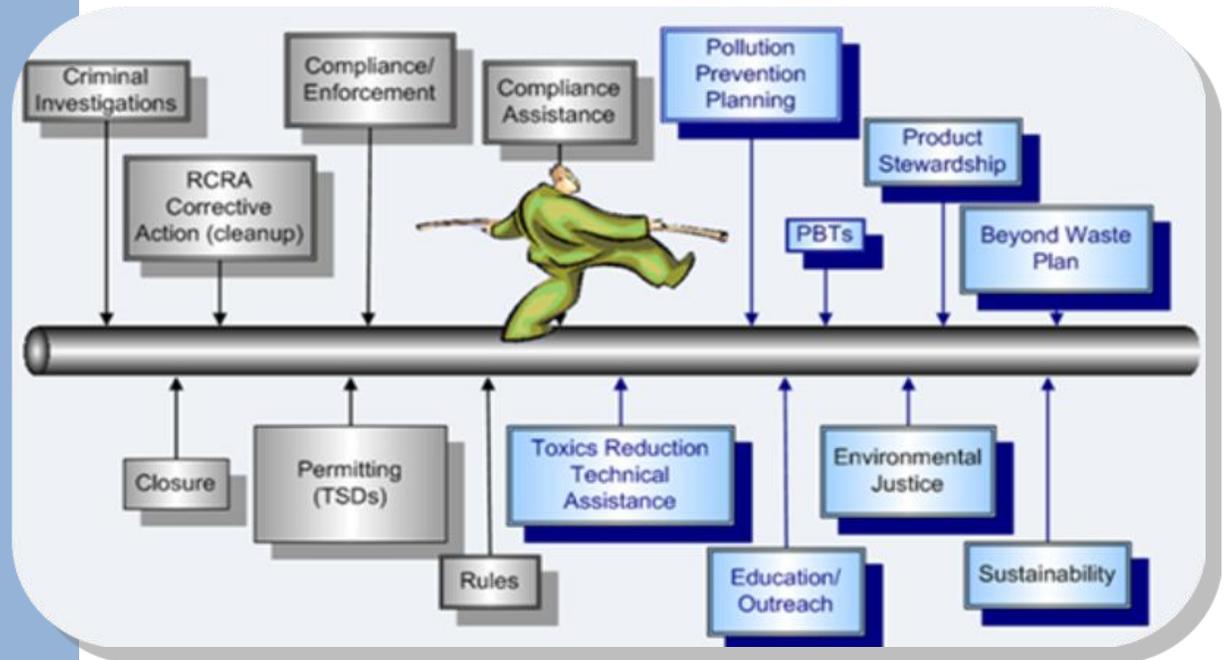


# Hazardous Waste and Toxics Reduction Program



## Program Plan

2009 - 2011

(July 2009 – June 2011)



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# Program Overview

Reducing toxic threats is one of Ecology's priority initiatives. Reducing the use of toxic chemicals and ensuring safe management of hazardous waste are the Hazardous Waste and Toxics Reduction (HWTR) Program's two highest priorities.

## Program Mission

*Foster sustainability, prevent pollution, and promote safe waste management.*

Using, storing, and disposing of hazardous chemicals comes with inherent risks. Some toxic chemicals pose an immediate health threat (cleaning products or yard chemicals) while others pose a risk as products break down, or when they are disposed of. Some chemicals build up in our bodies and the environment gradually (for example persistent, bio-accumulative toxins (PBTs) and heavy metals).

When hazardous substances are no longer usable, they become hazardous wastes, and when mismanaged, they get into water and soil where they can create hazards to human health and the environment. They may cause costly new toxic clean-up sites. Currently, over 4,000 facilities and businesses report 112 million pounds of hazardous waste each year in Washington (2008 data). Thousands of smaller, less-regulated businesses, along with millions of Washington households, create more hazardous waste.

While safe hazardous waste management is essential to protecting human health and the environment, avoiding the use of toxic chemicals is the smartest, cheapest, and healthiest approach. The risk from toxic chemicals isn't only from leaking drums at an industrial site. Each of us affects the environment and our own health when we buy and use products that contain toxic chemicals. We find hazardous chemicals in our air, water, and soil and in our bodies because they are ingredients used to make the products we use in our homes, yards, and offices.

Over the past decade, the HWTR Program has had to cut about 20 percent of our positions due to shrinking budgets and shrinking value of the purchasing dollar. At the same time, we have been working on methods to provide the same service with less.

However since Fiscal Year (FY) 09, the HWTR program has had to cut additional positions and either eliminate or streamline efforts on several projects, including:

- Toxics reduction and compliance assistance to businesses.
- Dangerous waste workshops.
- The Governor's Pollution Prevention and Sustainability Award.
- Printing of our *Shoptalk* newsletter.

Despite fewer resources, our focus remains on providing information that will help businesses and the public safely manage hazardous waste and make informed choices about the use of toxic chemicals.

## Highlighted Actions to Meet HWTR Mission and Priorities:

### Beyond Waste Plan Update

In 2009, Ecology updated the 2004 Beyond Waste Plan, our state waste management plan that is mandated by law. The plan envisions by 2035, we can transition to a society where wastes are viewed as inefficient and where most wastes and toxic substances have been eliminated, while simultaneously protecting the environment, human health, and the state's economic interests. The 2009 update strengthened the focus on product stewardship and prevention, as their importance has increased over the last five years. The update now includes a section that more clearly defines the role of local governments. The plan is also more closely aligned with the agency priorities to mitigate climate change, protect Washington waters, and reduce toxic threats. The two-year program plan implements the direction set by the thirty-year Beyond Waste plan.

### Reducing Risk through Business Visits

Face-to-face business visits result in compliance rates of 90 percent or higher. Studies show that compliance rates drop after three years of no contact. Poor compliance equals more risk of harm to the environment from hazardous substances. Since 2008, the chance of finding a significant hazardous waste violation during an inspection is at an all-time high. Local government regulates smaller businesses to assure appropriate hazardous waste disposal, while Ecology regulates larger businesses. Ecology funds and oversees a Local Source Control (LSC) program, where local government inspectors conduct technical assistance visits to small businesses, respond to issues covered by local ordinances, or refer them to Ecology for investigation or action as appropriate. The LSC program has conducted over 3,300 site visits since April 2008, identifying hazardous waste, stormwater, wastewater, and spill concerns in nearly half those visits. Ecology's ability to inspect larger businesses is more constrained, with resources to inspect businesses on average once every seven years.

#### Beyond Waste Vision

*"We can transition to a society where waste is viewed as inefficient, and where most wastes and toxic substances have been eliminated. This will contribute to economic, social, and environmental vitality."*

### Chemical Action Plans and Chemicals Policy Reform

Ecology is working with businesses and other local, state, and federal entities to reduce and ultimately eliminate the use of harmful PBTs and metals of concern. Ecology implements this chemical-by-chemical approach by developing and implementing Chemical Action Plans (CAPs). Since 2003, our efforts through the state's Mercury CAP kept over 14,000 pounds of mercury out of the environment. We achieved this by working with dental offices, schools, auto recyclers, and hospitals to address key products (batteries, laboratory mercury, auto switches, utility switches, thermometers, thermostats, and fluorescent bulbs). CAPs have also been completed to reduce lead and flame retardants in products and the environment. While an effective chemical-by-chemical approach is important, Ecology is also a participant in national chemicals policy reform that seeks to systematically promote safer chemicals by updating federal law. The current federal chemical regulation system fails to adequately protect the nation's citizens and environment from avoidable toxic contamination.

## **Reducing Business Wastes through Technical Assistance**

Waste is inefficient and means lost profit. If industries designed its processes and products to not pollute right from the start, there would be fewer regulatory hurdles and less hazardous waste for government to regulate. Less cost for industry, less government regulation, improved worker safety, and a better environment is a winning combination. The good news is that hundreds of businesses in Washington have saved money and increased their competitive advantage through reducing their use of toxic chemicals. Often, the more in-depth the prevention effort, the more opportunity for savings. In the last ten years, Ecology teamed with 30 Washington businesses to re-design production processes, resulting in \$30 million dollars of potential cost savings, reduction of over 200,000 pounds of toxic waste, and decreased water usage by 200 million gallons. Over the past 17 years, businesses that track their waste generation through pollution prevention planning reduced their wastes by more than 50 percent. However, we still have much to do to reduce hazardous substances in products and reduce the costs and risks associated with the remaining generated waste.

## **Permitting and Corrective Action**

Ecology issues permits to specially designed hazardous waste treatment, storage, and disposal facilities known as TSDs. Permits are issued for currently operating facilities managing dangerous waste or facilities that are in corrective action. Permit renewals for the state's three commercial TSDs are currently underway. Ecology also oversees closure and needed corrective action at these facilities. Many TSDs – are contaminated and require some form of cleanup and most are located near Puget Sound. TSD cleanups deal with complex contamination problems and require 10-12 years to complete. Cleanups are proceeding at 39 priority sites because of their significance as designated by the Environmental Protection Agency (EPA). Ecology expects to have these 39 cleanups finished or in maintenance mode by 2020. Human exposures are under control at 92% of our facilities, while contaminated groundwater is under control at 77 percent of our facilities. This exceeds EPA's national goals for 2011 of 65 percent and 55 percent, respectively. While expensive, most cleanup costs are recoverable from property owners, and once cleaned, these properties provide opportunities for habitat restoration, economic development, and public recreation.

## **Program Activities**

The HWTR Program coordinates five priority activities to address cleanup and management of existing hazardous waste and prevent generation of future waste. The program uses a full array of skilled staff, laws, technical assistance, resources, voluntary projects, and measurements to track and report progress.

### **Reduce the generation of hazardous waste and the use of toxic substances through technical assistance (A052).**

- The state Hazardous Waste Reduction Act calls for the reduction of hazardous waste generation and the use of toxic substances and requires certain businesses to prepare plans for voluntary reduction (P2 planners). Staff provide assistance through innovative programs for source and waste generation reduction, including more than 275 technical assistance visits per year.
- Reducing wastes and toxics saves money for all of us—consumers, local government, and businesses. It creates additional sustainable jobs, protects the environment, people, animals, and the ecosystem. It also prevents an endless cycle of expensive clean-ups.

- Work includes technical assistance to Pollution Prevention (P2) planners and non-planners, including other state agencies as part of Ecology’s review of state agency sustainability plans and research on safer alternatives and implementation of CAPs. Specific accomplishments planned for 09-11 biennium include:
  - Implement an EPA grant to work with up to 70 businesses to reduce greenhouse gases.
  - Develop and implement a standard process for toxic use reporting and tracking.
  - Produce a safer chemical alternative assessment for chemicals of concern.
  - Continue reducing mercury and other toxic metals.

Performance measures include a two percent annual reduction of hazardous waste generated, a two percent annual reduction of hazardous material used, and 1,900 pounds of mercury collected or captured.

### **Increase safe hazardous waste management through technical assistance (A022).**

- Ecology provides education and technical assistance to thousands of businesses on safe hazardous waste management. This education and technical assistance does not typically result in enforcement actions but helps bring facilities into compliance in a timely manner using substantially fewer resources. Safe management of hazardous waste protects the public and the environment, enables the state to avoid significant clean-up costs, and helps keeps Washington waters clean.
- Work includes development of educational materials such as web content and documents, technical visits on compliance related issues including local government technical assistance visits under the LSC program, and the federal Resource Conservation and Recovery Action (RCRA) authorization and rules. Specific accomplishments planned for 09-11 biennium include:
  - Continue current RCRA authorization by updating rules as necessary.
  - Ongoing coordination and support for LSC and Urban Waters programs.
  - Completion of the auto shred stakeholder process.

Performance measures include 800 technical assistance visits and 2,000 LSC program visits in a biennium.

### **Increase compliance and act on environmental threats from hazardous waste (A021).**

- The agency annually conducts formal compliance enforcement inspections at large and medium quantity generators and hazardous waste management facilities to ensure compliance with state and federal regulations.
- A credible, formal enforcement capability is essential to preserving the effectiveness of technical assistance and informal enforcement efforts. While staff undertake formal enforcement infrequently, repeated refusal or inability of a facility to correct violations and come into compliance with the regulations will escalate to formal enforcement actions.
- Ecology defines environmental threats as spills, illegal disposals, serious container problems, and not determining if waste is hazardous.
- The current rate of finding an environmental hazard during an inspection is 44 percent, the highest rate since 1992.
- Work includes inspections, compliance enforcement actions, and responding to complaints on potential compliance violations. Specific accomplishments planned for 09-11 biennium include:

- Conduct 320 annual compliance inspections.
- Respond to an average of 180 complaints regarding hazardous waste handling and disposal.
- Use new streamlined approaches for enforcement actions that result in less staff time being used per action and enforcement actions being issued sooner.

Performance measures include resolving 160 significant toxics-related threats annually, and reducing the percentage of facilities that have significant toxics related threats during a compliance inspection from 44 percent to 41.5 percent for 2010, and 39 percent for 2011.

### **Prevent hazardous waste pollution through permitting, closure, and corrective action (A031).**

- Facilities that treat, store, or dispose of dangerous wastes (TSDs) are required to obtain a permit to ensure that their design, construction, maintenance, and operating procedures protect public health and the environment.
- Washington currently has 15 active TSD facilities that are either in "interim status" or have a final permit. These facilities are required to have closure plans to effectively deal with the end of their waste management activities. Environmental contamination found at any time before closure requires a corrective action cleanup plan.
- The agency is currently working on 39 corrective action clean-up sites (22 high-priority facilities and 17 medium- and low-priority facilities). Corrective action work is on pace to meet EPA's 2020 requirements and the Governor's call for restoration of Puget Sound since many of the sites are within the Puget Sound region.
- Work includes permitting of TSD facilities, site-specific corrective action to clean up environmental contamination, and ensuring proper site closures. Specific accomplishments planned for 09-11 biennium include:
  - Continue cleaning up sites at a pace to meet EPA 2020 requirements.
  - Finalize or issue public notice for one operating permit and two corrective actions.
  - Focus closure efforts on riskier sites, such as used oil recycling facilities.

Performance measures include three percent annual progress toward overall completion of all corrective action.

### **Improve community access to hazardous substance and waste information (A052).**

- HWTR provides the agency, public, and local governments with accurate information about the type, location, and source of hazardous substances that affect them.
- Ecology uses automated data systems to:
  - Track compliance and technical assistance visits.
  - Measure pollution prevention and compliance progress.
  - Track amounts of dangerous waste generated each year and its proper transport, treatment, and/or disposal.
  - Identify toxic chemicals released and stored by businesses.
  - Track information on facilities that prepare pollution prevention plans and pay fees.
- In accordance with federal and state Community Right-to-Know laws, the agency also responds to public inquiries about toxic chemicals and provides a website for this purpose.

- Work includes website maintenance, updates, and revisions; Ecology-wide coordination on environmental justice, data management, website, and hotline responses on toxic chemical questions; and publishing and disseminating program educational materials. Specific accomplishments planned for 09-11 biennium include:
  - Respond (by phone or email) to over 1,000 information requests on toxic chemicals.
  - Create or update 30 business publications annually and post to the web.
  - Collect and analyze 4,000 annual hazardous waste reports from businesses.
  
- Overarching goals for providing information access to communities, businesses, and agency staff include:
  - Focus on efficient, reasonable transfer of printed materials to the internet.
  - Make internet sites easy to find and understand.
  - Keep information current.
  - Keep systems running for ease of data entry and retrieval.
  - Meet business, school, and community needs and demand for information about toxic substances.
  - Refine outreach and education activities in response to survey results that measure public's degree of awareness and understanding about toxics in products.

Performance measures include 90,000 visits per quarter for FY2010 and 100,000 visits per quarter for FY2011 to Ecology's HWTR program website.

## 09-11 Program Plan by Activity

	Categories	Total FTEs	BW Recom/ Milestone	What results do we want to achieve?	What does 09-11 success look like?
<b>PROGRAM TOTAL--ALL WORK</b>		<b>109.80</b>			
	<b>1. A052 – Reduce the generation of hazardous waste and use of toxic substances through technical assistance.</b>	<b>27.15</b>		<b>09-11 PERFORMANCE MEASURES:</b> (1) Annual pounds of hazardous waste generated. (2) Pounds of mercury collected and/or captured. (3) Annual pounds of hazardous materials reduced.	
	<i>The state Hazardous Waste Reduction Act calls for the reduction of hazardous waste generation and the use of toxic substances and requires certain businesses to prepare plans for voluntary reduction. Staff provide assistance through innovative programs for source and waste generation reduction, including more than 275 technical assistance visits per year. In addition, the agency focuses on improvements in industries that have the highest rate of waste generation and non-compliance to help them achieve energy savings, water conservation, and reduced hazardous waste production. Reducing toxics in products and the initial generation of hazardous waste minimizes disposal costs, reduces the need for cleanup, minimizes public exposure, and saves money.</i>			<b>09-11 PERFORMANCE MEASURE TARGETS:</b> (1) 2 percent annual reduction. (2) 1,000-pound reduction in FY10; 900-pound reduction in FY11. (3) 2 percent annual reduction. (Targets align numerically with measures above.)	
1	<b>POLLUTION PREVENTION PLAN TECHNICAL ASSISTANCE</b> , including new plans, plan updates, annual plan reviews ( <b>APRs</b> ), plan and implement Environmental Management System ( <b>EMS</b> ) <b>submissions</b> , Pollution Prevention Improvement Project ( <b>PPIP</b> ) implementation, pollution prevention plan (P3) Quality, and web content.	8.30	IND 1 (IND A) and HW 1,2,3, 4 (HW A,B,C,D) IND 9 (IND J)	Focus on priority metals of concern and integrate greenhouse gas reduction into core P2 planning. Develop and implement a standard process for toxics use reporting and tracking by June 30, 2011.	Businesses reduced at least 2.2 million pounds of hazardous waste and hazardous materials annually, saving over \$5 million dollars annually. Toxics reduction staff worked with 500 planners, including up to 70 businesses to reduce greenhouse gases and toxic metals use. Clients implemented an increased number of P2 suggestions.

	Categories	Total FTEs	BW Recom/ Milestone	What results do we want to achieve?	What does 09-11 success look like?
2	<b>Pollution prevention (P2) PLAN TRACKING.</b>	0.85	HW 3 (HW C) IND 12 -- TRAC (IND M)	Reduce time to load P2 Plans into database by 25%. Use lean principles to streamline workflow and improve automation. Conduct database software requirements specification to replace P3 Tracker by June 30, 2010.	90% of core data reviewed and loaded by January 31 of each year. Faster access to data in plans assist in making policy decisions. Easier tracking of P2 program participation and compliance.
3	<b>NON-PLANNER POLLUTION PREVENTION ASSISTANCE</b> including Technical Resources for Engineering Efficiency ( <b>TREE</b> ), Lean, site visits to non-planners, phone calls, and web content.	5.95	Sustainability TA IND 4 (IND D) & IND 5 (IND E)--material brokers. Lean & Design only--IND 4 (IND D)&IND 7 (IND G) IND 9 (IND J)	Conduct at least 2 lean and environment projects and 3 TREE projects annually. Identify barriers and opportunities to integrate or combine TREE and Lean Teams by June 30, 2010. Conduct 200 site visits at non-planners.	Contributed to savings in line 1. Reported pollutant reductions, energy savings, and financial savings achieved. TREE/Lean efforts redefined and prioritized to focus on agency priorities. More businesses implementing Lean. Reduced energy, resources, toxic use, and waste; increased business savings.
4	<b>CHEMICALS OF CONCERN/HIGH PRIORITY CHEMICALS</b> , including safer chemical alternatives, Puget Sound research, children's products, toxics in stormwater, toxic metals, and CAPs.	3.65	IND 8 (IND H) IND 11 (IND L) MRW 1 (MRW A)	Maintain chemicals of concern list. Produce safer chemical alternatives assessment by June 30, 2010. Based on results from Phase 3 Toxics Loading Study and other information sources, develop list of alternatives for metals of concern. Provide support for CAP development and implementation. Continue to track mercury reductions.	Reduced the use of chemicals of concern by 150,000 pounds by June 30, 2011. P2 planning and compliance staff use this list to provide assistance on safer alternatives. Reduction of mercury continues.

	Categories	Total FTEs	BW Recom/ Milestone	What results do we want to achieve?	What does 09-11 success look like?
5	<b>SUSTAINABILITY TECHNICAL ASSISTANCE</b> including state agency compliance with Governor's Executive Order and 2009 Greenhouse Gas legislation.	1.10	IND 4, IND 7 and HW 4 (HW D) IND 9 (IND I)	SB 5560 requires all agencies to report greenhouse gas (GHG) emissions from their operations by June 30th 2010. State agency sustainability plans updated by September 1, 2010. Train state agencies on new Greenhouse Gas reporting requirements. Provide assistance to state agencies on developing their annual sustainability reports. Collect and compile individual state agency reports into a statewide annual report.	Reported state agency sustainability metrics, including energy reduction. State agencies covered under SB 5560 reduced energy use 3% per year.
6	<b>POLICY</b> including legislative initiatives, environmentally preferred purchasing, incentives, green chemistry, and supervisors' projects.	2.30	IND 3 (IND C) IND 12 (IND M) IND 13 (IND O) MRW 7 (MRW 1)	Establish the Interstate Chemicals Clearinghouse (IC2). Pursue Toxics Reduction Advisory Committee (TRAC) recommendations, including P2 Fees. Monitor "emerging contaminants" policy development. Align EPP priorities with high priority chemicals. Support efforts to strengthen current purchasing laws. Support better tracking system for EPP. Support better tracking system for EPP. Actively collaborate with partners (WMS and Department of Commerce) to get federal stimulus money or more funding from the Legislature for Revolving Loan Fund.	IC2 is up and running. Obtained legislative support for TRAC recommendations. Reformed state purchasing statutes. State agencies are creating markets for environmentally preferred products and services. More money in Revolving Loan Fund.
7	<b>INCENTIVES TO INDUSTRY and GOVERNMENT</b> , including Envirostars and Governor's Award (on hold--maintain ability to continue).	0.35	IND 3 (IND C) and IND 12 (IND M)--TRAC	Re-establish Governor's Award if resources allow. Determine direction/options for expanded EnviroStars program.	
9	<b>OTHER</b> , including administration, supervision, training, and teams--TRNet, WRR Team, Sustainability Team.	4.65		Use TR Net to implement and track results and successes of A052 elements of program plan. Help update the agency's Sustainability Plan using the Global Reporting Initiative (GRI).	Sustainability Team: Ecology incorporated sustainability principles into their operations. Successful Earth Day events.

	Categories	Total FTEs	BW Recom/ Milestone	What results do we want to achieve?	What does 09-11 success look like?
	<b>2. A022 – Increase safe hazardous waste management through technical assistance.</b>	<b>17.70</b>		<b>PERFORMANCE MEASURES:</b> (1) Number of toxic-related technical assistance visits. (2) Number of Ecology funded small business technical assistance visits conducted by local government	
	<p><i>Ecology provides education and technical assistance to thousands of businesses on safe hazardous waste management. Although formal enforcement work is essential to maintaining compliance with hazardous waste regulations, workshops and technical assistance visits also can help bring facilities into regulatory compliance using substantially fewer resources. Safe management of hazardous waste protects the public and the environment, and enables the state to avoid significant clean-up costs.</i></p>			<p><b>09-11 PERFORMANCE MEASURE TARGETS:</b> (1) 100 per quarter. (2) 500 per quarter.</p>	
21	<p><b>COMPLIANCE-RELATED TECHNICAL ASSISTANCE, including</b> Increased Generator Contact (<b>IGC</b>), Delinquent Annual Reporters (<b>DAR</b>), new notifiers, non-notifiers, sector work, Urban Waters, LSC Partnership Coordination.</p>	6.75	HW 5 (HW E)--local source/staffing levels	Target visits to reduce the number of environmental threats associated with the mismanagement of toxic chemicals/waste. Target visits to high risk sectors. Use LSC and RCRAInfo data to identify high-risk sectors and measure compliance rates within sectors. Focus on chemical of concern and Puget Sound.	Hazardous waste is safely managed, the public is protected, and businesses comply with state hazardous waste laws. Increased number of site visits to riskier businesses (focused efforts). Sectors of concern have been identified and ranked based on history of environmental risk. Able to provide clear and compelling reasons for site visits and demonstrate the outcomes of those visits with accurate performance measures.
22	<p><b>DANGEROUS WASTE AND COMPLIANCE EDUCATION, OUTREACH, and REGULATORY ASSISTANCE,</b> including toxic-related compliance education, web content, services directory, document development and publication, dangerous waste rules training.</p>	6.40	HW 6 (HW F)--web and training	Focus on changing environmentally risky behaviors at businesses. "Touch" as many of these businesses as possible. Organize around sectors, chemical of concern, and Puget Sound. Measure behavior rates, environmental threats, and compliance rates. Use data to demonstrate success and suggest new approaches.	Assistance is provided to businesses in a prioritized way. Risky behaviors are identified and implementable actions are developed to address those risks. Performance measures demonstrate the efficacy of this work (reduced toxics use, reduced rate of risky behavior).

	Categories	Total FTEs	BW Recom/ Milestone	What results do we want to achieve?	What does 09-11 success look like?
23	<b>RCRA AUTHORIZATION and RULES</b>	1.10		When supported by clear and compelling data regarding chemicals of concern and environmental threats (scientifically supportable), use regulation changes to address those risks and drive positive changes. Status quo unless agency directs specific new rule or rule updates/changes needed to maintain RCRA authorization.	Current RCRA authorization continues. Directed agencywide requirements are met.
24	<b>SPECIAL ISSUES</b> , including fertilizer work, hazardous waste transportation, recycling determinations, by-product synergy, and new industry proposals.	0.75	IND 5 (IND E) only indirectly w/recycling determinations --HW 11 (MRW K)	Meet statutory requirements as required. Promote toxics reduction where feasible and demonstrably efficient/productive. Any special issue work will have performance measures that clearly demonstrate the "bang for the buck."	Statutory requirements are met. All special issue work has clear performance measures.
26	<b>OTHER</b> , including administration, supervision, training, cross-program teams, national networks, Auto Shred Residue interim enforcement policy.	2.70		Complete stakeholder process by end of biennium.	Auto shred facilities operate in an environmentally sound manner and produce clean auto shred residue.
<b>3. A021 – Increase compliance and act on environmental threats from hazardous waste.</b>		<b>22.24</b>		<b>09-11 PERFORMANCE MEASURES:</b> (1) Number of significant toxics-related threats resolved. (2) Percentage of facilities with a significant toxics-related threat found during a compliance inspection.	
<p><i>The agency annually conducts formal compliance enforcement inspections at large and medium quantity generators and hazardous waste management facilities to ensure compliance with state and federal regulations. A credible, formal enforcement capability is essential to preserving the effectiveness of technical assistance and informal enforcement efforts. While staff undertake formal enforcement infrequently, repeated refusal or inability of a facility to correct violations and come into compliance with the regulations will escalate to formal enforcement actions.</i></p>				<p><b>09-11 PERFORMANCE MEASURE TARGETS:</b> (1) 60 per quarter. (2) 41.5% for FY10; 39% for FY11.</p>	

	Categories	Total FTEs	BW Recom/ Milestone	What results do we want to achieve?	What does 09-11 success look like?
31	<b>INSPECTIONS</b> , including EPA, State Priorities, Urban Waters Initiative, follow-ups	13.05	HW 5-local source/ staffing	320 compliance inspections are conducted annually (including 13 TSD facilities and 100 large quantity hazardous waste generators). Behavior change that results in reduced threats to the environment. Along with core businesses, focused efforts on abandoned facilities and closing businesses. Clearly written directives to businesses about dangerous waste management.	Facility compliance in managing hazardous wastes is improved for the protection of public health and the environment. Compliance rates per business improves over a 10-year period. Less staff time needed per visit with improved compliance. Increased site visits and EPA commitments met. Building foundation for long-term reduction in number of complaints received in future. Website enhanced with sector links to outside sites with good information on safe waste management.
32	<b>COMPLIANCE ENFORCEMENT</b>	2.50	HW 5-local source/ staffing	Use new streamlined approaches to decrease staff time and AAG expense for enforcement action. Enforcement actions issued sooner resulting in a deterrent to businesses and changed behavior. Use press releases to help prevent businesses from violating.	Needed enforcements are taken with fewer appeals.
33	<b>COMPLAINT RESPONSE</b>	1.90		An average of 180 complaints regarding hazardous wastes or substances are responded to. Respond to all complaints received focused on nature of complaint. Be responsive to citizen complaints, referrals from other Ecology programs, and agencies.	All complaints result in resolution.
34	<b>OTHER</b> , including administration, supervision, training, and cross-program teams, RCRAInfo, RSVP	4.79		Effective communication and training to promote consistent implementation of HWTR policies, rules, and procedures related to compliance and enforcement work.	Staff are trained and forums for discussions are available, so that compliance work is conducted effectively, efficiently, and consistently. Compliance network discussions and decisions are documented and available to staff.

	Categories	Total FTEs	BW Recom/ Milestone	What results do we want to achieve?	What does 09-11 success look like?
	<b>4. A031 – Prevent hazardous waste pollution through permitting, closure, and corrective action</b>	<b>15.76</b>		<b>09-11 PERFORMANCE MEASURES:</b> (1) Percent progress toward completed corrective action.	
	<p><i>Facilities that treat, store, and/or dispose of dangerous wastes (TSDs) are required to obtain a permit to ensure that their design, construction, maintenance, and operating procedures protect public health and the environment. Washington currently has 15 active facilities that are either in "interim status" or have a final permit. These facilities are required to have closure plans to effectively deal with the end of their waste management activities. Environmental contamination found at any time before closure requires a corrective action clean-up plan. The agency is currently working on 39 corrective action clean-up sites (22 high-priority facility and 17 medium- and low-priority facilities).</i></p>			<p><b>09-11 PERFORMANCE MEASURE TARGETS:</b> (1) 3 percent annual increase. (Number of facilities tracked has changed from 27 to 39, dropping percent completion from 78% to a new baseline of 69 %.)</p>	
41	<b>SITE-SPECIFIC CORRECTIVE ACTION WORK</b> , including document development and publication, and engineering reviews/inspections.	7.85	HW 10 (HW J)	Continue cleaning up sites at pace to meet EPA 2020 requirements.	Calculated goal based on new universe of sites. (Met or exceeded goals.)
42	<b>PERMITTING</b> , including permit modifications, other TSD regulatory options, document development and publication, web content, engineering reviews/inspections and financial assurance.	3.45	HW 8 (HW H) HW 9 (HW I)	Three operating permits underway (high priority). Permit Lites: many under way (will follow corrective action schedule)	One operating permit and two corrective actions are final or announced by public notice by June 2011. More streamlined EPA language incorporated into these permits -- ready for future permits.
43	<b>SITE-SPECIFIC CLOSURES</b> , including used oil recycling facilities, post-closure, document development and publication.	0.90		No new TSD closure work on the horizon. Prioritize used oil recycling facilities	Riskier sites are targeted.
45	<b>OTHER</b> , including administration, supervision, work not specific to an individual site, training and cross-program teams.	3.56	HW 11 (4W K)		

	Categories	Total FTEs	BW Recom/ Milestone	What results do we want to achieve?	What does 09-11 success look like?
	<b>5. A019 – Improve community access to hazardous substance and waste information. "Community" includes the public, private businesses, non-profit organizations, and government sectors.</b>	<b>20.80</b>		<b>09-11 PERFORMANCE MEASURES:</b> (1) Number of visits to Ecology’s HWTR Program website.	
	<i>The agency uses automated data systems to track compliance and technical assistance visits; measure pollution prevention and compliance progress; track amounts of dangerous waste generated each year and its proper transport, treatment, and/or disposal; identify toxic chemicals released and stored by businesses; and track information on facilities that prepare pollution prevention plans and pay fees. It provides the agency, public, and local governments with accurate information about the type, location, and source of hazardous substances that affect them. In accordance with federal and state Community Right-to-Know laws, the agency also responds to public inquiries about toxic chemicals and provides a website for this purpose.</i>			<b>09-11 PERFORMANCE MEASURE TARGETS:</b> (1) 90,000 per quarter for FY10 and 100,000 per quarter for FY11.	
51	<b>ENVIRONMENTAL JUSTICE (EJ)</b> , including leading Ecology agencywide coordination.	0.90		EJ Committee ensures EJ Checklist is used and useful. EJ Committee completes work plan and reports results. EJ coordination with EPA Region 10 continues and expands. Examples include: cross-training; cross program support; community support; multi-agency (local, state, and federal) coordination. HWTR has incorporated EJ into inspection planning assessment and procedures. HWTR is able to assess enforcement equity across state / demographics.	EJ communities are equally served and protected by Ecology’s work. Ecology staff understands and applies agency’s EJ values and guidances. EJ communities are supported to engage in Ecology’s public participation activities. Each Ecology program has completed and implemented an EJ plan. Ecology’s relationship with EJ communities is clear, accessible, and sensitive to EJ dynamics. Because of Ecology’s EJ efforts, no EJ-based complaints come to Ecology.
52	<b>WEBSITE MAINTENANCE, UPDATES and REVISIONS</b> (Does NOT include content development.)	2.60	IND 2 (HW B)	To have a website where waste generators, small businesses, and the general public can find current information that is easily understood about hazardous chemicals, pollution prevention, dangerous waste management , and reporting requirements.	The web team works effectively with staff to maintain and add information to our website. Information on our website is current and well written. It contains new information on waste management and P2 for specific business types.

	Categories	Total FTEs	BW Recom/ Milestone	What results do we want to achieve?	What does 09-11 success look like?
53	<b>SYSTEMS DEVELOPMENT, MAINTENANCE, and UPDATES</b> including P3 Tracker, Turbowaste.Net, RCRAInfo, RSVP, HWTRInfo, LSC database, and IT POLICY. (Does not include data entry.)	2.50		Usable and reliable systems aligned with agency standards. Functional, up-to-date reports available when needed.	No major crashes or failures. Systems support program mission and decision-making for better targeting and policies.
54	<b>DATA MANAGEMENT</b> , including GIS, QUALITY ASSURANCE, QUALITY CONTROL. (Does not include data entry.)	0.95		Data queries, reports, and other uses support the program's business needs related to data.	Data is transformed into useful information for program activities, performance measures, and fee collection needs.
55	<b>EMERGENCY PLANNING and COMMUNITY RIGHT-TO-KNOW ACT (EPCRA)</b> , including data entry, Tier 2 and Toxic Reduction Inventory (TRI) presentations, communications strategies with local governments.	2.50		" <i>Chemicals in Washington</i> " online report is developed and distributed annually. Align work closely with HSIEO. Receive Tier 2 reports and provide data to local governments in a format usable by them for emergency planning. Use Tier 2 data to how who is using hazardous materials. Report and receive TRI data on time and provide presentations to community groups. Focus communication strategy on toxic metals.	Hazardous waste and chemical data (type, location, volume, etc.) is readily available to emergency responders, local governments, citizens, and decision makers. Local communities are better prepared to respond to emergencies involving hazardous materials. Tier 2 and TRI information is publicized and updated when new data is available in online <i>Chemicals in Washington</i> report (print-friendly version is also available).
56	<b>HAZARDOUS SUBSTANCE INFORMATION and EDUCATION OFFICE (HSIEO)</b> , including 1-800 Information Phone Line, Pesticide work, and Toxic Free Tips	2.05	IND 14 (IND P, IND Q) and MRW 11	Over 1,000 information requests from citizens and businesses responded to by the Toxic Free Tips hotline and email. "Shoptalk" newsletter transitions to electronic distribution with a subscriber list of 5,000 by 2012. Provide information to communities about hazards. Answer calls and emails in response to citizen inquiries. Increased demand for toxic information from public and schools. Information provided aligns with CAPS as soon as it is available.	A survey shows a higher degree of awareness, an understanding about toxics in products, and more informed purchasing. Fewer products with high toxic content are being purchased.  Survey data leads to refinements of our outreach and education activities and drives decisions to better educate citizens about toxics and hazards in their communities.

	Categories	Total FTEs	BW Recom/ Milestone	What results do we want to achieve?	What does 09-11 success look like?
57	<b>DOCUMENT DEVELOPMENT, REVIEW, AND PRODUCTION</b> , including program documents intended for wide public dissemination, E-publications, and plain talk. (Does not include content.)	2.00		Thirty business publications are created or updated annually, posted to the web for electronic distribution. Produce publications that provide information to support program priorities. Develop new documents and make them available to the public. Develop document information that can also be used as web content. Deliver products on time, readable, and without errors. Produce more positive stories about our work.	Publications team works effectively with program staff to develop new publications. When possible, information developed is used to enhance web content. Publications influence behavior changes that provide positive environmental results. HWTR story is accurately told.
58	<b>ANNUAL REPORTING and FEE ADMINISTRATION</b> for hazardous waste generator and planning fees, including notifications, invoicing, collections, and fee administration.	4.50		4,000 hazardous waste reports from businesses are collected and analyzed yearly. Collect high quality annual dangerous waste reports from all businesses required to report. Assist regulated community with reporting requirements. Timely billing and collection of P2 and Generation fees. All waste generators comply with their dangerous waste reporting requirements.	Fee revenue supports HWTR needs.
59	<b>OTHER</b> , including administration, supervision, translations, training, cross-program teams, marketing.	2.80		Maintain HWTR involvement in relevant agency groups.	Better marketing of agency activities and messages leads to improved communication and coordination across and between programs.
<b>6. Program Management and Administration</b>		<b>6.15</b>			
<i>Program management and administration is not an agency activity. Work captured in this category supports and directs the work of all 5 program activities. The FTEs and cost would be allocated to all five program activities to show the full effort required for each activity.</i>					

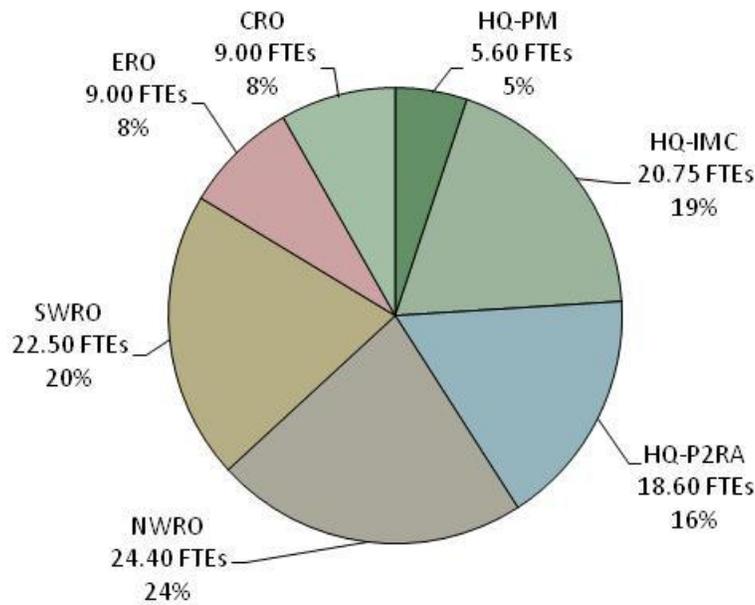
	Categories	Total FTEs	BW Recom/ Milestone	What results do we want to achieve?	What does 09-11 success look like?
61	<b>POLICY and PLANNING</b> , including Performance Partnership Agreement (PPA) with EPA, Program Plan, Beyond Waste updates and data indicators, performance measures, and GMAP.	1.00	DATA 1, 2, 3, 4,5,(DATA A,B, C,D,E,F,G)	Performance measures updated and reviewed by PMT. PPA developed and approved within EPA timeline. GMAP presentations show value of program's work. Complete 5-year update of Beyond Waste Plan. Annual updates to program plan that tie with Beyond Waste Plan. Annual update to Beyond Waste progress report.	HWTR staff and agency management understand how HWTR's work supports agency's priorities. HWTR achieves progress towards Beyond Waste vision and goals. Beyond Waste Plan and program plan drive HWTR activities.
62	<b>FINANCIAL MANAGEMENT</b> , including grants development, grant monitoring, and budget development/monitoring.	1.30		Federal grants are spent according to plan and reports are submitted timely. New grants help establish a sustainable pattern of federal funding that supports program priorities. Spending during 09-11 remains within allotments. Program 11-13 budget requests align with HB1761 report and agency priorities. Final 11-13 agency budget includes HWTR highest priorities.	Increased capacity for compliance and prevention work. Increased funding from federal grants. Section managers manage their budgets.
63	<b>ADMINISTRATION</b> , including program management, section supervision and management, administrative assistants and general clerical support.	3.25		The program accomplishes established activities within section budgets. Staff understand their jobs and have the necessary tools to do them. Managers complete performance reviews on time. Managers and staff achieve results as specified in performance evaluations.	Good working relationships exist between managers and staff. Program meets all performance targets.
65	<b>OTHER</b> , including legislative support.	0.60	IND 13 (IND O)	Agency management, legislative liaison, and key legislative staff understand HWTR positions on relevant legislation. Bill analysis and fiscal notes are completed on time.	The Legislature adopts our supported legislation and provides sufficient resources when necessary.

# Program Organization

The HWTR Program at a glance:

- Approximately 110 direct FTEs.
- About 60 percent are located in four regions (Northwest, Southwest, Eastern, and Central).
- Six sections (two at Headquarters and one in each region).
- See page 20 for program organizational chart.

**Figure 1: HWTR Program Resources by Location (110 FTEs total)**

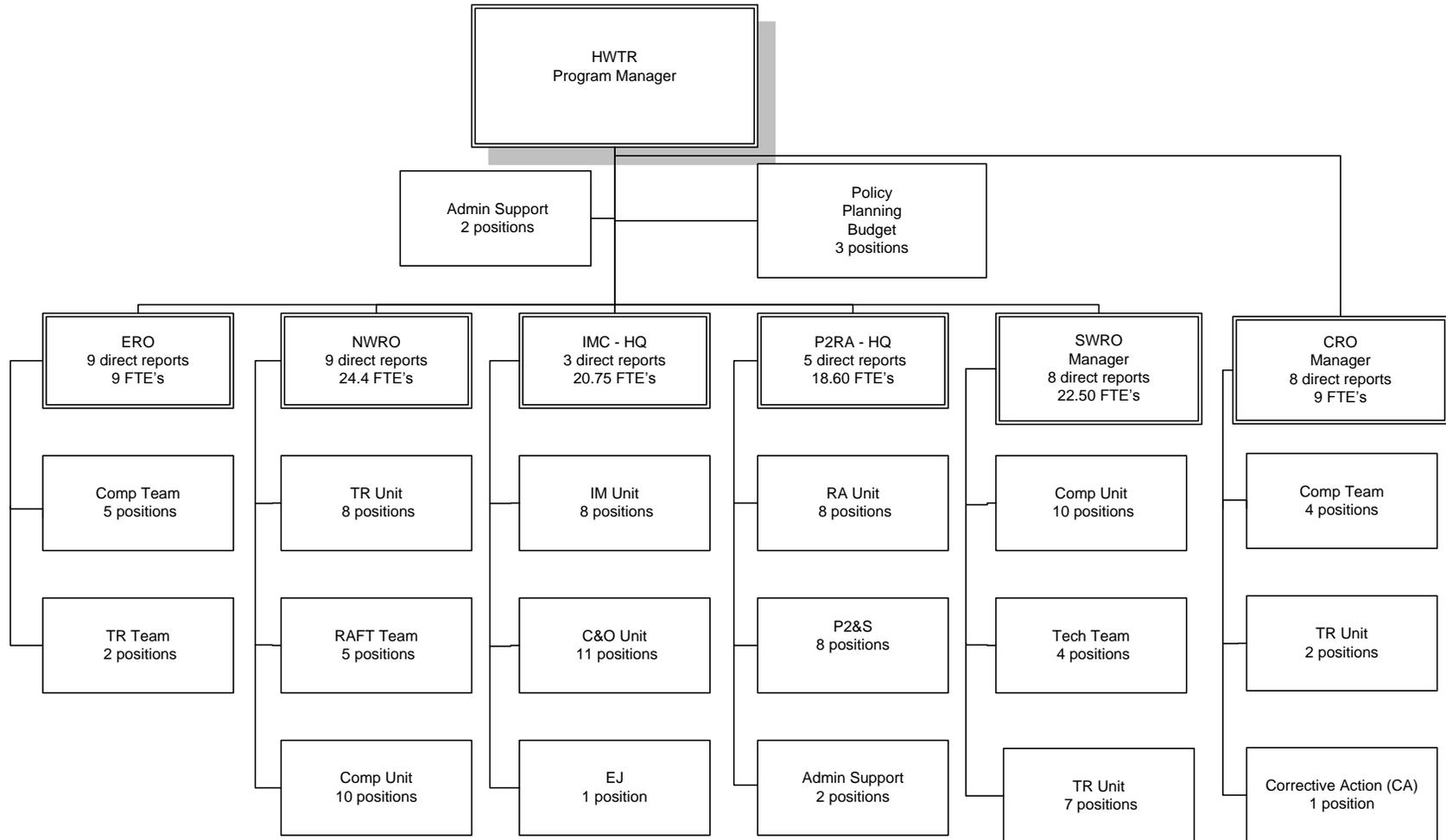


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- Headquarters      45 FTEs, 40% of staff
  - Regional offices    65 FTEs, 60% of staff

The HWTR Program conducts most policy and regulation development, program planning, and data management activities at headquarters. Most implementation activities, such as inspections, permits, enforcement, and cleanup review occur in the regional offices.

HWTR also houses agencywide activities, including Environmental Justice and coordination of the Performance Partnership Agreement with the United States Environmental Protection Agency.

## HWTR Program Organizational Chart November 2009

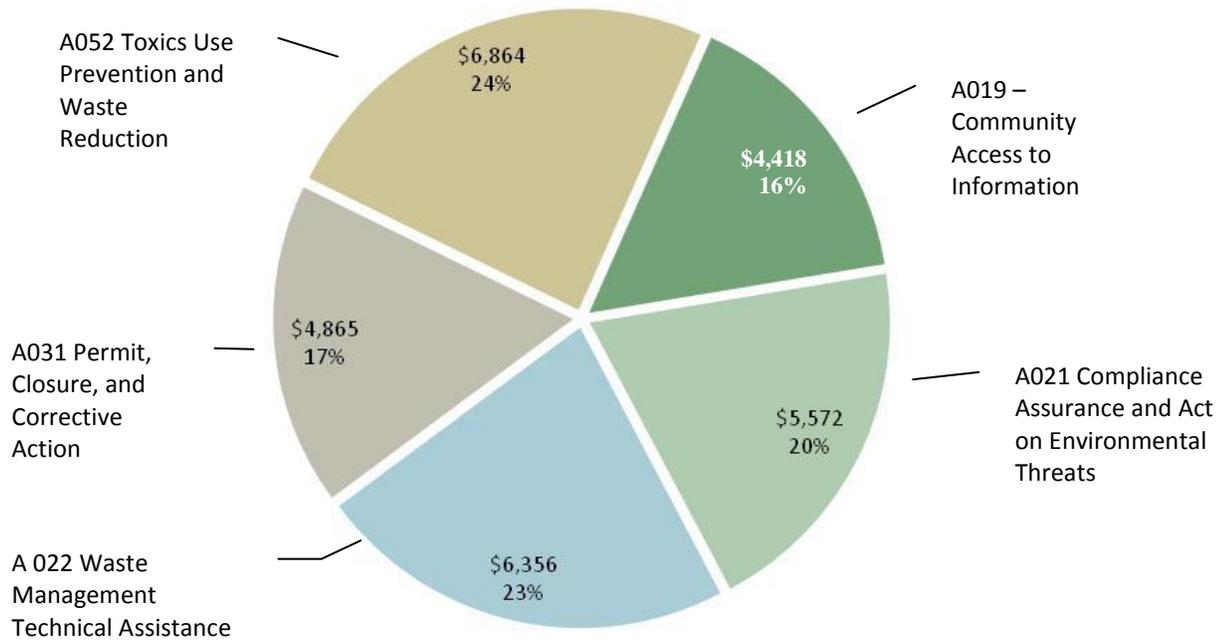


# Program Budget

The HWTR Program budget comes from several fund sources. Budget amounts reflect full program effort, including section and program management. The “A022 Waste Management Technical Assistance” activity includes \$2.3 million planned as payments to local governments through the *Urban Waters* and *Local Source Control* initiatives.

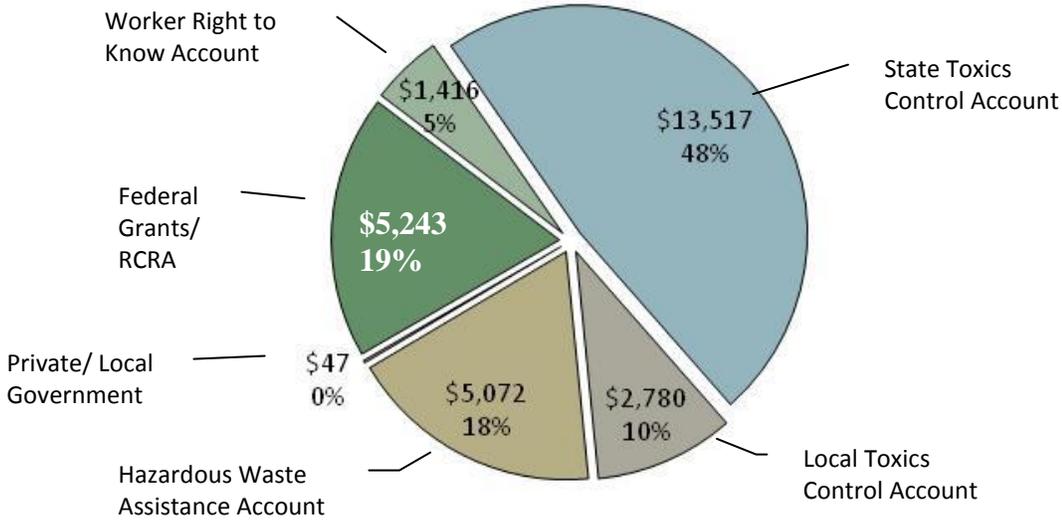
**Total 09-11 Operating Budget = \$28,075,259**

**Figure 2: HWTR Program Budget by Priorities/Activities**



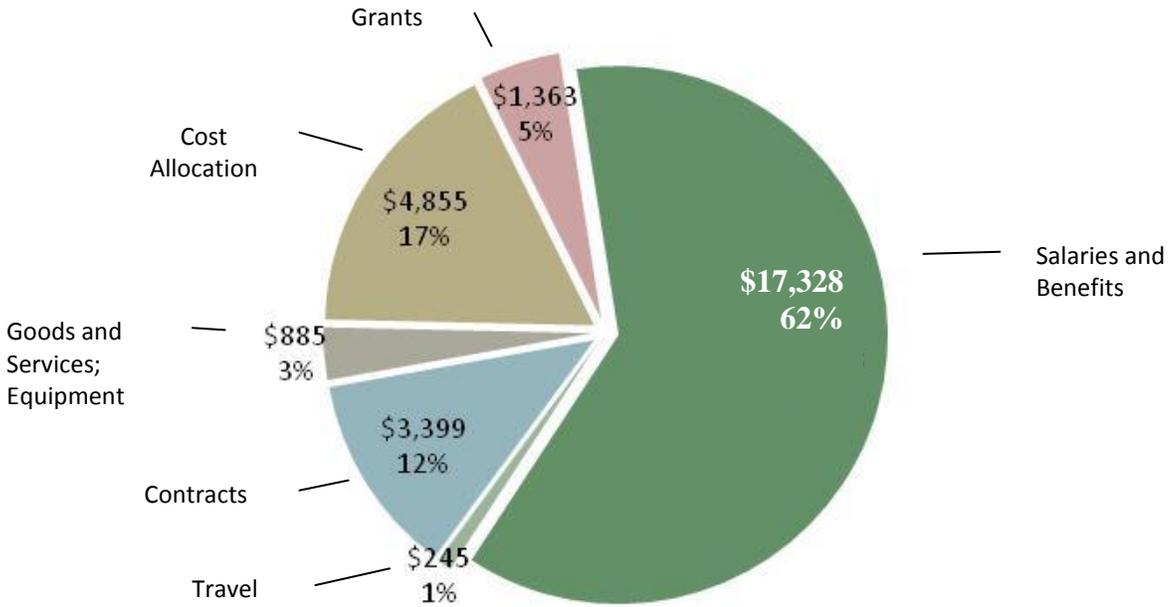
(Thousands of dollars)

**Figure 3: HWTR Program Operating Budget by Funding Source**



(Thousands of dollars)

**Figure 4: HWTR Program Operating Budget by Object**



(Thousands of dollars)

# Principle Authorities used by the HWTR Program

## State Laws

- Hazardous Waste Management Act – RCW 70.105 (1976)
- Solid Waste Act (Waste Reduction and Recycling) – RCW 70.95C (1980)
- Hazardous Substance Information Act – RCW 70.102 (1985)
- Hazardous Waste Cleanup (MTCA) – RCW 70.105D (1989)
- Worker and Community Right-to-Know Act – RCW 49.70 (1986)
- Hazardous Waste Reduction Act – RCW 70.95
- Hazardous Waste Fees – RCW 70.95E
- Fertilizer Regulation Act – RCW 15.54

## Federal Laws

- Resource Conservation and Recovery Act (1980)
- Emergency Planning and Community Right-to-Know Act (1986)

## State Regulations

- Dangerous Waste Regulations – WAC 173-303 (2005)
- Hazardous Waste Fees – WAC 173-305 (1992)
- Pollution Prevention Plans – WAC 173-307 (1991)
- Hazardous Chemical Emergency Response Planning and Community Right-to-Know Reporting – WAC 118-40 (1988)

## Hazardous Waste and Toxics Reduction Program FY 2010-2011 Program Plan

*Program Mission: Foster sustainability, prevent pollution and ensure safe waste management*

Activity	2009-11 Results	09-11 Performance Measures (OFM Code)	09-11 Performance Measures and Targets
Improve Community Access to Hazardous Substance and Waste Information (A019)	<p>Hazardous waste and chemical data (type, location, volume, etc.) is readily available to emergency responders, local governments, citizens, and decision makers.</p> <ul style="list-style-type: none"> <li>• "Chemicals in Washington" online report is developed and distributed annually.</li> <li>• Over 1,000 information requests from citizens and businesses responded to by the Toxic Free Tips hotline and email.</li> <li>• "Shoptalk" newsletter transitions to electronic distribution with a subscriber list of 5,000 by 2012.</li> <li>• Thirty business publications are created or updated annually, and posted to the web for electronic distribution. Four thousand hazardous waste reports from businesses are collected and analyzed yearly.</li> </ul>	Number of visits to hazardous waste websites. (HW05)	<p>Number of visits to Ecology's HWTR Program website. (HW05)</p> <p>Target: 90,000/quarter for FY10 and 100,000/quarter for FY11</p>
Increase Compliance and Act on Environmental Threats from Hazardous Waste (A021)	<p>Facility compliance in managing hazardous wastes is improved for the protection of public health and the environment.</p> <ul style="list-style-type: none"> <li>• 320 compliance inspections are conducted annually (including 15 TSD facilities and 70 large quantity hazardous waste generators).</li> <li>• An average of 180 complaints regarding hazardous wastes or substances are responded to.</li> <li>• More facilities, including TSD facilities, achieve and stay in compliance with regulatory requirements.</li> </ul>	Number of significant hazardous waste environmental threats resolved. (HW03)	<p>Number of significant toxics-related threats* resolved. (HW03)</p> <p>Target: 40/quarter (based on running average of last 6 quarters )</p> <p>NEW: Percentage of facilities with a significant toxics-related threat found during a compliance inspection (HW20)</p> <p>Target: 41.5% for FY10; 39% for FY11. Baseline 5-year running average is 44%. Long-term reduction goal is 22% by 2019</p> <p>* Significant toxics-related threats include major hazardous waste violations (hazardous materials spills, illegal disposal, failure to designate hazardous waste and poor container management) as well as</p>

Activity	2009-11 Results	09-11 Performance Measures (OFM Code)	09-11 Performance Measures and Targets
			stormwater violations per RCW 90.48
Increase Safe Hazardous Waste Management Through Technical Assistance (A022)	<p>Pollution prevention is encouraged, hazardous waste is safely managed, the public is protected, and businesses comply with state hazardous waste laws.</p> <ul style="list-style-type: none"> <li>• 400 toxics-related technical assistance visits are conducted each year, helping businesses determine how to safely manage their hazardous wastes and reduce the use of toxic chemicals.</li> <li>• Businesses get help determining how to reduce their use of toxic chemicals.</li> <li>• More facilities achieve and stay in compliance with regulatory requirements.</li> </ul>	Number of waste reduction technical assistance visits to prioritized business sectors. (HW02)	<p>NEW: Number of toxics-related technical assistance visits (HW21)</p> <p>Target: 180/quarter, based on historical average from last 6 quarters.</p> <p>NEW: Number of Ecology-funded small business technical assistance visits conducted by local government. (HW22)</p> <p>Target: 500/quarter</p> <p>NOTE: Up to 2,000 businesses per year get visits from local government staff to explain hazardous waste requirements.</p>
Prevent Hazardous Waste Pollution Through Permitting, Closure, and Corrective Action (A031)	<p>Facilities that treat, store, or dispose of hazardous wastes are constructed and operate properly to prevent soil, water, or air contamination.</p> <ul style="list-style-type: none"> <li>• Protective permits for facilities that treat, store, or dispose of hazardous wastes are issued in a timely manner.</li> <li>• Eight percent annual increase in the overall cleanup at 39 selected TSD facilities.</li> <li>• Proper financial assurance requirements are in place at used oil processors and recyclers to fund potential future cleanups at abandoned facilities.</li> </ul>	Percent progress toward completed corrective action. (HW04)	<p>SAME: Percent progress toward completed corrective action. (HW04)</p> <p>[Updated target: EPA has changed the type and number of facilities tracked by this measure. Formerly we tracked 27 high-priority facilities in EPA Corrective Action Baseline; that baseline has changed to include 22 high-priority facilities and 17 medium- and low-priority facilities, for a total of 39 facilities tracked. Because we have made less cleanup progress on these medium and low priority facilities, our percent completion drops from 78% to a <b>new baseline of 69% with the same annual 6% increase targeted</b>. We expect 100% completion of these 39 facilities before 2020.]</p>
Reduce the Generation of Hazardous Waste and the Use of Toxic Substances through Technical Assistance	<p>Hazardous waste generation is reduced by two percent each year (approximately 5 million pounds), resulting in cleanup and disposal cost savings for businesses, reduced public exposure, and fewer cleanups.</p> <ul style="list-style-type: none"> <li>• Work with 500 pollution prevention (P2) planners,</li> </ul>	<p>Annual pounds of hazardous waste generated (in millions). (HW01)</p> <p>Number of businesses that have changed their processes to reduce</p>	<p>SAME: Annual pounds of hazardous waste generated (in millions). (HW01)</p> <p>[Target unchanged; remains at 2% annual reduction.]</p>

Activity	2009-11 Results	09-11 Performance Measures (OFM Code)	09-11 Performance Measures and Targets
(A052)	<p>including up to 70 businesses to reduce greenhouse gases and toxics metal use.</p> <ul style="list-style-type: none"> <li>• Provide assistance to 40 state agencies to reduce energy use 3% per year (in support of new greenhouse gas law).</li> <li>• Provide support to other Ecology programs to implement the Children’s Safe Product Act and Lead CAP, and develop the polycyclic aromatic hydrocarbon (PAH) CAP.</li> <li>• Develop a clear system for pollution prevention (p2) planners to report their use of toxic chemicals.</li> <li>• Increase the number of P2 suggestions implemented by clients.</li> </ul>	<p>hazardous waste. (HW10)</p> <p>Tons of hazardous waste generated from businesses that have changed their processes to reduce hazardous waste. (HW11)</p> <p>Pounds of mercury collected and/or captured. (HW12)</p> <p>Pounds of mercury collected and/or captured from dental offices. (HW13)</p> <p>Pounds of mercury collected and/or captured from the recycling of auto switches. (HW14)</p> <p>Pounds of mercury collected and/or captured from hospitals. (HW15)</p> <p>Pounds of mercury collected and/or captured from fluorescent bulbs. (HW16)</p>	<p>SAME: Pounds of mercury collected and/or captured. (HW12)</p> <p>[Updated target: 1,000-pound reduction in FY10; 900-pound reduction in FY11.]</p> <p>NEW: Annual pounds of hazardous materials reduced (HW023)</p> <p>[Target: 2 percent annual reduction.]</p>

## Acronym List

AAG	Assistant Attorney General	IT	Information Technology
APR	Annual Plan Reviews	LSC	Local Source Control
BW	Beyond Waste	MRW	Moderate Risk Waste
C&O	Communication and Outreach	MTCA	Model Toxics Control Act
CA	Corrective Action	NWRO	Northwest Regional Office
CAP	Chemical Action Plan	OFM	Office of Financial Management
CRO	Central Regional Office	ORG	Organic
DAR	Delinquent Annual Reporters	P2	Pollution Prevention
EJ	Environmental Justice	P2&S	Pollution Prevention and
EMS	Environmental Management System	P2RA	Pollution Prevention & Regulatory Assistance
EPA	Environmental Protection Agency	P3	Pollution Prevention Planning
EPCRA	Emergency Planning & Community Right to Know Act	PAH	Polycyclic Aromatic Hydrocarbon
EPP	Environmental Preferable Purchasing	PBT	Persistent, Bioaccumulative, Toxic
ERO	Eastern Regional Office	PMT	Program Management Team
FTE	Full Time Equivalent	PPA	Performance Partnership Agreement
FY	Fiscal Year	PPIP	Pollution Prevention Improvement Project
GB	Green Building	RA	Regulatory Assistance
GHG	GreenHouse Gas	RAFT	Remedial Action cross-Function Team
GIS	Geographic Information System	RCRA	Resource Conservation & Recovery Act
GMAP	Government Management Accountability & Performance	RCW	Revised Code of Washington
HB	House Bill	RSVP	Revised Site Visit Program
HQ	Headquarters	SWRO	Southwest Regional Office
HSIEO	Hazardous Substances Information & Education Office	TA	Technical Assistance
HW	Hazardous Waste	TR	Toxics Reduction
HWTR	Hazardous Waste & Toxics Reduction Program	TR Net	Toxics Reduction Network
IC2	Interstate Chemical Clearinghouse	TRAC	Toxics Reduction Advisory Committee
IGC	Increased Generator Contact	TREE	Technical Resources for Engineering Efficiency
IM	Information Management	TRI	Toxics Release Inventory
IMC	Information Management & Communication	TSD	Treatment, Storage, and Disposal
IND	Industry	WAC	Washington Administrative Code
		WMS	Washington Management System
		WRR	Waste Reduction and Recycling