

# Chapter 11

## MODERATE RISK WASTE PLAN

### Background

The first *Moderate Risk Waste Management Plan* for Clark County was developed in 1988 in response to RCW 70.105.220, requiring all local governments to implement moderate risk waste (MRW) plans. Moderate risk waste has been specifically defined by RCW 70.105.010 (13) to mean:

- Any waste that exhibits any of the properties of hazardous waste but is exempt from regulation under RCW 70.105, solely because the waste is generated in quantities below the threshold for regulation.
- Any household wastes that are generated from the disposal of substances identified by the department as hazardous household substances.

Moderate risk waste can be hazardous to human health, wildlife, or the environment, but it is conditionally (or categorically) exempt from the State's *Dangerous Waste Regulations, Chapter 173-303 WAC*. Moderate risk waste includes hazardous (toxic, corrosive, flammable, and reactive) wastes generated by households [referred to as household hazardous waste (HHW)] and by businesses which generate only limited quantities of hazardous waste (referred to as small quantity generators (SQGs)). Common examples of MRW include paint, pesticides, solvents, antifreeze, cleaners, drain opener and hobby chemicals.

Since HHW and SQG hazardous wastes are conditionally exempt from the State's hazardous waste regulation, they are primarily regulated by local governments as a solid waste. However, in order to qualify as a SQG, a business must first determine if it meets the State's Quantity Exclusion Limit (QEL). The QEL identifies a business' regulatory status by measuring the amount of hazardous waste it generates. If the QEL is met, then a business is a Small Quantity Generator (SQG). SQGs are conditionally exempt from the State's hazardous waste regulations and are regulated by a set of reduced dangerous waste regulations. The QEL ifor SQG's is 220 pounds total for all regulated wastes generated on site for one month or 2,200 pounds total for all regulated wastes (not more than 2.2 pounds of Extremely Hazardous Waste can be part of the 220 pound total).

The first MRW Plan designated the Southwest Washington Health District (now Clark County Public Health) as lead implementation agency for the MRW Plan. It was adopted by all jurisdictions within Clark and Skamania Counties and by the Health District's Board of Health; it was subsequently approved by the Washington Department of Ecology in 1989. As lead agency, the Health District had responsibility, until 1997, for the coordination and implementation of all elements of the first MRW Plan, except for the operation of the household hazardous waste collection facilities. In 1997, the MRW Plan was amended to have Clark and Skamania Counties assume the roles of lead agency for their respective counties.

Moderate risk waste programs in Clark County have taken a variety of forms since the 1989 MRW Plan was implemented. Some activities have been combined with solid waste information programs, such as general waste management publications and handouts. Other activities have specifically targeted moderate risk waste from households and small quantity generators. Collection programs include collection events in 1990-1993, HHW fixed facility operation since 1993, satellite HHW collection since 1998, used oil collection drop-off centers since 1992, curbside collection of used oil throughout the urban service area since 1992, Home HHW collections for eligible seniors and residents with disabilities since 2000, computer and other e-waste collection opportunities since 2003, and controlled substance collections since 2003.

The overall goal of the 1989 MRW Plan was to reduce the amount of hazardous waste in the County's solid waste stream and in wastewater treatment systems by reducing the amount of HHW and SQG hazardous waste being improperly disposed. MRW programs initially focused on disposal of hazardous waste in the solid waste stream.

Because of the County's reliance on ground water for drinking water, this focus evolved to address surface and ground water quality protection and non-point source pollution prevention.

Originally written as a 5-year regional plan, the MRW Plan was incorporated into the *Comprehensive Solid Waste and Moderate Risk Waste Management Plan* adopted the Moderate Risk Waste chapter which was prepared according to the *Guidelines for Development of Local Hazardous Waste Plans* (Washington Department of Ecology #10-07-006).

## Legal Authority

Legal authority for the Program is based on Washington State statute and [Clark County Code Title 24.12](#). Federal law exempts household hazardous waste (HHW) and small quantity generators (SQGs) from federal regulation.

The 1976 Resource Conservation and Recovery Act (RCRA) makes the management of hazardous waste a priority. While it addresses large generators of hazardous waste, RCRA exempts SQGs and HHW from regulation at the federal level. It also delegates the management of hazardous wastes to the states, at their request. In Washington State, the management of hazardous waste was delegated to the Washington State Department of Ecology (Ecology) by the United States Environmental Protection Agency (EPA) through the RCRA State Authorization rulemaking process.

Hazardous wastes in Washington State are primarily regulated under [RCW 70.105, the Hazardous Waste Management Act of 1985](#), and as amended. In the case of our Program, RCW 70.105.220(1)(a) specifically directed local governments to develop plans to address moderate-risk wastes (MRW). It also required waste characterization studies to help develop a locally appropriate system of managing MRW that would ensure the protection of the environment and public health.

Requirements for the collection and disposal of MRW are set forth in WAC 173-350 Solid Waste Handling Standards. This regulation specified the minimum functional standards for the design and operation of MRW storage and processing facilities, including spill containment, employee training, emergency planning, control of toxic and flammable vapors, and container management. This section describes key provisions of the federal laws address hazardous materials and wastes.

### Federal Regulations

#### Resource Conservation and Recovery Act

The [1976 Resource Conservation and Recovery Act](#) (RCRA) provides a comprehensive framework for managing solid and hazardous waste so as to eliminate or minimize public health threats and environmental contamination. RCRA was modified by the [Hazardous and Solid Waste Amendments](#) (HSWA) in 1984. HSWA revised the minimum technical standards for the design and operation of solid waste facilities as a result of concerns about the disposal of unregulated quantities of hazardous waste at municipal landfills.

RCRA Subtitle C, the hazardous waste management program, and Subtitle D, the solid waste program, provide the primary sources of federal regulation associated with household and SQG hazardous waste. Subtitle C establishes a framework for managing hazardous waste by regulating generators who produce and accumulate hazardous waste in quantities above limits specified by EPA or state rules; waste transporters; and treatment, storage and disposal facilities (TSDs) handling the waste.

Hazardous waste generated or stored in quantities above the limits specified by EPA or state rules must be tracked by manifest from the point of generation to the ultimate disposal site, better known as "cradle-to-grave" tracking. Business and institutional

generators producing and storing hazardous wastes below the specified limits are not fully regulated provided that they comply with rules regarding the designation, management and reporting of wastes. HHW is categorically exempt from RCRA regulation.

The EPA implements and enforces RCRA, although Subtitle C administration and enforcement may be delegated to states that meet or exceed Subtitle C requirements. Washington State has been authorized to implement the RCRA Subtitle C program, and Ecology administers it. RCRA, Subtitle D, encourages state-governed solid waste management plans and sets out the minimum technical standards for construction and operation of solid waste disposal facilities. Subtitle D requires a permit program to ensure that landfills receiving HHW and SQG hazardous waste meet minimum standards to prevent the release of contaminants.

### **Universal Waste Rule**

In 1995, the EPA adopted the [Universal Waste Rule, 40 CFR Part 273](#), to allow generators of certain hazardous wastes to use alternative regulatory requirements for those wastes in place of the more complex hazardous waste requirements. Wastes covered by the Universal Waste Rule (UWR) are typically generated in small quantities by numerous businesses. They include batteries, mercury bearing thermostats and fluorescent lamps. UWR are intended to promote recycling as well as proper disposal, and they ease some of the regulatory requirements for storing, collecting, and transporting universal wastes.

Since states are free to adopt any portion of the UWR, there is flexibility in regulating the specific waste streams. States may also petition to allow additional wastes to be managed under the UWR at the state level, without having them added to the list of federal universal wastes. The easing of full RCRA Subtitle C regulations for certain universal wastes is intended to encourage more extensive collection and recycling programs for these wastes.

### **Comprehensive Environmental Response, Compensation, and Liability Act**

The [Comprehensive Environmental Response, Compensation and Liability Act \(CERCLA\)](#), more commonly known as the "Superfund" act, complements RCRA by providing for the cleanup of sites contaminated by hazardous waste. Many of the sites addressed under CERCLA are inactive or abandoned, having been contaminated before RCRA was enacted, when little was known about the effects of hazardous chemicals on human health and the environment. CERCLA provides EPA with the financial resources and authority to clean up contaminated sites. EPA, along with state regulatory agencies, may arrange for the cleanup of contaminated sites by entering into agreements with responsible parties, issuing orders to require cleanup, or directly performing the cleanup.

## **State Laws & Rules**

### **Model Toxics Control Act**

The [Model Toxics Control Act, RCW 70.105D](#), provides for the identification and cleanup of contaminated sites in Washington State. The act assigns liability for damages to the environment and human health, provides enforcement authority to Ecology, and establishes penalties for failure to comply with Ecology orders. The state toxics control account, created by the statute, funds state hazardous and solid waste planning, enforcement and technical assistance, remedial actions, public education, and emergency response training. Local accounts created by the statute provide grants to local governments for remedial actions and local solid waste and hazardous waste programs.

### Used Oil Recycling Act

The 1991 Used Oil Recycling Act, Chapter 70.95I RCW, required each local hazardous waste management plan to establish used oil collection sites based on local goals, enforce sign and container requirements, educate the public on used oil recycling, and create funding estimates for used oil collection. Local governments must also submit annual reports to Ecology describing the number of collection sites and amounts of used oil collected from households. Requirements for transport, treatment, recycling and disposal of used oil are also specified in the Used Oil Recycling Act.

### Electronic Product Recycling Act

In 2006, the Washington legislature passed the Electronic Product Recycling Act, RCW 70.95N, requiring a convenient, safe and environmentally sound system for collecting and transporting covered electronic products. Covered electronics include televisions, computers, computer monitors and portable or laptop computers. Manufacturers must finance the collection, transportation and recycling system. Regulations set by Ecology in WAC 173-900 govern program implementation.

The E-Cycle Washington program, launched January 1, 2009, provides recycling for unwanted TVs, monitors, computers and laptops from residents, small businesses, charities, school districts, and small governments. The system is available at no charge at registered collection sites throughout Washington.

## Assessment of Conditions

Clark County's Department of Environmental Services, through its Solid Waste and Environmental Education Division, has responsibility for long term moderate risk waste planning and facility development within the County. Through this authority the County provides regional coordination and services to cities, other agencies, and the unincorporated areas of the county. In addition to preparing and updating the *Moderate Risk Waste Plan*, the county contracts for household hazardous waste collection and disposal services, promotes waste reduction, provides a variety of educational efforts throughout the county, and contracts for residential recycling collection which includes management of used motor oil, antifreeze and household batteries.

### Waste Characterization Studies

Waste characterization studies were conducted in 1993, 1996, 1999, 2003 and 2008 at the two in-county transfer stations; the waste characterization study for 2012 included the third transfer station located in Washougal). Information on the hazardous waste stream provided by the waste characterization study does not have the same level of statistical certainty due to the smaller quantities and greater variability of hazardous materials in the waste stream compared to non-hazardous materials. Although the



**Table 11.1 Hazardous Waste Disposed (Tons)\***

Generator Group	1993	1996	1999	2003	2008	2012
Residential Single Family	1,204	313	472	522	500	200
Residential Multi-Family	649	86	306	595	50	193
Residential Self Haul	345	273	894	360	180	115
Commercial Self Haul	883	93	211	0	70	23
Commercial	201	479	972	1,176	480	130
Commercial Compactors	n/a	n/a	n/a	n/a	980	163
<b>TOTALS</b>	<b>3,282</b>	<b>1,244</b>	<b>2,855</b>	<b>2,653</b>	<b>2,260</b>	<b>824</b>

\* Does not include electronic waste

relative percentage of HHW in the entire waste stream has always been relatively small, as Table 11-1 depicts, there has been a noticeable decline over the last fifteen years by all categories of residential generators. In order to improve programs, data must be accurately measured and used consistently.

### Waste Monitoring and Performance Measurement

The amounts of hazardous wastes collected at fixed collection facilities and satellite collection events are in *The Solid Waste Data Report* in *Appendix J*, listed by year, collection site, hazard class, material type and disposal option. All hazardous wastes amounts that are recycled or recovered are included in the diversion rate are also in *Appendix J*.

## Household Hazardous Waste Collection Programs

### Electronics Collection Program

Computer reuse and recycling began as a community partnership which included the City of Vancouver and Columbia Resource Company (CRC). The first two-day collection event was held in June 2001. The results of the initial collection event prompted a second collection event in January 2002. These events were designed to collect only reusable computers and monitors that could then be donated to community members who would benefit from their use. The second event was sponsored by the County, City of Vancouver and Columbia Resource Company with help from Hewlett-Packard, the Ridgefield Lions, La Center School District, Tuscarora, and Oregon StRUT. As a result of this event, almost 60 computers were refurbished and then distributed to the local community by the Salvation Army; Vancouver Rotary Club; Consumer Voices are Born; and, other organizations.

In 2002, Computer Reuse and Marketing (CREAM) was developed as a regional program sponsored by Clark County Department of Public Works, City of Vancouver Solid Waste Services, Clark Community College, Clark County Sheriff's Office Work Center, Clark County Salvation Army and Columbia Resource Company. Beginning in January 2003, CREAM established permanent collection sites within the county for e-waste and began several annual satellite collection events. Although CREAM's primary goal was to collect and refurbish computers for resale, it was anticipated that most of the material donated would not be suitable for reuse. CREAM took great care to ensure that those materials not suitable for reuse were recycled in a responsible manner.

From January 1, 2002 through December 31, 2008, CREAM provided 231 computer units to residents of Clark County; collected more than 17,000 computer components from approximately 24,000 residents; and diverted more than 4 million pounds of material from the landfill. Of the material diverted, 84% was recycled (almost 3.5 million pounds).

In 2006, The Washington Department of Ecology adopted 173-900 WAC requiring computer and television manufacturers to provide consumer-convenient recycling of their covered electronic products (CEPs) throughout the state. Covered electronic products, or CEPs, are computers, televisions, computer monitors, and portable or laptop computers used by households, small governments, small businesses, and charities.





On October 5, 2007 the Washington Department of Ecology adopted amendments to WAC 173-900 and to WAC 173-303 *Dangerous Waste Regulations*. These rules impact the sale and recycling of CEPs in Washington State. On January 1, 2009, Washington's *Electronic Product Recycling rule (WAC 173-900)* required manufacturers of CEPs sold in Washington State to establish a system that provided for the recycling of these products at no cost to households, small businesses, charities, school districts, and small governments. CEPs were originally computers, televisions, computer monitors, and portable or laptops; in 2011 electronic readers (E-readers) were added to the list of CEPs.

As a result of the implementation of the State E-Cycle Program, CREAM was incorporated as a non-profit in Washington State in June 2008. Although CREAM changed its name to Empower Up in 2010, the mission remains the same as the CREAM program and the organization continues to perform the community services; collecting and processing e-waste, and refurbishing usable computer systems. The organization expanded its operations to include a reuse store and a fixed drop off facility for unwanted computers, computer related material and other electronic items. All collected items are processed and then recycled and/or reused. Volunteers are a key component of this organization.

Materials that have been collected from disassembled computers are evaluated as to their reuse value; items that have no reuse value are recycled or disposed of as appropriate. All recycled materials are recycled through local vendors.

As part of the transition from a government funded program to a non-profit, Clark County Solid Waste agreed to contract with the non-profit to continue to provide collection, refurbishing and distribution services for 3 years. The contract expired on December 31, 2011.

**Curbside Collection of HHW**

Clark County has collected waste oil curbside since 1992; in 2003, used antifreeze and household batteries were added to the curbside collection program. Detail information on the amount of waste collected in this program is in *Appendix J Data Report*.

**Home Collection Program**

In 2001 Clark County signed an agreement with Curbside Incorporated to establish a pilot program for the collection and transportation of household hazardous waste from eligible seniors and residents with disabilities. In 2002, the pilot program was added to the County's HHW Satellite Collection Program with Philip Services Corporation. In 2009 a contract to operate a program to collect household hazardous waste (including home collections, satellite collections and paint transportation from participating paint stores) was signed with Philip Services Corporation.

**Education**

Brochures and other publications about managing household hazardous waste have been distributed to Clark County residents since 1990. Household hazardous waste educational presentations have been offered to Clark County residents since 1992. In addition, school presentations have been made to students from third grade through college level. Information is also distributed through the Columbia Springs Environmental Education Center, which has incorporated household hazardous waste information into its volunteer and public education programs. Local residents have also been informed about household hazardous waste through portable displays, available since 1992, and through presentations at community events such as the City of Vancouver's



“Recyclingist Neighborhood” trainings. Storm drain stenciling equipment has been made available to students, neighborhood associations, scout groups and other community groups since the MRW program was implemented. A brochure targeting lead in the environment (lead shot, sinkers, wheel weights, batteries, etc.) was developed in 2008. Refer to *Chapter 5 Education and Promotion* for more information about hazardous waste education. Information and brochures may also be reviewed online at [www.clark.wa.gov/recycle](http://www.clark.wa.gov/recycle).

### Paint Take Back Program

In 2004, a Paint Take Back Program was established for residents to recycle unused and unwanted paint and paint-related products free of charge at local paint stores. Latex paint collected at the participating paint stores is either recycled as new paint or reused as a concrete additive; oil base paints and paint related products are reused as an alternative fuel.

On July 23, 2009, the State of Oregon launched the nation’s first manufacturer-financed system for the end-of-life management of leftover architectural paint. Architectural paint includes both oil-based and latex paints used for the interior and exterior of buildings that is sold in containers of 5 gallons or less.

There are several states that have enacted product stewardship legislation for paint in the U.S. and many provinces in Canada. Typically, the paint manufacturer finances and provides the take back program via a product stewardship organization such as Paint-Care. An “assessment” is included in the price of the product that the consumer pays when they buy their paint. The manufacturer is responsible for meeting specific performance goals such as providing convenient, accessible collection locations throughout the state. Local and state governments help to publicize the program while retailers and consumers take an active role in ensuring that paint is properly recycled.

### Medication Take Back Program

The disposal of unwanted medications by placing them in the garbage or flushing them down the toilet can pose a threat to human health and the environment. In 2003, Clark County Solid Waste with the support of the Washington State Pharmacy Board developed a Medications Take Back Program for controlled and non-controlled substances.

In Clark County, non-controlled substances are collected at participating pharmacies, HHW fixed facilities and HHW satellite collections; controlled substances are collected by local law enforcements agencies at Clark County Sheriff’s Office West Precinct, Central Precinct, and Administrative Headquarters; Battle Ground Police Department (2007); Camas Police Department (2006), La Center Police Department (2006), Ridgefield Police Department (2007), and Vancouver Police Department (2009) and Washougal Police department (2007); in February 2010 the Vancouver Police Department withdrew from the program.

In September 2010 the first DEA sponsored drug take back event was held in Clark County; the collection event was conducted through a partnership between Clark County Sheriff, Clark County Environmental Services and PREVENTS Coalition of Clark County. Similar DEA sponsored collection events were held in 2011 and 2012; the DEA has indicated that there will be sponsoring two events annually.



In 2005 Clark County Solid Waste and the Clark County Sheriff’s Department were honored with the Innovation Program Award by the North America Hazardous Materials Management Association in recognition of the County’s pioneering Controlled Substance Collection Program. Efforts are underway at both the State and National levels to require and implement Medication Take Back programs and look to Clark County as a leader.

## Satellite Collection Events

The first collection events were held prior to the opening of the fixed HHW collection facilities in 1993. These events educate on the need to properly dispose of HHW and provide collection opportunities for some more rural areas of the County.

## Permanent Collection Sites

Two fixed household hazardous waste collection facilities opened in 1993 in Clark County; Central Transfer and Recycling opened in January, West Van Materials Recovery Center opened in March. Both facilities are owned by Columbia Resource Company and operate under contract to Clark County. Both were recently upgraded and both accept up to 220 pounds or 25 gallons of household hazardous waste per visit at no charge. In 2001 Clark County entered into a contract with Philip Services Corporation (PSC) to collect household hazardous waste at the PSC facility located at 625 S. 32nd Street in Washougal. In 2009, a household hazardous waste collection facility was opened at the new Washougal Transfer Station located at 4020 South Grant Street in Washougal. In conjunction with the new HHW facility opening at the Washougal Transfer Station, the collection site at Philip Services Corporation in Washougal stopped collecting HHW from county residents, except for special conditions (e.g., size of containers). Detail information on the amount of waste collected in this program is in *Appendix J* Data Report.

## Re-Refined Oil

Clark County continually promotes the purchase of re-refined motor oil and developed a purchasing preference for all types of recycled products, including motor oil. City of Vancouver, Clark County, C-Tran, and some school districts use re-refined oil in their vehicles. Several automotive shops in the community currently market re-refined oil for retail sales and for use in on-site oil changes.

## Used Oil Drop-Off Collections

Clark County residents can drop off used motor oil at various sites around the county, including private businesses (such O'Reilly Auto Parts); the three transfer stations in Vancouver; HHW satellite collections, and county-sponsored drop-off station in Yacolt.

## Used Oil Recycling

An ordinance requiring point-of-purchase signs and reusable oil containers at oil retailers was completed in 1994 when the Board of Health adopted Ordinance 94-01, the *Used Oil Recycling and Disposal Ordinance*. The ordinance establishes fines for the improper disposal of used oil and requires retailers to post oil-recycling information and provide reusable containers.

## Light Recycle Washington



On January 1, 2015 the [Washington State fluorescent light stewardship program](#) will begin collecting mercury-containing lights from residents across the state. And as of January 1, 2013 it will be illegal, as mandated by [RCW 70.275.010](#), to toss mercury-containing lights into the trash. The collection system established will create a network of collection sites throughout the state that could include retailers, utilities, solid waste haulers, charities, household hazardous waste (HHW) facilities, processing facilities and recyclers. Collected products will be transported to appropriate facilities for recycling.

Ecology has contracted with *Product Care USA* to work with stakeholders and implement this program. The program will accept end-of-life mercury-containing lights from "Covered Entities," defined as single-family and multi-family household generators and persons that deliver no more than ten mercury-containing lights to registered collectors on any given day. The system will reduce the improper disposal of spent mercury lighting which releases mercury that threatens human health and the environment.

On March 31, 2014 Senate Bill 6501 (concerning used oil recycling) was signed by Governor Inslee. This bill amended sections of RCW 70.951.020 and 030 of the Used Oil Re-



cycling law. The changes to the law require Ecology, by July 1, 2015, to develop best management practices (BMPs) for preventing and managing polychlorinated biphenyl contamination at public used oil collection sites. Additionally, Ecology must also update the guidelines for public used oil collection sites by July 1, 2015.

The updated guidelines must include the best management practices for prevention and management of contaminated used oil and a process for how to petition the legislature for relief of extraordinary costs incurred with the management and disposal of contaminated used oil.

In developing the BMPs for preventing and managing polychlorinated biphenyl (PCB) contamination at public used oil collection sites, the legislature directed Ecology to address, at a minimum: (i) Tank testing requirements; (ii) Contaminated tank labeling and security measures; (iii) Contaminated tank cleanup standards; (iv) Proper contaminated used oil disposal as required under chapter 70.105 RCW and 40 C.F.R. Part 761; (v) Spill control measures; and (vi) Model contract language for contracts with used oil collection vendors. This law also requires local jurisdictions to include a plan for addressing the BMPs developed by Ecology in their local hazardous waste plans. Clark County acknowledges these planned new guidelines and BMPs.

## Small Quantity Generators

### Generators



Of the approximately 10,000 commercial properties and 16,000 businesses in Clark County (2014 estimates), it is possible that over one-third produce some quantity of hazardous wastes. Approximately 32 of these businesses are listed by the state as large quantity generators, 31 as medium quantity generators and 66 as small quantity generators.

- **Large quantity generators** (LQG) produce over 2,200 pounds of hazardous waste per month and/or more than 2.2 pounds of extremely hazardous waste per month; they are regulated under the Hazardous Waste Management Act (HWMA) and Resource Conservation and Recovery Act (RCRA).
- **Medium quantity generators** (MQG) produce 220 to 2,200 pounds of hazardous waste per month and less than 2.2 pounds of extremely hazardous waste per month, they are also regulated under HWMA and RCRA.
- **Small quantity generators** produce less than 220 pounds per month and accumulate less than 2,200 pounds of hazardous waste at any time and generate less than 2.2 pounds of extremely hazardous waste per month; they are not regulated by HWMA when they meet the regulatory conditions of exemption.

According to the Washington Department of Ecology records there are about 188 businesses in Clark County that have obtained EPA/state hazardous waste generator identification numbers as of 2013. Compilations of the annual reports show that the businesses include fully-regulated hazardous waste generators, conditionally-exempt SQGs, as well as some entities who were a one-time hazardous waste generator or who report having produced no hazardous waste during the previous year. Some non-regulated businesses obtained their identification number in order to contract with a hazardous waste transportation/disposal company.

Information is only available regarding hazardous waste collected through SQG collection events or disposed of at solid waste facilities (disposal information regarding solid waste facilities is based on waste characterization data). Survey data is available from several sources outside of Clark County.

SQG hazardous waste is currently collected one day each month on a fee basis at Philip Services Corporation Facility in Washougal, WA and through a variety of Hazardous Collection and Disposal Contractors. Information about the treatment, recycling and disposal of SQG hazardous wastes that were collected by private hazardous waste service providers is not available.

## Education

Small Quantity Generator business technical assistance activities are directed at minimizing the use of products that produce hazardous waste and encouraging proper management of hazardous wastes when they are generated. Business technical assistance programs have been offered in Clark County since 1990. Services are provided through various means to SQGs throughout the County, and some programs have been developed to target specific types or categories of businesses. For more information about hazardous waste education see *Chapter 5 - Waste Education and Promotion*.

## Industry Fact Sheets

Industry-specific fact sheets, describing waste minimization measures and proper disposal methods, were developed by the Washington Department of Ecology and are distributed by Clark County staff to businesses involved in commercial pesticide application, metal fabrication, wood furniture making and many other industries.

## Local Interagency Networking Cooperative (LINC)

LINC is an informal information network and task force comprised of agencies and jurisdictions within Clark County. LINC is committed to providing a more effective and efficient means to protect the environment and human health through the coordination of both regulatory and non-regulatory agencies.

## SQG Handbook

A comprehensive SQG handbook, including a hazardous waste management services directory, was initially developed for the region in 1991; in 2012, updated links to Ecology's business hazardous waste pages were added to the County Environmental Services' web page.

## Technical Assistance Visits

County staff conducts Source Control visits to provide information to businesses that will help them apply new technologies, comply with the dangerous waste regulations, and conduct their activities in a manner that protects human health and the environment. Visits are non-regulatory in nature and are available to all businesses in Clark County. In the Clark County's Green Business Program, participating businesses are required to complete an assessment on toxics in their business operations. Technical assistance from the county is available to these businesses in completing the program categories. More information on this program is available at [www.clarkgreenbiz.com](http://www.clarkgreenbiz.com).



Source control visits depend on understanding what motivates businesses to manage operations responsibly and proactively reduce environmental impacts whenever possible including:

- Interpret dangerous waste regulations;
- Prepare and implement pollution prevention plans;
- Comply with reporting requirements;
- Reduce, recycle and properly manage their hazardous wastes and materials; and,
- Understand requirements of stormwater management and air pollution regulations.

Other local governments have water resources protection programs and ongoing water quality programs and are similarly involved in offering technical assistance to businesses. Funding for source control efforts using regional solid waste funding should benefit all regional partners.

# Compliance and Enforcement

## Compliance Education

During implementation of the 1989 MRW Plan, emphasis was given to expanding collection opportunities as well as providing education and technical assistance to businesses in the County to improve moderate risk waste management. Education is the primary means of obtaining compliance; enforcement action is used only in the event of serious or imminent threats to public health or the environment or in cases of repeated offenses. Education and/or enforcement are conducted during complaint investigations or on-site visits to businesses. Since Clark County has no regulatory authority over dangerous wastes, cases requiring enforcement action are referred to the Washington Department of Ecology or other appropriate regulatory agencies; used oil disposal violations are enforced by Clark County Public Health (Refer to *Chapter 16 -Enforcement*).

## Dangerous Waste

The Ecology website has information for dangerous waste generators on their website." link to website [www.ecy.wa.gov/programs/hwtr/manage\\_waste/step\\_by\\_step.html](http://www.ecy.wa.gov/programs/hwtr/manage_waste/step_by_step.html).

## Enforcement Regulation

Enforcement Regulation No. 96-01, adopted by Clark County Public Health in 1996, (currently Title 32 ENFORCEMENT of the Clark County Code) is a revised ordinance that applies to moderate risk waste enforcement activities. It provides enhanced enforcement capabilities for staff by establishing fines for the violations of public health regulations. Public Health's adoption of the regulation allowed the development of a "Notice and Order" to assist with enforcement and to help discourage illegal disposal of moderate risk waste.

## Regulations Governing Solid Waste Handling Operations and Moderate Risk Waste Fixed Facilities

The County's moderate risk waste fixed facilities and operators are subject to the State's Solid Waste Handling Standards, 173-350 WAC, which are enforced by local Public Health agencies, through a solid waste handling facility permit system. Facility siting is regulated by both State siting standards and county or city land use ordinances, which may require conditional use permits for solid waste facilities. Disposal facilities are subject to additional regulations, including long term monitoring (173-350 & 351 WAC). The state solid waste regulations that the Washington Department of Ecology developed result from state legislation, *Chapter 70.95 RCW*, and federal laws, such as the Resource Conservation and Recovery Act (RCRA), the Clean Water Act, the Clean Air Act and others.

Household hazardous waste collection is required to comply with all applicable federal, state, county, regional and local laws, statutes, rules, regulations and ordinances as regulated by Clark County Public Health with oversight by the Washington State Department of Ecology.



*Green Business site review*

## Regulations Governing Waste Generators

Public Health enforces regulations on infectious waste and moderate risk hazardous wastes (including waste oil) and other special wastes; and responds to complaints regarding illegal dumping, burying and accumulations of waste on private property. Current County (24.12.060) and cities' code allows for burial of wastes, which were generated on site. This includes solid waste resulting from residential or agricultural activities as well as non-putrescible commercial or industrial waste. On site burial of regulated waste such as hazardous waste, toxic waste, bio-medical waste, and certain types of special waste are prohibited. The ability to bury certain solid waste on site results in problems such as health and sanitation problems, contamination of soils and/or water, attraction of vectors, settling of land into depressions, discovery of unwanted buried and subsequent removal of wastes by new property owners. This plan recommends that the on site burial of solid waste be regulated and prohibited.

## Program Funding

The County Solid Waste Fund is an enterprise fund. All solid waste revenues remain in the fund and no property tax fund dollars are used for solid waste programs. The revenue sources for the County solid waste fund include: County Administrative Fees paid under the disposal and collection contracts; state grants; sale of recyclable materials; and interest earned on the fund. A significant portion of the MRW program is funded through state grants. The County solid waste fund receives revenue from the Washington Department of Ecology's *Coordinated Prevention Grants* (CPG) program. This grant program is funded through the Local Toxics Control Account. To receive grant funding, MRW programs must be in compliance with the Moderate Risk Waste Plan. The CPG program funds are allocated every two years, based on a county allotment and a per capita allotment. Counties must submit satisfactory applications that meet eligibility requirements and priorities identified in their approved solid and moderate risk waste plans. In addition, local governments must provide matching funds.

## Other Conditions

### Federally Listed Sites

In accordance with the *Comprehensive Environmental Response, Compensation, and Liability Act* (CERCLA), the Environmental Protection Agency (EPA) maintains a database of potential or known hazardous waste sites. These sites are listed as priorities for response, based on their potential threat to public health or the environment. Superfund site response may be under the authority of EPA, the Washington Department of Ecology or shared.

As of the most recent update, there were 116 brownfields, oil, and RCRA corrective action superfund sites in Washington State. In Clark County there were 9 sites listed with 3 deletions and 1 removal, the remaining active sites on the National Priorities Lists sites are: Boomsnub/Airco, Vancouver; Dorothy Avenue Mercury Site, Vancouver; Vancouver Water Station #1, Vancouver; Vancouver Water Station #4, Vancouver; and, Camp Bonneville, Clark County. Current lists and information on the CERCLA sites, listed by EPA are available from the Region 10 office of EPA, 1200 Sixth Avenue, Seattle Washington, 98101. The National Priorities List of Superfund sites may be found on this [EPA website](#).

**State  
Listed Sites**

The Washington Department of Ecology's *Toxics Cleanup Program* has prepared its "Hazardous Sites List." This list was updated in February of 2015 and is updated twice a year. It is located at Ecology's Toxics Cleanup Program, Hazardous Sites List Webpage here: [www.ecy.wa.gov/programs/tcp/mtca\\_gen/hazsites.html](http://www.ecy.wa.gov/programs/tcp/mtca_gen/hazsites.html).

As of February 2012 there were 60 active and 75 inactive listed Confirmed and Suspected Contaminated Sites in Clark County. For general questions or to receive the report in another form, contact the Washington Department of Ecology at 1-800-826-7716. The "Confirmed and Suspected Contaminated Sites List" may also be reviewed or downloaded from the [Ecology](#) website.

**Transfer,  
Storage, or  
Disposal Facilities**

As of the most recent update there was one hazardous waste transfer, storage, or disposal facility (Bonneville Power Administration Ross Complex Federal Storage Facility, 5411 NE Hwy. 99, Vancouver, WA 98663) and one used oil facility (Emerald Recycling – Vancouver Commercial Used Oil Processing Facility 1300 West 12th Street Vancouver WA 98660) with EPA/state ID numbers in Clark County. A complete list of Active Hazardous Waste and Used Oil Facilities in Washington State can be found at the [Ecology](#) website at <http://www.ecy.wa.gov/programs/hwtr/hwfacilities/>.

**Zone Designations**

The State's *Hazardous Waste Management Act* distinguishes between two categories of hazardous waste management facilities and the process for siting these facilities. The Washington Department of Ecology is required to site "preempted facilities," that is, those sites with particular state-regulated hazardous waste management activities. These activities include landfilling, incineration, land treatment, surface impoundment and the use of waste piles. Local governments are required to establish land use zones or geographic areas for siting "designated zone facilities," such as hazardous waste recycling, storage and treatment facilities. These local zoning requirements must be consistent with the state's hazardous waste facility siting criteria and must allow hazardous waste processing or handling where hazardous substances (such as raw materials) are processed or handled. Local governments are not required under the HWMA to develop land-use zones for siting designated zone facilities if they can show that, within their jurisdictions (1) no regulated amounts of hazardous waste were generated over the previous two years, and (2) no geographic area meets the states siting criteria. Designated land-use zones or geographic areas, as well as requests for exemption from the zoning requirements, must be approved by the Washington Department of Ecology. They have the authority to establish zones for hazardous waste facilities or preempt local authority in communities that do not have approved land-use zones or geographic areas. All jurisdictions in Clark County have submitted a certificate of compliance verifying the amended zoning language.



*CRC Sorting Facility - Photo  
Source: City of Vancouver*

# Recommendations

- 1. Provide MRW Collections** (curbside collections, home collections, satellite collection events and at permanent collection facilities). (11-4 to 11-6)
- 2. Promote and support diversion of prescription controlled and non-controlled substances** (e.g. prescription drugs whose possession and use are regulated by the Drug Enforcement Agency (DEA)). (11-5)
- 3. Prohibit the disposal of all moderate risk waste through the municipal solid waste collection and disposal system** as an incentive to reduce waste at the source or to separate it from garbage for collection at a hazardous waste collection facility. In Clark County, household hazardous wastes are already prohibited from disposal at the transfer stations by CRC. Disposal of electronics (CTR's, televisions, CPUs) are prohibited to transfer to Oregon landfills. (11-2)
- 4. Assess how local non-profit(s) (such as Empower Up) or business(es) focused on electronics or other moderate risk waste** (such as paint) materials, with a primary mission of reuse or recycling, might be supported by regional programs through competitive or directed grants to provide benefits to the community and support goals of the plan. (11-6)
- 5. Provide education to businesses to reduce their use of hazardous or toxic materials** with a priority on education for Small Quantity Generators (SQGs). (11-9)
- 6. Collaborate and partner with the service providers**, non-governmental agencies and organizations to develop and/or implement technical assistance, toxic reduction, education and promotion activities. (11-9)
- 7. Develop and continue to provide programs that emphasize the waste hierarchy** (waste prevention/ reuse/recycling/recovery) (e.g. e-waste, paint, new hazardous materials, batteries from electric vehicles and industrial waste exchange). (11-5; 11-7)
- 8. Provide Source Control visits to provide information to businesses** that protects human health and the environment. (11-10)

*End of Chapter 11*