permanent facilities, a standard (King County style) or “tailgate” (Klickitat County style) mobile system, a combination of these actions, or anything else new and innovative. Criteria to be considered in selecting a collection program may include, but is not limited to: cost, cost-effectiveness, population density of the planning area, level of awareness within the public, and types of wastes to be collected. Disposal of the wastes occurs through one of the following options:



Reuse, recycling, energy recovery (use of used oil space heaters), or treatment on-site: a good example of this is the exchange or solidification of latex paints;

Contract recycler: a legitimate recycler as defined in WAC 173-303 or other appropriate management company. Examples of these recyclers include a solvent reclaiming company, a paint manufacturer who reprocesses the material into new paint, or an antifreeze recycler.

A permitted hazardous waste treatment, storage, and disposal facility.

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 at one of the above options. Unless circumstances dictate otherwise, once a local government takes possession of a moderate risk waste, it is handled and disposed of as if it were dangerous waste.

In addition, local governments need to provide convenient collection for used oil. The used oil collection system should be a combination of private and public efforts where ever practicable. Appendix B describes the benchmarks for a convenient system. Estimates show that in order to achieve the 80% collection goal that convenient collection will need to be available to nearly all citizens of the state. See RCW 70.951.005(1)(c) and .020(1)(a).

Business Collection Assistance:

There are some areas in the state where collection and management of SQG wastes is provided by the private sector. Local governments are encouraged to use the private sector as much as possible to manage moderate risk waste (RCW 70.105.220(3)). Local governments may help small businesses in many ways. Some of these include arranging “milk runs” and publicizing management companies and facilities. Local governments may also publicize technologies for on-site management. Some counties have chosen to implement direct collection for small businesses in form of events, separate facilities, mobile systems, or by doing joint collection at their household events and facilities.

The county 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.

Compliance:

This section is directed at providing local governments a legal framework (ordinances and/or rules). This framework provides the basis to manage moderate risk waste, and authority to respond to incidents of improper management and illicit disposal. For example, in 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 the disposal of certain chemicals or waste types in the local landfill;
- Standards for SQG’s in the handling and disposal of hazardous waste,
- Procedures for responding to nuisances created by mismanagement of hazardous waste,
- Fees for on-site inspections for SQG’s, assistance in clean-up efforts and use of the local public moderate risk waste facility; and
- Other actions as determined by the local government.

Compliance efforts could also include the used oil signage ordinance required by RCW 70.951.040. Local health officials may use RCW 70.05.070 as the authority for compliance actions.

E. Long-term projections

This section provides a look ahead, to provide better direction in implementing and amending the plan. It describes a common vision of where the MRW system is or should be heading. The vision statement may include the 100% diversion goal. See RCW 70.95.010(6) and 70.105.005(10). As a minimum, the long term section should be a multiple of the implementation schedule (six, twelve or eighteen years). A jurisdiction can then “flesh out” the first six years of this section in detail including projected resource needs and allocations to create the Recommended Programs and Actions section of an updated plan.

F. Recommendations for State Action

After delineating the goals, visions, and recommendations for local action (sections D and E above) in the plan, the planning jurisdictions(s) may choose to describe actions which are best implemented at the state level. These proposed actions may be carried out either by Ecology, another state agency, or the legislature to support and enhance local efforts. Ecology will not review these recommendations as part of the approval process. Nor does approving a plan commit Ecology to implementing these recommendations. This is to encourage and enhance candor from the local governments. Ecology will, however, periodically compile the recommendations, review them during the development of its own workplans, and forward them to the legislature for consideration. For example, section 4.3 of the *1990 Problem Waste Study* included such a compilation of recommendations for state action from local hazardous waste plans. This compilation was submitted to the 1991 Legislature, and since that time the majority of the recommendations have been accomplished.

Local governments are explicitly required to implement their moderate risk waste plans (RCW 70.105.220(8)). There are certain considerations to use in verifying that a plan is implementable. Some of these are:

Make sure that the programs in the plan are reasonable to the area and have a good chance of success. In addition, consider the hazardous waste priorities in all programs and activities. Include in the plans a mechanism or sufficient flexibility to expeditiously implement newer, innovative technologies leading to waste reduction or recycling. For example, urban counties are encouraged to incorporate programs related to Integrated Pest Management and the education of landscaping companies in that technology.

Make sure that all programs are adequately funded for the life of the plan. Add sufficient flexibility to manage revenue loss or unanticipated receipts. Identify funding sources. For example, local governments should develop alternative funding options, accounting for changes in the local economy. One funding option should include a continuation of stable state grant funding through the Coordinated Prevention Grants program; however, this is not a guaranteed future funding source. Local governments should be moving their programs toward self-sustainability through rates and fees for service.

Include a clear implementation schedule. This will be especially helpful in obtaining state grants.

Make sure everyone knows and accepts their responsibilities. If possible, a lead agency that Ecology can work directly with would increase our effectiveness.

Who is responsible to see that work is coordinated and to verify that things are getting done? What happens if things get behind?

For further information on MRW plan implementation, see the “Implementation Guidelines for Local Hazardous Waste Plans (Ecology publication #92-14).”



V. WE'RE HERE TO HELP

Ecology can help in the local hazardous waste planning process in some of the ways listed below. This list is for illustrative purposes only, and is not comprehensive. Generally, local governments should contact the regional Ecology solid waste planner for plan-related assistance. Ecology regional staff are available support in the review and updating process for a plan.



A. Informational

Ecology will provide, upon request, technical and procedural assistance to local government in interpreting and implementing the Act and these guidelines. Information sharing may include: distribution of draft plan language, success stories of programs in other jurisdictions, cost estimates for program implementation, and analysis of proposed programs. Ecology may also facilitate discussion between jurisdictions or within other groups regarding moderate risk waste. Ecology may provide presentations on moderate risk waste for public meetings, briefings of elected officials, and other occasions.

B. Financial

Tasks associated with the preparation of a local hazardous waste management plan are eligible costs for reimbursement from the Local Toxics Control Account established in chapter 70.105D RCW. The Coordinated Prevention Grants (CPG) program currently administers this money. For assistance in including planning tasks in your CPG grant, please contact your grants project officer or regional Solid Waste Planner.

C. Procedural

There are two procedural matters with which Ecology will be involved in local hazardous waste planning:

1. Approval or denial of requests for waiver of the local hazardous waste planning requirements. The “Implementation Guidelines for Local Hazardous Waste Plans– Publication # 92-14” delineate the procedures and criteria for this process. Ecology will use these criteria and procedures in processing a planning waiver (or variance). See section V, subsection D of the “Implementation Guidelines” for further information.
2. Review, comment and approval of draft local hazardous waste plans. Ecology will approve or disapprove local hazardous waste plans within ninety days of submission. Ecology shall approve a local hazardous waste plan if it is determined that the plan is consistent with chapters 70.95I and 70.105 and these guidelines. If Ecology does not approve a plan, the department shall forward its rationale and concerns to the local government within ninety days of submission.

D. Other Roles Related Specifically to Used Oil

In addition to these roles, the Used Oil Recycling Act of 1991 assigned to Ecology additional tasks to accomplish in regards to used oil. These tasks include:

- The department shall develop state-wide collection and reduction, reuse, and re-refining goal. These goals will be based on the estimated collection and reduction, reuse, and re-refining rate for 1993. In 1996, the rate shall be 80%.
- The department shall prepare guidelines establishing state-wide equipment and operating standards for public used oil collection sites. The Moderate Risk Waste Fixed Facility Guidelines, revised May 1993 WDOE 92-13 include this guidance. Used oil facilities are typically limited moderate risk waste facilities as described in the Facility Guidelines. The jurisdictional health district or department makes the final determination on whether a facility is a limited facility or not.
- The department is responsible to notify retailers of the signage requirements in RCW 70.951.040. The department will design and distribute the signs for compliance with this section.
- The department shall conduct a state-wide education program, including the maintenance of a list of used oil collection sites. This list is already available through the Recycle Information Line (1-800-RECYCLE). The program is to conduct its own campaigns and assist local governments and others in used oil collection and recycling projects.
- The department, as part of its technical assistance efforts, will attempt to aid local governments in finding ways to overcome barriers to higher priority waste management.

DEFINITIONS

RCW means the Revised Code of Washington

WAC means the Washington Administrative Code

The Dangerous Waste Regulations are chapter 173-303 WAC.

DANGEROUS WASTE means solid waste designated in WAC 173-303-070 through 173-303-100 as dangerous or extremely hazardous waste. See WAC 173-303-040 and RCW 70.105.010(5).

DISPOSAL means the discharging, discarding, or abandoning of hazardous wastes. Disposal also includes the treatment, decontamination or recycling of such wastes once they have been discarded or abandoned. This includes the discharge of any hazardous wastes into or on any land, air, or water. This definition and the methods described therein are equally applicable to moderate risk waste as hazardous waste. See WAC 173-303-040 and RCW 70.105.010(4).

GENERATOR means any person, by site, whose act or process produces hazardous (including moderate risk) waste. See WAC 173-303-040.

HAZARDOUS HOUSEHOLD SUBSTANCE means any material used or generated in the household, regardless of quantity, that exhibits any of the characteristics or criteria of dangerous waste set forth in Chapter 173-303 WAC. These materials may include any liquid, solid, contained gas, or sludge, including any material, substance, product, commodity, or waste. A list of such substances appears in Appendix A of these guidelines. Such substances become moderate risk waste when discarded. See WAC 173-303-040 and RCW 70.105.010(13).

HAZARDOUS SUBSTANCE means any material, regardless of quantity, that exhibits any of the characteristics or criteria of dangerous waste set forth in Chapter 173-303 WAC. These materials may include any liquid, solid, contained gas, or sludge, including any material, substance, product, commodity, or waste. See WAC 173-303-040 and RCW 70.105.010(13).

HAZARDOUS WASTE means and includes all dangerous and extremely hazardous waste. See RCW 70.105.010(15).

MODERATE RISK WASTE is the combination of household hazardous waste (HHW) and small quantity generator (SQG) waste. SQG waste is any waste that exhibits any of the properties of hazardous waste but is exempt from the Dangerous Waste Regulations because the business generates and accumulates the waste in quantities below the threshold for regulation as dangerous waste. HHW is any household wastes which are generated from the disposal of substances identified by Ecology as hazardous household substances. See RCW 70.105.010(17), WAC 173-303-070(8) and -071(3)(c).

SOLID WASTE means all putrescible and nonputrescible solid and semisolid wastes. This includes but is not limited to garbage, rubbish, ashes, abandoned vehicles, and discarded commodities. This excludes primary products of public, private, industrial, and commercial operations. See RCW 70.95.030(19).

APPENDIX A

HAZARDOUS HOUSEHOLD SUBSTANCES LIST

The hazardous household substances list on pages 27 - 28 should be used as the starting point for identifying household products that may pose public health or environmental risks in the disposal setting in the planning area. Local government may use any part or all of the list in developing hazardous household substances programs and/or target substances not on the list that are identified during the planning process.

Chemical ingredients of a product 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, call Ecology's Hazardous Substances Hotline at 1-800-633-7585.

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

- Read the product label. Watch for key words such as Danger, Caution or Warning. Look for any disposal instructions.
- Use nontoxic products when available;
- 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.
- Use the product up completely. If that is not possible, give it to someone who can use it.
- Recycle wastes. Take used motor oil, oil filters, and antifreeze to an oil recycling station, or authorized collection site. Trade in old car batteries.
- Take all other wastes to the most convenient moderate risk waste facility or event. For the location of the various collection activities, call your local moderate risk waste coordinator or Ecology's Recycle Information Line at 1-800-RECYCLE (732-9253).
- Do not:
 - Dispose of any products by pouring them on the ground or down the storm drain;
 - 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				
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
Group 3: Pesticides				
Insecticides	X	X		
Fungicides		X		
Rodenticides		X		
Molluscides		X		
Wood Preservatives		X		
Moss Retardants		X	X	
Herbicides		X		
Fertilizers		X	X	X

Substance(s) or Class(es) of Substances	Primary Hazards			
	Flammable	Toxic	Corrosive	Reactive
Group 4: Auto, Boat, and Equipment Maintenance				
Batteries		X	X	X
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				
Paints, Thinners, and Solvents	X	X	X	X
Chemicals (including Photo and Pool)	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: Miscellaneous				
Ammunition	X	X	X	X
Asbestos		X		
Fireworks	X	X	X	X

APPENDIX B

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 related directly to how convenient used oil collection and recycling services are to the public. In this option, the local government determines the where and when of each facility 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% of generated household oil for 1993, then 50% of the population should be served that year). In earlier years (1993), 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;
- mall and shopping centers, especially those containing outlets which sell motor oil; and
- solid and moderate risk waste 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 in Option One, above. Benchmarks are given for urban and rural areas separately. Determination of urban vs. rural designations can be done by 1) using the designation used in the local solid waste plan as revised 1991 - 1994, or 2) federal census, which designated all areas within 30 minutes travel time of an urban area of 10,000 or more in Benton, Clark, Franklin, King, Kitsap, Pierce, Spokane, Snohomish, Thurston, Whatcom or Yakima counties are urban; all other areas of the state are considered rural.

For Urban areas, consider one or a combination of the following benchmarks:

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 so as 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, towns and cities with over 2000 residents that are at least five road miles distant from a used oil collection site must have at least one used oil collection site;

or

Option 2e: Towns and cities with over 1000 residents that are at least five road miles distant from a used oil collection site must have at least one used oil collection site.