From: Priscilla Mason
Purchasing Agent of Record

CLARK COUNTY

RFP #933
WHATLEY DECANT FACILITY SITE ASSESSMENT
QUESTIONS and ANSWERS
UPDATED: SEPTEMBER 22, 2025

	QUESTION	ANSWER
1.	Please confirm that one original and four hard copies of the proposal are required and that we cannot submit electronically.	Yes, the current standard for submissions to the county are one original and four hard copies.
2.	Do you have a list of each asset and square footage of each asset?	Construction Plans for the operations facility have been included in this response.
3.	Are there any underground utilities or systems that need to be assessed?	No underground utilities are expected to require assessment.
4.	Are there metadata standards for geotagging, file naming or documentation?	No meta data standards are required for this project.
5.	Can you share current operations and maintenance procedures?	The current Operations plan has been included, with appendices.
6.	Are there performance metrics of KPI's for facility operations?	The only KPI or performance metrics we've prepared for this RFP may be found in Exhibit C. Exhibit C highlights the various user groups of the site and itemizes their respective volume contributions by activity.
7.	Is there a need to assess staffing, work flow or equipment usage?	In Task 4 of the Business Plan, it would be reasonable to consider assessing the site for potential staffing needs, overall work flow and general equipment usage to ensure Clark County provides a sustainable site over the next twenty (20) years.
8.	Can you provide a copy of your latest permit?	We can provide a copy of our permit(s), if you specify which permit(s) you want access to. Copy of Permit (2021 SW Permit) included.
9.	Can you provide a location of the offsite location?	For the purpose of Task 3, Evaluation of Offsite Maintenance Activities and the staging and disposal of ditching spoils the address of the offsite location is: 18404 NE Hooper Wollam Road, Amboy WA 98601.

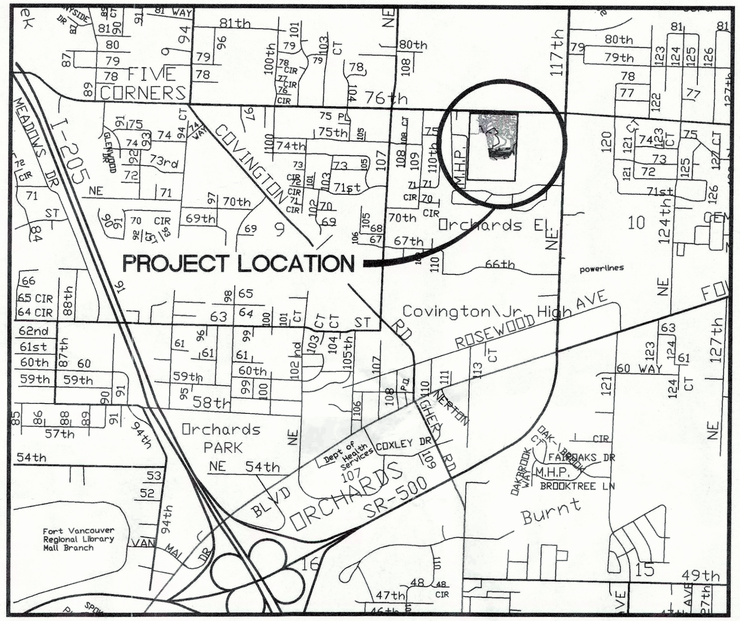
10.	What level of detail is expected in the business plan (e.g. financial modeling, ROI)?	The Business Plan should include a 100% cost recovery for partner users.
11.	Should the plan include phased implementation of just a single capital improvement strategy?	Yes

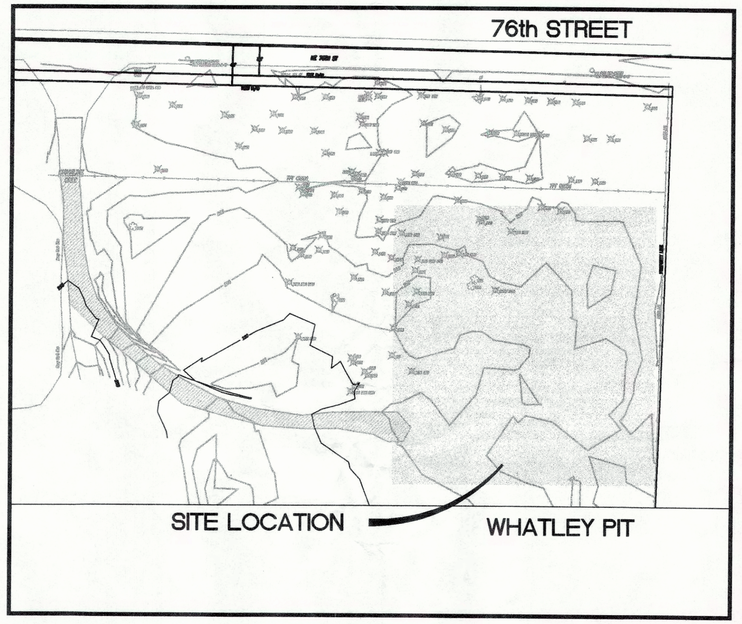
Answer to Question #2 (7 pages)

CLARK COUNTY DEPARTMENT OF PUBLIC WORKS
COUNTY PROJECT # 25348

WHATLEY PIT DECANT FACILITY

SITE PLAN PROPOSAL FOR A DECANT FACILITY





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COMMISSIONERS:

MEL GORDON, Chairman
BETTY SUE MORRIS, Commissioner
JUDIE STANTON, Commissioner

CLARK COUNTY WASHINGTON

DEPARTMENT OF PUBLIC WORKS

DESIGN AND ENGINEERING DIVISION- DESIGN SECTION

Request For Approval	Recommended For Approval
Linda J. Chan 3/26/97 DATE:	Samuel E. Giese 5/13/97 DATE:
By: Linda J. Chan, P.E.	By: Samuel E. Giese, P.E.

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Parcel #155111
Vancouver Gun Club
PO. Box 4615
Par Address:
12211 NE 76th Street
Zoned: R1-7.5

Parcel #165123 &
Parcel #165112
Hyke, Fred & Loreth
11400 NE 76th Street
Zoned: ML

Parcel #165113
Strawn, Richard
11412 NE 76th Street
Zoned: ML

NE 76th Street

Parcel #106560
Ward, Jack & Faye Etal
10725 SW Barburblvd #100
Portland OR
Par address#
11005 NE 76th Street
Zoned: R-18

Parcel #106525
Brigs, May W Trustee
11413 NE 76th Street
Zoned: CH

SCALE IN FEET
40 0 40 80

1088.3

Parcel #106529-4
More, Gene & Irene Trustees
C/O: More Trust
10770 NE Knott St.
Portland OR
Par Address:
11501 ne 76th Street
Zoned: CH

Parcel #106550
Clark County
PO Box 5000
Zoned: R-18 Mining Combining Dist

Parcel #106540
Clark County
PO Box 5000
Zoned: CH Mining Combining Dist

Parcel #106531
Porter, Stella A Etal
5410 NW Walnet Street
Zoned: CH

1088.3

380.8

380.8

Parcel #157492
Walker, Bert & Claudia Trusts
C/O: Walker Family Trust
13500 SE King Road
Portland OR
Par Address:
7110 NE 117th Avenue
Zoned: R1-6

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40 0 40 80

Zoned: R18

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SHEET 2 OF 7

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DESIGN & ENGINEERING DIVISION
DESIGN SECTION

Whatley Pit Decant Facility
Existing Conditions Plan

CLARK COUNTY WASHINGTON

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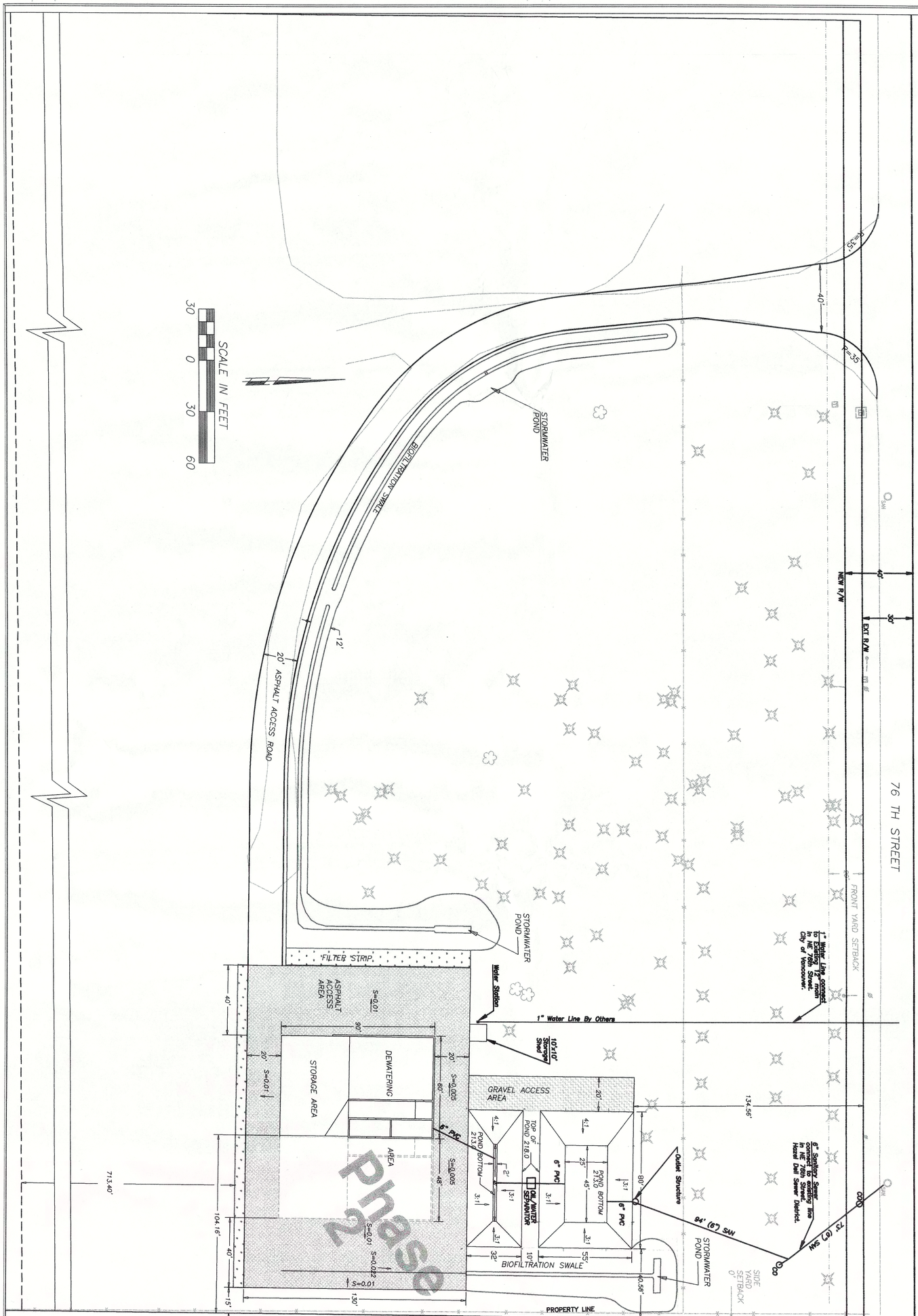

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DESIGN & ENGINEERING DIVISION
DESIGN SECTION

Whatley Pit Decant Facility
Site Plan

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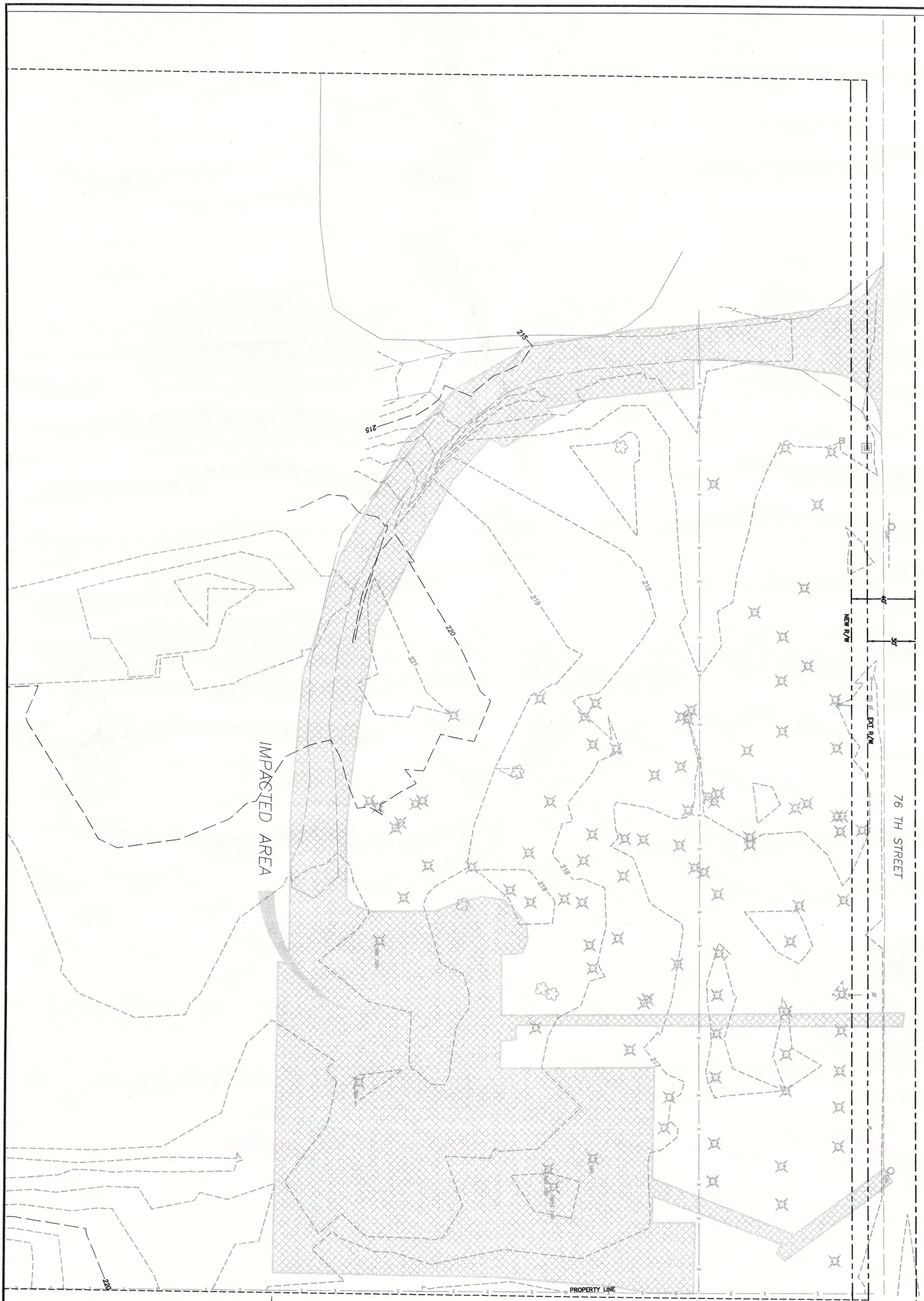

CLARK COUNTY WASHINGTON

DESIGN & ENGINEERING DIVISION
DESIGN SECTION

Whatley Pit Decant Facility
Impacted Area Detail

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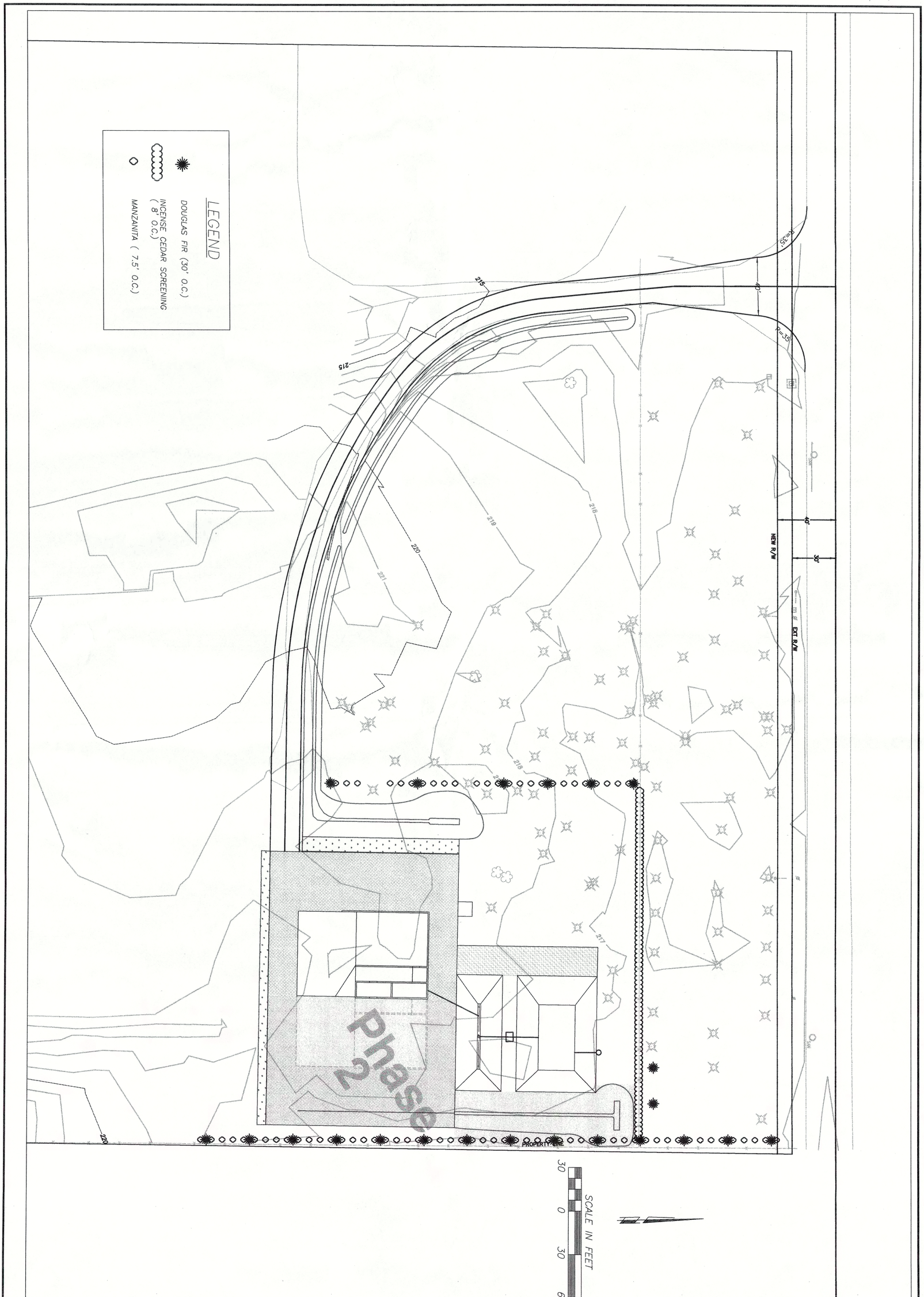

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Whatley Pit Decant Facility
Landscaping Plan

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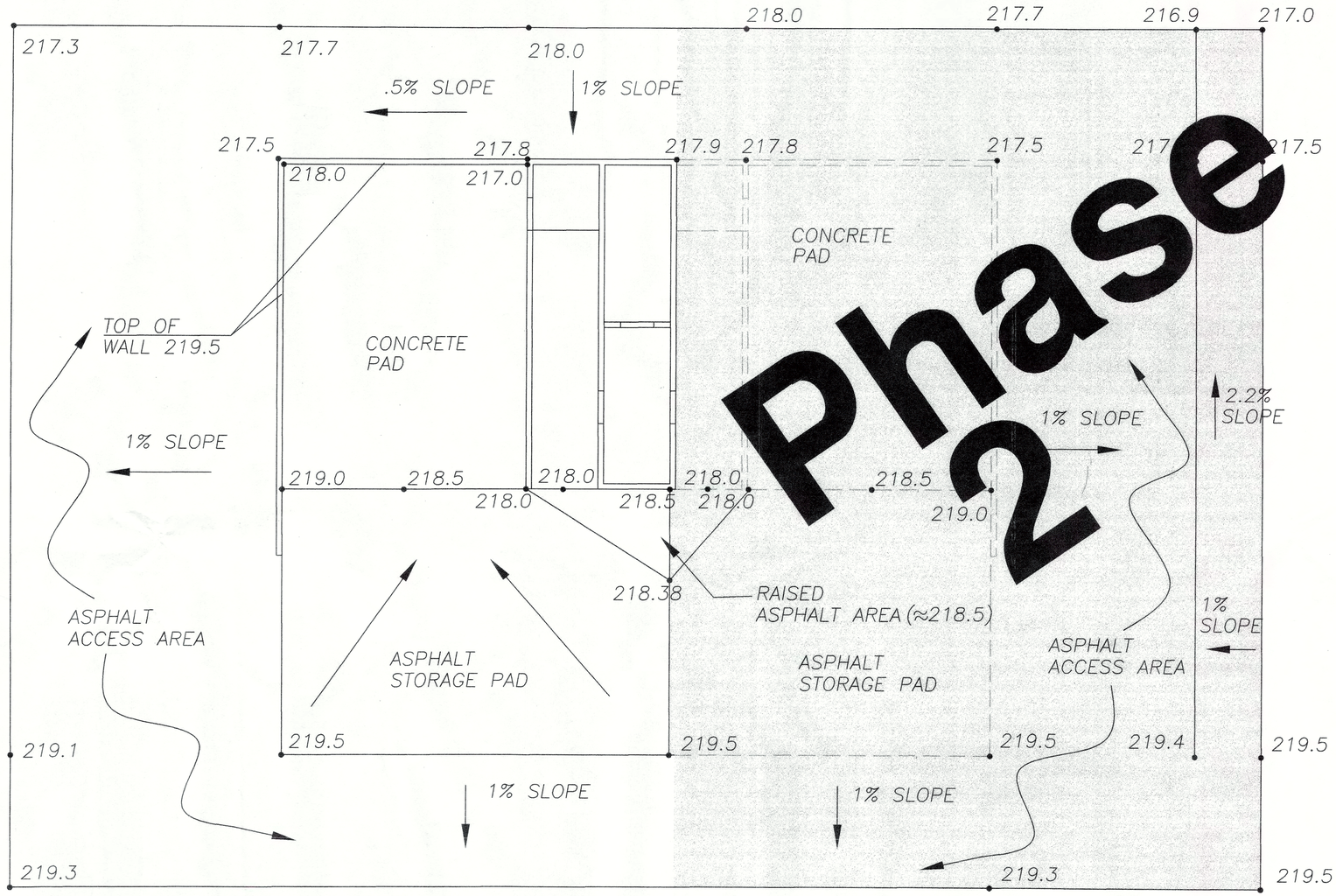

Phase 2

PAD ELEVATIONS

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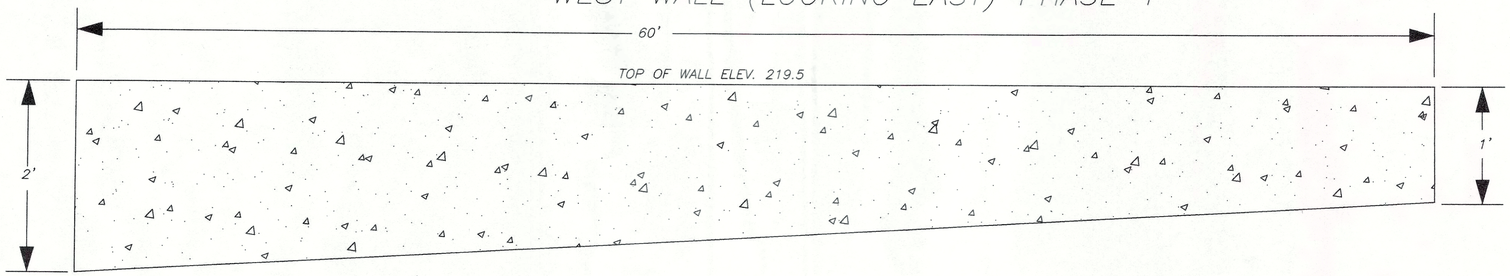
DESIGN & ENGINEERING DIVISION
DESIGN SECTION

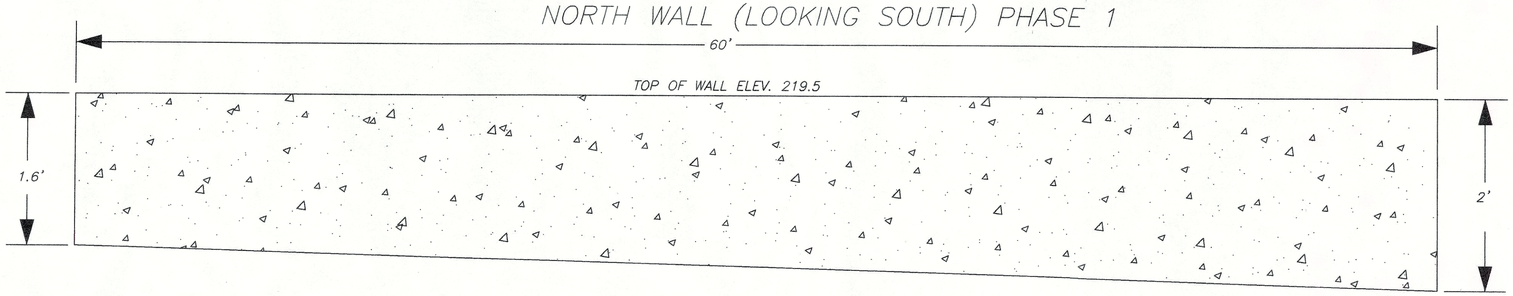
Whatley Pit Decant Facility
Pad Elevations

CLARK COUNTY WASHINGTON

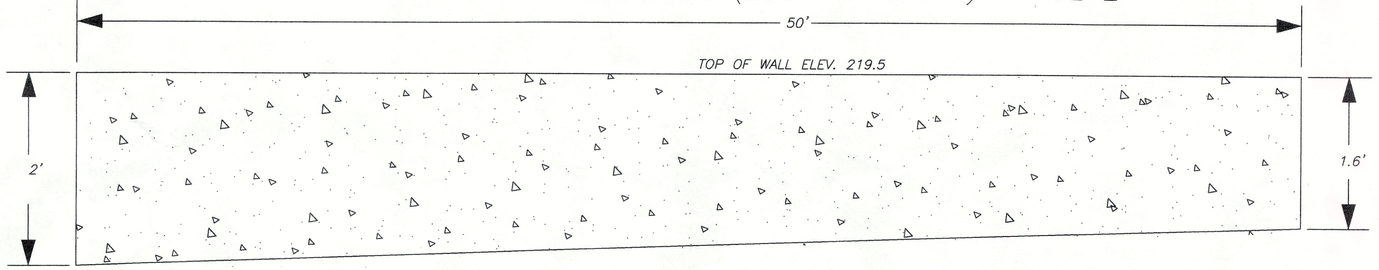
WEST WALL (LOOKING EAST) PHASE 1



NORTH WALL (LOOKING SOUTH) PHASE 1



NORTH WALL (LOOKING SOUTH) PHASE 2



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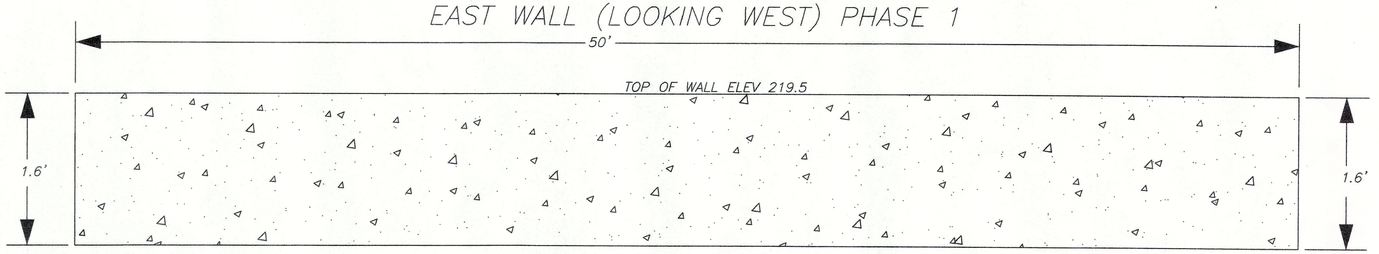

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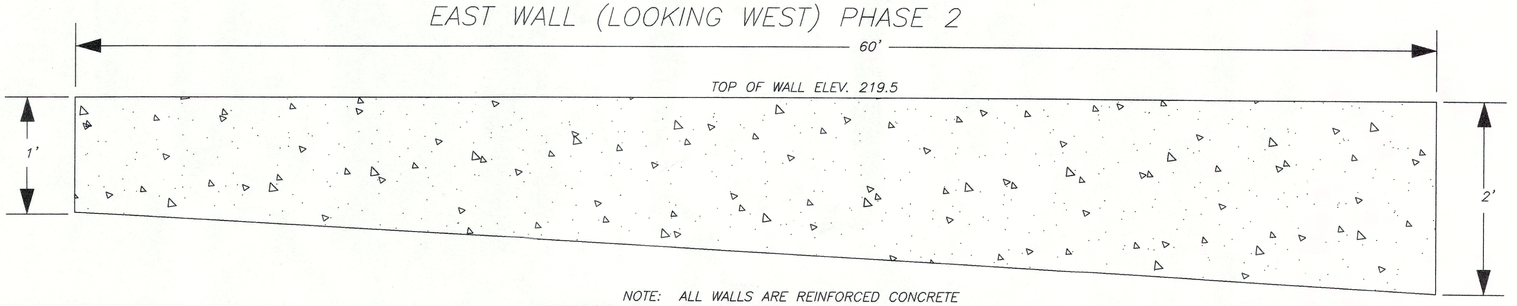

NOTE: ALL WALLS ARE REINFORCED CONCRETE

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DESIGN SECTION

WHATLEY PIT DECANT FACILITY
Wall Elevations

CLARK COUNTY WASHINGTON

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ANSWER TO QUESTION #5 - Operations Plan (41 pages)

Whatley Operations Plan - 2021

Clark County Public Works
Decant, Street Sweepings & Road Maintenance Soils - Storage and Handling Facility
11203 NE 76th Avenue, Vancouver, Washington, 98662-3932

Last Update: December 9, 2020 *(Addendum added (page 40-41) Re. Section 3.2 on 02/16/2021)*

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Appendix C2: Sanitary Sewer Discharge Letter
Appendix C3: Charter
Appendix C4: Interlocal Agreement Example
Appendix C5: Landfill Agreement
Appendix D1: Scale Sign-In Example
Appendix D2: Maintenance and Operations Checklist
Appendix D3: Stormwater Inspection

Addendum Document: Pages 40-41 (For Section 3.2)

1 Introduction

1.1 Mission/Purpose

Clark County Public Works, Roads Department (CCR) is committed to providing a long-term and environmentally functional system for non-hazardous road maintenance material generated throughout the county. This facility is essential for continuation of CCR operations as well as many other local municipalities that rely on the upper facility to service their communities.

The purpose of this plan is to provide a comprehensive overview and framework for operations, maintenance and site management of the upper facility, located west of SR 503 on the south side of NE 76th Street (11203 NE 76th St. – behind Lowe's®). The plan adds CCR soils (see section 1.4) to existing decant and street sweeping materials currently accepted on the upper site and utilizes infrastructure already in place to treat (remove excess water), and stockpile for disposal in landfill, or reuse if materials meet definition of "clean soil" per Chapter 173-350-100 Washington Administrative Code (WAC).

Mitigated measures for street sweepings and decant material are already in place and soil materials are characteristically similar regarding contaminants. Testing of the south biofiltration swale has been added to this plan (see section 3.2) to address concerns regarding leachate. Stockpiling volumes of soil materials are expected to be much less than maximums described in section 1.3 due to an agreement (Appendix C5) with Columbia Resources Company (CRC). This agreement allows us to move materials with relatively short notice, meaning less time at Whatley and lower stockpile volumes.

Stockpiling of soils (with very few exceptions) would occur during warmer months due to seasonal nature of maintenance work practices. Pad runoff/leachate will be sampled at various stages of treatment (pad to swale, swale and post swale).

Currently all solid material*, including decant, street sweepings and soil related materials imported to the uncovered deck are expected to be treated and stockpiled to remove any excess water content, then transported to landfill.

Subgrade fill allowance was previously granted based on sample analysis results consistent with Stormwater Management Manual for Western Washington Appendix G, which has since (July 2019) been

updated. Following the update of Chapter 173-350 Washington Administrative Code (WAC), Solid Waste Handling Standards in August of 2018, clean soil is defined as:

"Clean soil" means soil that does not contain contaminants from a release. It also includes soil that contains one or more contaminants from a release and when moved from one location to another for placement on or into the ground:

(a) Does not contain contaminants at concentrations that exceed a cleanup level under chapter 173-340 WAC, Model Toxics Control Act—Cleanup, that would be established for existing land use at the location where soil is placed; or

(b) Contains contaminants that affect pH, but pH of the soil is between 4.5 and 9.5 or within natural background pH limits that exist at the location where soil is placed.

Examples of potentially clean soil may include, but are not limited to, soil from undeveloped lands unlikely to have impacts from release of contaminants associated with area-wide or local industrial or historical activities. This includes similar soils over which development may have occurred, but land use is unlikely to have led to a release, such as use for residential housing, or over which development provided protection from impacts from a release, such as coverage by pavement. Soil with substances from natural background conditions, as natural background is defined in WAC 173-350-100, is clean soil under this section.

The potential reuse of subgrade fill will be determined based on Chapter 173-340 WAC, Model Toxics Control Act- Cleanup instead of the Stormwater Management Manual for Western Washington Appendix G in making the determination that soil is clean.

CCR reserves the right to resume reuse of the imported materials should regulatory changes and/or variances be made that re-establish and support this practice contingent upon CCPH and ECY conditional use approvals. For clarification, references regarding reuse within this plan are only to support the future possibility of reuse; the only currently sustainable option remaining for CCR is to landfill materials that do not meet the definition of clean soil.

**This does not include gabion within stormwater treatment material, where the operational practice would separate stormwater soil from gabion (i.e. soil would go to landfill, and gabion would be reused in stormwater facility).*

1.2 Objective

This plan allows continuity for ongoing import of materials (decant and street sweepings) while providing (new) road maintenance soil-related operations an environmentally practical place to stockpile prior to landfill. The overall objective is to manage soils on the upper facility's uncovered deck to accommodate water runoff, treatment and stockpiling prior to landfill or reuse.

No negative impacts to the ongoing street sweepings and decant handling operations are anticipated. To reduce any seasonal burden on the existing biofiltration swale, stockpile durations on uncovered deck are expected to be reduced significantly with decant and street sweepings materials being sent to landfill.

1.3 Material Sources

Decant: This material is imported to Whatley from multiple agencies from around Clark County. It is comprised of materials common to eductor (Vactor®) trucks such as from catch basins, treatment vaults and sediment traps, etc. Estimate 3100 CY on deck maximum.

Sweepings: This material is also imported by multiple agencies throughout the area. Source of this material is from road surfaces and contains materials picked up by street sweepers including asphalt, rocks, roadside debris, leaves, etc. Estimate 8000 CY on deck maximum.

Overage: This material is not likely to accumulate on deck as in previous years. Previously, decant and sweepings materials were screened so they could be reused locally (the material screened out is called overage). If local reuse practices become a viable option in the future, 2000 CY on deck maximum would be estimated.

Ongoing roadside maintenance: This material is derived from roadside maintenance operations where various soil materials (see below) may need to be transferred from point of origin to a new location (away from roadside) for treatment, landfill or for reuse, depending on the quality of material and regulatory restrictions and/or approvals.

Road or roadside materials are subject to potential contaminants and/or pollutants originating from vehicles or other sources such as oils, washer fluids, coolants, greases, fuels, etc. For the general purposes of this plan, all materials imported to the upper deck (exception: gabion and new, unused materials) are expected to be tested by an accredited lab to verify material meets clean soil status if intent is to reuse that material.

For general identification of new materials added to this plan (as compared to previous plan), the following are grouped and referred to as "soil(s), soil material(s) or soil-related material(s)" throughout this plan.

- Shouldering - Dirt from shoulder of primarily rural roadways, comprised of dirt, organics (grass, weed, etc.) and de-minimus roadside rocks, wood, garbage, etc., estimate 250 CY on deck maximum: Shouldering and ditching are often performed simultaneously during road maintenance operations and generally occupy same truckload; typically considered as single source.

- Ditching - From primarily rural roadside ditches, comprised of dirt, organics (grass, weeds, etc.) and de-minimus roadside rocks, wood, garbage, etc., estimate 250 CY on deck maximum: Ditching and shouldering are often performed simultaneously during road maintenance operations and generally occupy same truckload; typically considered as single source.

- Swales - Like a ditch (above) but broader and shallower, typically April through October, estimate 250 CY on deck maximum: Swale material is typically dry (seasonal work) and to be placed directly on uncovered deck; however may occasionally be used as a barrier in second decant stage to expedite drying of decant material. Material from wet swales shall be processed with decant material to reduce impact to the biofiltration stormwater facility at south end of uncovered deck.

- Bank Cutting - Soil cut from primarily rural roadside banks for site distance, comprised of dirt, organics (grass, weeds, etc.) and de-minimus roadside rocks, wood, garbage, etc., estimate 250 CY on deck maximum: This material is included as an occasional and/or potential project need and not considered part of routine operations.

- Dig Outs - Dirt from below (typically) paved areas, such as a sunken or washed out roadway, comprised of dirt, organics (grass, weeds, etc.) and de-minimus roadside rocks, wood, garbage, etc., estimate 250 CY on deck maximum: This material is included as an occasional and/or potential project need and not considered part of routine operations.

- Storm Water Facility Spoils - This is soil (gabion removed) from storm water facilities. Material will be sent to shaker to separate soil from gabion, estimate up to 200 CY maximum (does not include gabion)* under covered decant facility: The separated soil will be placed under covered deck following gabion being removed (by shaker) where soil will remain until sent to landfill. The leachate from stormwater spoils flows to the decant chambers, oil/water separator and treatment ponds. (see Rock Storage below for Gabion)

  Due to seasonal maintenance, material is not considered "wet" as typically associated with Whatley drainage and cover needs, however cover will be provided under decant facility or by tarp should the need arise.

  *Maximum under covered decant facility assumes changes in ecology block configurations. These temporary "bays" are expected to be moved as needed to support seasonal thickening needs of decant and stormwater materials. There is currently around 400 CY of total usable (configurable bays) space accounting for areas needed for loader maneuverability. See Appendix B6 for currently configured Ecology Block ("bay") volumes.

- Rock Storage - Gabion will be rinsed under covered facility (see Appendix G6), This will allow CCR to reuse the gabion at stormwater facilities to save on costs of purchasing new rock and preserve landfill space. Estimate 100 CY maximum of gabion being processed/rinsed under covered decant structure.

  New/clean gabion and/or other rock or remnants from road surfacing (chip seal) may be placed in expandable bay(s) near SW corner of uncovered deck for stockpile. A rock stockpile maximum of 500 cubic yards (total on-site maximum) includes the 100 CY volume under the covered decant structure.

NOTE: The following solid materials are not priority materials for our operation and only listed in this plan for a specific project use or convenience. If uncovered deck space is insufficient, these solid materials will not be allowed and/or shall be removed to make room for street and soil materials.

- Asphalt and Concrete Remnant Materials - These materials are typically recycled at an established facility, and generally not something that would reside on the uncovered deck; however we do reserve the capability to temporarily store this material (separately, not comingled) in the unforeseen event of a temporary closure of a recycle facility. Asphalt remnants may be temporarily stored on the uncovered deck until enough is stockpiled to make a trip to landfill or to an alternate recycling facility if available. Asphalt and concrete remnants shall not be stockpiled in excess of 250 cubic yards cumulatively.

- Hydro Excavation Materials - Water/Mud mixture from "jetting" to excavate soil instead of backhoe/excavator type of machinery - This material is not expected to be imported to the site, but if an isolated need arises to process this material; the reason, quantities, etc. shall be

documented in site logbook, along with any observations related to offloading, treatment, etc. This material would require the decant treatment process due to wet nature of material. No CY volume is set, as this would be a very unusual and isolated import (if it were to occur at all), and the bulk of import would likely be water from jetting process (not solids).

General equipment and storage materials that are required for day to day operations of the site are covered in Section 1.5 of this Operations Plan.

1.4 Site Clarification

There are two distinct areas of this facility as follows:

Upper Facility: The upper facility is the focus of this operational plan. This includes the decant structure and large (77,350 ft2) uncovered, impervious paved area (Re. uncovered deck). This is where decant, sweeping, and roadside maintenance materials described in section 1.3 are accepted, treated, and stored. The upper facility is also utilized to store front-end loader, shaker or other temporary equipment that may be needed for screening, transferring, moving or treating materials.

Lower Facility: The lower portion of Whatley is not part of this plan and mentioned here only to clarify the separate function. This area was previously quarried for gravel and shall be regulated separately through ECY and DNR (Washington State Department of Natural Resources). Currently, no materials are being imported or exported within this lower portion.

1.5 Site Components

The upper facility consists of the following major components:

- Covered, open-sided steel structure which contains off-loading pads, treatment chambers and a containment area for dewatered decant material
- Large uncovered, impervious deck for material treatment and stockpiling
- Two treatment ponds in series (preceded by an oil/water separator)
- Conic spreader basin
- Biofiltration swale with impervious liner, established vegetation and two flow spreaders
- Wash station for tire cleaning and equipment hosing, with separate treatment pond
- Truck scale
- Front-end loader(s)
- Portable toilet
- Sink for hand washing
- Shaker, used for separating rock from soil (stormwater facility gabion material)
- Portable trailer (modular) for site attendant
- Walk-in storage container for small equipment, tools and supplies
- A supply of ecology blocks for use as needed

1.6 Decant Facility (Treatment)

The decant facility is where materials retrieved from storm drain catch basins, wet soils, drywells, swales (if wet) and piping systems are placed so that solid waste materials from storm drainage cleaning can be separated from the liquids, treated and stored for reuse or disposal. Maintenance crews operate eductor trucks (Vactor® is a common brand of truck) that use an industrial vacuum to remove material from drainage systems. The material consisting of dirt, gravel and sediments settled out of stormwater in solid

form, semi-solid or slurry condition is vacuumed into a holding tank on the truck for transport and later processing.

The decant facility contains a series of pads and chambers that allow the solids to settle while the liquids continue through an oil water separator to the ponds. Two ponds in series are lined with a 24 mil PVC to prevent water from infiltrating. Liquid is carried over to the first pond to a depth of approximately 2 feet until it overflows into the second pond, where it remains before evaporating. This process occurs roughly 8 months of any given year. If this second pond reaches capacity, a gate valve on the north end can be opened to drain water to the sanitary sewer system. The sanitary sewer goes to the Salmon Creek Treatment Plant, which outfalls to the Columbia River. *Note: Bypassing of existing ponds, with flow going directly to sanitary sewer may be included as part of "master planning" described in Section 2.*

Eductor trucks unload excess water in the tank onto the east covered, sloped concrete pad area of the decant facility where liquid drains to the settling chamber. Once excess water is removed, eductor trucks proceed to the scale to determine solids import weight, and then off load solids to the west covered, sloped concrete pad area.

The liquid continues to travel through treatment chambers until it evaporates in pond or flow continues to sanitary sewer. The site attendant transfers the thicker material unloaded onto the west covered, sloped concrete pad to the dewatering storage area located on the asphalt pad (south-section, within the covered facility). This asphalt storage area uses ecology blocks to contain the bulk of this material (when wet until relatively dry) and the base/floor slopes toward the concrete pads so that liquids continue to drain to the treatment system. The material remains there long enough to drain and dry out (evaporate) the bulk of excessive water.

Natural attenuation is used to facilitate pollutant removal and speed the drying process. Over time, natural processes including native fungi, bacteria and other microorganisms help reduce some contaminates. Once material is thick enough, the solids in the south covered, asphalt storage area are then moved outside to the uncovered deck described in following Section 1.7.

1.7 Uncovered Deck

The uncovered, impervious deck is where materials are separated, treated (volume and contaminate reduction), and ultimately stockpiled for landfill or reuse. To optimize deck space availability, materials with similar established levels of contaminates may be stockpiled with other materials of the same relative level (Re. Model Toxics Control Act (MTCA)) if both materials are intended for landfill.

The uncovered deck shall continue to serve in the treatment and stockpile capacity for decant and street sweepings along with soil-related and other materials as-described in Section 1.3. This plan is intended to address soils with routine contaminate levels below MTCA Method A, Unrestricted commonly associated with decant or sweepings materials (AKA clean soils). The plan does not address materials having excessive contaminant levels such as illegal dumping or hazardous waste. These materials will be cleaned up at point of origin by an appropriate hazardous waste contractor, and not transported to Whatley.

Soil-related materials known to be below MTCA Method A, unrestricted contaminate levels are routed directly to the uncovered deck area, with these exceptions:

- Swale material is generally dry (dry weather seasonal maintenance work); however, an unusual or emergency event could warrant road crews picking up wet swale material. In this

event, the load may be directed to the decant facility. Landfill will not accept loads with "free liquid"; meaning an excess of twenty-five gallons per contained load of waste (must meet paint filter test requirements of EPA Method 9095). In this instance, water would be removed, and solids processed with regular decant material.

- Imported materials containing excessive water content may, with prior approval of site attendant, drain off excess into the decant facility to minimize potential runoff when placed on upper deck area. Typically, soil-related imports to decant structure are not accepted as they are usually dry in nature. Occasionally, dry material (typically the same material) is used to hold the wet material within ecology blocks and to expedite drying if space is needed due to seasonal loading; this is performed at the south covered, asphalt area.

Water from this process either evaporates or flows to a conic spreader basin, followed by a biofiltration swale with an impervious liner and established vegetation. The swale distributes water across two flow spreaders and through the vegetated area prior to entering a ditch inlet leading to the lower site where it seasonally evaporates.

All solid materials imported to the uncovered deck will remain uncovered for 2021 operations. Daily cover is not required at this time, however, will be re-evaluated following one year of sampling of the South biofiltration swale (see Chapter 3; Monitoring and Testing for more details) to ensure its functionality is appropriate and contaminants are not extending into the environment past the southernmost outfall. Prior to approval of a 2022 operations plan, sample results will be evaluated by CCPW Clean Water division and CCPH Solid Waste Enforcement. In the event results are in exceedance of MTCA Method A Cleanup Level standard for non-industrial use, the management and cleanout schedule for the bioswale will be evaluated in addition to the operational management of the solid materials kept on the uncovered deck.

2 Permitting, Regulations and References

Regulations cover a broad range of subjects found throughout sections of this document. CCR shall review this plan at least every two years and/or prior to any changes considered for implementation that could affect the overall process or treatment. If necessary, the plan may be modified with the approval of or at the direction of CCPH.

New references to future site planning shall be forthcoming as master planning is initiated*. A master plan is needed to fully understand the needs of CCR, and our participating agencies listed below, and what we should be looking to provide in the future. Some of the topics (not all inclusive) are:

- Do we need to expand or modify current site?
- Should we look at a separate or additional site(s)?
- What are costs of new items?
- What is expected lifecycle of site?
- What do we estimate we will need in next 20+ years?
- What volume projections do each of the agencies anticipate over next 5-10 years?
- What are other agencies doing with their materials (are there better options)?
- Are there other programs such as the fall leaves program CCR shares with the City of Vancouver that may benefit through this master planning process (Not directly associated with this Plan or

Whatley, but talking with the different agencies could present an opportunity to discuss other environmental items)?

*Note: Master planning conversations were initiated in early 2020. The COVID-19 pandemic has affected funding sources, which will delay implementation of consultant services and funding from external agencies needed to execute process. CCR will keep CCPH apprised of changes and begin the formal master planning process as soon as practicable.

The master planning process is anticipated to be completed over the next two to three years, and shall involve internal departments, participating external agencies, other similar facilities, consultants and regulators. As the master plan is being developed, new items/directions shall be reviewed and discussed with the entities stated above. CCR shall follow this plan while master planning occurs and continue to look for ideas to incorporate into master planning and ways to improve the existing processes.

Whatley is an accredited ISO14001:2015 facility, which embraces continual improvement and encourages open communications through the Environmental Management System (EMS), including our own strategic and work plan processes. This plan helps demonstrate our commitment to the EMS by ensuring the numerous checks-and-balances are reviewed during the implementation of changes.

Various regulators cover a wide variety of aspects at the Whatley site. The following is a general (not all-inclusive and in no specific order) list of agencies that most commonly influence permitting, daily procedures and practices within this operations plan.

- Washington State Department of Ecology (permits, regulator)
- Clark County Public Health (permits, regulator)
- Washington State Department of Natural Resources (permits, regulator)
- Washington Department of Motor Vehicles (trucks, hauling)
- Washington Department of Labor and Industries (county & contractor staff)
- U.S. Department of Agriculture (weed management, scale certification)
- Washington Department of Fish and Wildlife (ducks, birds, etc.)
- Washington Utilities and Transportation Commission (landfill, hauling)
- U.S. Forestry Service (trees)
- U.S. Bureau of Land Management (general, land)
- Partnership Agencies such as the City of Vancouver, Washington State Department of Transportation, City of Battle Ground, City of Camas, City of Washougal, along with other non-partnering (no voting representative at steering committee), currently the City of La Center and City of Ridgefield.

Numerous regulations, practices and documents were consulted during the development of this plan. Many commonly referenced sources are listed below. This list is not intended to be all-inclusive and does not imply any un-listed regulations or restrictions are less applicable.

- Solid Waste Handling Standards WAC 173-350
- Solid Waste Management – Reduction and Recycling – RCW Chapter 70.95
- Solid Waste Management – Clark County Code – Chapter 24.12
- Dangerous Waste Regulations – WAC 173-303
- Model Toxics Control Act (MTCA)
- Clark County Solid Waste Management Plan – Chapter 14, Special Waste
- Stormwater Management Manual for Western Washington – July 2019 (Pub # 19-10-021)

- Clark County Stormwater Manual 2015 – Book 3 Source Control, Appendix 3-E, Recommendations for Management of Street Wastes
- Clark County Public Health – Whatley Pit Decant Facility Solid Waste Handling Permit (March 1st, 2019 to February 28th, 2021)
- Sand and Gravel General Permit, WAG501020 –Washington State Department of Ecology

3 Monitoring & Testing

This section covers stormwater facilities, outfall of decant liquids to pond, sanitary sewer, material stockpiles and general site.

3.1 Stormwater Monitoring

The National Pollutant Discharge Elimination System (NPDES) Permit Program controls water pollution by regulating point sources that discharge pollutants into waters of the United States. Point sources are discrete conveyances, such as pipes or manmade ditches. ECY develops and administers stormwater regulations in Washington State, in accordance with Chapter 90.48 of the Revised Code of Washington, Water Pollution Control.

Stormwater systems require active monitoring at stormwater collection areas for Process Water and Mine Dewatering Water (NAICS Code 212321) in accordance with the requirements of the Sand and Gravel Permit as indicated on Table 1. Stormwater design meets the requirements of the Clark County Stormwater Manual and WAC 173-350-320. Monitoring Guidance is located on the Department of Ecology web site: Monitoring Guidance

Table 1: Stormwater Monitoring Points

Monitoring point label	Type of discharge	Receiving water	SIC codes	Parameters	Frequency
G001 (Road Q)	Stormwater	Groundwater	1442	Oil Sheen	Daily (when runoff occurs)
G002 (Rack Q)	Stormwater	Groundwater	1442	Oil Sheen	Daily (when runoff occurs)
G003 (Pad Q)	Stormwater	Groundwater	1442	Oil Sheen	Daily (when runoff occurs)
WD01 (Pond)	Stormwater	Groundwater	1442	Oil Sheen	Daily (when runoff occurs)

A routine visual inspection is also performed by CCR at least monthly to confirm oil sheen is not present and that the oil-water separator is functioning properly. The accumulated oil must be removed when it reaches a thickness of 1 inch. The bottom sludge must be removed when it reaches a thickness of 6 inches. Additional CCR inspections shall be made if problems develop. The following monthly inspection items are also evaluated and recorded on field inspection documents:

- Date of inspection
- Person(s) initials performing inspection
- Any evidence of runoff
- Any evidence of spills

- Functionality of storm drains
- Functionality of any alarms or sensors
- Any items fixed since previous inspection(s)
- Content status of spill kit(s)
- Chemical labels and storage
- Safety Data Sheet availability
- Weather conditions during inspection
- Other notes and/or observations

If ponds cannot adequately handle flow from the decant facility during heavy rain, it may be necessary to divert excess water into the sanitary sewer system. The valve from the second pond generally remains in the closed position during fair weather and is opened during rainy season. Sample points (including ponds) may receive only seasonal flow (i.e. a sample is not always available) and will vary according to best management practices of the facility.

The south deck biofiltration swale (See Appendix B5, monitoring point label G003) and associated sediment traps are inspected at least monthly by CCR and may include guidance from Clark County Road Operations Water Quality section personnel related to sediment buildup or operability. As necessary, but no less than quarterly, the sediment traps shall be cleaned out and the material introduced into the decant bay as an imported product, as this material may be wet and not suitable for direct movement to the uncovered deck. Hay bales, ecology blocks or other sediment control provisions may be employed to reduce sediment transport from the deck into the sediment traps and biofiltration swale.

Major maintenance such as re-grading the biofiltration swale for sediment removal should be infrequent and will be scheduled as needed based on routine inspections and/or results of biofiltration swale water quality monitoring described in section 3.2. Maintenance will be performed according to the requirement of the Clark County Stormwater Manual.

3.2 South Biofiltration Swale Performance Monitoring

CCPH has requested monitoring of the South Biofiltration Swale located at the southern end of the uncovered upper deck. Sampling and testing will be performed on leachate from the uncovered deck at a minimum of two (entry and exit) locations as follows to verify proper functioning of the swale system:

- Pad to Swale Influent: Sampling immediately upgradient of the sedimentation manhole will characterize influent leachate derived from all piles on upper deck.
- In-Swale Effluent: Sampling at a point 75% of the distance through the treatment swale will identify if contaminated influent water is beginning to approach the swale outfall with incomplete treatment. This will allow maintenance scheduling and decrease potential for discharge of incompletely treated water from the swale. Testing results will be provided to Public Works Clean Water Division, to determine system performance. Samples here represent the swale ability to meet MTCA's Table 720-1 Method A for Groundwater at a significant portion (75%) of treatment.
- Lower Pit Seasonal Pond: Sampling in the lower pit within the ponded area will characterize runoff at its ultimate dispersal point following treatment within the swale. Samples will be taken at the swale outfall when ponded water is not present in lower pit (deviation will be noted on laboratory chain of custody).

Long-term maintenance including sediment removal, swale re-grading, and re-seeding occurred in late July 2020. Monitoring will begin after swale vegetation has reestablished and runoff is occurring. Sampling will occur at least twice per year, once each in the second and fourth quarters when runoff is occurring. Additional sampling and testing may be conducted (typically at request of the Clean Water Division) but is still subject to flow availability.

3.3 Discharge Monitoring Report (DMR)

Stormwater related monitoring is performed at least monthly and results are reported to ECY and maintained through "SAW", a Secure Access Washington Electronic Signature Account on a quarterly basis. Original documents (field inspections) are recorded and maintained in the Stormwater Pollution Prevention Plan binder, located at 4700 N.E. 78th Street, Vancouver, WA. 98665 by Whatley Site Coordinator.

CCR submits quarterly (stormwater) discharge monitoring reports to ECY electronically through the ECY's Water Quality Permitting Portal. This is performed by the Whatley Site Coordinator, who has been approved by County Management and ECY through a signature authority delegation letter process.

3.4 Sanitary Sewer Monitoring

The Modified Industrial Stormwater General Permit does not require sampling of stormwater discharged to sanitary sewer. The County continues to monitor annually to identify any significant changes. The following (Table 2) are the listed methods for each analyte, and bold are methods we request:

Table 2: Sanitary Sewer Monitoring, CRWWD*

Method(s): *Bold indicates typical performed tests*	**Analyte**
6020A, 6020B, EPA 200.8	Arsenic (As), Beryllium (Be), Cadmium (Cd), Chromium (Cr), Copper (Cu), Lead (Pb), Molybdenum (Mo), Nickel (Ni), Selenium (Se), Silver (Ag), Zinc (Zn)
7470, **7470A**, 7471, 7471A, 7471B, 7473	Mercury (Hg)
1664A, 1664B	Non-Polar Fats, Oils & Grease (FOG)
EPA 150.1, **EPA 150.1M**, **9040B**, 9040C, 9045, 9045C, 9045D	pH
EPA 180.1, **180.1-F,** SM 2130B, SM2130B-F	Turbidity
EPA 160.5, **SM 2540F**	Settleable Solids
EPA 418.1, EPA 610, EPA-TO-13, **NWTPH-DX**, DXSG, GX	Total Hydrocarbons

Sanitary sewer sampling is typically performed at the north point of the secondary pond, in front of the valve that controls flow to the sanitary system. If the secondary pond is not discharging or dry, then sampling may be taken at the first pond as needed.

*Clark Regional Wastewater District (CRWWD), sewer purveyor will receive any sanitary sewer flows from the Whatley Decant Facility and convey the flows to the Salmon Creek Wastewater Treatment Plant.

3.5 Decant, Sweepings and Soil Testing

We have an agreement with (CRC) Columbia Resource Co., L.P. (a subsidiary of Waste Connections®), who has exclusive hauling rights under Washington Utilities and Transportation Commissions certificate (G-253). This (landfill) disposal option is expected to significantly reduce seasonal deck pile sizes by negating the need to stockpile in comparison to former seasonal reuse operations (i.e. testing time, staff time to compile and send results, regulatory review for reuse etc.).

All imported materials stockpiled on site may be tested for potential reuse, although there are currently no longer allowances for reuse as subgrade fill material outside of the WAC 173-350 definition of clean soil. Imported stockpiled materials are anticipated to be transported to landfill unless material is tested for and meets "clean soil" standards, or conditional reuse of material(s) is approved by CCPH and ECY.

Any hypothetical reuse materials will be held until appropriate testing results are finalized by accredited lab (typically 2-6 weeks). Following acceptable results, the lab report would be sent to CCPH and ECY for local reuse conditional approval. If no reuse options are available to CCR, materials would go to landfill.

** Note: Once any material placed on the uncovered deck is tested, no additional material may be added to that stockpile. In the event material is inadvertently added to the stockpile following testing, the entire stockpile must be retested to ensure validity of test results prior to reuse.*

All materials stockpiled on the uncovered deck may contain some level of contaminants originating from vehicle releases of petroleum, oils, greases, various traces of metals, etc., which may adhere to small soil particles and dust located on surfaces. Water from imported material or direct rainwater can transport these particles to the biofiltration swale where it settles and collects. The remaining water may evaporate or flow to pit base on site. There are temporary, seasonal puddles at the pit base in the center area of the lower pit.

Reduced stockpile volumes are expected to reduce seasonal loading to the south biofiltration swale. Based on current operations with the new agreement in-place (See Landfill Agreement, Appendix C5), we are confident that CRC will be able to accommodate trucks as-needed to keep soil-related stockpiles at a minimum once the current volume of material on the uncovered deck is transferred to landfill.

3.5.1 Reuse Testing

There are currently no allowances for reuse of materials imported to Whatley as subgrade fill material outside of the definition of clean soil. This subsection indicates what tests and methods are currently monitored to ensure we meet landfill criteria.

Materials destined for landfill shall be tested by an accredited laboratory by type of material to provide a baseline of contaminate probability, but not necessarily each stockpile shall be tested.

If a laboratory report indicates problems, such as QA/QC inconsistencies, qualifiers issued from lab, etc. retesting may be appropriate for that material.

Table 3: Solids and Soils Testing
At a minimum, the following tests are performed on stockpile materials, however, testing may be extended, altered, or eliminated with approval from the facility accepting the waste (the landfill gets the approval through the State of Oregon Department of Environmental Quality (DEQ) using the lab results we send them), ECY and CCPH.

Description of Testing	Method
Semi-Volatile Organic Compounds (GS/MS SIM)	8270D, E SIM
NWTPH (no Silica Gel Cleanup)	NWTPH-Dx
Metals (Priority Pollutant w/SPLP Extraction – ICP/MS) Arsenic, Barium, Cadmium, Chromium, Copper, Lead, Nickel, Selenium, Silver, Thallium and Zinc	6010C, 6010D, 6020B
Mercury (CVAA)	7470A
pH	9045C
Percent Dry Weight (Solids) per ASTM D2216-80	D2216-80
VOC's, BETX (benzene, ethylbenzene, toluene, xylenes), MTBE	8260C
cPAH (carcinogenic polyaromatic hydrocarbons)	calculation
Ethylene Dibromide (EDB and DBCP)	8011
Chromium, Hexavalent	7196A
Gasoline Range Organics	NWTPH-Gx

To determine carcinogenic polyaromatic hydrocarbons (cPAH's) for regulatory reporting, the measured concentration of each carcinogenic PAH in the sample is multiplied by its corresponding toxicity equivalency factor (TEF) in Tables 708-2 and 708-3 of WAC 173-340 to obtain the toxic equivalent concentration of benzo(a)pyrene for that carcinogenic PAH. The toxic equivalent concentrations of all the carcinogenic PAHs within the sample are added together to obtain the total toxic equivalent concentration of benzo(a)pyrene for that sample. This must be calculated and given to the CCPH and ECY when reporting data results.

3.6 Pile & Other Monitoring
Decant solids, street sweepings and soil materials testing occur at stockpile location(s) of each material. Pile monitoring consists of maintaining pile size within confines of storage deck, checking for odors, vectors, leachate, standing water and signs of contaminates that are outside of the normal operational boundary; piles are also monitored for signs of potential combustion. Any monitored items that present a concern to the site operator shall be reported immediately to supervisory personnel and evaluated for proper course of action and all concerns shall be forwarded to the Whatley Site Coordinator for ISO14001:2015 evaluation.

3.6.1 Dust Control: In the event of extended dry periods, wind events and/or excessive dust issues, CCR will utilize their water truck to lightly coat gravel/dirt access ways to minimize dust and shall provide routine sweeping of pad and paved areas as needed to maintain site aesthetics and prevent/control dust nuisances. These vehicles are not stored on site but are readily available. Note: Operational changes to export materials to landfill are likely to reduce dust concerns by reducing overall volume of materials on site.

3.6.2 Odors: In the event of odor complaints, CCR personnel shall determine source of odor and report their findings to a supervisor. If the odor is found to be emanating from within the site or the right of way of the site, the supervisor shall make every effort to ensure the source is removed and/or neutralized as quickly as practical. Note: Operational changes to export materials to landfill are expected to be a significant and positive improvement in controlling odors through reduced volumes of material stockpiled.

3.6.3 Vectors: Material allowed to be stockpiled for too long is the most likely attraction for mice, rats and birds. Stockpiles shall be managed so they are temporary, and in accordance with WAC 173-350-320 and the associated permit. CCR will ensure piles are turned as needed to minimize vector attraction and hot spots from organic decomposition. Note: Operational changes to export materials to landfill are expected to improve vector attraction reduction by reducing volumes of material stockpiled.

3.6.4 Noise: It is expected that equipment, such as shaker, loader and trucks will continue to operate on the site during regular business hours as they have in the past years. CCR shall continue to restrict the use of louder equipment at the site by limiting loud operations from 7 am to 4 pm. Truck traffic and loading operations may extend beyond the normal operating hours provided they do not present noise or other issues to adjacent neighbors.

3.7 Sampling

Whenever sampling is performed, it must be representative of the material. The following quantity of subsamples taken per pile size will be collected at a depth of 6-12 inches within a pile. The number of minimum subsamples per composite is determined by the quantity of material as-follows:

0 - 100 cubic yards	3 subsamples
101 - 500 cubic yards	5 subsamples
501 - 1,000 cubic yards	7 subsamples
1,001 – 2,000 cubic yards	10 subsamples
>2,000 cubic yards	10 subsamples + 1 sub-sample per each additional 500 CY

After a sample has been taken from a pile, no material will be added to the pile.

3.8 Site Maps Description

Various maps of the site are included as appendixes and identify places where water collects, along with treatment and production areas, buildings, etc., including:

- Directions to Whatley (Appendix B1)
- Traffic flow patterns (Appendix B2)
- Site Layout (Appendix B3)
- Decant Treatment Flow (Appendix B4)
- Stormwater Flow (Appendix B5)

A copy of this plan, including site maps is located inside the portable office at Whatley. Copies also are available through the Whatley Site Coordinator located at the Clark County Public Works Operations Center Complex, 4700 NE 78th St. Vancouver, WA 98665.

3.9 Non-Compliance Procedures

Any instances of non-compliance with regulations pertaining to this Plan shall be addressed in a timely manner and within the boundaries of reporting criteria set within pertinent regulations. If an issue of non-compliance is identified, the person who identified the problem should refer to Appendix A Site Contact List and inform appropriate persons.

Note: Whatley is an International Organization for Standardization (ISO14001:2015) accredited facility. Identified issues shall also be reviewed through the Environmental Management System to ensure proper and timely correction measures are taken. This program also requires follow up to determine the root cause, what improvements can be made to ensure compliance and to evaluate improvement options.

4 Maintenance and Services

4.1 Site Maintenance

4.1.1 Pile Maintenance

All material stockpiles shall remain uncovered* to support natural attenuation through sunlight and airflow, also eliminating burden of covering, anchoring, uncovering and anchoring tarps. Decant and street sweepings materials have not traditionally needed to be covered, and new soil material contains similar analytes.

Water may be applied to piles to control excessive dust (as is the practice with decant and sweepings piles) and turning material can also help. Piles can also be removed or covered (removal preferred). Any unforeseen circumstances on uncovered deck area requiring tarps and/or containment by ecology blocks will be managed accordingly. CCR has plenty of ecology blocks on-site and tarps are available for purchase (Lowe's® is a neighboring property).

(CRC) Columbia Resource Co., L.P. (a subsidiary of Waste Connections®) is not expected to have any difficulty in "keeping up with" CCR's ongoing accumulated materials, enabling CCR to maintain lower soil-related stockpile volumes. Materials will still need to be stockpiled to remove excess water content.

* Appendix B4 identifies two covered eco-block areas where soil-related materials shall be placed in the event they contain excessive liquid or otherwise require containment. These covered containment areas are initially anticipated to be utilized for stormwater facility soils with gabion (one area for newly imported material and second for a gabion rinse area), although either may be used for any material on a priority-need basis.

4.1.2 Oil / Water Separator

The oil/water separator shall be maintained in accordance with ECY's Best Management Practices (BMPs). The oil water separator shall be inspected monthly at a minimum; however, is generally inspected more often by site attendant. Oil absorbent pads are to be replaced as needed but should not remain in the separator longer than four months.

4.1.3 Storage Ponds

The lined ponds shall be maintained in such a manner that they are functional. This will include mowing, fertilizing and reseeding as needed.

The grass around ponds shall be maintained regularly during the summer, and vegetation within pond maintained to promote growth and encourage pollutant uptake. Grass height shall not be cut below the design flow depth. Performing general cleanup around the ponds provides a good opportunity to inspect the ponds for signs of oil or grease, helping to verify proper functionality of the oil/water separator system.

The ponds shall be inspected at least monthly to ensure correct function. Excessive sediment accumulation should be removed with care to avoid compaction of the basin floor. Side slopes shall be mowed to promote dense turf growth; twice a year is generally the rule.

4.1.4 Catch Basins

Catch basins are monitored, maintained and cleaned by CCR, with requested input from Clean Water Division (CWD) of Clark County Public Works, on an as needed basis.

4.1.5 Sweeping Road and Pad

Street sweeping shall be performed on paved roadway and uncovered deck in areas not being utilized for stockpiling. The frequency of sweeping will be based on condition of the areas mentioned, and if there are any concerns of tracking any materials outside of the site.

4.1.6 Road Watering

The roadway within the confines of the site shall be monitored for excessive dust and tracking of materials outside of the site. In the event of this occurrence, water shall be sprayed onto dirt and/or gravel roads as appropriate to keep dust down.

4.1.7 Signage

We have been very successful with training the different employees and agencies regarding where materials they import need to go. We do not foresee any changes or the need to add additional signage currently. Any necessary new signage will be added when needed. Signs shall be inspected on a monthly basis to ensure they are applicable and in good readable condition.

4.1.8 Perimeter Access and Security

The facility is surrounded by a locked, fenced area, and is staffed during hours of operation by a site attendant. A monthly inspection shall be performed by site attendant that includes a complete walk around the perimeter of the facility. The perimeter shall be inspected for any breaches to fencing or bypasses over or under fencing and address any potential problem areas which may be inhabited by uninvited wildlife, persons or other potential breaches.

Vehicle access is through an automated gate, controlled by issued access cards. This site does not allow general public access, although it is possible to enter by following a vehicle with proper access through the gate; in this instance, the site attendant may redirect those persons.

The Whatley Site Coordinator shall periodically review, and update known changes to the site access card list, in conjunction with Clark County Facilities Management that maintains the list. This is to ensure that the list is up to date with partnership agencies and appropriate personnel; as well as ensuring training records are up to date.

4.2 Other Site Support

4.2.1 Facilities

Persons utilizing the facility should exercise common courtesies in keeping the site clean and garbage-free, however, day to day housekeeping is typically the responsibility of the site attendant and Facilities building maintenance. Clark County Facilities provides janitorial and building maintenance services.

4.2.2 Landfill Agreement

CCR has secured landfill services through Columbia Resources Company (CRC), a Waste Connections subsidiary. This provides landfill services (including hauling) for all materials stockpiled at Whatley but does not cover processing of materials at the site.

4.2.3 State Contracts

Although Whatley does not allow hazardous materials on site, we maintain contracts to serve as a mechanism to handle contaminated "hot" loads. Vendors available through those dangerous and/or hazardous waste contracts may be used to serve this purpose should an unforeseen event occur (such as Clean Harbors®, Cowlitz Clean Sweep®, Emerald Services®, Stericycle®, etc.).

4.2.4 Staffing

Whatley staffing is through CCR, and support is available and effective that covers absences of site attendant such as sick leave, vacation, training, etc.

4.2.5 Weed Control

Clark County Vegetation Management provides services to control and eradicate noxious weeds that might establish at this facility. This is performed throughout the year as a precautionary measure and has proven very successful in maintaining site perimeter aesthetics.

4.2.6 Garbage & Recycling

Waste Connections® provides services to pick up garbage and recyclable items that are generated on the site as part of general maintenance and operations. This is separate from the agreement with CRC described in 4.2.2. This service is for the garbage and recycling containers that are used by site attendant and others.

4.2.7 Portable Facilities

CCR has contracted services to provide drinking water, a portable toilet and a hand washing station for users of the facility. This will be addressed with attendant building replacement and/or master planning.

4.2.8 Screening Service

CCR currently has an extendable service contract, renewable annually, to provide screening services for materials intended for reuse. Landfill operations may eliminate this need.

5 Authorized Users and Access

This section expands on Perimeter Access and Security (Section 4.1.8) and covers training that is needed and other requirements for agencies to utilize the site.

5.1 Authorized Users

The Whatley facility is not open to the general public. Authorization to use Whatley may be granted to a municipality or governmental agency that meets CCR's application requirements and terms. Each agency that utilizes this facility has an interlocal agreement on file with CCR, and a copy is available through the Whatley Site Coordinator, located at Clark County Public Works, Maintenance and Operations, 4700 NE 78th Street, Vancouver, WA 98665, in Building B. In addition to the agreement with an agency, the following must be completed:

5.1.1 Submit Request

Contact Whatley Site Coordinator regarding partnership opportunities at the Whatley facility. An Interlocal Agreement and approval through existing (steering committee) partnership agencies and other specific authorization is required to use this facility.

You may contact the Whatley Site Coordinator at (564) 387-1682 or by email: Gregg.Ganson@clark.wa.gov or pubwks.cservice@clark.wa.gov.

All requests to utilize the facility are subject to approval by the Clark County Director of Public Works and the Clark County Council and/or County Manager.

Evaluation information will be needed from applicant to help determine practicality of moving forward in the creation of an interagency agreement. The following information will help us determine, but does not constitute a guarantee of acceptance related to your application as an authorized facility user:

- Type and source of material (Road maintenance, sweepers, eductors)
- Volume of material (per month and annual total, maximums and minimums)
- Is this an ongoing or project activity?
- What type of equipment/vehicles are utilized? Can they discharge liquids and solids separately? Do any exceed a 2,500-gallon capacity for liquids?
- Is applicant looking to utilize Whatley as a permanent or temporary site to manage this material? What does applicant currently do with this material?
- Are there any known exceedances of contaminates in the material?
- Does applicant's material contain dangerous or hazardous waste?

New applications may be denied if site is at or above capacity as this could subject existing partnership agencies to reduced site availability. Limitations on volumes accepted or seasonal restrictions to the applicant may also be applied.

Applicant may be subject to a different rate structure than agencies who contributed to the initial capital expenditures to build this facility. Also, unless a "buy in" is offered to applicant, the new member (if accepted) will not have voting privileges on the steering committee.

5.1.2 Attend Training

Training is required for all individuals that will be importing materials to the site and emphasizes how to identify contaminated materials (what to do and what not to do). Training will not be required for fire department, administration, contractors, haulers and other personnel not transporting materials onto site. Training is provided through an on-line system for County

employees. For all other material importers, training is provided in several formats to suit individual needs.

Persons needing access to the site will need to verify they have completed the training prior to being issued an access card. Generally, new employees (of external agencies) are trained at their work location and the manager or supervisor of that agency will provide verification training has taken place. Once verification is received, a request will be submitted through Clark County Facilities to issue the individual an access card. Training records shall be kept on file by the Whatley Site Coordinator.

Training is typically restricted to an initial session only and no follow up or additional training is currently required. However, the County reserves the right to require additional training as needed. A major change in operation may warrant a training update. In this event, all applicable persons would need to either retrain or otherwise verify they are aware of applicable changes.

For individuals or agencies receiving new access cards or reactivating cards, it generally takes 3-5 business days to obtain access. The Whatley Site Coordinator will notify individuals when cards are ready for pick up. The person who is trained must be present to sign for and pick up access card from Facilities Management, located at 816 West 13th ST, Vancouver, WA 98666.

5.1.3 Provide Proof of Liability Insurance

Each authorized user will maintain insurance coverage as outlined in agreements with Clark County. Proof of insurance will be provided in accordance with procedures and requirements in agreements with Clark County.

5.2 Site User List, Facility Access Cards

Access cards are issued to individuals for an authorized municipality or governmental agency. They are not to be given to unauthorized persons or an agency that has not fulfilled the proper application requirements listed above.

Selling, giving or loaning an access card without prior consent of Site Administrator is considered unauthorized use. Any person suspected of unauthorized use of an access card will have card access immediately revoked.

The County maintains a list of all authorized card holders. Individuals requiring access for purposes of importing materials to the site are subject to Whatley specific training.

When an employee of an agency terminates employment, it is the responsibility of the partnering agency to return the access card. Notification can be made via email or phone call. CCR will do periodic reviews with partnering agencies to be sure that access card lists are updated and current.

6 Criteria for Revocation of Authorization

Clark County reserves the right to revoke authorization to Whatley for any of the following:

6.1 Approved Materials Only

Only liquids, solid waste and soils identified in this plan can be disposed of at the facility.

6.1.1 Contaminated (Hot) Load, Dumped in Facility

Disposal of waste collected from transfer stations, sanitary sewers, sites associated with production of solvents, fuels, PCBs, pesticides, or radioactive materials is specifically prohibited.

Discharging of any material commonly referred to as a "Hot Load"; meaning any load known to have excess oils, greases, hazardous wastes, or any other constituent that would likely result in a lower level of treatment or a complete failure in the treatment process is prohibited. See Section 9.1 for additional information.

Any damage or cleaning required at the decant facility or any effected downstream processes resulting from contaminated materials unloaded to the facility shall be the responsibility of the offending agency, including all related disposal costs, and any fines incurred as a result of permit and/or treatment infractions.

6.1.2 Contaminated Load, Temporary Storage

Contaminated ("Hot") loads will not be dumped at the facility, however in the highly unlikely event that vehicles (with hot load contained within) may be temporarily parked on the site until an alternative option of material transportation and/or disposal such as Cowlitz Clean Sweep®, Clean Harbors®, Emerald Services® or other is available. This provision is in case landfill is closed due to hours, weekend, holiday, etc. Storage of this vehicle/material will be identified in a manner so that all persons entering the facility are aware of its presence as it awaits transfer, transportation and/or disposal option at the earliest opportunity.

If an unknown contaminated material is suspected by an agency, the first action is to call ECY at (360) 407-6300 and refer to the Contact List (Appendix A). Do not attempt to move or treat this material (Suspected "Hot" loads should not be transported to Whatley). This material should only be handled by professionals with specialized training in hazardous waste handling and/or management.

6.2 Data Omission

Any willful omission or not accurately reflecting the quantities or quality of material coming into or leaving the facility is unacceptable. Failure to report problems, failure to report problem loads, entering site using another agency access card, bypassing scale, failure to fill out scale sheet, ignoring a known incorrect scale reading are some examples.

6.3 Hours of Operation

General hours of operation are 7 am to 4 pm Monday through Friday to ensure operation of louder equipment such as screeners, shakers, etc., take place during appropriate hours. Pre-authorized agencies such as Washington State Department of Transportation (WSDOT) may extend imports to Whatley beyond the normal operating hours provided they do not present significant noise or other issues.

Regulatory agencies, such as CCPH or ECY are not subject to operation and/or closure restrictions and may inspect the site at any time (presence of Whatley Site Coordinator is requested but not required).

6.4 Damage and Theft

Any unreported damage to structures, processes, or equipment, and any theft of items within the Whatley site grounds may result in the loss of access for an individual and/or agency. Theft also includes removing any stockpiled materials or equipment from the site without express authorization from CCR.

6.5 Failure to Pay

Failure to pay the monthly invoice may result in a loss of authorization to use Whatley. Reauthorization to use the facility may only occur when the payment is restored, including any additional costs related to key card activation/deactivation and costs of additional paperwork/overhead, unless other arrangements have been specifically made by mutual agreement with customer and CCR.

6.6 Re-Authorization

A municipality and/or individual may be re-authorized to utilize the Whatley facility following correction of all previous actions, including any costs and fines incurred, and with unanimous vote of partnership members, with the following exception: A unanimous vote is not required for failure to pay, unless there is a recurring issue with payment.

7 Rate Setting, Rate Updates, Billing Process

7.1 Rate Setting

The current disposal rates are evaluated using the previous year operational revenues and expenditures. Anticipated cost increases such as a service, rental rates, or maintenance and operational need are also considered, along with any major projects or expenses.

The ideal condition is to operate this site where revenues and expenditures are in balance on an annual basis. In the event agencies are undercharged, rates shall be adjusted to meet the shortfall, and in situations where agencies are overcharged, rates can be decreased in the future year or the excess funds can be added to a reserve fund for future needs. Excessive agency quantity variances delivered could impact rates, although this has not been observed. If this becomes an issue in the future, the expansion of reserve funds would likely be the most viable way to resolve the ebb and flow, thus minimizing financial impacts to smaller agencies.

Here are the basic rate-setting procedures:

- Data is collected from the entire previous year (Jan 1 – Dec 31) including:
    - Import volumes for each material and sum volume of all materials
    - Total revenues from all imported materials
    - Total volume and revenues from each agency
    - Total costs of treatment portion of materials
    - Total costs of disposal portion of materials
    - Total expenditures (treatment, disposal, projects, etc.)

- Cost of treatment and disposal for previous year is calculated as dollars per ton ($/ton). Previous year rates are compared with expenditures, and a reserve fund is monitored. Based on reserve funds capacity, determinations regarding rate adjustments (up or down) in the following year are relatively apparent. This is base rate determination.

- Base rates (above bullet) are relatively clear, however the reserve fund can change the rate structure significantly. The reserve fund limit is set by a steering committee, and may fluctuate heavily based on a previous year monetary deficiency or surplus, potential or committed

projects, reserve cap amount, etc. In recent years, the reserve was used to buffer rates to keep them steady for multi-agency budgeting needs.

- Another factor in rate determination is large maintenance and operational needs and/or capital projects. We are expecting to exercise this in 2021* and have suggested each agency pay an import-volume based percentage of their agency (Re. smaller agencies pay less, and larger agencies pay more) based on what volume of the facility they utilize. This cost will likely be passed on to each agency as an added fee but could be paid directly by agencies.

**Note: This was originally anticipated for 2020, however the COVID-19 pandemic will likely move this out to the following year as a result of project funding freezes.*

7.2 Rate Updates

Facility rates will be updated on an annual basis, and rates will be set by February of each calendar year. Rates will be presented and discussed at partnership meetings. The partnership can provide CCR recommendations on the rates and structure, but the ultimate decision to establish those rates will be set forth by the Director of Clark County Public Works.

Significant costs associated with the construction of the decant facility include engineering and development, structures, catch basins, settling vaults, permitting and site preparation. A fund to provide for capital improvements and major maintenance will be developed over the next couple of years. The original concept to build the reserve fund over time to account for capital improvements has indicated it is not a significant enough source of funds to accommodate more immediate improvements.

Initial capital project discussions for attendant building project and more projects are expected to result following master planning discussions at an upper management level between the various participating agencies. The idea is to update our master planning to include what we may be looking at for future needs at Whatley and other potential (new) sites and determine costs and sources of funding for this undertaking.

7.3 Billing Process

The existing system for decant and street sweepings billing is based on import scale data recorded on the material sign-in sheets and actual previous year costs (see Section 9.1 and Table 5 in Section 7.5). The certified scale at Whatley is used for tracking incoming materials and outgoing materials to local sites. These rates are shown in Table 4, at lower, right of table (as “2020 Suggested”), where 2020 rate for decant is $84 per ton and 2020 rate for street sweepings is $49 per ton.

Soil-related materials imported to Whatley and destined for landfill are exclusive to CCR. These materials shall also use scale at Whatley for import data and billing. Rates for this service are based on projected year disposal cost/ton with labor factored in. This is shown in Table 4 as “Cost per Ton (Disposal)” rate of $33.02 for (2020) reference.

Table 4: Projected Costs

2020 Whatley Projection Data (using 2019 data)

Description	Unit	Wasco Landfill (at $31/ton)	Decant & Sweeping to Local Site
TREATMENT VOLUMES			
Decant Annual (2019) Volume (2020 Estimate Total)	Ton	2,537	2,537
Sweepings Annual (2019) Volume (2020 Estimate Total)	Ton	8,658	8,658
2020 Import Volume (using same volumes as 2019)	Ton	11,195	11,195
Decant Carryover from 2019 (on deck)	Ton	2,322	2,322
Sweepings Carryover from 2019 (on deck)	Ton	5,111	5,111
Total Carryover to 2020	Ton	7,433	7,433
Total to Remove in 2020 (w/3000 Ton C/O in 2021)	Ton	15,628	15,628
TREATMENT COSTS			
Decant Annual Budget	$	126,262	126,262
Sweepings Annual Budget	$	170,942	170,942
Decant Budget (minus 410's & s 419's)	$	109,661	109,661
Sweepings Budget (minus 410's & 419's)	$	99,141	99,141
Decant Projected Treatment Cost	$/ton	43.22	43.22
Sweepings Projected Treatment Cost	$/ton	11.45	11.45
DISPOSAL COSTS			
Local Hauling Cost	$		156,280
Screening (for Local Only - Est. $6/ton)	$		67,170
3.6% Refuse Tax (Local Only)	$		5,626
Loading Equipment (+10% for second haul event)	$	31,641	34,805
Excavation, Grade Equipment, Planting, etc. (SR-14)	$		22,499
Import Landfill cost (3000 Ton carryover)	$	484,469	230,423
Total Cost	$	516,110	516,803
Cost per Ton (Disposal)	$/ton	33.02	33.07
Local Haul Rate (per ton)	$		10.00
Landfill (per ton): Includes disposal, haul & refuse tax	$	31.00	
AT-COST IMPORT FEES	Decant	76.24	76.29
	Sweepings	44.48	44.52
IMPORT FEES w/Reserve (5%)	Decant	83.49	83.53
	Sweepings	48.70	48.75

2020 (w/5% Reserve) Total Budget

Decant	2586	$	215,895.10
Sweepings	8424	$	410,258.15
	Total	$	626,153.25

2020 (at Landfill cost) Total Budget

Decant	2586	$	197,164.47
Sweepings	8424	$	374,664.98
	Total	$	571,829.45

2020 Projected Reserve (for 2021 Operations):

Total w/5% (-) Total at-cost = $ 54,323.80

2020 w/5%			2020 (Suggested)
Decant	**$**	**83.49**	**$84 per ton**
Sweepings	**$**	**48.70**	**$49 per ton**

7.4 Budget Overview

The budget process is not as direct as many other budgeted county sub-sections due in part to different treatment and (landfill vs reuse) disposal costs related to the various materials. There is also a definitive separation of the actual site where this Plan's "upper" portion of Whatley is funded through multiple agencies and is specific to the decant and uncovered deck areas of the facility. The "lower" portion of the site (not part of this plan) is funded entirely by CCR.

Generally, the decant and uncovered deck operations split site attendant labor 50/50 whereas other areas such as process specific items or costs are weighted to either sweepings or decant depending on their actual use or needs. Other budgeted items such as Items such as professional services are based on material volumes to reflect cost-proportional use of service.

Budgetary risks associated with non-favorable laboratory testing results existed with the various waste streams and resulted in reuse projects being delayed or not being approved. Additional processing did not guarantee material would meet local project approval, which extended storage of large volumes of materials. If material is screened for reuse, budgeted costs can easily be exceeded if material goes to landfill; this is due to high cost of unnecessary screening not required by landfill.

Disposal costs in Table 4 were calculated separately from treatment costs to capture projected cost differences between landfill and potential reuse operations. This was done to ensure landfill agreement/contract rates were fair and equitable when comparing with reuse operational costs of materials used as sub-grade fill. While ensuring cost-effective operations are taking place, other considerations such as ease of operation, seasonal timing, hauling availability, etc. also played into cost decisions.

7.5 Agency Volumes (2019) and Projected 2020 Costs

Import tonnage data for each agency in 2019 was gathered and is available on Table 5 (next page). This table originally designed for cross-checking invoices. Not included in Table 5, 6A or 6B are the City of Ridgefield, who began use of Whatley in 2020, the City of Washougal did not utilize Whatley during 2019 (Whatley is a back-up only to their own facility) and the City of LaCenter was left off for Table aesthetics (LaCenter imported 35 tons of street sweepings in 2019).

Table 5: 2019 Import Volumes (Tons)

		Clark County	***Vancouver***	***WSDOT***	***Camas***	***Battle Ground***
Jan-19	S. Sweep	383.880	367.695	475.145	10.490	41.580
	Decant	52.180	134.320	20.470	14.490	7.330
Feb-19	S. Sweep	245.055	241.21	17.82	20.51	13.25
	Decant	55.54	65.384	15.57	7.90	0
Mar-19	S. Sweep	192.455	331.645	177.32	15	23.21
	Decant	61.125	135.915	112.33	57.44	14.595
Apr-19	S. Sweep	201.215	272.631	395.34	42.08	39.52
	Decant	67.877	116.655	83.35	57.03	17.03
May-19	S. Sweep	143.77	304.665	57.48	26.23	0
	Decant	87.541	130.34	30.44	29.73	0
Jun-19	S. Sweep	94.01	269.355	62.565	8.46	40.01
	Decant	0	92.005	0	0	6.63
Jul-19	S. Sweep	64	217.25	57.395	30.36	0
	Decant	0	120.43	9.12	0	0
Aug-19	S. Sweep	1.59	213.997	153.84	0	29.37
	Decant	112.623	140.31	8.68	0	0
Sep-19	S. Sweep	201.85	98.64	124.723	43.22	0
	Decant	5.43	121.335	3.1	0	0
Oct-19	S. Sweep	231.34	427.96	251.675	58.802	51.7
	Decant	39.58	183.58	0	0	17.02
Nov-19	S. Sweep	183.265	422.755	189.185	63.315	27.635
	Decant	0	69.005	0	0	3.12
Dec-19	S. Sweep	229.381	346.638	360.1	23.47	40.6
	Decant	44.46	159.5	0	26.86	0
TOTALS	S. Sweep	2171.811	3514.441	2322.588	341.937	306.875
	Decant	526.356	1468.779	283.06	193.45	65.725
Total (SS and Decant)		2698.167	4983.22	2605.648	535.387	372.6

Total (all agency)	Tons
S. Sweep	8,657.65
Decant	2,537.37
Combined	11,195.02

Costs for each agency are shown on Tables 6a and 6b (next pages) and include 2019 revenues along with 2020 projected revenues based on same (2019) import volumes.

Table 6a: Rates* (2019 and Projected 2020) Based on 2019 Volumes

		Clark County		Vancouver		WSDOT	
		Old Rates	New Rates	*Old Rates*	New Rates	*Old Rates*	New Rates
Jan-19	S. Sweep	*$ 13,819.68*	*$ 18,810.12*	*$ 13,237.02*	*$ 18,017.06*	*$ 17,105.22*	*$ 23,282.11*
	Decant	*$ 3,182.98*	*$ 4,383.12*	*$ 8,193.52*	*$ 11,282.88*	*$ 1,248.67*	*$ 1,719.48*
Feb-19	S. Sweep	*$ 8,821.98*	*$ 12,007.70*	*$ 8,683.56*	*$ 11,819.29*	*$ 641.52*	*$ 873.18*
	Decant	*$ 3,387.94*	*$ 4,665.36*	*$ 3,988.42*	*$ 5,492.26*	*$ 949.77*	*$ 1,307.88*
Mar-19	S. Sweep	*$ 6,928.38*	*$ 9,430.30*	*$ 11,939.22*	*$ 16,250.61*	*$ 6,383.52*	*$ 8,688.68*
	Decant	*$ 3,728.63*	*$ 5,134.50*	*$ 8,290.82*	*$ 11,416.86*	*$ 6,852.13*	*$ 9,435.72*
Apr-19	S. Sweep	*$ 7,243.74*	*$ 9,859.54*	*$ 9,814.72*	*$ 13,358.92*	*$ 14,232.24*	*$ 19,371.66*
	Decant	*$ 4,140.50*	*$ 5,701.67*	*$ 7,115.96*	*$ 9,799.02*	*$ 5,084.35*	*$ 7,001.40*
May-19	S. Sweep	*$ 5,175.72*	*$ 7,044.73*	*$ 10,967.94*	*$ 14,928.59*	*$ 2,069.28*	*$ 2,816.52*
	Decant	*$ 5,340.00*	*$ 7,353.44*	*$ 7,950.74*	*$ 10,948.56*	*$ 1,856.84*	*$ 2,556.96*
Jun-19	S. Sweep	*$ 3,384.36*	*$ 4,606.49*	*$ 9,696.78*	*$ 13,198.40*	*$ 2,252.34*	*$ 3,065.69*
	Decant	*$ -*	*$ -*	*$ 5,612.31*	*$ 7,728.42*	*$ -*	*$ -*
Jul-19	S. Sweep	*$ 2,304.00*	*$ 3,136.00*	*$ 7,821.00*	*$ 10,645.25*	*$ 2,066.22*	*$ 2,812.36*
	Decant	*$ -*	*$ -*	*$ 7,346.23*	*$ 10,116.12*	*$ 556.32*	*$ 766.08*
Aug-19	S. Sweep	*$ 57.24*	*$ 77.91*	*$ 7,703.89*	*$ 10,485.85*	*$ 5,538.24*	*$ 7,538.16*
	Decant	*$ 6,870.00*	*$ 9,460.33*	*$ 8,558.91*	*$ 11,786.04*	*$ 529.48*	*$ 729.12*
Sep-19	S. Sweep	*$ 7,266.60*	*$ 9,890.65*	*$ 3,551.04*	*$ 4,833.36*	*$ 4,490.03*	*$ 6,111.43*
	Decant	*$ 331.23*	*$ 456.12*	*$ 7,401.44*	*$ 10,192.14*	*$ 189.10*	*$ 260.40*
Oct-19	S. Sweep	*$ 8,328.24*	*$ 11,335.66*	*$ 15,406.56*	*$ 20,970.04*	*$ 9,060.30*	*$ 12,332.08*
	Decant	*$ 2,414.38*	*$ 3,324.72*	*$ 11,198.38*	*$ 15,420.72*	*$ -*	*$ -*
Nov-19	S. Sweep	*$ 6,597.54*	*$ 8,979.99*	*$ 15,219.18*	*$ 20,715.00*	*$ 6,810.66*	*$ 9,270.07*
	Decant	*$ -*	*$ -*	*$ 4,209.31*	*$ 5,796.42*	*$ -*	*$ -*
Dec-19	S. Sweep	*$ 8,257.72*	*$ 11,239.67*	*$ 12,478.97*	*$ 16,985.26*	*$ 12,963.60*	*$ 17,644.90*
	Decant	*$ 2,712.06*	*$ 3,734.64*	*$ 9,729.50*	*$ 13,398.00*	*$ -*	*$ -*
TOTALS	S. Sweep	*$ 78,185.20*	*$ 106,418.74*	*$ 126,519.88*	*$ 172,207.61*	*$ 83,613.17*	*$ 113,806.81*
	Decant	*$ 32,107.72*	*$ 44,213.90*	*$ 89,595.52*	*$ 123,377.44*	*$ 17,266.66*	*$ 23,777.04*
Total (SS and Decant)		*$ 110,292.91*	*$ 150,632.64*	*$ 216,115.40*	*$ 295,585.05*	*$ 100,879.83*	*$ 137,583.85*
		Difference	*$ 40,339.73*	*Difference*	*$ 79,469.65*	*Difference*	*$ 36,704.02*

***Note: Table 6b (next page) is continuation of Table 6a.**

Table 6b: Rates* (2019 and Projected 2020) Based on 2019 Volumes

		Camas		Battle Ground	
		Old Rates	New Rates	*Old Rates*	New Rates
Jan-19	S. Sweep	*$ 377.64*	*$ 514.01*	*$ 1,496.88*	*$ 2,037.42*
	Decant	*$ 883.89*	*$ 1,217.16*	*$ 447.13*	*$ 615.72*
Feb-19	S. Sweep	*$ 738.36*	*$ 1,004.99*	*$ 477.00*	*$ 649.25*
	Decant	*$ 481.90*	*$ 663.60*	$ -	$ -
Mar-19	S. Sweep	*$ 540.00*	*$ 735.00*	*$ 835.56*	*$ 1,137.29*
	Decant	*$ 3,503.84*	*$ 4,824.96*	*$ 890.30*	*$ 1,225.98*
Apr-19	S. Sweep	*$ 1,514.88*	*$ 2,061.92*	*$ 1,422.72*	*$ 1,936.48*
	Decant	*$ 3,478.83*	*$ 4,790.52*	*$ 1,038.83*	*$ 1,430.52*
May-19	S. Sweep	*$ 944.28*	*$ 1,285.27*	$ -	$ -
	Decant	*$ 1,813.53*	*$ 2,497.32*	$ -	$ -
Jun-19	S. Sweep	*$ 304.56*	*$ 414.54*	*$ 1,440.36*	*$ 1,960.49*
	Decant	$ -	$ -	*$ 404.43*	*$ 556.92*
Jul-19	S. Sweep	*$ 1,092.96*	*$ 1,487.64*	$ -	$ -
	Decant	$ -	$ -	$ -	$ -
Aug-19	S. Sweep	$ -	$ -	*$ 1,057.32*	*$ 1,439.13*
	Decant	$ -	$ -	$ -	$ -
Sep-19	S. Sweep	*$ 1,555.92*	*$ 2,117.78*	$ -	$ -
	Decant	$ -	$ -	$ -	$ -
Oct-19	S. Sweep	*$ 2,116.87*	*$ 2,881.30*	*$ 1,861.20*	*$ 2,533.30*
	Decant	$ -	$ -	*$ 1,038.22*	*$ 1,429.68*
Nov-19	S. Sweep	*$ 2,279.34*	*$ 3,102.44*	*$ 994.86*	*$ 1,354.12*
	Decant	$ -	$ -	*$ 190.32*	*$ 262.08*
Dec-19	S. Sweep	*$ 844.92*	*$ 1,150.03*	*$ 1,461.60*	*$ 1,989.40*
	Decant	*$ 1,638.46*	*$ 2,256.24*	$ -	$ -
TOTALS	S. Sweep	*$ 12,309.73*	*$ 16,754.91*	*$ 11,047.50*	*$ 15,036.88*
	Decant	*$ 11,800.45*	*$ 16,249.80*	*$ 4,009.23*	*$ 5,520.90*
Total (SS and Decant)		*$ 24,110.18*	*$ 33,004.71*	*$ 15,056.73*	*$ 20,557.78*
		Difference	*$ 8,894.53*	*Difference*	*$ 5,501.05*

***Note: Table 6b is continued from Table 6a (previous page)**

Total (all agency)	2019 Total $	2020 Total $
S. Sweep	311,675.47	424,224.95
Decant	154,779.57	213,139.08
Combined	466,455.04	637,364.03

8 Hauler Procedures

This section covers hauling requirements from what to look for prior to picking up a load through procedures for importing and documentation of those materials.

8.1 Material Inspection

Materials delivered to Whatley are characterized as a solid waste. Dangerous or hazardous wastes shall not be imported. Contaminants can be present if illegal dumping of material by citizens or businesses

occurs and could result in material being classified as a dangerous or hazardous waste. Through inspection by sight and smell, the driver and helper can provide valuable information regarding the potential contamination of materials and prevent that material from being imported to Whatley.

Prior to picking up material intended for Whatley, the truck operator must first look for evidence of contamination, be aware of the upstream users of the system and the potential for contamination. One or more of the following occurrences indicate contamination:

- Presence of fumes, vapors, or odors: Fumes, vapors, or odors are an excellent indicator of the presence of gas, hydrocarbons, or solvent. If present, exposure could be dangerous to the driver and helper. Some fumes can deaden the sense of smell almost immediately. If you think you smelled something “rotten” you probably did.

- Unusual color: Unusual color of water may indicate the presence of anti-freeze or another contaminant. Anti-freeze is classified as a dangerous waste.

- Dark, thick, gooey sludge buildup on top of the sediment: This type of sludge may indicate the presence of petroleum products or infrequent cleaning resulting in buildup of contaminants in the sump.

- Drainage area with stains or corrosion may indicate the presence of hazardous or dangerous waste. Wastes containing metals, solvents, or petroleum may stain the surrounding surfaces.

- Unusually clean looking sump: An industrial solvent or cleaner may have been “dumped” into the sump. These may designate as hazardous or dangerous waste.

- Material collected from solid waste transfer stations, sanitary sewers, utility vaults, sites associated with the production of solvents, fuels, PCBs, pesticides, or radioactive materials is specifically prohibited from being disposed of anywhere within the site.

Follow your own agency/company guidelines on how to proceed if you suspect a storm drain may be contaminated. Do not dispose of any contaminated loads at the Whatley Facility. Material collected from solid waste transfer stations, sanitary sewers, utility vaults, sites associated with the production of solvents, fuels, PCBs, pesticides, or radioactive materials is specifically prohibited from being disposed of anywhere within the decant facility site.

8.2 Scale Documentation

Every driver must complete the scale sheets each time a load is imported to Whatley or exported for reuse. Exported material to landfill shall be documented by landfill and provided to CCR with invoices. Scale sheets must be maintained for five years and made available to regulatory agencies upon request, and include the following information:

- Date
- Driver’s Initials
- Name of Client
- Type of Material
- Volume of Material

- Street address or area material was picked up (or delivered if reuse)
- Classification of each load by land use:
    - SF- Single Family
    - MF- Multi-Family
    - C- Commercial, I- Industrial

Mailboxes for CCR authorized agencies and color-coordinating scale sheets to simplify administrative process and improve billing accuracy are located at the scale.

Scale sheets throughout any month will generally be kept on site until the fifth (5th) of the following month, then forms will be collected and delivered to Public Works Administration for transfer of data to electronic format. Originals and electronic formats will be kept by public works Maintenance and Operations at 4700 NE 78th Street, Vancouver, WA 98665. This documentation is also used for providing monthly invoices to partnership agencies.

If material from the facility is reused, records will be kept of how and where it is reused. Landfill disposal records will be retained following invoicing from landfill with total quantity information.

An annual report will be submitted by April 1st of each year to CCPH and ECY. It will summarize the past year's activity, volumes or tonnage, and the final end-use or disposition of the material or product. A daily logbook completed by the site attendant is also kept and is available at the Whatley site.

8.3 Scaling Procedures

A certified truck scale is in place at the Whatley facility, and is utilized for billing and inventory purposes. As mentioned in Section 8.2, drivers are responsible for recording the Gross and Tare weights of each load they import (and for each load they export for reuse). Liquid weights are not required, and trucks needing to decant are expected to bypass the scale and off-load liquid prior to obtaining their Gross Weight (see below). Following liquids being dumped, these are the procedures:

8.3.1 Scale Approach

The intended flow of traffic is to enter the facility and head toward the decant building, basically following a clockwise pattern around the upper portion of the facility. This pattern may be changed as needed, such as during a screening operation, where equipment placement could interfere with intended traffic pattern. If a change does occur, drivers shall be notified. A facility traffic flow pattern map is provided in Appendix B2.

8.3.2 Gross Weight

Gross weight is the full truck weight of solids (following any liquid being off-loaded). This initial gross "heavy" weight minus the tare "light" weight will be utilized for billing. All stockpile materials being imported or exported for reuse must be weighed. Landfill (export) trucks may be weighed on the site scale as a guideline for truck loading, however scale records from certified landfill scale will be utilized for invoicing and general recordkeeping related to those volumes.

Upon entering Whatley, trucks that need to decant shall initially bypass the scale and remove excess water from load. Once the removal of excess water is completed, trucks will proceed to the scale and obtain their Gross Weight as follows:

- Facing Decant structure, stop truck on scale and obtain/record gross weight from reader board located near roofline of decant structure.

- Exit scale and record gross weight. This may be done when recording tare weight (for convenience), however both (gross and tare) weights must be recorded prior to leaving the Whatley site.
- Drive truck to designated area for the type of imported material and offload.

8.3.3 Tare Weight

Following material offloading, trucks must be weighed empty. Tare weight is the weight of empty truck following the removal of solid material. This weight shall be recorded along with gross weight (if not already recorded) on the agencies scale sheet provided by CCR.

8.3.4 Net Weight

The difference of the Gross Weight and the Tare Weight is the Net Weight of the solids brought in (or removed) and will be utilized for billing and recordkeeping data.

8.3.5 Error Corrections

Drivers shall record the gross and tare weights on the clipboard following each load, unless specifically instructed to do otherwise by site attendant, crew chief, superintendent, site coordinator or operations manager. This scale record is an official record of import/export material and will be used for invoicing, verification of data and for any disputes that may arise related to material weights or import/export loads.

In the event of scale malfunction or legibility of scale sheet(s) where no information is available or cannot be easily read by County administrative staff regarding truck weights; the previous three averages of each set (gross and tare) of individual weights may be utilized for the specific truck that brings in a load.

8.4 Unloading Procedures

Make sure any material brought to the site meets the previously mentioned items and procedures listed within this (Hauler Procedures 8 through 8.3) section.

8.4.1 Eductor Unloading (Decant)

Eductor trucks shall drive (bypassing scale to remove water from load) to the second of two bays on the east side (farthest from the scale – see Appendix B4) and slowly release liquid on pad, looking for possible contaminates that may have been missed at the pickup location. If evidence of contamination is found, cease off loading and notify CCR management immediately.

If no signs of contaminates are present, continue to release liquid until minimal liquid remains, then close the release point and proceed to scale for Gross weight measurement.

Following gross weighing and recording weight, continue to the second portion of the two bays (see Appendix B4) at the west side of the covered facility, and slowly empty the remainder of the material into the bay. After the load is off-loaded, vehicle will need to go to the scale to be weighed (final “Tare” weight) one last time.

Following the final “Tare” weight and recording of tare weight, the truck may go to the east portion of the two bays (farthest from scale) and hose out remnants as needed. Do NOT hose out excess materials in trucks at the wash station. Follow these general items:

- If you are going back into the field to do more work, wait until the end of the day to wash out. Try to minimize water usage in the facility if possible.
- Back up to the (see Appendix B4) east side, farthest from the scale, and open gate as needed for cleaning.
- If you need to wash out truck and don't have water on board, you may use the hose located nearby, but please try to use as little water as possible.

8.4.2 Street Sweeper Unloading (Uncovered Deck)

Prior to the initial (Gross) scale reading, street sweepings truck operators should utilize discretion on vehicle contents regarding liquid volumes. If there is known to be a large amount of liquid, the sweeper should go directly to the bays on the east side (farthest from the scale) and release the excess liquid. Following removal of excess liquid, or if no excess liquid is anticipated, the sweeper then must go to the scale and record gross weight.

Once the initial (gross) scale weight has been performed, the sweeper shall go to the designated area for off-loading material. This area is typically designated by the site attendant but may be set by an operations manager or site administrator depending on circumstances such as a suspected or questionable contamination source location.

After off-loading material, vehicle must go to the scale for final weight and recording of weight prior to leaving the facility. Following the final weight, the truck may go to the two bays (farthest from scale) and hose out any remnants as needed. A quick rinse is acceptable, however do not hose out excess materials in trucks at the wheel wash pad. Follow these general items:

- If you are going back into the field to do more work, wait until the end of the day to wash out. Try to minimize water usage in the facility if possible.
- Back up to the (see Appendix B4) east side, farthest from the scale, and open gate as needed for cleaning.
- If you need to wash out your truck and don't have water on board your truck you may use the hose nearby, but please try to use as little water as possible.

8.4.3 Other Material Unloading

Follow previous section (8.4.2) for soil related material disposal procedures, unless otherwise directed by site attendant, site coordinator or CCR operations manager. Currently, soil-related materials only apply to CCR, and this service is not available to other agencies.

9 Emergency Procedures

Whatley is located west of HWY 503 on the South side of NE 76th ST. Behind (west of) Lowe's® in Orchards. (11203 NE 76th ST, Vancouver, WA 98662). A Knox Box is located on pole (left in driveway) for emergency responders.

Employees and other municipalities utilizing the facility are expected to comply with applicable personal safety procedures outlined by their agencies. Any procedures identified with compliance should consider personnel safety first, then refer to the following:

9.1 Emergency Shutdown Procedure, Hazardous Waste

If staff detects a "hot load" coming into the decant facility, the load will not be allowed to dump, and a contracted agency (State Procurement Contract "piggyback") can be exercised to ensure hazardous materials are handled, removed and disposed of appropriately.

If a "HOT LOAD" is unexpectedly dumped on to the dewatering area, the valve from the sediment chamber to the oil water separator should be closed immediately to keep contamination from entering the separator and holding ponds. A contracted agency may be contacted to handle, remove and dispose of this material once contamination is confirmed or with management consent (if unconfirmed), and the event would be reported to CCPH and ECY. Agencies using the decant facility would be notified to halt loads to the facility until corrective actions are completed and regulators approve of the action(s) taken.

All CCR vehicles typically have radios (and/or cell phones may be used), spill kits, first aid kits and fire extinguishers. All County staff authorized to import materials to this facility has basic training on spill control and response procedures. If a spill occurs, CCR staff will follow policies and procedures regarding spill control.

9.2 Power Outage

In event there is a power outage the gate will not operate. Call (564) 397-2446 and ask for Facilities Department to send someone out to open it.

All users must still document all imported materials. If the power is out and gate is open, we still expect all agencies to complete scale sign in sheets. Drivers shall complete as much of the sheet as possible, although the scale reader does not function during power loss. If a load must be delivered, the load will need to be annotated on the scale sheet that it was brought in during a power outage situation. Loads brought in under this circumstance will be billed according to an average of the previous three loads, unless other reasonable data can be recorded (Re. Many trucks have axle weights available).

9.3 Closure

Regulatory agencies such as Clark County Public Health officials or Washington State Department of Ecology are not subject to operation and closure restrictions and may inspect the site at any time (presence of appropriate County personnel is requested but not required).

9.3.1 Temporary Facility Closure

CCR does not anticipate closure of the facility, as many other municipalities rely on the facility to manage their sweepings and decant materials. The facility could be temporarily closed during extremely cold weather, to make site improvements, meet regulatory requirements, or on an as needed or emergency basis. Notice of any closures would first be sent out to all agencies by mail, e-mail and/or phone, and depending on circumstances may be posted at the card reader and/or on the front site access gate.

If the site encounters capacity issues, emergencies, or other significant issue that might require a longer closure, CCR reserves the right to restrict and/or the use of this facility at any time, by any or all agencies. All partnering agencies will be immediately informed of the situation and will be given guidance on when the site will reopen for use.

9.3.2 Permanent Facility Closure

Permanent closure of this facility is not expected, however if the need for this facility were to be negated by other means of treatment and disposal found to be more environmentally friendly and/or cost effective, if CCPH or ECY determines the operation does not meet regulatory requirements, irreparable damage occurring through natural disaster, or some other unforeseen reason for permanent closure; the following general items are to be implemented to permanently close the Whatley facility.

- CCPH and ECY shall both be notified at least 60 days in advance of closure.
- Upon determination of closure, all partnership agencies would be immediately notified, and a log of notification completed to indicate who was contacted and by what means of notification (i.e. phone call, e-mail, letter, etc.).
- Depending on urgency of closure, agencies may be given a temporary time frame where they may continue to bring in material while determining or enacting their secondary options for disposal (this time frame is not guaranteed, and partner agencies should consider maintaining a back-up plan).
- CCR will determine the most efficient means of disposal for new material being generated which include; temporary ceasing of eductor operations, transporting new material to another decant facility, disposal at an approved facility or any other option in the best interest of CCR, and as approved by CCPH and ECY.
- Access cards can be deactivated through the Clark County Facilities Department and front access gate may be chained and locked by site manager to prevent partnership agencies from utilizing the decant facility. A sign shall also be posted indicating closure of the decant facility and that no unauthorized entry is permitted. Only personnel involved in the disposal or closure process shall be allowed to enter the site.
- Any existing liquid (decant bays, ponds, etc.) shall be removed by eductor trucks and transported to the Salmon Creek Wastewater Treatment Plant, taken to another facility or removed by contractor (state contract) depending on testing results and approval by CCPH and ECY.
- Materials stockpiled on dewatering deck at that time would be sent to landfill.
- Any remaining solids in treatment portion of system (decant area, bays and ponds) shall remove excessive water and be transported to the landfill.
- Following all liquid and solids removal from the facility, a determination shall be made regarding the use of the existing decant structure and remainder of the existing facility. Any future use or dismantling of the facility is dependent upon determinations with applicable regulatory guidance at that time.
- CCR will ensure that all activities in relation to permanent closure and post-closure methods meet the requirements as outlined in WAC 173-350-320, and the Clark County Solid Waste Management Plan.

10 Spill Control

This section provides the site with practical spill control measures for the prevention, containment, control, notification/reporting and cleanup of spills or unplanned discharges of materials of concern.

10.1 Equipment and Materials of Concern

This section, including Table 7 applies to the following:

- Oil and petroleum products from vehicle and equipment accidental release.
- Materials designated as dangerous (DW) or extremely hazardous waste (EHW) by the procedures set forth in WAC 173-303-070.
- Other materials that may become a pollutant or cause pollution if they reach receiving waters of the state.

Table 7. Equipment and Materials of Concern

Equipment Stored on the Site	**Material of Concern**
Front-end loader(s)	Diesel fuel, hydraulic fluid, coolant
Shaker and/or screener	Fuel, hydraulic fluid, coolant
Small Equipment (Blower, mowers, weed eaters, chain saw etc.)	Fuel two-cycle, fuel unleaded
Equipment Entering and Leaving the Site	
Bulldozer, backhoe, excavator (seasonal)	Diesel fuel, hydraulic fluid, coolant
Personal vehicles/county cars	Fuel, coolant
Dump trucks/hauling vehicles	Fuel, hydraulic fluid, coolant

10.2 Spill Notification and Response Procedures

In the event of a non-compliance issue regarding the Whatley site, the following notification and response procedures should be followed to facilitate the quickest and most efficient resolution.

10.2.1 Quick Procedures

Quick Procedures are for issues that can be easily remedied, such as a small oil leak from a vehicle. The procedure for this type of issue requires basic knowledge, with the premise simply being to keep the problem from becoming bigger or getting out of control. Fixing the problem (at least temporarily), cleaning up small items and reporting the basics (who, what, where, when, why, how) to a supervisor and/or recording it in a site logbook. The following is an example of a Quick Procedure:

- **An issue is noticed:** Operator notices something leaking from the rear of a pickup truck parked in a paved area of the site.
- **Determination:** A closer look reveals the operator is not in any danger and a quart of oil is on its side leaking in the pickup's bed.
- **Prevention:** The oil container is set upright and an absorbent pad from a spill kit is used to prevent the oil from making its way to the ground.
- **Clean Up:** The remaining oil is cleaned up using supplies from the spill kit maintained on site. All used absorbent material (from truck and ground) is placed in proper containers and disposed of according to spill plan procedures.
- **Reporting:** The incident is recorded in the site logbook and promptly reported to the operator's supervisor. The supervisor reports any non-compliance issues to the site administrator or regulator. Since the oil did not contact any *waters of the state* and was cleaned up immediately, the incident was not a non-compliance issue. However, should still be documented and reviewed to minimize repeat issues. Spill kit is inventoried and restocked after the incident.

10.2.2 Substantial Procedures

Substantial Procedures are those issues that cannot be easily remedied, any potential or certain non-compliance issues, or any issues that could potentially put individuals in harm's way. For these issues, the following procedures apply:

- **Determination/Prevention:** Quickly survey the situation. Ensure personnel (including you) are in no immediate danger. Stop or slow the process of a non-compliance related incident (such as the flow of hydraulic fluid to *waters of the state*) if you are confident of your safety and are comfortable doing so.
- **Reporting:** Call a supervisor using the Contact List in Appendix A. This process should initiate clean up procedures on a large scale and are in place to prevent/minimize the non-compliance issue as much as possible.

The supervisor, or other first responder(s) in a supervisory role, shall put in motion any steps needed to ensure human health and safety, mitigate the extent of the non-compliant issue, and the reporting of the issue to regulatory agencies.

To the best of your ability, please be ready with the following information:

- Where is the spill?
- What spilled?
- How much spilled?
- How concentrated is the spilled material?
- Who spilled the material?
- Is anyone cleaning up the spill?
- Are there resource damages (e.g. dead fish or oily birds)?
- Who is reporting the spill?
- How can we get back to you?

10.3 Spill Contact and Notification Information

Contact and notification information pertaining to spills is in Appendix A.

10.4 Spill Prevention

The main sources of spills are onsite equipment fueling and small spills due to leaks. Spill prevention includes using care when filling tanks and, when feasible, placing a temporary spill containment device under the equipment tank while fueling. A form of secondary containment or absorbent pad shall be used when filling small equipment, such as blowers and vegetation trimmers.

10.5 Spill Response Training

CCR employees receive awareness training annually through on-line training.

10.6 Spill Response Materials

Spill kits are maintained on site to address small fuel, hydraulic fluid, and coolant spills. The spill kits are easily identifiable and are stored near the decant facility.

10.7 Temporary Storage for (cleaned up) Pollutants

Pollutants are likely to be within soils scooped and placed in small containers. These may be transported to the 78th Street Complex Hazardous Material Storage, Building "L" by Clark County Road Operations personnel for disposal. Larger spills may be sent either to the landfill or be disposed of by a qualified hazardous waste disposal contractor.

10.8 Vehicle Maintenance

Vehicle maintenance is performed at the 78th Street Public Works Complex, not at the Whatley site. CCR vehicles follow a schedule of preventative maintenance that minimizes leaks. If a leak is discovered on vehicle/equipment being stored at the site, leak will be isolated and cleaned up appropriately.

If vehicle is suspected of continued leakage, it will be taken to the 78th Street Operations Center (Shops) for evaluation and/or repair. In the event of a severe leak or vehicle is not operable, a Fleet Services field mechanic will be dispatched to the site to evaluate options for repair or transportation to Shops. Spill kits including absorbent material are available at the Whatley facility, near the decant structure.

11 Upcoming Plans and Considerations

Any of the following deviations or changes that effect this Plan shall be presented to CCPH. Changes shall be incorporated in an amendment to this plan following approval no later than required annual plan updates. Listing of these items does not mean they will be implemented/approved and should be considered as "wish list" items until approved and ready to implement.

11.1 Attendant Building

The existing trailer for existing personnel is not a permanent placement. We are actively pursuing a new modular or permanent structure with a useable toilet and a sink at the time of writing this plan. The new building is expected to be placed in same general location of existing trailer.

11.2 Expand Water Supply Capacity

Currently a two-inch water supply main is available at the site. We are considering an upgrade to a larger line. This water is utilized for all aspects of facility operations, including wash down of the facility; equipment, wash station and fire suppression.

11.3 Decant Rails and Catwalks

Safety railing has been recently installed to protect individuals from falling into treatment chambers. There is still some discussion on the practicality of catwalks being placed in the decant structure to make it easier for the attendant to perform some tasks associated with cleaning.

11.4 Facility Operation Alterations

Some operations of the facility may need repairs or modification. Changes could possibly be made to the way debris overflows to the various containment portions within the decant process. The final chamber of the decant treatment process indicates more could be done in the way of keeping debris from carrying over to other chambers.

Ecology blocks are currently placed in the decant structure where material is dumped from trucks. This is proving to help lessen the debris in subsequent chambers by slowing the sludge flow from the trucks and trapping some of the larger debris prior to the gate/screens.

11.5 Internet and Camera System

This option would likely follow the attendant building project. Internet capability would certainly be a convenience for the on-site operator and would give employees the ability to access Maintenance Management Software or any number of County programs or databases much quicker than the current method. A closed-circuit camera system is also suggested in conjunction with the internet/computer systems, to allow CCR personnel ability to view multiple activities as needs arise.

11.6 Master Planning

This is currently in discussion and information is being gathered to help with this process. As indicated in Section 2, we are looking at a much larger overall plan to secure options for the future. This is expected to take two to three years to put all information together and come up with a plan that is reasonable to all the various agencies and regulators, along with funding and council approval.

Addendum: Added on 2/16/2021

Addendum #1

Changes to Whatley Operations Plan

The following changes to the Whatley Operations Plan are in **Section 3.2, South Biofiltration Swale Performance Monitoring:**

Change 1, Purpose: First bullet states sampling will be performed "immediately upgradient of the sedimentation manhole…". This places sample point directly at surface of large asphalt deck utilized for storage of materials, which is flat and very difficult to gather a sample (flow is spread across the large pad and is not typically "tall" enough to allow flow directly into multiple sample bottles. We proposed the "Pad to Swale Influent" sample be taken at the outlet pipe from the manhole, where all deck flow is mixed prior to entering the swale basin spreader.

Change 1: First bullet should be changed to read: Pad to Swale Influent: Sampling shall be taken at the outlet pipe of sedimentation manhole where flow enters the spreader basin to the South Swale, to characterize influent leachate derived from all piles on upper deck.

Change 2, Purpose: Second bullet references "Sampling at a point 75% of the distance through the treatment swale…". Initially, this seemed like a great way to identify treatment efficiency before end of swale, however a trial run identified that sampling at this point is subject to low flow issues like (Change 1) above, with the addition of stirring up fine settled particles of soil by sample jars during collection resulting in a potentially incorrect analysis. We are changing the actual sample area for reporting purposes to the outfall of the South Swale.

Change 2: Second bullet should be changed to: Samples of the Swale Effluent shall be taken at the South Swale Outfall.

Change 3, Purpose: Third bullet references to lower pit pond to be replaced with other information for a clearer understanding of south swale monitoring and overall continuity.

Change 3: Replace existing bullet with the following: Influent and Effluent Swale Sample results shall represent the swales overall treatment ability, where the effluent is expected to meet or exceed MTCA's Table 720-1 Method A Cleanup Levels for Groundwater. Influent and Effluent Swale sample results shall be provided to Public Works Clean Water Division (CWD) to determine system performance and check for report anomalies. Results shall also be provided to CCPH.

Answer to Question #5 (3 pages)

Appendix A1: Site and Emergency Contacts – Updated on 12/16/2020

Title or Agency / Contact	Phone	E-Mail / Web Contact	Address	Area of Expertise & Notes
Clark County Public Works M&O Switchboard	564-397-2446	pubwks.cservice@clark.wa.gov	4700 NE 78th Street, Vancouver, WA. 98665	Calls forward to on call operator outside of standard business hours
Site Attendant Andrew Hertz	360-635-7265	andrew.hertz@clark.wa.gov	11203 NE 76th Street, Vancouver, WA 98662-3932	Attendant Onsite M-F (6:30am – 5:00pm)
Crew Chief Richard Harris	564-397-1619	richard.harris@clark.wa.gov	4700 NE 78th Street, Vancouver, WA. 98665	Site Operations and Maintenance
Superintendent Tim Waggoner	564-397-1615	tim.waggoner@clark.wa.gov	4700 NE 78th Street, Vancouver, WA. 98665	Site Operations
Operations Manager Brian Vincent	564-397-1626	Brian.vincent@clark.wa.gov	4700 NE 78th Street, Vancouver, WA. 98665	Roads Operations Manager
Whatley Site Coordinator Gregg Ganson	564-397-1682	gregg.ganson@clark.wa.gov	4700 NE 78th Street, Vancouver, WA. 98665	Whatley Coordination
Director of Public Works Ahmad Qayoumi	564-397-4358	ahmad.qayoumi@clark.wa.gov	P.O. Box 9810, Vancouver, WA. 98666	Public Works Director
The contacts above shall typically report non-compliance issues to the agencies below. NOTE: If none of the above contacts are available, the responsibility to report is YOURS, and should be done immediately.)				
Clark County Public Health Melissa Sutton	564-397-8167	melissa.sutton@clark.wa.gov	P.O. Box 9825, Vancouver, WA. 98666	Quarterly site inspections, regulatory support
WA Department of Ecology – 24 hour emergency response number	1-800-OILS-911	**THIS IS TO REPORT A SPILL TO A WATERWAY**	N/A	24 hour emergency response number
WA Department of Ecology – Hazardous Waste Materials Curt Piesch	360.750.6976 Office 360.607.3736 Cell	Cupi461@ecy.wa.gov	2108 Grand Blvd Vancouver, WA 98661	Emergency field contact
WA Department of Ecology – Hazardous Waste Materials Ben Cornell	360.750.6975 Office 360-260-6145 Fax	Ben.Cornell@ecy.wa.gov	2108 Grand Blvd Vancouver, WA 98661	Secondary Emergency field contact
WADOE – SWRO – Vancouver Office Rian Sallee	1-360-690-7171 (manager)	rian.sallee@ecy.wa.gov	12121 NE 99th St., Suite 2100, Vancouver, WA. 98682-2346	Regulatory support
Department of Natural Resources Pacific Cascade	360-577-2025	Pacific-cascade.region@dnr.wa.gov	601 Bond Rd, Castle Rock, WA. 98611-0280	General Inquiry

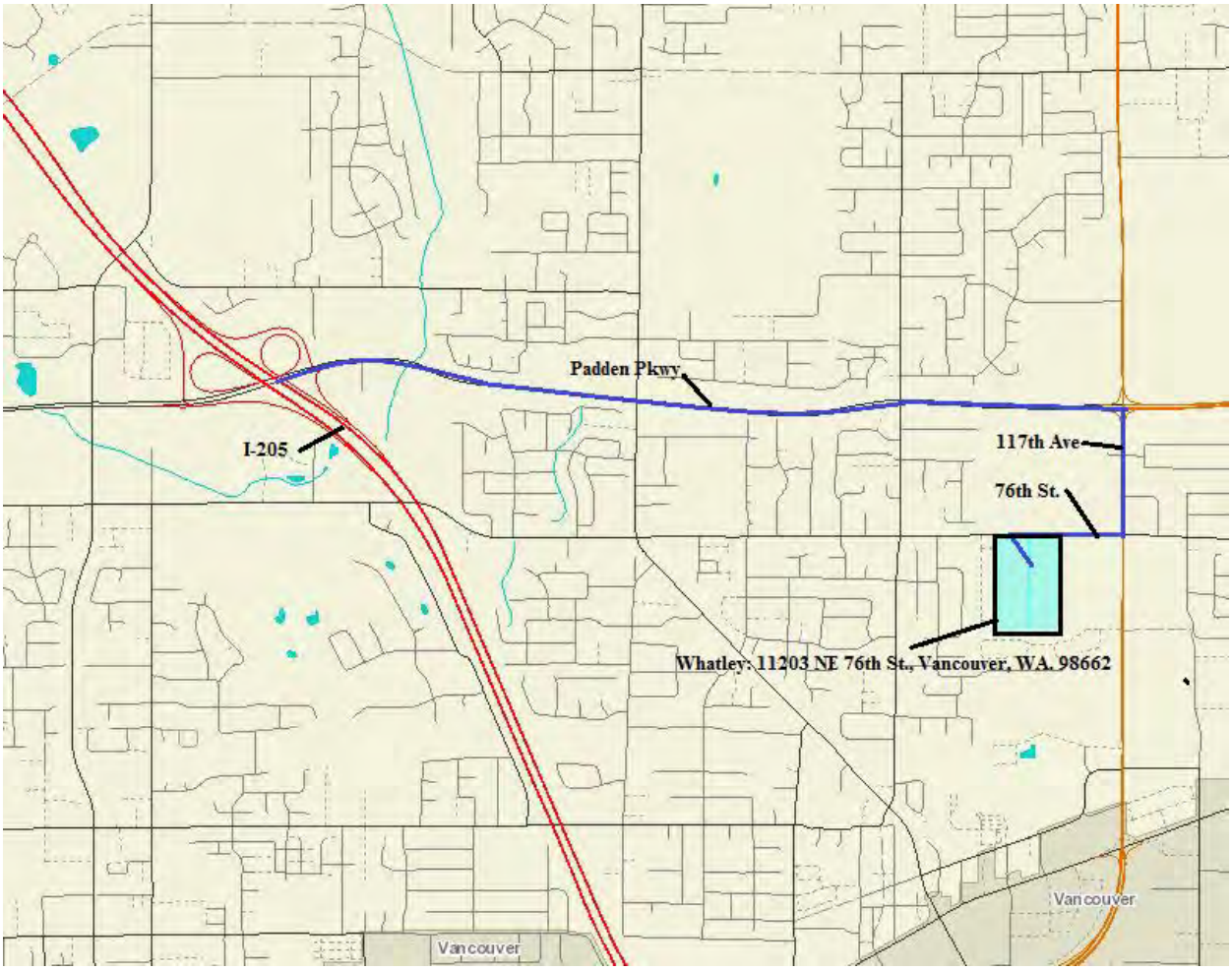
Department of Natural Resources Bryan Massey, Surface Mining	360-902-1430 Office 360-688-0724 Cell	Bryan.Massey@dnr.wa.gov	1111 Washington St., MS 47007, Olympia, WA. 98504	Pit Reclamation
SW Clean Air Agency Brian Fallon	360-574-3058 ext. 138	Brian@swcleanair.org	11815 NE 99th St, Suite 1294, Vancouver, WA. 98682	Air Pollution Contact
Wasco County Landfill Lauren Kahle	Office: 360-207-3465	Lauren.Kahle@WasteConnections.com	501 SE Columbia Shores Blvd. Ste 350, Vancouver, WA 98661	Special Waste Permits (also contact for any CRC-related permits needed)
Wasco County Landfill Jocelyn Jones	360-735-9718 Office 360-936-0386 Cell 360-695-5091 Fax	Jocelyn.Jones@WasteConnections.com jocelynr@wcnx.org	501 SE Columbia Shores Blvd, Suite 350. Vancouver, WA. 98661	Contact Point for Clark/WCNX Agreement
Interagency Cooperative Partnership Members *Whatley Decant & Street Sweeping Facility*				
WA Department of Transportation Norm Payton	360-705-7848 Office 360-561-5585 Cell	paytonn@wsdot.wa.gov	310 Maple Park Avenue SE Olympia, WA 98504-7358	Stormwater, Environmental Policy & Project Management (Alt. Voter)
WA Department of Transportation Jeffrey Wilson	360-619-0622 Office 360-601-6454 Cell	WilsoJe@wsdot.wa.gov	4200 Main Street (or) PO Box 1709 Vancouver, WA 98668	Main Contact (Voter)
City of Battle Ground Chad Schwatka	360-342-5069 Office 360-342-5057 Fax	Chad.Schwatka@cityofbg.org	109 SW 1st Street, Suite 127 Battle Ground, WA 98604	Advisory Contact (Alt. Voter)
City of Battle Ground Todd Klein	360-342-3750 Office	Todd.Klein@cityofbg.org	1308 SE Grace Avenue Battle Ground, WA 98604	Main Contact (Voter)
City of Camas Denis Ryan	360-817-7983 Cell	dryan@cityofcamas.us	1620 SE 8th Camas, WA 98607	Main Contact (Voter)
City of Vancouver Brian Potter	360-487-8323 Office	Brian.potter@cityofvancouver.us	4711 E Fourth Plain Blvd Vancouver, WA 98661-6144	Advisory Contact (Voter)
City of Vancouver Doug Sweyer	360-487-8224 Office 360-518-5028 Cell	Doug.Sweyer@cityofvancouver.us	4711 E Fourth Plain Blvd Vancouver, WA 98661-6144	Main Contact (Alt. Voter)
City of Vancouver Brad Ensworth	360-487-8248 Office	Brad.Ensworth@cityofvancouver.us	4711 E Fourth Plain Blvd Vancouver, WA 98661-6144	Field Contact
City of Washougal – Advisory Rob Charles	360-835-2662 x205 360-772-2024 (Cell)	Rob.Charles@cityofwashougal.us	1701 C Street Washougal, WA 98671	Advisory Contact (Voter)
City of Washougal – Field Will Noonan or Tobyn Peterson	360-835-2662 x205 360-772-2024 (Cell)	Will.Noonan@cityofwashougal.us Tobyn.Peterson@city of Washougal.us	1701 C Street Washougal, WA 98671	Main Contact (Alt. Voter)
City of Ridgefield – Field Scott Brunson	360-887-5013 Office 360-518-8990 Cell	Scott.brunson@ci.ridgefield.wa.us	109 W. Division Street, Ridgefield, WA. 98642	Primary Contact
Clark Public Utility District (PUD) – Ben Feliz	360-992-8518	BFeliz@clarkpud.com	8600 NE 117 Avenue, Vancouver, WA. 98668	Primary Contact

Operational Support & Service Contracts				
Rotschy Inc. Page Rotschy – Field Rep/Mgr.	360-253-3054 Office 360-921-1225 Cell 360-253-3055 Fax	pager@rotschyinc.com	Physical: 913 NE 172nd Avenue Vancouver, WA 98664 Mailing: 9210 NE 62nd Avenue Vancouver, WA 98665	Decant & Street Sweeping Screening
Waste Connections **Dispatch – Angie** **Drop boxes - Crystal**	360-892-5370 Office 360-892-4522 Dispatch 360-944-2380 Fax	vancustomers@wasteconnections.com	12115 NE 99th Street Vancouver, WA 98682	Site refuse support
Clark County Facilities Management Dan Spencer	564-397-6071	Dan.Spencer@clark.wa.gov	816 W 13th Street Vancouver, WA 98666	Facilities support for the Whatley site
Clark County Vegetation Denielle Cowley	564-397-7707	Denielle.Cowley@clark.wa.gov	1300 Franklin Street Vancouver, WA 98666	Noxious weed control
Schultz-Clearwater Sanitation, Inc.	503-692-9009	https://www.unitedsiteservices.com	P.O. Box 1404, Tualatin, OR. 97062	Portable Toilet & Hand Wash Station
Pacific Mobile Leasing Russ M.	877-267-3436	https://pacificmobile.com	Portland, OR. 97086	Attendant Building

Answer to Question #5 (1 page)

APPENDIX B1 – DIRECTIONS TO WHATLEY

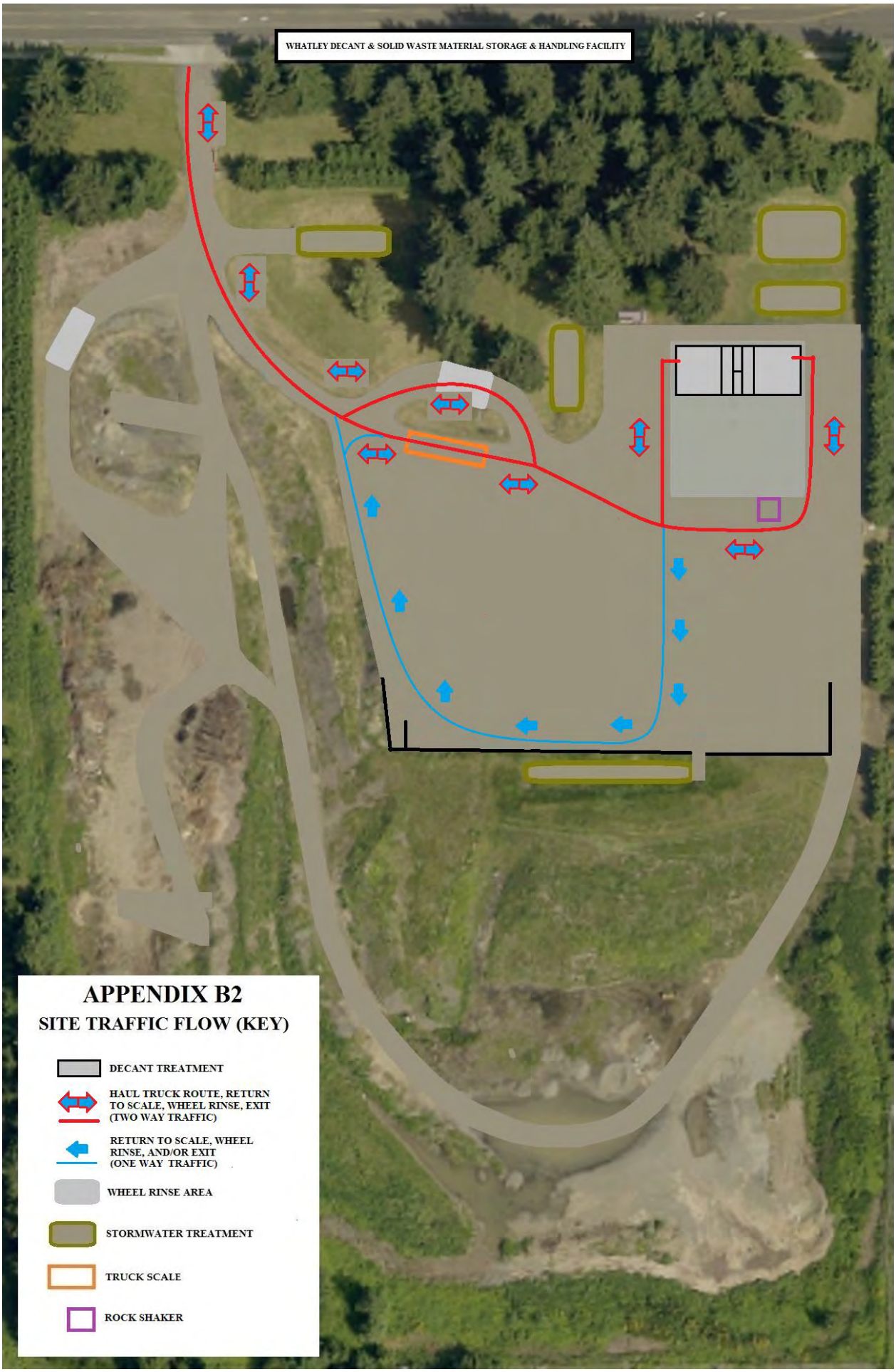
11203 N.E. 76th Street, Vancouver, WA. 98662



From I-205, Take Exit 32 towards Battle Ground	0.3 mi
Merge onto N.E. Padden Parkway	1.8 mi
Turn Right onto N.E. 117th Avenue	0.3 mi
Turn Right onto N.E. 76th Street	0.3 mi

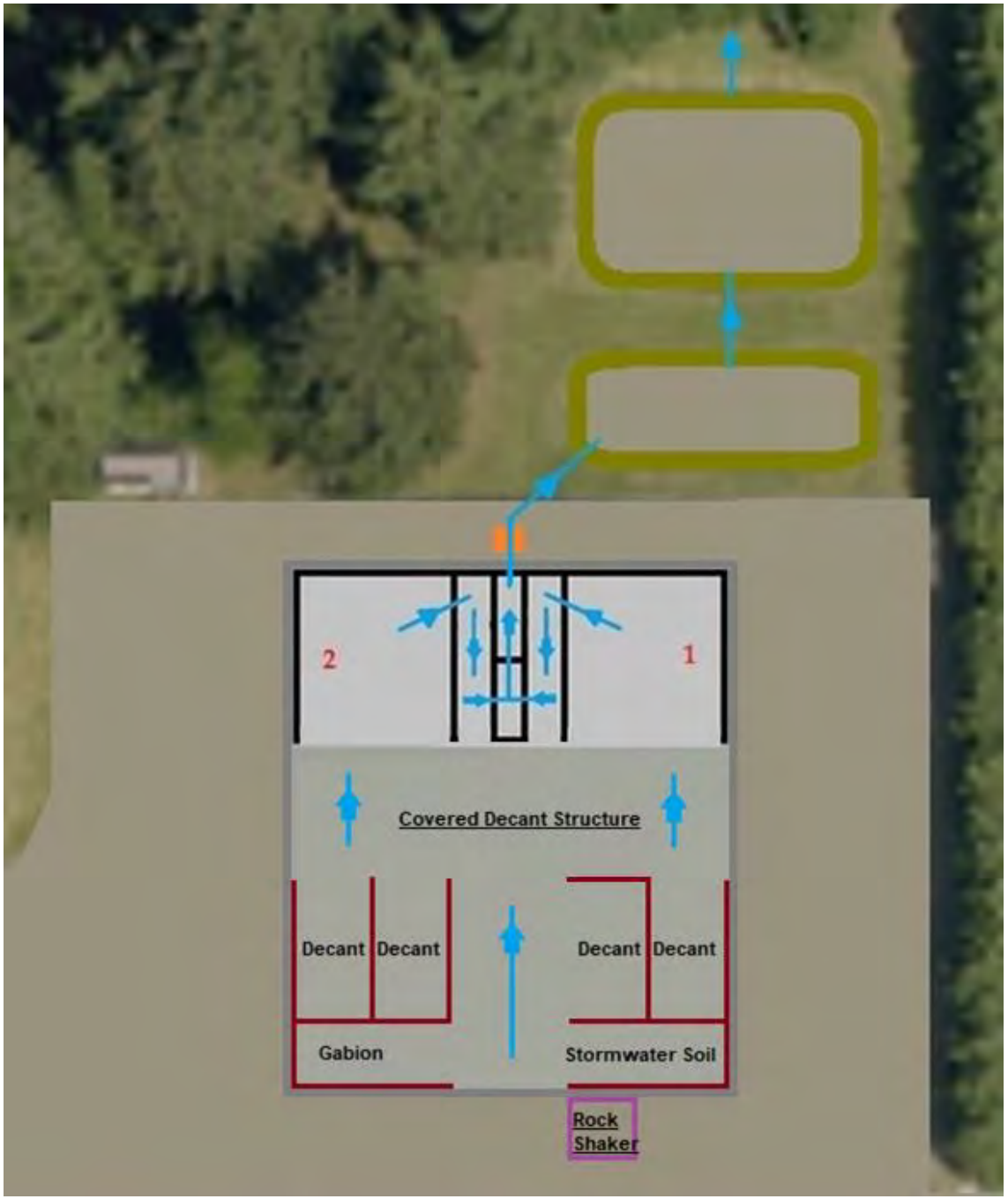
Whatley is the Second Driveway on Left

Answer to Question #5 (1 page)



Answer to Question #5 (1 page)

Answer to Question #5 (1 page)



DECANT TREATMENT FLOW

The blue arrows indicate the path of flow through the decant process.

Material is off-loaded in the numbered areas according to instructions given by the site attendant or at pre-designated locations.

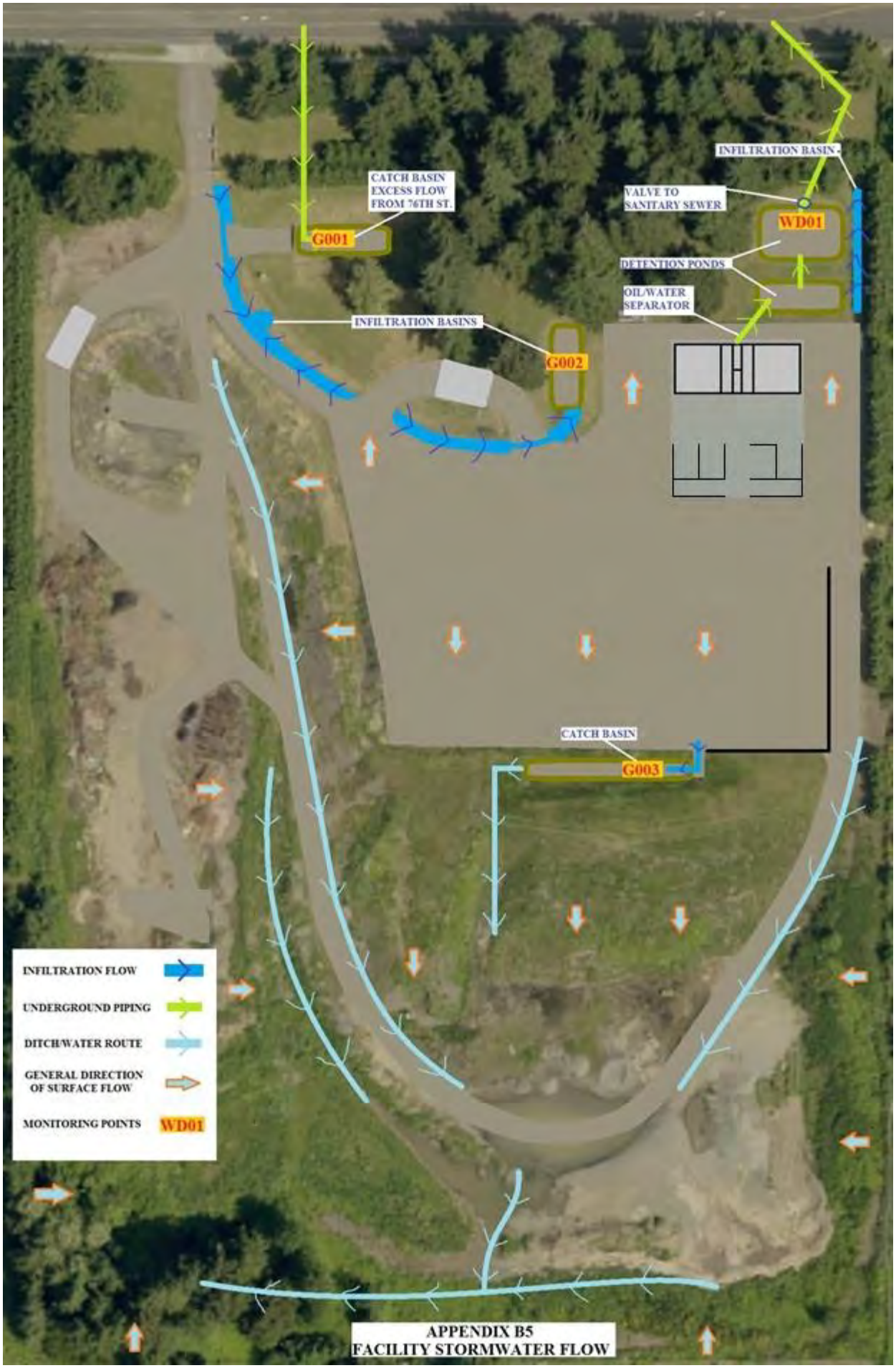
Location 1 is reserved for the wet portion of vactor material and some light hosing of vactor equipment.

Location 2 is for "solid" eductor material after the release of water on the west (location 1).

Water from the decant facility goes through the oil/water separator (orange square), then onto the settling ponds for further treatment.

APPENDIX B4

Answer to Question #5 (1 page)

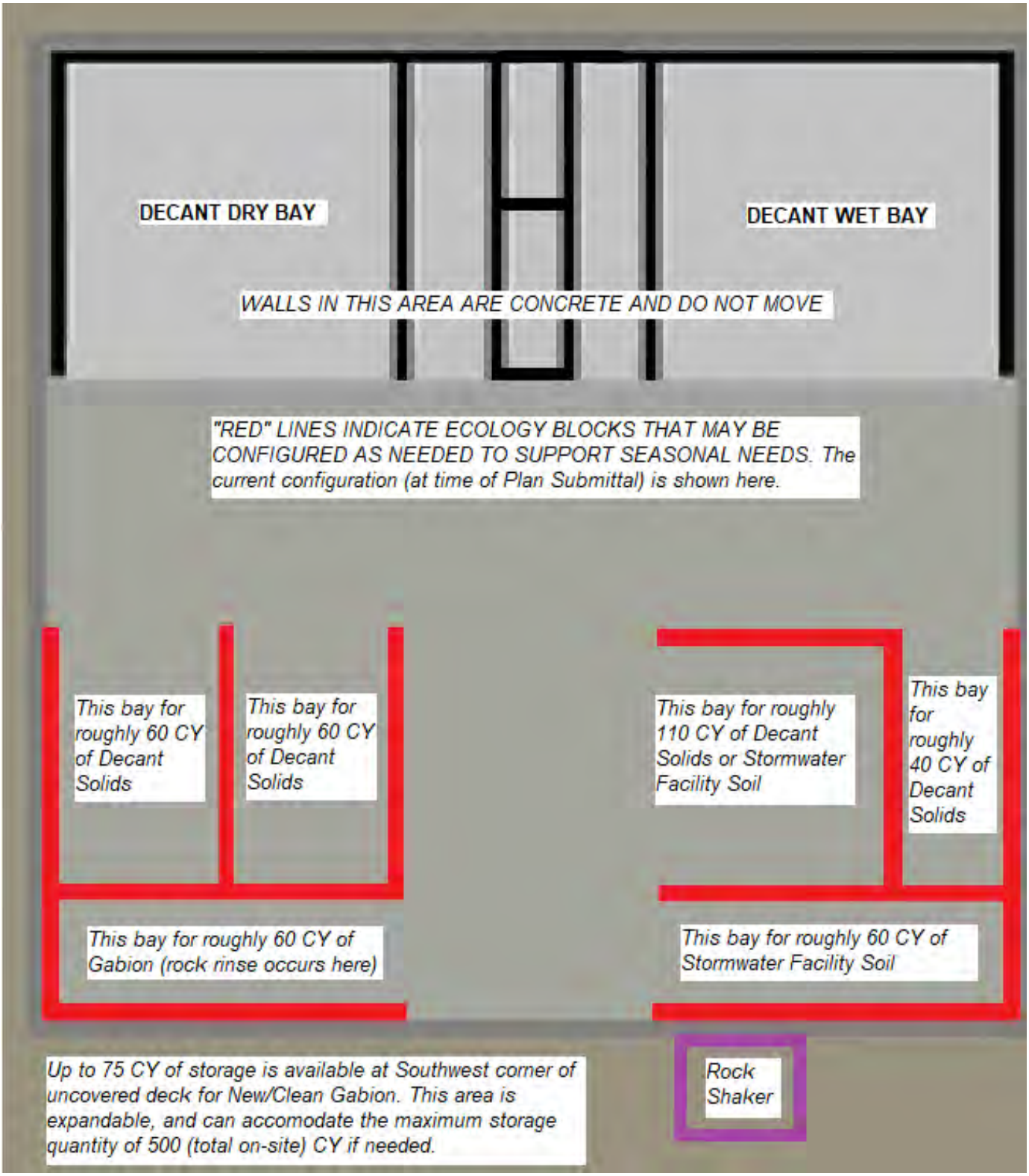


APPENDIX B5
FACILITY STORMWATER FLOW

Answer to Question #5 (1 page)

CURRENT CONFIGURATION OF

COVERED THICKENING AND STORAGE



APPENDIX B6

PUBLIC HEALTH
Environmental Public Health

proud past, promising future
CLARK COUNTY
WASHINGTON

February 29, 2016

Answer to Question #5 (6 pages)

Clark County Public Works
ATTN: Gregg Ganson
4700 NE 78th ST
Vancouver, WA 98665

RE: WHATLEY PIT DECANT FACILITY SOLID WASTE HANDLING PERMIT

Mr. Ganson:

As you are aware, in 2011 Clark County Public Health elected to issue 5-year permits for all permitted solid waste handling facilities; however, solid waste permit fees continue to be billed annually. Compliance schedules will continue to be evaluated on a routine basis and may be modified to reflect changes in operation. Enclosed you will find the 2016/2021 compliance schedule and the 2016-21 solid waste handling permit for this facility.

Be advised that the solid waste permits are NOT transferable. In the event of a change of ownership and/or facility closure, please contact Clark County Public Health (CCPH) and Washington State Department of Ecology (ECY) in accordance with Washington Administrative Code 173-350. Additionally, please continue to review your facility Operation Plan annually and update as necessary; proposals, modifications and/or revisions to the Operations Plan require review and approval by both CCPH and ECY prior to implementation.

We look forward to receiving the required Annual Report for the facility; please call me at (360) 397-8167, if you have any questions or need assistance.

Sincerely,

Melissa M. Sutton
Environmental Health Specialist II

Enclosures

P.O. Box 9825 • Vancouver, WA 98666-8825 • tel: [360] 397-8428 • fax: [360] 397-8084 • www.clark.wa.gov

APPENDIX C1

CLARK COUNTY PUBLIC HEALTH

Center for Community Health
1601 E. Fourth Plain Blvd - P.O. Box 9825
Vancouver, WA 98666-8825
360-397-8428

PERMIT

POST IN A CONSPICUOUS PLACE FOR PUBLIC VIEW
VALID ONLY TO OWNER & SITE LISTED BELOW

Owner of Business	: Clark County Public Works	PERMIT NUMBER	: PT0006095
Type of Business	: Vactor Waste Process	Valid From	: 3/1/2016
Name of Business	: FA0001816 Whatley Pit Decant Facility	Valid Through	: 2/28/2021
Site Address	: 11203 NE 76th ST VANCOUVER, WA 98662	PR0005927 - 2111 SW Permit- Interim Handling TYPE: Vactor Waste Processing	

This non-refundable permit is issued pursuant to Clark County Code and applicable State of Washington regulations and Laws. This permit is valid through the date indicated above unless previously suspended or revoked. Prior to any structural change or modification of equipment or operations, the owner or operator is required to notify Clark County Health Department for review and approval.

Alan Melnick, MD, MPH, Health Officer

Public Health: Always working for a safer and healthier community

6024.rpt
20050930.e

Clark County Public Health

SOLID WASTE PERMIT

Facility Name:	**Whatley Pit Decant Facility**
Facility Address:	11203 NE 76th Street Vancouver, WA 98662 (360)397-6118 ext. 1682
Facility Type:	**Vactor Waste Processing**
ID Number:	PT0006095
Facility Owner:	**Clark County** 4700 NE 78th ST Vancouver, WA 98665
Facility Operator:	**Clark County Public Works**
Facility Contact:	**Gregg Ganson**

The above noted parties agree to comply with Chapter 173-350 WAC, "Solid Waste Handling Standards", the Clark County Solid Waste Management Plan dated September 2015, conditions of this permit and all state regulations including, but not limited to, water quality, air quality, dangerous waste, and noise. The above noted parties are hereby granted a permit to operate a vactor waste processing facility.

This permit shall remain the property of Clark County Public Health (CCPH) and may be suspended by the Health Officer or an authorized agent of Clark County Public Health. This permit may be revoked after an opportunity for a hearing under Clark County Code (CCC) 24.12 upon violation by the holder of any applicable local or state rule or regulation.

The cover page and subsequent portions of this permit shall remain on site and shall be presented to authorized local or state authorities upon request.

This permit is not transferable and must be renewed annually.

Date of Issue: **March 01, 2016**

Date of Expiration: **February 28, 2021**

SECTION I DESCRIPTION

The permittee is allowed to operate and maintain a vactor waste processing facility at the location listed below.

Section(s):	**10**
Township:	**2N**
Range:	**2E**
Tax lots:	106550-000; 106540-000

SECTION II PERFORMANCE STANDARDS

The following standards of performance are the enforceable objectives of this permit:

1. The permittee shall not contaminate the groundwater underlying the vactor waste processing facility beyond the point of compliance.

2. The permittee shall not cause a violation of any ambient air quality standard at the property boundary.

3. The permittee shall not cause a violation of any receiving water quality standard or violate 90.48 RCW from discharges of surface water runoff, leachate or any other liquid associated with decanting, recycling or transfer of solid waste.

4. If the performance standards of this section are not met, corrective actions shall be designed, implemented and enforced on a time schedule set by CCPH.

5. The applicant shall at all times adhere to the requirements and conditions of the **Conditional Use Permit** issued by the Clark County Planning Department in May 1996.

6. Any significant change in the waste stream, such as quantity, origin or type, during the period of this permit shall initiate the SEPA process. The permittee shall submit SEPA, EIS or DNS statements drafted by the originator of the solid waste and notify CCPH, and Washington State Department of Ecology (ECY).

SECTION III GENERAL PERMIT CONDITIONS

1. All conditions of this permit must be followed for the permittee to remain in compliance. Compliance schedules must also be within the specified time period. The permit holder is responsible for all acts and omissions of all contractors and agents of the permittee. This requirement shall continue for the life of the facility.

2. Ensure that the **Whatley Pit Decant Facility** is operated in accordance with the requirements of the Washington State Administrative Code (WAC) 173-350, Clark County Code (CCC) Chapter 24.12, and the Clark County Solid Waste Management Plan.

3. Any duly authorized employee or representative of the Clark County Health Officer or Washington State Department of Ecology may enter and inspect the permitted facility at any reasonable time for the purpose of determining compliance with Chapter 173-350 WAC or the Clark County Solid Waste Management Plan dated 2015 and all subsequent updates of the WAC, CCC and Solid Waste Management Plan.

4. As a general condition of this permit, the permittee must comply with Revised Code of Washington (RCW) 70.95, WAC 173-350, CCC 24.12 and the Clark County Solid Waste Plan and all subsequent revisions. Where any conflicts between the two regulations are present, the more stringent regulation shall be in effect.

5. This permit or a valid copy shall be displayed or stored in a manner allowing easy access by operating personnel.

6. This permit is subject to suspension or revocation if CCPH finds:

   a. That the permit was obtained by misrepresenting or omitting any information that could have affected the issuance of the permit or will affect the current operation of the facility;
   b. That there has been a violation of any of the conditions contained in this permit.

7. This permit may be amended by CCPH. More stringent restrictions may be imposed on the facility during the period the permit is valid. Amendments will be made in writing and become specific conditions of the permit.

8. Nothing in this permit shall be construed as excusing the permittee from compliance with any applicable federal, state or local statutes, ordinances or regulations.

9. Should any part, section, specific portion, or provision of the conditional land use permit or the operating permit issued by CCPH to **Clark County Public Works Department** be found invalid by judicial process, the remainder of this permit will continue to be binding and in force.

10. All applicable permits including, but not limited to, permits pertaining to air quality, water quality, and water resources shall be acquired and maintained prior to accepting vactor wastes at **Whatley Pit Decant Facility**.

SECTION IV OPERATING CONDITIONS

The **Whatley Pit Decant Facility** shall operate within the following conditions at all times unless otherwise approved by CCPH:

1. The facility must operate according to the rules set forth in WAC 173-350-310 & 320.

2. The facility shall be operated according to the approved Plan of Operation (*submitted January 2016; pending CCPH and ECY approval at the time of permit issuance*). The permittee must notify CCPH in writing when any deviation or change in the operating plan is considered. An amendment to the permit is necessary by CCPH for changes.

3. The decant facility must not accept, treat, dispose or store wastes designated as dangerous waste in WAC 173-303. In addition, the decant facility may not receive wastes that were designated as dangerous or hazardous in their state of origin.

4. Permitee shall follow conditions set by any special waste permits in addition to this permit.

5. Storage, treatment & recycling of solid wastes shall be executed in such a manner as to prevent:

   a. Safety and health hazards;
   b. Creation of nuisances;
   c. Vermin or vector inhabitation or infestation; and
   d. Adverse public health affects.

6. In the event of ground water contamination that is determined to be a result of the operation of the **Whatley Pit Decant Facility, Clark County Public Works** must notify CCPH and immediately initiate cleanup and mitigative measures.

SECTION V COMPLIANCE SCHEDULE

General Facility Standards

1. Plan of Operation

A plan of operation must be provided to CCPH describing the operation of the solid waste facility. The plan must include, but is not limited to:

   a. Describe operation as intended by designer;
   b. Be available for inspection by CCPH;
   c. Assure that the facility be operated in accordance to the plan; and
   d. Specify that future modifications shall be approved by CCPH.

2. Plan Contents

The operating plan must include, but is not limited to, all of the following items as applicable to the particular solid waste handling facility:

a. Methods of handling solid waste;
b. Record keeping system to address records as specified in WAC 173-350-310(5) & 320;
c. Methods which will be used to control odor, noise and vector problems at the facility;
d. Emergency procedures to be followed in the event of fire or explosion;
e. Corrective action programs to take if groundwater is contaminated;
f. Actions to be followed in the event of other releases;
g. Site safety plan and safety procedures;
h. Closure procedures which the facility will use. The closure methods must, as a minimum, meet the requirements as outlined in the "Solid Waste Handling Standards" (WAC 173-350) and the Clark County Solid Waste Management Plan.
i. Any other details as stated by CCPH.

3. Reporting Requirements - WAC 173-350-320(4)(d) & 173-350-310(5)(d)

An annual report must be filed with CCPH & ECY by April 1st based on the previous year's records. This report must include as a minimum:

a. Name and address of the facility;
b. Calendar year covered by the report;
c. Types of solid wastes handled;
d. Annual quantities in tons or cubic yards of each type received and removed;
e. Amount of waste remaining at the end of the year; and
f. Results of self-inspection and required environmental monitoring and analysis.

SECTION VI SPECIAL CONDITIONS

1. The decant facility shall be operated and managed such that dust and erosion of soil is avoided to the maximum extent practicable.

2. Air emissions (dust, malodors, air toxics, etc.) from construction, operation and all other activities at the site shall be controlled so as to comply with Washington Air Quality Standards. If excessive or offensive odors are detected, immediate corrective measures will be initiated as described in the approved Operations Plan.

3. Blowing debris shall be controlled so that the entire site is maintained virtually free of litter at all times. Any debris that escapes the site shall be retrieved and properly disposed as soon as possible that same operational day.

4. The permittee shall operate and maintain the site in a manner which avoids the attraction of insects, rodents, birds and/or other vectors to the most practical extent in accordance with best management practices.

5. Public access to the site shall be controlled as necessary to prevent unauthorized entry and dumping.

6. The permittee shall report to CCPH ten days prior to any changes in ownership of the site property or of the permittee's or operator's name and address.

Answer to Question #5 (1 page)

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
P.O. Box 47775 • Olympia, Washington 98504-7775 • (360) 407-6300

RECEIVED
JUN 24 1997

RECEIVED
Clark County
JUN 23 1997
Dept. of Public Works
Admin. / Records
97-246

June 17, 1997

Ms. Linda Chan, P.E.
Clark County Department of
Public Works
P.O. Box 9810
Vancouver, WA 98666-9810

Dear Ms. Chan:

Re: Application for State Waste Discharge Permit for the Whitley Pit Decant Facility

The Department of Ecology (Ecology) has reviewed Clark County's application (dated June 6, 1995) and engineering report (dated February 19, 1997) for a new state waste discharge permit.

Based on an evaluation of the permit application and engineering report, Ecology has determined that Clark County will not need a state waste discharge permit for discharge of decant wastewater to the Hazel Dell Sewer District sanitary sewage collection system. The criteria for this exemption is contained in Washington Administrative Code (WAC) 173-216-030(1)(d). Please see the enclosed fact sheet for the technical details that form the basis for this decision.

Although Ecology concludes that a state waste discharge permit is not required at this time, Clark County remains responsible for compliance with all state and local water quality laws and regulations. Increases in flow or pollutant loading above that stated in the application must be reported to this office in writing.

This determination is limited to the state waste discharge permit system only. Hazel Dell Sewer District retains all rights and privileges related to the regulation of wastewater discharges to the sanitary sewer. If you have any questions regarding this letter, please contact me at (360) 407-6293.

Sincerely,

Steven C. Ebert, P.E.
Supervisor, Industrial Systems
Water Quality Program
Southwest Regional Office

SE:CT:cg(19wq)
Enclosure

cc: Doug Arnold, Hazel Dell Sewer

APPENDIX C2

APPENDIX C3

Answer to Question #5 (64 pages)

Issuance Date:	February 17, 2016
Effective Date:	April 1, 2016
Expiration Date:	March 31, 2021
Modified Date:	January 19, 2018
Modification Effective Date:	April 1, 2018

THE SAND AND GRAVEL GENERAL PERMIT

A NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

AND

STATE WASTE DISCHARGE GENERAL PERMIT

For Process Water, Stormwater, and Mine Dewatering Water Discharges Associated with Sand and Gravel Operations, Rock Quarries, and Similar Mining Facilities, Including Stockpiles of Mined Materials, Concrete Batch Operations and Hot Mix Asphalt Operations

State of Washington
Department of Ecology
Olympia, Washington

In compliance with the provisions of
The State of Washington Water Pollution Control Law
Chapter 90.48 Revised Code of Washington
and
The Federal Water Pollution Control Act
(The Clean Water Act)
Title 33 United States Code, Section 1251 et seq.

Until this permit expires, is modified or revoked, Permittees that have properly obtained coverage under this general permit are authorized to discharge in accordance with the special and general conditions which follow.

Heather R. Bartlett
Water Quality Program Manager
Washington State Department of Ecology

TABLE OF CONTENTS

SUMMARY OF REQUIRED FORMS AND REPORTS

The table below lists forms and reports that must be submitted in order to be in compliance with this permit. Additional reporting and submission requirements can also be found in the Special and General Conditions of this permit.

Summary of Required Forms and Reports

Permit Section	Forms and Reports	Description	Frequency	First Due Date
Reporting				
S10.B	Report of Production Numbers	Reporting of Production Number Range for Fee Purposes	Annually	January 30, 2017
S10.A	Discharge Monitoring Report (DMR)	Report of Monitoring Results and Observations	Quarterly	April 30, 2016
S10.E	Reporting Permit Violations	Verbal and Written Notification of Permit Violations	Each Noncompliance	Within 24 hours and in 5 days
S10.F	Spill Reporting	Verbal Report of Spills to Waters of the State	Each Noncompliance	Immediately
G5	Notification of Overflow or Bypass		As Necessary	As necessary
Application				
S12.A, S12.B, G20	Permit Application	Appling for Permit Coverage, Application, Application for Permit Renewal	As Necessary and 1/Cycle	As Necessary, and Renewal Application Due July 4, 2020
S12.B.1	Portable Beginning of Operation Notice Form (ECY 070-36)	Application to operate at a new site and site restoration plan	As Necessary	10 days before beginning operations
S12.B.2	Portable Completion of Operation Notice Form (ECY 070-30)	Certification that site has been restored	As Necessary	When site has been restored
Changes				
S12.D, G11	Operating Status Change Form (ECY 070-33)	To Change Inactive or Active Status	Each Change	Within 10 days
S12.E, S12.F, G19	Change Request Form (ECY 070-32)	Cancellation of Coverage, Change Facility Name With No Ownership Change, Transfer Permit Coverage To a New Owner or Operator	Each Change	Prior to each change
S12.A, S12.B, G11	Permit Application	Application for a Significant Process Change	As Necessary	As Necessary
Other				
S.10.A.5	"Electronic Signature Account Form" (ESAF) or an "Electronic Waiver Request" form (ECY 070-381)	Ecology will e-mail an ESAF when the Permittee sets up their Electronic Signature Account. Permittees that already have an account do not need to resubmit an ESAF.	1/Permit Cycle	May 1, 2016

SPECIAL CONDITIONS

S1. PERMIT COVERAGE

A. Coverage Under This Permit

This general permit covers discharges from facilities in Washington State that conduct activities designated by one or more of the North American Industry Classification (*NAICS*[1]) Codes or activities listed in Table 1.

Table 1: NAICS/Ecology Codes and Activities Covered by the Sand and Gravel General Permit[2]

NAICS/ Ecology Code	Sand and Gravel Activities
113110	Timber Tract Operations (Rock crushing and/or gravel washing facilities associated with *silvicultural point sources*)
113310	Logging (Rock crushing and/or gravel washing facilities associated with silvicultural point sources)
212311	Dimension Stone Mining and Quarrying
212312	Crushed and Broken Limestone Mining and Quarrying
212313	Crushed and Broken Granite Mining and Quarrying
212319	Other Crushed and Broken Stone Mining and Quarrying
212321	Construction Sand and Gravel Mining
212322	Industrial Sand Mining
212324	Kaolin and Ball Clay Mining
212325	Clay and Ceramic and Refractory Minerals Mining
212399	All Other Nonmetallic Mineral Mining
324121	Asphalt Paving Mixture and Block Manufacturing
327320	Ready-Mix Concrete Manufacturing
327331	Concrete Block and Brick Manufacturing
327332	Concrete Pipe Manufacturing
327390	Other Concrete Product Manufacturing
327999	All Other Miscellaneous Nonmetallic Mineral Product Manufacturing
ECY001	Asphalt Recycling
ECY002	Concrete Recycling

[1] Italicized words in this permit are defined in Appendix B.

[2] Refer to Appendix A for descriptions and corresponding *Standard Industrial Classification* (*SIC*) codes.

B. Coverage for Similar Facilities

In addition to the activities listed in Table 1, similar activities may be required to obtain coverage under this general permit. This applies when the facility meets all of the criteria in 1-4 below:

1. Ecology determines the discharge characteristics are similar to those from the facilities and activities listed in Table 1.
2. The facility has one or more of the following characteristics:
   a. Owned or operated by private entities, the State of Washington or *local governments*.
   b. The discharge is to *groundwater*.
3. And, the facility has one or more of the following characteristics or processes:
   a. Any facility that ditches, routes, collects, contains, or impounds *process water*, *mine dewatering water*, or *Type 3 stormwater*.
   b. Any facility that discharges *stormwater*, mine dewatering water, or process water to *surface waters of the state*.
   c. Any facility that discharges to a municipal *storm sewer*.
   d. Any facility with a discharge to surface water or groundwater that operates a concrete batch plant or a *hot mix asphalt plant* that uses a wet scrubber for air emissions control.
   e. Any facility located inside a designated *wellhead protection area*.
   f. Any silvicultural point source.
   g. Any facility that recycles concrete or asphalt concrete.
4. The permit conditions satisfy applicable state and federal requirements.

C. Facilities Excluded From Coverage Under This Permit

1. Ecology will not provide coverage under this general permit for activities listed in S1.A and B above when the facility:
   a. Has a pit design that will intercept more than one aquifer.
   b. Discharges to a water body with a *Total Maximum Daily Load (TMDL)* for *turbidity*, fine *sediment*, *pH* or temperature unless:
      i. The Permittee complies with S3.G.2-5.
      ii. The requirements of this general permit are adequate to provide the level of protection required by the TMDL or control plan.
   c. Discharges or proposes to discharge to a segment of a waterbody that is listed pursuant to Section 303(d) of the *Clean Water Act*, and discharges or proposes

to discharge a listed *pollutant* at a concentration or volume that will cause or contribute to a violation of the applicable *water quality* standard.

d. Uses material for *reclamation* or backfill that is not *inert* and also is not covered by a Department of Natural Resources reclamation permit.

e. Conducts mining operations below the ordinary high water mark in a river or stream channel.

f. Would impair adjacent water rights as a result of pit operations lowering the water table.

g. Discharges on Federal Land or facilities located on "Indian Country" as defined in 18 U.S.C. § 1151, except portions of the Puyallup Reservation as noted below.

Indian Country includes:

i. All land within any Indian Reservation notwithstanding the issuance of any patent, and, including rights-of-way running through the reservation. This includes all federal, tribal, and Indian and non-Indian privately owned land within the reservation.

ii. All off-reservation Indian allotments, the Indian titles to which have not been extinguished, including rights-of-way running through the same.

iii. All off-reservation federal trust lands held for Native American Tribes.

Puyallup Exception: Following the *Puyallup Tribes of Indians Settlement Act of 1989*, 25 U.S.C. § 1773; the permit does not apply to land within Puyallup Reservation except for, discharges to surface water on land held in trust by the federal government.

Any facility excluded from coverage under conditions S1.C.1.a-f must apply to Ecology for an individual discharge permit; unless the activity is regulated under permit requirements of another section of the Federal Clean Water Act.

2. Ecology will not provide coverage under this general permit for any facility covered under a *National Pollutant Discharge Elimination System (NPDES)* permit or state waste discharge individual permit, which addresses the same activities and pollutants.

D. Other/Unpermitted Site Uses

This permit does not cover any discharge from uses unrelated to the NAICS Codes or activities listed in Table 1 or other similar activities per S1.B. No discharge is allowed from any activities unless it is either covered under this permit's NAICS/Ecology Code criteria, results from a similar activity per S1.B, or is covered by a separate individual *wastewater* discharge permit.

E. Authorization

1. The Permittee is authorized to discharge process water, mine dewatering water, and stormwater to surface water, groundwater, or both at the permitted location for the activities listed in the Permittee's coverage page.
2. Permittees must notify the appropriate regional Ecology office to:
   a. Add, remove, or revise authorized activities listed in their coverage page.
   b. Add, remove, or revise a discharge to surface water.
   c. Add a new type of discharge of process water or mine dewatering water.
3. All discharges and activities authorized by this permit must be consistent with the terms and conditions of this permit.

S2. EFFLUENT LIMITS

Permittees must comply with the following effluent limits and monitoring requirements for process water, mine dewatering water, and stormwater. If the discharges from two or more industrial activities are combined, the most stringent effluent limits applies.

New facilities may be required to conduct additional monitoring, refer to S12.A.2 and S12.A.3.

Table 2: Effluent Limits and Monitoring Requirements for Process Water and Mine Dewatering Water

Type	NAICS Code (see Appendix A)	Discharge to:	pH		Turbidity (*NTU*)		*Total Suspended Solids (TSS)*	Oil Sheen [3]	*Total Dissolved Solids (TDS)*
			Min	Max	*Average Monthly*	*Maximum Daily*	*Average Quarterly*		
Process Water, Mine Dewatering Water	113110, 113310, 212312, 212313, 212319[4], 212399	Surface	Quarterly[1]		Two/Month[2]		Quarterly[1]	Daily when runoff occurs	----
			6.5	8.5	50	50	40 mg/l	No Discharge	----
		Ground	Quarterly[1]		----		----	Daily when runoff occurs	----
			6.5	8.5	----		----	Visible Sheen	----
	212321	Surface	----		Two/Month[2]		Quarterly[1]	Daily when runoff occurs	----
			----		50	50	25 mg/l	No Discharge	----
		Ground	----					Daily when runoff occurs	----
			----		----		----	No Discharge	----
	212311, 212324, 212325,	Surface	----Surface Water Discharge Not Permitted----						
		Ground	Quarterly[1]		----		----	Daily when runoff occurs	----
			6.5	8.5	----		----	No Discharge	----
	212322	Surface	----		Two/Month[2]		Quarterly[1]	Daily when runoff occurs	----
			----	----	50	50	25 mg/l	No Discharge	----
		Ground	----		----		----	Daily when runoff occurs	----
			----	----	----		----	No Discharge	----
	327320, 327331 327332, 327390, 327999, ECY002	Surface	One/Month		Two/Month[2]		Quarterly[1]	Daily when runoff occurs	
			6.5	8.5	50	50	40 mg/l	Visible Sheen	
		Ground	One/Month		----			Daily when runoff occurs	Monthly
			6.5	8.5	----			Visible Sheen	500 mg/l
	324121[5], ECY001	Surface	----Surface Water Discharge Not Permitted----						
		Ground	Quarterly[1]		----		----	Daily when runoff occurs	----
			6.5	8.5	----		----	Visible Sheen	----

Notes for Tables 2 and 3 are on the next page.

Table 3: Effluent Limits and Monitoring Requirements for *Type 2* and Type 3 Stormwater

Type	*NAICS* Code (see Appendix A)	Discharge to:	*pH*		*Turbidity* (*NTU*)		Oil Sheen [3]
			Min	Max	*Average Monthly*	Maximum Daily	
Stormwater (Type 2 and 3) Type 2 monitoring only applicable during earth moving activities	327320, 327331, 327332, 327390, 327999, ECY002	Surface	One/Month		Two/Month[2]		Daily when runoff occurs
			6.5	8.5	50	50	No Discharge
		Ground	One/Month		----		Daily when runoff occurs
			6.5	8.5	----		No Discharge
	113110, 113310, 212312, 212313, 212319, 212399, 212324, 212325, 324121, ECY001	Surface	Quarterly[1]		Two/Month[2]		Daily when runoff occurs
			6.5	8.5	50	50	No Discharge
		Ground	Quarterly[1]		----		Daily when runoff occurs
			6.5	8.5	----		No Discharge
	212311, 212321, 212322	Surface	----		Two/Month[2]		Daily when runoff occurs
			----	----	50	50	No Discharge
		Ground	----		----		Daily when runoff occurs
			----	----	----	----	No Discharge

Notes for Tables 2 and 3:

1. Quarterly means at least one sample in each of the periods of January to March, April to June, July to September, and October to December.

2. When required to sample turbidity twice a month, there must be at least 24 hours between sampling.

3. The discharge of sheen or petroleum products to *waters of the state* is a violation and must be reported as a violation. The presence of a visible sheen at a *discharge point* is not a violation if there is no discharge of sheen or petroleum products to water of the state and if the Permittee corrects the problem in a timely manner, notes the occurrence in their Discharge Monitoring Report (DMR), explains in the DMR the cause, and describes the solution. (Also see conditions S4.F.2, S5.C, S9.C and S10.E)

4. The discharge of process water associated with bitumens (native mining), bituminous limestone quarrying, bituminous sandstone quarrying to surface water is prohibited.

5. The discharge of process water from wet scrubbers to groundwater is prohibited.

S3. ADDITIONAL DISCHARGE LIMITS

A. Best Management Practices (BMPs)

1. The Permittee must implement *Best Management Practices (BMPs)* as necessary to provide all known, available, and reasonable methods of prevention, control, and treatment (*AKART*). And implement any additional BMPs as necessary to comply with state water quality standards.
2. The Permittee must inspect, maintain, and repair all BMPs to ensure continued performance of their intended function.
3. Stormwater BMPs must be consistent with one of the following conditions:
   a. The Stormwater Management Manual for Western Washington (SWMMWW), for *sites* west of the crest of the Cascade Mountains.
   b. The Stormwater Management Manual for Eastern Washington (SWMMEW), for sites east of the crest of the Cascade Mountains.
   c. Other *equivalent stormwater management guidance documents* which have been subject to public review and comment and approved by Ecology.
   d. Documentation in the SWPPP that the BMPs selected provide an equivalent level of *pollution* prevention, compared to the applicable *Stormwater Management Manual*, including:
      i. The technical basis for the selection of all stormwater BMPs (scientific, technical studies, and/or modeling) which support the performance claims for the BMPs being selected.
      ii. An assessment of how the selected BMP will satisfy AKART requirements and the applicable federal technology-based treatment requirements under *40 CFR* part 125.3.

B. Not Cause or Contribute to a Violation of Standards

Discharges must not cause or contribute to a violation of: *Groundwater Quality Standards* (Chapter 173-200 WAC), *Surface Water Quality Standards* (Chapter 173-201A WAC), or *Sediment Management Standards* (Chapter 173-204 WAC) of the State of Washington; and 40 CFR 131.

C. Maintenance Shop Zero Discharge

No wastewater shall be discharged to surface water or groundwater from a maintenance shop unless all of the following criteria apply:

1. The maintenance shop exists at the time permit coverage begins.
2. A discharge to sanitary sewer is not available.
3. Adequate treatment before discharge is provided.
4. The discharge will not cause or contribute to a violation of the surface water or ground water quality standards.

D. Unauthorized Use of Site

The Permittee must maintain and manage permitted sites to prevent unauthorized activities such as illegal dumping, spilling, or other misuse of the site that could discharge pollutants to waters of the state. Appropriate site management may include, but is not limited to, visual inspections, signage, and physical security measures.

E. Water Management

1. Any ditch, channel, or other Best Management Practices (BMPs) used for routing water must be designed, constructed, and maintained to contain all flows except when:

   a. Designed to infiltrate *Type 1 stormwater*.

   b. Precipitation exceeds the *design storm* (*10-year, 24-hour event*).

2. Lined *Impoundment* Required

   This permit prohibits the direct discharge of process water from Concrete Batch Plants (NAICS 327320) and Asphalt Batch Plants (NAICS 324121), including any wastewater from truck wash-out areas, except to a lined impoundment. The lined impoundment must have adequate structural load-bearing design to support any mechanical method used for sludge removal and must be maintained to prevent any *discharge to groundwater*. After treatment, the Permittee may discharge wastewater subject to the limits set forth in Conditions S2 and other parts of this section (S3). At a minimum, the lined impoundment must meet one of the following design standards.

   The Liner must be constructed of:

   a. Synthetic or flexible membrane material, not less than 30 mils thick (40 mils for new installations after the effective date of this permit), that must not react with the discharge.

   b. Concrete with a minimum thickness of 6 inches.

   c. Asphalt with a minimum thickness of 6 inches.

   d. Steel-walled containment tank.

   e. Any other functionally equivalent impoundment, structure, or technique that is based on standard engineering practices, and approved by Ecology to meet the intent of this section.

3. Impoundment Capacity

   Any impoundment must have adequate capacity to provide treatment for water quality and flow control of wastewater. The design storm for calculating the size required for the impoundment is the 10-year, 24-hour precipitation event.

4. The Permittee must inspect the structural integrity of a lined impoundment whenever sludge removal occurs and, before refilling, make any repairs necessary to ensure that the lined impoundment functions to prevent discharges as intended.

Continuous removal systems must draw down the impoundment periodically for inspection.

5. Mined Pit Pond

   Discharges to a mined pit pond are not required to comply with TSS and turbidity limits prior to final reclamation. When reclamation is complete, discharges to the pond must not cause or contribute to a violation of surface water quality standards (Chapter 173-201A WAC).

6. The Permittee must not discharge Type 3 stormwater from an asphalt plant, concrete batch plant, asphalt release agent application area, or concrete truck washout area into a pit or excavation that penetrates the water table.

F. Use of Chemical Treatment Products

1. Document Use - The Permittee, upon *application* for coverage under this permit must document the use of any chemical treatment additives or soil *stabilization* polymers used to:

   a. Treat water discharged to waters of the state.

   b. Stabilize soils.

   c. Suppress dust.

   Documentation must identify the chemicals used, their commercial source, the Safety Data Sheet, and the application rate. The Permittee must retain this information on site or within reasonable access to the site and make it immediately available, upon request, to Ecology. The Permittee must notify Ecology prior to use of any new chemicals discharging to surface waters or of any significant change in application rates of chemicals discharging to surface waters.

2. Apply as Instructed by the Manufacturer – The Permittee must apply chemicals used to enhance solids settling before discharge to waters of the state, to stabilize soils, or abate dust according to the manufacturer's instructions and may only use a chemical if the toxicity to aquatic organisms is known. The Permittee may only use chemicals to stabilize soils if the stormwater from the chemical application area is routed to and treated by a stormwater detention pond.

3. The Permittee must not use ligninsulfonate for dust suppression in excavated areas, including areas where topsoil has been removed.

4. Additional Restrictions – In addition, chemical treatment/soil stabilization must meet one of the following conditions. It must:

   a. Be consistent with the Stormwater Management Manuals.

   b. Be consistent with other methods approved per the Chemical Technology Assessment Protocol – Ecology (C-TAPE) program.

   c. Use chemical treatment additives at a dosing rate resulting in no toxicity in the effluent or stormwater discharge.

G. Discharges to Surface Water — Additional Effluent Limits

1. Discharges must not cause a visible increase in *turbidity* or objectionable color; or cause visible oil sheen in the *receiving water*.
2. New facilities and *existing facilities* must comply with TMDL *wasteload allocations* (for turbidity, fine sediment, pH and/or temperature) developed from a TMDL which was completed prior to the date permit coverage is issued.
3. New facilities that propose to discharge to an impaired water body that is on the *current EPA-approved 303(d) list*, but without a completed TMDL, must not discharge the listed pollutant (turbidity, fine sediment (TSS), pH or temperature) at a concentration or volume that will cause or contribute to a violation of the applicable water quality standard in the receiving water.
4. Existing facilities that discharge to an impaired waterbody on the current EPA-approved 303(d) list must not increase their loading or concentration of the listed pollutant (turbidity, fine sediment measured as TSS, pH, or temperature) for the duration of the coverage of this permit or until a wasteload allocation is assigned to the Permittee from a TMDL approved by the United States Environmental Protection Agency.
5. No Permittee may discharge pollutants in excess of levels established in a wasteload allocation in a TMDL approved by the United States Environmental Protection Agency.
    a. Where an *applicable TMDL* has established a general waste load allocation for facilities covered by this permit but has not identified facility-specific requirements, compliance with conditions S2 through S5 will constitute compliance with the TMDL.
    b. Where an applicable TMDL has not specified a waste load allocation for facilities covered by this permit, but has not excluded these discharges, compliance with this permit will constitute compliance with the TMDL.
    c. Where an applicable TMDL assigns a wasteload allocation to a specific facility, Ecology will implement the wasteload allocation by issuing a modified coverage or an administrative order.

H. Discharges to Groundwater — Additional Effluent Limitations

The Permittee is authorized to discharge process water, mine dewatering water, and stormwater to groundwater at the permitted location subject to the numeric effluent limitations in S2. If the Permittee combines discharges from two or more industrial activities, the most stringent effluent limit for each parameter applies.

1. There must be no visible oil sheen at any points of discharge to groundwater.
2. Any discharge to a pond, lagoon, or other type of impoundment or storage facility that is unlined is considered a discharge to groundwater and is subject to the groundwater quality standards (Chapter 173-200 WAC). Water ponding at a facility can be considered a discharge to groundwater.

If a Permittee discharges wastewater below the surface of the ground, such as to a dry well, drainfield, or injection well it must comply with the Underground Injection Control Program regulations (Chapter 173-218 WAC).

I. Discharge to Sanitary Sewer

Discharge of stormwater to *sanitary sewers* is subject to the following conditions:

The Permittee may discharge stormwater to a *non-delegated POTW* only upon written approval by Ecology. The Permittee must submit a request to Ecology demonstrating that:

1. No other option is feasible or reasonable.
2. The *POTW* has excess wet season hydraulic capacity (no sanitary sewer overflows or treatment system *bypasses*).
3. The POTW is willing to accept the discharge.
4. The hydraulic loading to the POTW will be reduced by eliminating the clean water that can be directly discharged directly without causing pollution.

The request must also certify that the Permittee is routinely implementing all applicable BMPs.

Discharges to sanitary sewer must meet the discharge restrictions of 40 CFR 403.

J. Inactive Sites

1. No excavation (except for BMP maintenance) is allowed at an inactive site. All *inactive sites* are subject to the discharge limits per S2. Refer to S4.C for monitoring requirements at inactive sites.
2. Inactive sites must have appropriate BMPs in place and functioning.
3. At Inactive sites either:
   a. Have a Registered Professional Engineer certify every three years that the facility complies with this general permit.
   b. Or, annually conduct a Wet Season Inspection, per S4.F.3.a, and certify that the facility complies with this general permit.

   The Permittee must maintain the certification(s) as part of the Site Management Plan.

S4. MONITORING REQUIREMENTS

A. Discharges to Surface Water

1. The Permittee must monitor discharges of process water, mine dewatering water, Type 2 stormwater and Type 3 stormwater to surface waters of the state, or to a storm sewer that drains to surface waters of the state per S2.
2. The Permittee must *representatively sample* discharges to surface water. Representative sampling of Type 2 stormwater and Type 3 stormwater requires a sufficient number of monitoring points to represent differences in stormwater

quality. The Permittee must collect samples as close to the point where the discharge comes into contact with the receiving water as is reasonably achievable.

B. Discharges to Groundwater

1. The Permittee must monitor all discharges of process water, mine dewatering water, Type 2 stormwater and Type 3 stormwater to groundwater per S2.
2. The Permittee is required to representatively sample discharges to ground. Representative sampling may include sampling groundwater quality from monitoring wells in accordance with an Ecology-approved groundwater impact study based on Ecology Publication 96-02 (Implementation Guidance for the Groundwater Quality Standards).

C. Monitoring at Inactive Sites

1. All inactive sites that have a discharge of process water and/or mine dewatering water must monitor per S4.A and S4.B.
2. Stormwater monitoring is required at inactive sites when ***both*** of the following conditions apply:
   a. The Permittee or operator adds or withdraws raw materials or finished products from stockpiles during the calendar quarter.
   b. The site has a discharge of stormwater to surface waters of the state.
3. Unless required per S4.C.1 and/or S4.C.2, stormwater monitoring is not required at inactive sites.

D. Sampling and Analytical Procedures

1. Where a discharge combines two or more industrial activities and each activity requires the same monitoring parameter and frequency, only one sample and analysis for that parameter will be required.
2. Samples and measurements taken to meet the requirements of this permit must represent the volume and nature of the monitored parameters, including representative sampling of any unusual discharge or discharge condition, including bypasses, upsets, and maintenance-related conditions affecting effluent quality.
3. Collect samples taken to meet the requirements of this general permit during the facility's normal working hours and while processing at normal levels.
4. No sampling is required of water held in a lined impoundment that is designed, constructed, and maintained in accordance with Special Condition S3.E.2. Discharges from a lined impoundment to waters of the state must be sampled per the conditions in this permit.
5. Sampling and analytical methods used to meet the monitoring requirements specified in this permit must conform to the Guidelines Establishing Test Procedures for the Analysis of Pollutants contained in 40 CFR Part 136. Table 4 lists the recommended analytical methods from 40 CFR Part 136 for the parameters listed in S2.

6. The Permittee must ensure laboratory results comply with the quantitation level (QL) specified in Table 4. However, if an alternate method from 40 CFR Part 136 is sufficient to produce measurable results in the sample, the Permittee may use that method for analysis. Report any alternative test methods used, and the QL, on the discharge monitoring report. If the Permittee is unable to obtain the required QL due to matrix effects, the Permittee must report the matrix-specific method detection level (MDL) and QL on the DMR.
7. The Permittee must record, for each measurement or sample taken, the following information:
    a. The date, exact place, method, and time of sampling.
    b. The individual who performed the sampling or measurement.
    c. The dates the analyses were performed.
    d. The individual or lab which performed the analyses.
    e. The analytical techniques or methods used.
    f. The results of all analyses.

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Table 4 Recommended Analytical Methods and Laboratory Quantitation Levels for Monitoring Parameters

Parameter	Units	Analytical Method	Laboratory Quantitation Level	Laboratory Accreditation Required	Preservation[1]	Maximum Holding Time	Description
pH	SU	SM4500-H^+B	N/A	No/Yes, if testing is performed by an accredited laboratory	None required	Analyze within 15 minutes	Use a calibrated pH meter.
Turbidity	NTU	SM2130-B-2001	0.1	No/Yes, if testing is performed by an accredited laboratory	Cool, ≤ 4 °C	48 hours	Use a calibrated turbidimeter.
Total Suspended Solids (TSS)	mg/l	SM2540-D	5	Yes	Cool, ≤ 6 °C	7 days	The sample is filtered and the residue retained on the filter is dried. The increase in weight of the filter represents the total suspended solids.
Oil Sheen	Yes/No	Observation	N/A	N/A	N/A	N/A	Look for visible sheen
Total Dissolved Solids (TDS)	mg/l	SM2540-C	20	Yes	Cool, ≤ 6 °C	7 days	The sample is filtered and the filtrate is evaporated to dryness and dried. The increase in dish weight represents the total dissolved solids.

Note:

1. Refer to the analytical methods for additional details on preservation methods.

E. Laboratory Accreditation

The Permittee must ensure that all monitoring data required by Ecology is prepared by a laboratory registered or accredited under the provisions of chapter 173-50 WAC, *Accreditation of Environmental Laboratories*. Flow, temperature, turbidity, settleable solids, conductivity, pH, and internal process control parameters are exempt from this requirement. The Permittee or laboratory must obtain accreditation for conductivity, turbidity, and pH if accreditation or registration is required for other parameters (eg. TSS or TDS).

F. Inspections

1. The Permittee must conduct a visual inspection of each point of discharge to surface water at least once a month when discharges occur. The date of the inspection, and any visible change in turbidity or color in the receiving water caused by the discharge, must be recorded and filed with the monitoring plan required by Condition S7.
2. When equipment operates:
   a. The Permittee must inspect oil/water separators once per month during the wet season (October 1 – April 30) and during and immediately after a large storm event of greater than or equal to 1 inch per 24 hours. The accumulated oil must be removed when it reaches a thickness of 1 inch. The bottom sludge must be removed when it reaches a thickness of 6 inches. Oil absorbent pads must be replaced as necessary to maintain effectiveness.
   b. The Permittee must inspect all operationally related equipment and vehicles weekly for leaking fluids such as oil, hydraulic fluid, antifreeze, etc.
   c. Permittees must conduct daily visual monitoring for oil sheen at all surface water and *groundwater discharge* points (or representative locations where water collects prior to discharge) when runoff occurs.
   d. If oil sheen is present, the Permittee must clean up the source and report the event on the inspection form identifying the probable cause of the oil sheen and describing the actions taken to prevent further contamination (See Condition S2, Tables 2 and 3, footnote 3).
   e. The presence of a visible sheen on site is not a violation if there is no discharge of sheen or petroleum products to water of the state and if the Permittee corrects the problem in a timely manner. (See Condition S2, Tables 2 and 3, footnote 3, and conditions S5.C, S9.C and S10.E).
3. The Permittee must conduct at least two stormwater inspections each year at all *active sites* covered under this permit. The Permittee must conduct at least one inspection during the wet season (October 1 – April 30) and at least one inspection during the dry season (May 1 – September 30).
   a. Wet Season Inspection

      The wet season inspection must be conducted by personnel named in the SWPPP and must include observations for the presence of floating materials,

suspended solids, oil and grease, discoloration, turbidity, odor, etc. in the stormwater discharge(s).

The Permittee must conduct the inspection during a rainfall event adequate in intensity and duration to verify that:

i. The description of potential pollutant sources (as defined in S8.D) required under this permit is accurate.

ii. The Permittee has updated or otherwise modified the site map as required in the SMP (S5.D) to reflect current conditions.

iii. The Permittee is implementing controls which are adequate to reduce pollutants in stormwater discharges associated with industrial activity identified in the SWPPP.

b. Dry Season Inspection

The dry season inspection must be conducted by personnel named in the *SWPPP* and after at least seven (7) consecutive days of no precipitation. The inspection must determine the presence of non-stormwater discharges such as process water to the *stormwater drainage system*. If a discharge related directly or indirectly to process water is discovered, the Permittee must comply with non-compliance notification requirements of Special Condition S10.E and must eliminate the discharge within ten (10) days. If the Permittee cannot eliminate the discharge within ten days, the discharge must be considered process water and subject to all process water conditions of this general permit. The inspection shall also include review of the implementation of BMPs to ensure that the SWPPP is fully implemented.

4. *Erosion* and Sediment Control Inspections

At active sites conducting earth moving activities that discharge to surface water, the Permittee must inspect all on-site *erosion and sediment control BMPs* at least once every seven days, and within 24 hours after any storm event of greater than 0.5 inches of rain per 24 hour period. The Permittee must maintain a file containing a log of observations and corrective actions as part of the *Erosion and Sediment Control Plan (ESCP).*

G. Inspection Reports

1. The Permittee must prepare and retain a report on each inspection. The report must include:

a. A summary of the inspection.

b. The names of personnel that conducted the inspection.

c. The date(s) of the inspection.

d. Observations relating to the implementation of the Site Management Plan (SMP).

e. Any actions taken as a result of the inspection.

f. Any corrective actions or maintenance tasks needed.

2. Completed inspection forms, logs, checklists, or records used to meet other governmental agency requirements (e.g. Washington State Department of Transportation or Mine Safety and Health Administration requirements) may be acceptable as inspection reports provided they address the items in S4.G.1 of the permit.

3. The responsible party must sign the reports in accordance with General Condition G1 and must certify that the Permittee has investigated the discharge of stormwater for the presence of non-stormwater.

H. Exemption from Visual Monitoring

The permittee may request an exemption from visual monitoring for any *outfall* where there is no safe access point from which to monitor the outfall. The permittee must specify the latitude and longitude of the location and the reason for exemption in an email or letter to Ecology. The permittee must keep any visual monitoring exemption approvals in the SMP.

S5. SITE MANAGEMENT PLAN (SMP)

A. SMP Sections

The *Site Management Plan (SMP)* consists of a site map and 4 main sections:

1. Erosion and Sediment Control Plan (ESCP)
2. Monitoring Plan
3. *Stormwater Pollution Prevention Plan (SWPPP)*
4. Spill Control Plan

The Permittee may include in the *SMP*, by reference, applicable portions of plans prepared for other purposes (e.g. Pollution Prevention Plan prepared under the *Hazardous Waste Reduction Act*, Chapter 70.95C RCW). The referenced plans must be available on *site* or within reasonable access to the *site* and become enforceable requirements of the SMP.

B. SMP Requirements

The Permittee must:

1. Have and fully implement a site specific SMP.
2. Review the SMP at least once a year. Note the date of review and the name(s) of the personnel that conducted the review in the SMP.
3. Retain and provide the SMP per the requirements in S10.D.
4. The responsible party, as identified in General Condition G1, must sign the SMP and all of its modifications.

C. Modifications of the SMP

1. The Permittee must review and modify the SMP whenever there is a violation of discharge limits in Special Conditions S2 and S3. Additional or modified BMPs must be implemented as soon as practicable but not to exceed 10 days, except for those circumstances that require additional time (such as obtaining other permits or purchasing equipment). Allowance of time beyond 10 days must be requested of and approved by Ecology.
2. Ecology may require the Permittee to modify the SMP for non-compliance with the minimum requirements of this section. The Permittee must then complete SMP modifications and implement additional or modified BMPs as soon as practicable or as directed by Ecology.
3. The Permittee must update the SMP as necessary to respond to changes in facility and site conditions.

D. Site Map

Permittees must have a site map. The site map should show and identify the following features and areas associated with industrial activities:

1. The site map scale, or include relative distances between significant structures and drainage systems.
2. Outfalls, monitoring points:
    a. Assign a unique identifier up to four characters (e.g. S001, S002, etc.) to each outfall and monitoring point. The Permittee must use these identifiers on Discharge Monitoring Reports (DMRs).
    b. Show the drainage area for each point.
    c. Label the types of discharges that occur at each point (e.g. process water, mine dewatering water and stormwater).
    d. Label whether the discharge is to surface water or groundwater.
3. Drainage features:
    a. Drainage direction, flow paths, ditches, ponding areas, and discharge structures.
    b. Nearby and on-site surface water bodies (including any known underlying aquifers).
    c. Lands adjacent to the site where helpful in identifying discharge points or drainage routes.
4. Industrial areas:
    a. Paved areas and buildings.
    b. Vehicle and equipment cleaning or washout areas.
    c. Vehicle and equipment maintenance areas.
    d. Outdoor storage areas of materials or products.

e. Outdoor processing areas.

f. Loading and unloading of dry bulk materials or liquids.

g. On-site waste treatment, storage, or disposal areas.

h. Underground storage areas of materials or products.

S6. SMP SECTION 1: EROSION AND SEDIMENT CONTROL PLAN (ESCP)

The Permittee must prepare an ESCP prior to any earth moving activities. The ESCP must identify and describe the erosion and sediment control BMPs that the Permittee will implement at the facility and a schedule for BMP implementation.

A. Stabilization BMPs

The Permittee must initiate stabilization BMPs as soon as practicable on portions of the site where mining or reclamation activities have temporarily or permanently ceased. The Permittee must:

1. Stabilize and protect all soils from erosion by the timely application of effective BMPs.
2. Preserve existing vegetation where feasible. Permanently mark areas that are not to be disturbed; these include setbacks, sensitive/critical areas and their buffers, trees, and drainage courses.
3. Design and construct cut slopes and fill slopes in a manner that will minimize erosion.
4. Provide stabilization at the outlets of all conveyance systems to prevent erosion.

B. Runoff Conveyance and Treatment BMPs

The ESCP must include a description of runoff conveyance and *treatment BMPs* used to prevent erosion and *sedimentation*. The plan must satisfy the following requirements. The Permittee must:

1. Protect properties adjacent to the project site from erosion and sedimentation related to the facility.
2. Construct sediment ponds and traps, perimeter dikes, sediment barriers, and other BMPs intended to trap sediment on site as a first step. These BMPs must be functional before land is disturbed. Stabilize slopes of earthen structures used for sediment control such as dams, dikes, and diversions immediately after construction.
3. Design any BMP constructed at an active site to maintain separation of Type 2 stormwater from Type 3 stormwater and Type 1 stormwater during the peak flow from the design storm. If any commingling of Type 1, Type 2, or Type 3 stormwater occurs, the Permittee must meet the most restrictive permit requirements.

S7. SMP SECTION 2: MONITORING PLAN

At active sites, and inactive sites where monitoring is required per S4.C.1 and/or S4.C.2, Permittees must maintain and comply with a monitoring plan developed in accordance with Special Conditions S2, S3, and S4.

A. Monitoring Plan and Content Requirements

The monitoring plan must at a minimum:

1. Identify all the industrial activities at the site. Include the NAICS / Ecology codes associated with each monitoring point.
2. Include all of the applicable parameters and monitoring frequencies identified in this permit as monitoring requirements.
3. The plan must identify enough monitoring points to provide representative sampling of all *point source* discharges to surface water or groundwater.
4. List the standard procedures used at the facility for collecting samples for analysis. The publications: NPDES Stormwater Sampling Guidance Document (EPA 833-B-92-001, July 1992), or How to Do Stormwater Sampling — A guide for industrial facilities (Ecology Publication 02-10-071), or equivalent sampling methods, must be used as guidance for stormwater, mine dewatering water, and process water sampling procedures.
5. List the non-compliance notification procedures and contact numbers.

B. Maintaining the Monitoring Plan

If facility conditions require the modification, addition, or deletion of a monitoring point, the Permittee must update their monitoring plan and edit their monitoring point in WQWebDMR[3].

S8. SMP SECTION 3: STORMWATER POLLUTION PREVENTION PLAN (SWPPP)

The Site Management Plan (SMP) must include a SWPPP. The SWPPP must contain, at a minimum, the following:

A. Measures to Prevent Commingling

Measures to prevent the commingling of stormwater with process water or mine dewatering water, unless the facility is designed to reuse process water. Stormwater that commingles with process water is considered process water and is subject to all permit conditions for process water.

[3] Permittees that have received an Electronic Reporting Waiver must notify Ecology in writing of monitoring point modifications, additions, or deletions before the end of the quarter in which the change will occur.

B. Runoff Conveyance and Treatment BMPs

The SWPPP must include runoff conveyance and treatment BMPs as necessary to control pollutants and comply with the stormwater discharge limits in S2 and S3. (Refer to the Stormwater Management Manuals for additional information.)

Runoff conveyance BMPs include, but are not limited to:

1. Interceptor dikes
2. Swales
3. Channel lining
4. Pipe slope drains
5. Outlet protection

Treatment BMPs may include, but are not limited to:

1. Oil/water separators
2. Biofiltration swales
3. Infiltration or detention basins
4. Sediment traps
5. Chemical treatment systems
6. *Constructed wetlands*

C. Innovative BMPs

Innovative treatment, source control, reduction or recycling, or operational management practices beyond those identified in Ecology's SWMMs are encouraged if they help achieve compliance with this general permit.

D. Inventory of Materials and Pollutant Sources

This inventory must list potential pollutants and pollutant sources. The inventory of materials must include a list of all types of materials handled at the site exposed to precipitation or run-off (e.g. raw materials, cement admixtures, petroleum products, etc.).

The Permittee must manage the following materials to prevent stormwater contamination:

1. Toxic materials or chemicals
2. Petroleum contaminated soils (PCS) that fail to meet the most protective Model Toxics Control Act Method 'A' treatment levels (WAC 173-340-740(2))
3. Cement
4. Admixtures
5. Fuels, lubricants, tar and other petroleum products
6. Any material that contains petroleum contamination or has the potential to cause aquatic toxicity

E. Source Control BMPs

The SWPPP must include the following source control BMPs in order to achieve AKART and compliance with the stormwater discharge limits in S2 and S3. The Permittee may omit individual BMPs if site conditions render the BMP unnecessary, infeasible, or if the Permittee provides alternative and equally effective BMPs. The Permittee must note the rationale for omission or substitution in the SWPPP. The Permittee must:

1. Store all **chemical liquids, fluids, and petroleum products** (except bitumen), in double-walled tanks or in secondary containment. Secondary containment includes an impervious surface surrounded with a containment berm or dike that is capable of containing 10% of the total enclosed tank volume or 110% of the volume contained in the largest tank, whichever is greater.
    a. To prevent precipitation from accumulating in secondary containment provide a roof or equivalent structure.
    b. If cover is not practicable, the SWPPP must include a description of how accumulated water will be managed and disposed of.
2. Label **containers** (e.g., "Used Oil," "Spent Solvents," "Fertilizers and Pesticides").
3. Fully drain and cap **empty containers**. Minimize the number of empty containers on site.
4. Fit all **dumpsters** containing leachable materials with a lid that must remain closed when not in use, or alternatively keep the dumpster under cover.
5. Locate **spill kits** at all stationary fueling stations, fuel transfer stations, mobile fueling units, and used oil storage/transfer stations.
6. Use drip pans or equivalent containment measures during all **petroleum transfer operations**.
7. Conduct all **vehicle and equipment cleaning operations** per the following:
    a. Permittees may use low pressure (under 100 psi) cold water to rinse mud off of vehicles and equipment provided no soap is used. Route rinse water to an on-site sediment treatment structure (e.g. sediment trap, catch basin with gravity separator, or treatment pond).
    b. Conduct all other vehicle and equipment cleaning operations under cover or in a bermed area to prevent commingling of wash water and stormwater.
        i. This wash water must drain to a proper collection system (i.e., not the stormwater drainage system).
        ii. Do not discharge any wastewater from concrete truck wash-out areas or from concrete trucks directly to surface water or groundwater. Treat this wastewater in a lined impoundment.
8. Store **unhardened concrete**, any type of concrete solids (does not include fully cured or recycled concrete), returned asphalt, and cold mix asphalt on a bermed impervious surface. This includes comeback concrete, ecology blocks, septic tanks,

jersey barriers, and other cast concrete products. Treat all stormwater that contacts these materials in a lined impoundment. Discharge of this water is subject to the effluent limitations in S2 and must not cause a violation of water quality standards.

9. Store **lead acid batteries** under cover.
10. Take **leaking equipment** out of service and prevent it from leaking on the ground until repaired. Repair all leaks before putting equipment back into service on the site.
11. Manage **paving equipment** to prevent stormwater contamination.
12. Manage **sediment track out** to paved off-site roads to prevent the tracked sediment from delivering to surface water or storm drain systems. Discharges to surface waters, public storm drain systems, or both are subject to permit limits for turbidity and must be included in the Permittee's Monitoring Plan whenever track out onto an off-site roadway is evident. Measures recommended to control or prevent track out include:
    a. Limit vehicle access and exit to one route, if possible.
    b. Stabilize access points with a pad of quarry spalls, crushed rock, or other equivalent BMP, as necessary to minimize the tracking of sediment onto off-site roads.
    c. Locate a closed loop wheel wash or tire baths (or equivalent BMP) on site, if the stabilized construction entrance is not effective in preventing sediment from being tracked onto off-site roads. Wheel wash and tire bath wastewater is process water and is subject to the effluent limitations and monitoring requirements in Special Condition S2, Table 2, and S4 and must not cause a violation of water quality standards.
    d. Clean off-site roads thoroughly at the end of each day or more frequently during wet weather if sediment is tracked off site. Clean sediment from roads by shoveling or pickup sweeping and transport to a controlled sediment disposal area.
    e. Only wash streets after sediment is removed in accordance with condition d above. Street wash wastewater must be controlled by pumping back on site or otherwise be prevented from discharging into systems tributary to waters of the state.
13. The Permittee must use **source control BMPs** in the following areas and during the following activities as necessary to control pollutants:
    a. Fueling at Dedicated Stations
    b. Mobile Fueling
    c. Loading and Unloading Areas
    d. Storage of Liquid in Permanent Above-ground Tanks
    e. Dust Control

f. High Use Parking Areas

g. Storage or Transfer of Solid Raw Materials, By-Products or Finished Products

(See Volume IV in the SWMMWW/Chapter 8 in the SWMMEW for specific BMPs)

F. Concrete Recycling BMPs

Permittees that conduct *concrete recycling* (ECY002) must include the following BMPs within their SWPPP and implement them on-site. Permittees may omit individual BMPs below if site conditions render the BMP unnecessary or if the Permittee provides alternative and equally effective BMPs. The Permittee must note the rationale for omission or substitution in the SWPPP.

1. Permittees that receive permit coverage for their site for the first time on or after April 1, 2016 must not place new concrete recycling stockpile(s) in the following locations:

   a. Within 100 feet or less (horizontal distance) from the ordinary high water mark of surface water bodies (including streams, lakes, rivers, saltwater bodies, wetlands, etc.).

   b. Within 100 feet or less (horizontal distance) from drinking water and irrigation well(s) unless:

      i. The Permittee samples groundwater quality from monitoring wells in accordance with an Ecology-approved groundwater monitoring program based on Ecology Publication 96-02 (Implementation Guidance for the Groundwater Quality Standards).

         (a) The Permittee must submit and have Ecology approve their groundwater monitoring program prior to placing new concrete recycling stockpile(s) in this location.

         (b) The permittee must include documentation of their groundwater monitoring program within their SMP.

   c. Within a Wellhead Protection Area unless:

      i. The Permittee samples groundwater quality from monitoring wells in accordance with an Ecology-approved groundwater monitoring program based on Ecology Publication 96-02 (Implementation Guidance for the Groundwater Quality Standards).

         (a) The Permittee must submit and have Ecology approval of their groundwater monitoring program prior to placing new concrete recycling stockpile(s) in this location.

         (b) The permittee must include documentation of their groundwater monitoring program within their SMP.

   d. Where there is a discharge to ground associated with the concrete recycling stockpile and there is not a minimum of 10 feet of separation between the bottom of the recycled concrete stockpile(s) and groundwater.

2. Establish materials acceptance procedures to ensure that inbound recycled concrete materials are not a source of dangerous waste such as lead paint, asbestos, and joint sealants which contain Polychlorinated Biphenyls (PCBs).

S9. SMP SECTION 4: SPILL CONTROL PLAN

A. Materials of Concern

The Permittee must maintain and comply with a Spill Control Plan for the prevention, containment, control, and cleanup of spills or unplanned discharges of:

1. Oil and petroleum products including accidental release from equipment.
2. Materials, which when spilled, or otherwise released into the environment, are designated Dangerous (DW) or Extremely Hazardous Waste (EHW) by the procedures set forth in WAC 173-303-070.
3. Other materials which may become pollutants or cause pollution upon reaching waters of the state.

B. Spill Control Plan Contents

The Permittee must review and update the Spill Control Plan, as needed, but at least annually. The Spill Control Plan must include the following:

1. A description of the reporting system which will be used to alert responsible managers and legal authorities in the event of a spill.
2. A list of equipment and materials on site that have the potential to leak or spill.
3. A description of preventive measures and facilities (including an overall facility plot showing drainage patterns) which prevent, contain, or treat spills of these materials.
4. Specific handling procedures and storage requirements for materials kept on site.

C. Spill Response

The Permittee must have the necessary cleanup materials available and respond to all spills in a timely fashion, preventing their discharge to waters of the state. All employees must receive appropriate training to assure all spills are reported and responded to appropriately. The Permittee must immediately clean up all spills, leaks, and contaminated soil to prevent the discharge of pollutants to groundwater or surface waters.

S10. REPORTING AND RECORD KEEPING REQUIREMENTS

The Permittee must report monitoring and other information in accordance with the following conditions. The falsification of information submitted to Ecology constitutes a violation of the terms and conditions of this permit.

A. Discharge Monitoring Reports

1. Permittees must submit a “Discharge Monitoring Report (DMR)” form on a quarterly basis for all:
   a. Active sites, whether or not the facility was discharging.

b. Inactive sites required to conduct monitoring per condition S4.C.1 and/or S4.C.2.

2. Permittees must submit DMRs to Ecology on or before the DMR due dates according to the Table 5 below:

Table 5: Discharge Monitoring Reporting Due Dates

Discharge Monitoring Period	DMR Due Dates:
October, November, December	January 30
January, February, March	April 30
April, May, June	July 30
July, August, September	October 30

3. For Permittees that receive permit coverage for the first time after the effective date of this permit, the first monitoring period is the first full quarter following the date of permit coverage.

4. Permittees must submit DMRs electronically using Ecology's Water Quality Permitting Portal (WQWebDMR) – Discharge Monitoring Report (DMR) application, unless the Permittee applies for and Ecology approves an *Electronic Reporting Waiver*[4].[5] Permittees that have received an Electronic Reporting Waiver from Ecology must submit their DMRs to the appropriate regional Ecology office.

5. By the due dates in Table 6, permittees must either:

   a. Setup their WQWebDMR account and submit an "Electronic Signature Account Form" (ESAF). (Visit http://www.ecy.wa.gov/programs/wq/permits/paris/webdmr.html for instructions.)

   b. Or, submit an "Electronic Waiver Request" form (ECY 070-381) to the appropriate regional Ecology office.

   Permittees that have an existing electronic signature account do not need to resubmit an ESAF or Electronic Waiver Request form.

[4] Ecology typically only grants Electronic Reporting Waivers to permittees that do not have a computer, printer, or internet connection.

[5] For the DMR due April 30, 2016 permittees may submit their DMRs either electronically or on paper. For DMRs due after April 30, 2016 permittees must submit their DMRs electronically per this requirement.

Table 6: Due Dates for ESAF or Electronic Waiver Request

Operating Status:	Due date:
Active operating status on the effective date of this permit	May 1, 2016
Inactive operating status on the effective date of this permit[6]	Two months before your first DMR due date under this permit. (E.g. if your first DMR is due October 30, 2016 you must submit your ESAF or Electronic Waiver Request by August 30, 2016.)
Permittees that receive permit coverage for the first time after the effective date of this permit	Two months before your first DMR due date under this permit. (E.g. if your first DMR is due October 30, 2017 you must submit your ESAF or Electronic Waiver Request by August 30, 2017.)

B. Production Number Range Reporting

1. Annually, by January 30[7] non-portable Permittees that have a NAICS code of 324121, 327320, 327332, and/or 327390 must report for the previous year which range below their production of asphalt and/or concrete fell within.

Table 7: Concrete and Asphalt Production Ranges

Concrete Production Ranges	Asphalt Production Ranges
Inactive (zero concrete production during the calendar year)	Inactive (zero asphalt production during the calendar year)
0 - < 25,000 cu. yds/yr	0 - < 50,000 tons/yr
25,000 - < 200,000 cu. yds/yr	50,000 - < 300,000 tons/yr
200,000 cu. yds/yr and greater	300,000 tons/yr and greater

2. Permittees must submit their production number ranges electronically using Ecology's Water Quality Permitting Portal, unless the Permittee applies for and Ecology approves an Electronic Reporting Waiver. Permittees that have received an Electronic Reporting Waiver from Ecology must submit their production number ranges to the appropriate regional Ecology office via the paper form that Ecology provides for this purpose.

[6] Including inactive sites required to conduct monitoring per condition S4.C.1 and/or S4.C.2 (e.g. inactive sites monitoring per S4.C.1 whose first DMR is due July 30, 2016 must submit their ESAF or Electronic Waiver Request by May 30, 2016).

[7] Beginning January 30, 2017.

C. Additional Monitoring by the Permittee

Any Permittee that monitors any pollutant more frequently than required in Conditions S2, S3, or S4 must include those results in the calculation and reporting of the data submitted in the DMRs or other reporting requirements.

D. Records Retention

1. The Permittee must retain records of the following documents on site, or within reasonable access to the site:
    a. The current version of the Sand and Gravel General Permit.
    b. Permit coverage page.
    c. The Site Management Plan (SMP), including all four main sections, site map, and applicable incorporated plans.
    d. All monitoring information for a minimum of five (5) years including:
        i. Copies of Discharge Monitoring Reports.
        ii. All calibration and maintenance records.
        iii. All original recordings for continuous monitoring instrumentation.
    e. For a minimum of three (3) years from the date of the sample, measurement, report, or application:
        i. Copies of all reports required by this permit.
        ii. Records of all data used to complete the application for this permit.
2. The Permittee must extend this period of retention during the course of any unresolved litigation regarding the discharge of pollutants by the Permittee or when requested by Ecology.
3. The Permittee must make all plans, documents, and records required by this permit immediately available, upon request, to Ecology or the local jurisdiction.
4. The Permittee must provide a copy of the SMP (including all four main sections, site map, and applicable incorporated plans) to the public when requested in writing to do so. The copy must be provided within 10 days.

    If the Permittee receives a public records request for more than one facility that the Permittee owns/operates under the Sand and Gravel General Permit, the permittee must respond within 10 days by either:

    a. Providing copies of all the requested SMPs.
    b. Providing the requester(s) a reasonable estimate of when the requests will be fulfilled. And by providing the copies of all the requested SMPs within 10 days per SMP requested (e.g. if a Permittee receives a request to provide SMPs for three of their facilities they will have a maximum of 30 days to provide the copies of all three SMPs).

E. Reporting Permit Violations

In the event the Permittee is unable to comply with any of the permit terms, conditions or discharge limits, due to any cause, the Permittee must:

1. Immediately take action to stop, contain, and cleanup unauthorized discharges or otherwise stop the violation, correct the problem and, if applicable, repeat sampling and analysis of any violation immediately.
2. Notify the appropriate Ecology Regional Sand and Gravel Permit Manager by phone or in person within 24 hours of when the Permittee becomes aware of the circumstances.
3. Submit a detailed written report to Ecology within 30 days (5 days for upsets, spills, bypasses and any noncompliance which may endanger health or the environment) unless requested earlier by Ecology. The report must describe the nature of the violation, corrective action taken and/or planned, steps to be taken to prevent a recurrence, results of the re-sampling, results of the SMP review (per S5.C.1) and any other pertinent information. The Permittee may not substitute data from re-sampling for ongoing permit monitoring required under Special Condition S2, S3 and S4. Permittees must report re-sampling data per S10.C.
4. Ecology may waive the requirement for a written report on a case-by-case basis, if the Permittee notifies Ecology within 24 hours per S10.E.2.

Compliance with this condition does not relieve the Permittee from responsibility to maintain continuous compliance with the terms and conditions of this permit or the resulting liability for failure to comply.

F. Spill Reporting

The Permittee must report a spill of oil or hazardous materials in accordance with the requirements of RCW 90.56.280 and Chapter 173-303-145 WAC by calling the National Response Center 1-800-424-8802, ***and*** the Washington Emergency Management Division 1-800-258-5990. Permittees can obtain additional instructions at the following website: http://www.ecy.wa.gov/programs/spills/other/reportaspill.htm.

S11. SOLID WASTE DISPOSAL

A. Solid Waste Handling

The Permittee must handle and dispose of all solid waste material, including material from cleaning catch basins and any sludge generated by impounding process water or stormwater, in such a manner as to prevent its entry into waters of the state. Disposal must comply with all applicable local, state, and federal regulations.

B. Leachate

The Permittee must not allow *leachate* from solid waste material to enter waters of the state without providing AKART, nor allow such leachate to cause or contribute to violations of the State Surface Water Quality Standards, Chapter 173-201A WAC, or the State Groundwater Quality Standards, Chapter 173-200 WAC. The Permittee must

apply for an individual permit or permit modification as may be required for such discharges to waters of the state.

C. Recycle and Waste Material Other Than Concrete or Asphalt

The Permittee must comply with the Minimum Functional Standards for Solid Waste Handling, Chapter 173-350 WAC, and where appropriate, the Dangerous Waste Regulations, Chapter 173-303 WAC. The Permittee must meet the procedural, operational, and structural controls required under the Chapter 173-350 for any type of recycling or solid waste handing on the site. If the Permittee places or intends to place amounts and types of inert waste as defined in WAC 173-350-990, they must fully comply with solid waste regulations. The Permittee must comply with the requirements for obtaining permits from health departments that have jurisdiction over the disposal activities at the permitted site and comply with those permits.

This permit does not authorize discharge of leachate or process water from solid waste handling activities except as provided under WAC 173-350-990 (inert waste).

S12. PERMIT APPLICATION

A. How to Apply for Permit Coverage

1. All new facilities and un-permitted existing facilities that intend to obtain coverage, and permitted existing facilities planning a *significant process change* must submit an application.
    a. The Permittee must submit the application no less than one hundred and eighty (180) days before beginning any activity that may result in the discharge of any pollutant. No discharge is authorized until the effective date of permit coverage as provided in Special Condition S12.C below.
    b. All new facilities and un-permitted existing facilities that intend to obtain coverage, must submit an application electronically using Ecology's Water Quality Permitting Portal – Permit Coverage Notice of Intent (NOI) application, unless the applicant applies for and receives an Electronic Reporting Waiver from Ecology. Applicants that have received a waiver from Ecology must submit a completed and signed application to the appropriate regional Ecology office.
    c. All permitted existing facilities planning a significant process change must submit a completed and signed application, to the appropriate regional Ecology office.
    d. Facilities with stormwater discharge to a storm sewer operated by any of the following municipalities must send a copy of their application for coverage to the appropriate *municipality*: Seattle, King County, Snohomish County, Tacoma, Pierce County, and Clark County.
    e. All new facilities, and permitted existing facilities planning a significant process change, must:
        i. Satisfy public notice requirements in WAC 173-226-130(5).

ii. Certify that the applicable *SEPA* requirements have been met.

iii. Meet the requirements of Chapter 173-240 WAC, *SUBMISSION OF PLANS AND REPORTS FOR CONSTRUCTION OF WASTEWATER FACILITIES.*

f. A Permittee may include in the *application* for coverage, activities that are, or could be performed by an operator(s) other than the Permittee. These activities may be ongoing or intermittent. As the permit holder, the Permittee is responsible for compliance with all conditions of the permit.

2. New facilities that propose to discharge to a segment of a waterbody on the current EPA-approved 303(d) list for turbidity or fine sediment must conduct turbidity monitoring in accordance with an Ecology-approved Quality Assurance Project Plan that includes receiving water monitoring to demonstrate the discharge does not cause or contribute to the impairment. The applicant/Permittee must contact Ecology before developing a Quality Assurance Project Plan.

3. New facilities that propose to discharge to surface water must conduct a receiving water study for two years when Ecology determines, at the time of application, that there is a potential for violation of water quality standards. The study consists of measuring the receiving water flow and temperature and discharge flow and temperature at the time of *critical flows*. The applicant/Permittee must contact Ecology before developing a receiving water study plan. If Ecology determines a receiving water study is required, the receiving water study plan must be completed before operations are begun.

B. Permit Coverage for Portable Facilities

All portable facilities that are new facilities, un-permitted existing facilities, and permitted existing facilities planning a significant process change must comply with the requirements in S12.A. Permit coverage will apply only to the specific *portable facility* identified in the application. Permit coverage is provided for the portable facility at sites throughout the state subject to the following requirements:

1. The Permittee of the portable facility must submit a completed and signed "Portable Beginning of Operation Notice" form (ECY 070-36[8]) no less than ten (10) days before beginning each operation at a new location. The form must be sent to the appropriate Ecology regional office for where the site and operation is located. The Permittee must also complete requirements for new discharges (S12.A.2 and S12.A.3) if the new location will have a discharge to surface waters.

2. The Permittee must submit a completed and signed "Portable Completion of Operation Notice" form (ECY 070-30) to the Water Quality Permit Coordinator at the appropriate Ecology regional office when it has completed the following:

a. All activities associated with the portable operation have ceased.

b. All equipment associated with the operation has been removed.

c. All land affected by the portable operation has been restored in accordance with S12.B.3 .

3. Upon completion of the portable operation, the Permittee must restore all areas affected by the operation in accordance with the "Site Restoration" portion of the "Portable Beginning of Operation Notice" form (ECY 070-36) submitted to Ecology prior to beginning operations.

   Site restoration must include:

   a. Cleaning up, or otherwise preventing the discharge of, any pollutant (including spilled petroleum products) to waters of the state.

   b. The removal of all processing equipment associated with the portable operation.

   c. Stabilizing all areas affected by activities associated with the portable operation with a permanent vegetative cover or equivalent permanent stabilization measure (crushed rock surfacing, rip rap, etc.) which will prevent erosion.

      i. Permittees that operated a portable facility at an active construction site do not have to provide permanent vegetative cover or permanent stabilization if all of the following conditions apply:
         (a) The portable facility operated within a part of the site where construction activities occurred or will occur.
         (b) The restoration of the area where the portable facility operated will be completed according to construction plans for the site.
         (c) Permittees note this exception and provide an estimated timeline for final restoration in their completed and signed "Portable Completion of Operation Notice" form (ECY 070-30).

   d. Restoration to the satisfaction of the Ecology permit manager and local jurisdiction, if required.

   e. If the Permittee is prohibited by law from accessing the site to complete site restoration, the Permittee may request completion of portable operations at the site by submitting to Ecology a "Portable Completion of Operation Notice" form (ECY 070-30) along with documentation of the Permittee's inability to access the site.

   f. If the Permittee has no legal responsibility over site restoration, the Permittee may request completion of portable operations at the site by submitting to Ecology a "Portable Completion of Operation Notice" form (ECY 070-30) along with documentation demonstrating that another entity is responsible for site restoration.

      Portable operations that meet the conditions in S12.B.3.c.i do not have to submit documentation demonstrating that another entity is responsible for site restoration.

C. Permit Coverage Timeline

1. Unless Ecology notifies the applicant in writing to the contrary, coverage under this general permit will begin on the later of the following:

a. The thirty-first (31st) day after Ecology receives the completed application.

b. The thirty-first (31st) day after the end of a thirty (30) day public comment period.

c. The effective date of the general permit.

2. If the application is incomplete, an appeal has been filed, public comments have been received, or more information is necessary to determine whether a facility requires coverage under the general permit, additional time may be required to review the application. When additional time is required, Ecology will:

   a. Notify the applicant in writing and identify the issues that must be resolved before a decision can be reached.

   b. Send the final decision to the applicant in writing. If the application is approved, coverage begins the thirty-first (31st) day after approval.

3. If the applicant has an individual permit but applies for coverage under the general permit, the individual permit will remain in effect until terminated in writing by Ecology. However, an expired individual permit, pursuant to WAC 173-220-180(5), will terminate upon coverage by the general permit.

D. Reporting Change in Operating Status

1. Any facility that changes operating status from active to inactive, or inactive to active, must submit an "Activity Status Change Form" (ECY 070-33) to Ecology as follows:

   a. If the change is from inactive to active, the form must be submitted no less than ten (10) days before the change.

   b. If the change is from active to inactive, the form must be submitted no later than ten (10) days after the change.

2. The failure to accurately report changes in operating status is a permit violation.

3. Non-portable facilities are considered *nonoperating* for fee purposes if they conduct their activities for less than ninety cumulative days during a calendar year.

4. Non-portable asphalt and/or concrete producing facilities are considered nonoperating for fee purposes if they do not produce any asphalt and/or concrete during the calendar year. Nonoperating sites that become active for only concrete and/or asphalt production will be assessed a prorated fee for the actual time inactive.

5. Portable facilities must commit to being shut down for a minimum of twelve calendar months before the status can be changed to nonoperating for fee purposes.

E. Terminating Coverage

A Permittee may request termination (cancellation) of permit coverage for a *closed site* by submitting a "Change Request Form" (ECY 070-32). In addition to discontinuing all activities at the site, the Permittee must complete restoration of the site.

1. A mining site is considered restored when DNR has completely released the reclamation bond or the site has been reclaimed to the satisfaction of the Ecology

permit manager and local jurisdiction, if required. If the site is not subject to Department of Natural Resources reclamation, the mining site is considered restored when the site has been reclaimed to the satisfaction of the Ecology permit manager and local jurisdiction, if required.

2. Processing sites (includes concrete and asphalt batch operations) are considered restored when processing equipment has been removed and the Ecology permit manager determines the site has been returned to an appropriate condition.
3. Permittees that operated a portable facility at one or more locations in Washington State may terminate statewide permit coverage if the Permittee is in compliance with S12.B.2 at all sites where they have operated a portable facility under this permit.
4. If the Permittee is prohibited by law from accessing the site to complete site restoration, the Permittee may request termination by submitting to Ecology a "Change Request Form" (ECY 070-32) along with documentation of the Permittee's inability to access the site.
5. Permittees must comply with all conditions, including fee payment, in this permit until Ecology terminates permit coverage.

F. Transferring Permit Coverage

A Permittee may request a transfer of permit coverage by submitting a "Change Request Form" (ECY 070-32). See condition G19.

GENERAL CONDITIONS

G1. SIGNATORY REQUIREMENTS

A. All applications must be signed and certified.

1. In the case of corporations, by a responsible corporate officer.

   For the purpose of this section, a responsible corporate officer means:

   a. A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision making functions for the corporation.

   b. Or, the manager of one or more manufacturing, production, or operating facilities, provided, the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

2. In the case of a partnership, by a general partner.

3. In the case of sole proprietorship, by the proprietor.

4. In the case of a municipal, state, or other public facility, by either a principal executive officer or ranking elected official.

Applications for permits for domestic wastewater facilities that are either owned or operated by, or under contract to, a public entity must be submitted by the public entity.

B. All reports required by this permit and other information requested by Ecology must be signed by a person described above or by a duly authorized representative of that person. A person is a duly authorized representative only if:

1. The authorization is made in writing by a person described above and submitted to Ecology.

2. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility, such as the position of plant manager, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters. (A duly authorized representative may thus be either a named individual or any individual occupying a named position.)

C. Changes to authorization. If an authorization under paragraph B.2 above is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of paragraph B.2 above must be submitted to Ecology prior to or together with any reports, information, or applications to be signed by an authorized representative.

D. Certification. Any person signing a document under this section must make the following certification:

> I certify under penalty of law, that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

G2. DISCHARGE VIOLATIONS

All discharges and activities authorized by this general permit must be consistent with the terms and conditions of this general permit. The discharge of any *pollutants* more frequently than, or at a concentration in excess of, that authorized by this permit constitutes a violation of the terms and conditions of this permit.

G3. PROPER OPERATION AND MAINTENANCE

The Permittee must at all times properly operate and maintain all facilities and systems of collection, treatment, and control (and related appurtenances) which are installed or used by the Permittee for pollution control.

G4. REDUCED PRODUCTION FOR COMPLIANCE

The Permittee, in order to maintain compliance with their general permit coverage, must control production and/or all discharges upon reduction, loss, failure, or bypass of the treatment facility until the facility is restored or an alternative method of treatment is provided. This requirement applies in the situation where, among other things, the primary source of power of the treatment facility is reduced, lost, or fails.

G5. BYPASS PROCEDURES

Bypass, which is the intentional diversion of waste streams from any portion of a treatment facility, is prohibited, and Ecology may take enforcement action against a Permittee for bypass unless one of the following circumstances (1, 2, or 3) is applicable.

A. Bypass for Essential Maintenance without the Potential to Cause Violation of Permit Limits or Conditions.

Bypass is authorized if it is for essential maintenance and does not have the potential to cause violations of limitations or other conditions of this permit, or adversely impact public health as determined by Ecology prior to the bypass. The Permittee must submit prior notice, if possible, at least ten (10) days before the date of the bypass.

B. Bypass which is Unavoidable, Unanticipated, and Results in Noncompliance of this Permit.

This bypass is permitted only if:

1. Bypass is unavoidable to prevent loss of life, personal injury, or *severe property damage*. "Severe property damage" means substantial physical damage to property, damage to the treatment facilities which would cause them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass.
2. There are no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, stopping production, maintenance during normal periods of equipment downtime (but not if adequate backup equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventative maintenance), or transport of untreated wastes to another treatment facility.
3. Ecology is properly notified of the bypass as required in condition S10.E of this permit.

C. Bypass Which is Anticipated and has the Potential to Result in Noncompliance of this Permit.

The Permittee must notify Ecology at least thirty (30) days before the planned date of bypass. The notice must contain: (1) a description of the bypass and its cause; (2) an analysis of all known alternatives which would eliminate, reduce, or mitigate the need for bypassing; (3) a cost-effectiveness analysis of alternatives including comparative resource damage assessment; (4) the minimum and maximum duration of bypass under each alternative; (5) a recommendation as to the preferred alternative for conducting the bypass; (6) the projected date of bypass initiation; (7) a statement of compliance with SEPA; (8) a request for modification of water quality standards as provided for in WAC 173-201A-410, if an exceedance of any water quality standard is anticipated; and (9) steps taken or planned to reduce, eliminate, and prevent reoccurrence of the bypass.

For probable construction bypasses, the need to bypass is to be identified as early in the planning process as possible. The analysis required above must be considered during preparation of the engineering report or facilities plan and plans and specifications and must be included to the extent practical. In cases where the probable need to bypass is determined early, continued analysis is necessary up to and including the construction period in an effort to minimize or eliminate the bypass.

Ecology will consider the following prior to issuing an administrative order for this type bypass:

1. If the bypass is necessary to perform construction or maintenance-related activities essential to meet the requirements of this permit.
2. If there are feasible alternatives to bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, stopping production, maintenance during

normal periods of equipment down time, or transport of untreated wastes to another treatment facility.

3. If the bypass is planned and scheduled to minimize adverse effects on the public and the environment.

After consideration of the above and the adverse effects of the proposed bypass and any other relevant factors, Ecology will approve or deny the request. The public must be notified and given an opportunity to comment on bypass incidents of significant duration, to the extent feasible. Approval of a request to bypass will be by administrative order issued by Ecology under RCW 90.48.120.

G6. RIGHT OF INSPECTION AND ENTRY

The Permittee must allow an authorized representative of Ecology, upon the presentation of credentials and such other documents as may be required by law:

A. To enter upon the premises where a discharge is located or where any records must be kept under the terms and conditions of this permit.

B. To have access to and copy – at reasonable times and at reasonable cost – any records required to be kept under the terms and conditions of this permit.

C. To inspect – at reasonable times – any facilities, equipment (including monitoring and control equipment), practices, methods, or operations regulated or required under this permit.

D. To sample or monitor – at reasonable times – any substances or parameters at any location for purposes of assuring permit compliance or as otherwise authorized by the Clean Water Act.

G7. [RESERVED]

G8. NOTIFICATION OF CHANGE IN COVERED ACTIVITIES

The Permittee must submit a new application for coverage whenever facility alterations (including expansions), production increases, or process modifications are anticipated that will:

A. Result in new or *substantially changed* discharges of pollutants; or

B. Violate the terms and conditions of this permit. This new application for coverage must be submitted at least 60 days prior to the proposed changes. Submission of the application for coverage does not relieve the Permittee of the duty to comply with the existing permit.

G9. PERMIT COVERAGE REVOKED

Pursuant with Chapter 43.21B RCW and Chapter 173-226 WAC, the *Director* may require any *discharger* authorized by this permit to apply for and obtain coverage under an

individual permit or another more specific and appropriate general permit. Cases where revocation of coverage may be required include, but are not limited to, the following:

A. Violation of any term or condition of this permit;

B. Obtaining coverage under this permit by misrepresentation or failure to fully disclose all relevant facts;

C. A change in any condition that requires a temporary or permanent reduction or elimination of the permitted discharge;

D. Failure or refusal of the Permittee to allow entry as required in RCW 90.48.090;

E. A determination that the permitted activity endangers human health or the environment, or contributes to water quality standards violations;

F. Nonpayment of permit fees or penalties assessed pursuant to RCW 90.48.465 and Chapter 173-224 WAC;

G. Failure of the Permittee to satisfy the public notice requirements of WAC 173-226-130(5), when applicable; or

H. Incorporation of an approved local pretreatment program into a municipality's permit.

Permittees that have their coverage revoked for cause according to WAC 173-226-240 may request temporary coverage under this permit during the time an individual permit is being developed, provided the request is made within ninety (90) days from the time of revocation and is submitted along with a complete individual permit application form.

G10. GENERAL PERMIT MODIFICATION AND REVOCATION

This permit may be modified, revoked and reissued, or terminated in accordance with the provisions of Chapter 173-226 WAC. Grounds for modification or revocation and re-issuance include, but are not limited to, the following:

A. When a change occurs in the technology or practices for control or abatement of pollutants applicable to the category of dischargers covered under this permit;

B. When effluent limitation guidelines or standards are promulgated pursuant to the FWPCA or Chapter 90.48 RCW, for the category of dischargers covered under this permit;

C. When a water quality management plan containing requirements applicable to the category of dischargers covered under this permit is approved; or

D. When information is obtained that indicates the cumulative effects on the environment from dischargers covered under this permit are unacceptable.

G11. REPORTING A CAUSE FOR MODIFICATION

A Permittee who knows, or has reason to believe, any activity has occurred or will occur which would constitute cause for modification or revocation under Condition G10, or 40 CFR 122.62, must report such plans, or such information, to Ecology so that a decision can be made on whether action to modify coverage or revoke coverage under this permit will be

required. Ecology may then require submission of a new application for coverage under this, or another general permit, or an application for an individual permit. Submission of a new application does not relieve the Permittee of the duty to comply with all the terms and conditions of the existing permit until the new application for coverage has been approved and corresponding permit has been issued.

G12. TOXIC POLLUTANTS

The Permittee must comply with effluent standards or prohibitions established under Section 307(a) of the Clean Water Act for toxic pollutants within the time provided in the regulations that establish those standards or prohibitions, even if this permit has not yet been modified to incorporate the requirement.

G13. OTHER REQUIREMENTS OF 40 CFR

All other requirements of 40 CFR 122.41 and 122.42 are incorporated in this general permit by reference.

G14. COMPLIANCE WITH OTHER LAWS AND STATUTES

Nothing in this permit excuses the Permittee from compliance with any applicable Federal, State, or local statutes, ordinances, or regulations.

G15. ADDITIONAL MONITORING

Ecology may establish additional specific monitoring requirements, including the installation of groundwater monitoring wells, by administrative order or permit modification.

G16. PAYMENT OF FEES

The Permittee must submit payment of fees associated with this permit as assessed by Ecology. Ecology may revoke this permit or take enforcement, collection, or other actions, if the permit fees established under Chapter 173-224 WAC are not paid.

G17. REMOVED SUBSTANCES

Collected screenings, grit, solids, sludges, filter backwash, or other pollutants removed in the course of treatment or control of wastewaters must not be resuspended or reintroduced to the final effluent stream for discharge to State waters.

G18. REQUESTS TO BE EXCLUDED FROM COVERAGE UNDER A GENERAL PERMIT

Any discharger authorized by this permit may request to be excluded from coverage under this general permit by applying for an individual permit. The discharger must submit to the Director an application as described in WAC 173-220-040 or WAC 173-216-070, whichever is applicable, with reasons supporting the request. The Director will either issue

an individual permit or deny the request with a statement explaining the reason for the denial. When an individual permit is issued to a discharger otherwise subject to this general permit, the applicability of this general permit to that Permittee is automatically terminated on the effective date of the individual permit.

G19. PERMIT TRANSFER

A. Coverage under this permit is automatically transferred to a new owner or operator if:

1. The Permittee notifies Ecology at least 30 days in advance of the proposed transfer date.
2. The notice includes a written agreement between the existing and new Permittees containing a specific date transfer of permit responsibility, coverage, and liability between them.
3. Ecology does not notify the existing Permittee and the proposed new Permittee of its intent to modify or revoke coverage under this permit.

B. Unless permit coverage is automatically transferred according to Section A above, this permit coverage may be transferred only if it is modified to identify the new Permittee and to incorporate such other requirements as determined necessary by Ecology.

C. When a current Permittee transfers control or ownership of a portion of a permitted site to another person, the current Permittee must also submit an application to Ecology per G8.

G20. DUTY TO REAPPLY

The Permittee must reapply for coverage under this permit, at least, one hundred and eighty (180) days prior to the specified expiration date of this permit.

To reapply for coverage the Permittee must submit an application electronically using Ecology's Water Quality Permitting Portal – Permit Coverage Notice of Intent (NOI) renewal application, unless the applicant applies for and receives an Electronic Reporting Waiver from Ecology. Applicants that have received a waiver from Ecology must submit a completed and signed renewal application to the appropriate regional Ecology office.

An expired permit continues in force and effect until a new permit is issued or until Ecology cancels it. Only those facilities which have reapplied for coverage under this permit are covered under the continued permit.

G21. UPSET

Definition – "Upset" means an exceptional incident in which there is unintentional and temporary noncompliance with technology-based permit effluent limitations because of factors beyond the reasonable control of the Permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

An upset constitutes an affirmative defense to an action brought for noncompliance with such technology-based permit effluent limitations if the requirements of the following paragraph are met.

A Permittee who wishes to establish the affirmative defense of upset must demonstrate, through properly signed, contemporaneous operating logs or other relevant evidence that: 1) an upset occurred and that the Permittee can identify the cause(s) of the upset; 2) the permitted facility was being properly operated at the time of the upset; 3) the Permittee submitted notice of the upset as required in condition S10.E) the Permittee complied with any remedial measures required under G30 of this permit.

In any enforcement proceedings the Permittee seeking to establish the occurrence of an upset has the burden of proof.

G22. PENALTIES FOR VIOLATING PERMIT CONDITIONS

Any person who is found guilty of willfully violating the terms and conditions of this permit is guilty of a crime, and upon conviction thereof may be punished by a fine of up to ten thousand dollars and costs of prosecution, or by imprisonment in the discretion of the court. Each day upon which a willful violation occurs may be deemed a separate and additional violation.

Any person who violates the terms and conditions of a waste discharge permit incurs, in addition to any other penalty as provided by law, a civil penalty in the amount of up to ten thousand dollars for every such violation. Each and every such violation is a separate and distinct offense, and in case of a continuing violation, every day's continuance is a separate and distinct violation.

G23. APPEALS

The terms and conditions of this general permit, as they apply to the appropriate class of dischargers, are subject to appeal by any person within 30 days of issuance of this general permit, in accordance with Chapter 43.21B RCW, and Chapter 173-226 WAC.

The terms and conditions of this general permit, as they apply to an individual discharger, are appealable in accordance with Chapter 43.21B RCW within 30 days of the effective date of coverage of that discharger. Consideration of an appeal of general permit coverage of an individual discharger is limited to the general permit's applicability or non-applicability to that individual discharger.

The appeal of general permit coverage of an individual discharger does not affect any other dischargers covered under this general permit. If the terms and conditions of this general permit are found to be inapplicable to any individual discharger(s), the matter will be remanded to Ecology for consideration of issuance of an individual permit or permits.

G24. SEVERABILITY

The provisions of this permit are severable, and if any provision of this general permit or application of any provision of this general permit to any circumstance is held invalid, the

application of such provision to other circumstances, and the remainder of this general permit, will not be affected thereby.

G25. PROPERTY RIGHTS

This permit does not convey any property rights of any sort, or any exclusive privilege.

G26. DUTY TO COMPLY

The Permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Clean Water Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or denial of a permit renewal application.

G27. PENALTIES FOR TAMPERING

The Clean Water Act provides that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit will, upon conviction, be punished by a fine of not more than $10,000 per violation, or by imprisonment for not more than two years per violation, or by both. If a conviction of a person is for a violation committed after a first conviction of such person under this Condition, punishment will be a fine of not more than $20,000 per day of violation, or by imprisonment of not more than four (4) years, or by both.

Any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or non-compliance, shall, upon conviction, be punished by a fine of not more than $10,000 per violation, by imprisonment for not more than 6 months per violation, or by both fine and imprisonment.

G28. REPORTING ANTICIPATED NON-COMPLIANCE

The Permittee must give advance notice to Ecology by submission of a new application or supplement thereto at least one hundred and eighty (180) days prior to commencement of such discharges, of any facility expansions, production increases, or other planned changes, such as process modifications, in the permitted facility or activity which may result in noncompliance with permit limits or conditions. Any maintenance of facilities, which might necessitate unavoidable interruption of operation and degradation of effluent quality, must be scheduled during non-critical water quality periods and carried out in a manner approved by Ecology.

G29. REPORTING OTHER INFORMATION

Where the Permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to Ecology, such facts or information must be submitted promptly.

G30. DUTY TO MITIGATE

The Permittee is required to take all reasonable steps to minimize or prevent any discharge or sludge use or disposal in violation of this permit that has a reasonable likelihood of adversely affecting human health or the environment.

APPENDIX A —NAICS CODES, ECOLOGY CODES, SIC NUMBERS, AND DESCRIPTIONS FOR FACILITIES COVERED UNDER THIS PERMIT

The coverage provided in this general permit is limited to the specific activities identified in Condition S1. This appendix provides:

- Additional information about the North American Classification System.
- Corresponding *Standard Industrial Classification (SIC)* Codes.
- References to *40 CFR Part 436, Mineral Mining and Processing Point Source Category.*
- References to *40 CFR Part 443, Effluent Limitations Guidelines for Existing Sources and Standards of Performance and Pretreatment Standards for New Sources for the Paving and Roofing Materials (Tars and Asphalt) Point Source Category.*
- Descriptions of the activities listed in Table 1.

The North American Industry Classification System (*NAICS*) is the standard used by Federal statistical agencies in classifying business establishments for the purpose of collecting, analyzing, and publishing statistical data related to the U.S. business economy.

NAICS was developed under the auspices of the Office of Management and Budget (OMB), and adopted in 1997 to replace the Standard Industrial Classification (SIC) system. It was developed jointly by the U.S. Economic Classification Policy Committee (ECPC), Statistics Canada, and Mexico's Instituto Nacional de Estadistica, Geografia e Informatica, to allow for a high level of comparability in business statistics among the North American countries.

This official U.S. Government website http://www.census.gov/eos/www/naics/ provides the latest information on plans for NAICS revisions, as well as access to various *NAICS* reference files and tools.

The official 2012 U.S. NAICS Manual, includes definitions for each industry, background information, tables showing changes between 2007 and 2012, and a comprehensive index. The official 2012 U.S. NAICS Manual is available in print and on CD_ROM from the National Technical Information Service (NTIS) at (800) 553-6847 or (703) 605-6000, or through the NTIS website. Previous versions of the NAICS Manual are available.

APPENDIX A —NAICS CODES, ECOLOGY CODES, SIC NUMBERS, AND DESCRIPTIONS FOR FACILITIES COVERED UNDER THIS PERMIT

NAICS/Ecology Codes and Descriptions for Activities Covered by the Sand and Gravel General Permit

NAICS/Ecology Code	SIC Number	CFR Reference	Description
113110 Timber Tract Operations (Rock crushing and/or gravel washing facilities associated with silvicultural point sources)	0811 Timber Tracts (long term timber farms)		Coverage for timber tracts and logging activities is limited to those mining activities associated with the forestry industry that classify as silvicultural point source. A silvicultural point source applies only to the production of materials for use in forest management. For this industry, covered activities are limited to rock crushing or gravel washing facilities that use a discernible, confined and discrete conveyance to discharge pollutants to waters of the state.
113310 Logging (Rock crushing and/or gravel washing facilities associated with silvicultural point sources)	2411 Logging		
212311 Dimension Stone Mining and Quarrying	1411 Dimension Stone	40 CFR Part 436 Subpart A–Dimension Stone Subcategory	Coverage is provided for mining and quarrying of dimension stone, including rough blocks and slabs. The types of mines or quarries covered included in this category for this permit are: basalt, diabase, diorite, dolomite, dolomitic marble, flagstone, gabbro, gneiss, granite, limestone, marble, quartzite, sandstone, serpentine, slate, and volcanic rock.
212312 Crushed and Broken Limestone Mining and Quarrying	1422 Crushed and Broken Limestone	40 CFR Part 436 Subpart B–Crushed Stone Subcategory	Coverage is provided for mining, quarrying, and on-site processing of crushed and broken limestone or riprap (including related rocks, such as dolomite, cement rock, marl, travertine, and calcareous tufa). Processing means washing, screening, crushing, or otherwise preparing rock material for use. The types of mines or quarries included in this category are: limestone, calcareous tufa, chalk, dolomite, lime rock, marl, and travertine.
212313 Crushed and Broken Granite Mining and Quarrying	1423 Crushed and Broken Granite	40 CFR Part 436 Subpart B–Crushed Stone Subcategory	Coverage is provided for mining, quarrying, and on-site processing of crushed and broken granite (including related rocks, such as gneiss, syenite, and diorite).

APPENDIX A —NAICS CODES, ECOLOGY CODES, SIC NUMBERS, AND DESCRIPTIONS FOR FACILITIES COVERED UNDER THIS PERMIT

NAICS/Ecology Code	SIC Number	CFR Reference	Description
212319 Other Crushed and Broken Stone Mining and Quarrying	1429 Crushed and Broken Stone, Not Elsewhere Classified 1499 Miscellaneous Nonmetallic Minerals, Except Fuels (bituminous limestone and bituminous sandstone)	40 CFR Part 436 Subpart B–Crushed Stone Subcategory	Coverage is provided for developing the mine site and, or mining or quarrying crushed and broken stone (except limestone and granite); preparation plants primarily engaged in grinding and pulverizing stone (except limestone and granite); and for mining or quarrying bituminous limestone and bituminous sandstone. Activities associated with SIC 1429 include mining or quarrying crushed and broken stone, not elsewhere classified. The types of mines or quarries included in this category are: basalt, dolomitic marble, gabbro, ganister, grits, marble, mica schist, onyx marble, quartzite, non-bituminous sandstone, serpentine, slate, tap rock, and volcanic rock. Activities associated with SIC 1499 include mining, quarrying, milling, or otherwise preparing nonmetallic minerals, except fuels. The types of mines or quarries included in this category are: bitumens (native mining), bituminous limestone, and bituminous sandstone.
212321 Construction Sand and Gravel Mining	1442 Construction Sand and Gravel	40 CFR Part 436 Subpart C–Construction Sand and Gravel Subcategory	Coverage is provided for mining and on-site processing of sand and gravel for construction or fill purposes. Processing means washing, screening, crushing, or otherwise preparing sand and gravel for construction uses.
212322 Industrial Sand Mining	1446 Industrial Sand	40 CFR Part 436 Subpart D–Industrial Sand Subcategory	Coverage is provided for mining and on-site processing of sand for uses other than construction, including but not limited to glassmaking, molding, filtration, refractories, refractory bonding, and abrasives. Processing employing a HF flotation method is not covered by this general permit.

APPENDIX A —NAICS CODES, ECOLOGY CODES, SIC NUMBERS, AND DESCRIPTIONS FOR FACILITIES COVERED UNDER THIS PERMIT

NAICS/Ecology Code	SIC Number	CFR Reference	Description
212324 Kaolin and Ball Clay Mining	1455 Kaolin and Ball Clay	40 CFR Part 436 Subpart AG–Kaolin Subcategory 40 CFR Part 436 Subpart AH–Ball Clay Subcategory	Coverage is provided for the mining and on-site processing of kaolin, ball clay, china clay, paper clay, and slip clay.
212325 Clay and Ceramic and Refractory Minerals Mining	1459 Clay, Ceramic, and Refractory Minerals, NEC	40 CFR Part 436 Subpart V–Bentonite Subcategory 40 CFR Part 436 Subpart AD–Shale and Common Clay Subcategory	Coverage is provided for the mining and on-site processing of bentonite. Coverage is provided for the mining and on-site processing of clays and refractory minerals. Mines operated in conjunction with plants manufacturing cement, brick, or other structural clay products are included in this industry. Establishments engaged in grinding, pulverizing, or otherwise treating clay, ceramic and refractory minerals not in conjunction with mining or quarrying operations are not included in this general permit.
212399 All Other Nonmetallic Mineral Mining	1499 Miscellaneous Nonmetallic Minerals, Except Fuels (except bituminous limestone and bituminous sandstone)	40 CFR Part 436 Subpart H–Lightweight Aggregates Subcategory 40 CFR Part 436 Subpart X–Diatomite Subcategory	Coverage is provided for mining, quarrying, and on-site processing of perlite, pumice, or vermiculite. Coverage is provided for mining and on-site processing of diatomite or diatomaceous earth. Activities associated with SIC 1499 include mining, quarrying, milling, or otherwise preparing nonmetallic minerals, except fuels. The types of mines or quarries included in this category are: calcite, diatomaceous earth, diatomite, fill dirt, graphite, gypsite, gypsum, mica, millstone, perlite, pumice, soapstone, talc, and other nonmetallic minerals.
324121 Asphalt Paving Mixture and Block Manufacturing	2951 Asphalt Paving Mixtures and Blocks	40 CFR Part 443 Subpart B–Asphalt Concrete Subcategory	Coverage is provided for hot mix asphalt plants.

APPENDIX A —NAICS CODES, ECOLOGY CODES, SIC NUMBERS, AND DESCRIPTIONS FOR FACILITIES COVERED UNDER THIS PERMIT

NAICS/Ecology Code	SIC Number	CFR Reference	Description
327320 Ready-Mix Concrete Manufacturing	3273 Ready-Mixed Concrete		Coverage is provided for facilities engaged in manufacturing Portland concrete delivered to a purchaser in a plastic and unhardened state. This includes production and sale of central-mixed concrete and portable ready-mixed concrete. Ecology considers the acceptance of returned concrete (i.e. comeback concrete) and the formation of ecology blocks from returned concrete as accessory uses under this NAICS code.
327331 Concrete Block and Brick Manufacturing	3271 Concrete Block and Brick		Coverage is provided for facilities engaged in manufacturing concrete blocks and bricks. This includes concrete: architectural block, patio block, plinth blocks, recast concrete block and bricks, and permeable pavers.
327332 Concrete Pipe Manufacturing	3272 Concrete Products, Except Block and Brick (concrete pipe)		Coverage is provided for facilities engaged in manufacturing concrete pipe. This includes concrete: conduits, culvert pipe, irrigation pipe, pressure pipe, and sewer pipe.
327390 Other Concrete Product Manufacturing	3272 Concrete Products, Except Block and Brick (concrete products, except dry mix concrete and pipe)		Coverage is provided for facilities engaged in manufacturing concrete products (except block, brick, and pipe). This includes concrete: furniture, vaults, tanks, girders, beams, statuary, poles, roofing tile, and ties.
327999 All Other Miscellaneous Nonmetallic Mineral Product Manufacturing	3272 Concrete Products, Except Block and Brick (dry mixture concrete)		Coverage is provided for facilities engaged in manufacturing nonmetallic mineral products not covered by other NAICS codes. This includes dry mix concrete manufacturing.
ECY001 Asphalt Recycling			The processing (including, but not limited to, crushing, fracturing, sorting, storing, stockpiling, grading, and washing) of hardened asphalt (not including asphalt roofing products) to produce a reusable product. Sites only storing or stockpiling hardened asphalt, and not otherwise crushing or processing the material are not subject to coverage under this permit unless they conduct additional activities requiring coverage under this permit.

APPENDIX A —NAICS CODES, ECOLOGY CODES, SIC NUMBERS, AND DESCRIPTIONS FOR FACILITIES COVERED UNDER THIS PERMIT

NAICS/Ecology Code	SIC Number	CFR Reference	Description
ECY002 Concrete Recycling			The processing (including, but not limited to, crushing, fracturing, sorting, storing, stockpiling, grading, and washing) of hardened structural concrete to produce a reusable concrete product. Sites only storing or stockpiling hardened structural concrete, and not otherwise crushing or processing the material are not subject to coverage under this permit unless they conduct additional activities requiring coverage under this permit.

APPENDIX B — DEFINITIONS

These definitions are for terms that are used, or relate, to this permit. Defined terms appear in italics the first time they appear in the permit.

10-year, 24-hour Precipitation Event means the maximum 24 hour precipitation event with a probable reoccurrence interval of once in 10 years.

40 CFR means Title 40 of the Code of Federal Regulations, which is the codification of the general and permanent rules published in the Federal Register by the executive departments and agencies of the Federal government.

Active Site means a location where current mining (including site preparation and reclamation) or processing operations (including, but not limited to, crushing, classifying, or operating a concrete or hot mix asphalt plant) or stockpiles associated with current mining or processing operations, are located.

AKART is an acronym for "all known, available, and reasonable methods of prevention, control, and treatment." AKART represents the most current methodology that can be reasonably required for preventing, controlling, or abating the pollutants and controlling pollution associated with a discharge.

Application means a formal request for coverage, renewal of coverage, or modification of coverage, under this general permit using the electronic or paper form(s) developed by the Washington State Department of Ecology for that purpose. Also called a Notice of Intent (NOI). Ecology has developed multiple application forms for specific conditions (e.g. applications for portable facilities versus non-portable facilities, applications for coverage modifications due to significant process changes). Links to the appropriate application forms are available on Ecology's website at: http://www.ecy.wa.gov/programs/wq/sand/index.html. The application forms are also available by request from Ecology's regional offices.

Applicable TMDL means a TMDL for turbidity, fine sediment or high pH which was completed and approved by *EPA* prior to the later effective date of this permit, or modification, or the date the operator's complete application is received by Ecology.

Average Monthly Effluent Limit means the highest allowable average of daily discharges over a calendar month. To calculate the discharge value to compare to the limit, you add the value of each daily discharge measured during a calendar month and divide this sum by the total number of daily discharges measured.

Average Quarterly Effluent Limit means the highest allowable average of daily discharges over a quarter (3 months). To calculate the discharge value to compare to the limit, add the value of each daily discharge measured during a quarter and divide this sum by the total number of daily discharges measured.

Best Management Practices (BMPs) – general definition means schedules of activities, prohibitions of practices, maintenance procedures, and other physical, structural and/or managerial practices to prevent or reduce the pollution of waters of the state. BMPs include treatment systems, operating procedures, and practices used to control plant site runoff, spillage or leaks, sludge or waste disposal, and drainage from raw material storage. In this permit BMPs

are further categorized as operational, source control, erosion and sediment control, and treatment.

Bypass means the diversion of waste streams from any portion of a treatment facility.

Capital BMPs means the following improvements that will require capital expenditures:

1. Treatment BMPs, including but not limited to: biofiltration systems including constructed wetlands, settling basins, oil separation equipment, impoundments, and detention and retention basins.
2. Manufacturing modifications, including process changes for source reduction, if capital expenditures for such modifications are incurred.
3. Concrete pads and dikes and appropriate pumping for collection of stormwater, process water or mine dewatering water and transfer to control systems from manufacturing areas such as loading, unloading, outside processing, fueling and storage of chemicals and equipment and wastes.
4. Roofs and appropriate covers for storage and handling areas.

Clean Water Act (CWA) means the Federal Water Pollution Control Act enacted by Public Law 92-500, as amended by Public Laws 95-217, 95-576, 96-483, and 97-117; USC 1251 et seq.

Closed Site means a location where all activities associated with permit coverage have been terminated with no intent to return to operation in the future.

Concrete Recycling means the processing (including, but not limited to, crushing, fracturing, sorting, storing, stockpiling, grading, and washing) of hardened structural concrete to produce a reusable concrete product.

Constructed Wetland means wetlands intentionally created for the primary purpose of wastewater or stormwater treatment and managed as such. Constructed wetlands are normally considered as part of the stormwater collection and treatment system. Wetlands constructed for treatment of stormwater are not be eligible for use as compensatory mitigation for authorized impacts to regulated wetland systems.

Critical Flows means the lowest receiving water flows at the time wastewater discharges occur. For process wastewater discharges which discharge from the site throughout the year, this is typically midsummer flow. For stormwater discharges this is the receiving water flow when significant stormwater begins to discharge from the site, typically early fall.

Current EPA-approved 303(d) list means the list which is in effect on the effective date of this permit, or the 303(d) list which is in effect at the date the Permittee's first application for coverage is received by Ecology, whichever is later.

Design Storm means the precipitation event that is used to design stormwater facilities, e.g. 10-year, 24-hour storm event. Refer to Ecology's Stormwater Management Manual for specific information on requirements for determining *design storm volume* and flow rate appropriate for designing stormwater treatment systems.

Design Storm Volume means the volume of runoff predicted to occur from a specified storm event. The storm event includes a time interval (e.g. 24-hours) and frequency (e.g. 10-year).

Volume-based treatment BMPs use the design storm volume as their design basis. Refer to the Ecology Stormwater Management Manual for storm event and additional information.

Director means the Director of the Washington Department of Ecology or his/her authorized representative.

Discharge to Groundwater means the discharge of water into an unlined impoundment or onto the surface of the ground that allows the discharged water to percolate, or potentially percolate, to groundwater. Discharge to groundwater, discharge to land, and discharge to ground all have the same meaning.

Discharger means an owner or operator of any facility or activity subject to regulation under Chapter 90.48 RCW or the Federal Clean Water Act.

Discharge Point means the location where a discharge leaves the Permittee's facility. Discharge point also includes the location where a discharge enters the ground on-site (e.g., through a Permittee's treatment facilities/BMPs designed to infiltrate).

Disturbed Area means any area where activity has physically disrupted, compacted, moved, or otherwise altered the characteristics of soil, bedrock, vegetation, or existing topography. This includes activity in preparation for: a) surface mining, b) the construction of structures or, c) mobilization of processing equipment. Stormwater discharge from disturbed areas is considered Type 2 Stormwater.

Electronic Waiver Request means permission from Ecology to submit paper applications, submittals, and DMRs instead of submitting them electronically. Permittees must submit a completed "Electronic Waiver Request" form (ECY 070-381) to receive a waiver. Ecology typically only grants Electronic Waivers to permittees that do not have a computer, printer, or internet connection.

Equivalent Stormwater Management Documents means manuals of *BMPs* approved by Ecology and subject to public review and comment.

Erosion means the wearing away of the land surface by precipitation, running water, ice, wind or other geological agents, including processes such as gravitational creep. Erosion also means the detachment and movement of soil or rock fragments by water, wind, ice or gravity.

Erosion and Sediment Control BMPs means BMPs intended to prevent erosion and sedimentation, such as preserving natural vegetation, seeding, mulching and matting, plastic covering, filter fences, and sediment traps and ponds. Erosion and sediment control BMPs are synonymous with stabilization and structural BMPs.

Erosion and Sediment Control Plan (ESCP) means a document that describes the potential for erosion and sedimentation problems and explains and illustrates the measures to be taken to control those problems.

Existing Facility means a facility that begins activities that result in a discharge, or a potential discharge to waters of the state, prior to the effective date of the general permit.

Final Stabilization means completion of all soil disturbing activities at the site and establishment of a permanent vegetative cover, or installation of equivalent permanent stabilization measures (such as riprap, gabions or geotextiles) that will prevent erosion.

gpm means gallons per minute; the volume of fluid passing a point during a one minute interval.

Groundwater means water in a saturated zone or stratum beneath the land surface or a surface water body.

Groundwater Discharges – If water puddles/collects and discharges to ground at multiple locations on site, it is unlikely that all locations must be sampled. Consider the source of the water. If all the water is coming from a gravel stockpile area it is likely that just one sampling point is required. However, if some discharge points receive runoff from a gravel stockpile area and others receiving water from a concrete batch area, two sample points are probably necessary.

Hot Mix Asphalt Plant means a plant that blends together aggregate and asphalt cement to produce a hot, homogeneous asphalt paving mixture. The term includes batch plants, continuous mix plants, and drum mix plants.

Impoundment means a location designed to or used purposely to infiltrate. The area behind a check dam is not considered an impoundment.

Inactive Site means a location where 1) previous mining or processing operations (including, but not limited to, crushing, classifying, or operating a concrete or hot mix asphalt plant) has occurred; and has not been closed and restored; and 2) has no current mining or processing operations but may include stockpiles of raw materials or finished products; and 3) the Permittee has submitted an Operating Status Change Form (ECY 070-33) declaring the site inactive. The Permittee may add or withdraw raw materials or finished products from the stockpiles for transportation off site for processing, use, or sale and still be considered an inactive site, however monitoring may be required.

Inert means nonreactive, nondangerous solid materials that are likely to retain their physical and chemical structure under expected conditions of use or disposal.

Leachate means water or other liquid that has percolated through raw material, product, or waste and contains substances in solution or suspension as a result of the contact with these materials.

Local Government means any county, city, or town having its own government for local affairs.

Major Modification of Coverage means a change of operation at a facility that is not a *Minor Modification*. Public notice is required for this modification.

Maximum Daily Effluent Limit means the highest allowable daily discharge. The daily discharge means the discharge of a pollutant measured during a calendar day. For pollutants with limits expressed in units of mass, the daily discharge is calculated as the total mass of the pollutant discharged over the day. For other units of measurement, the daily discharge is the average measurement of the pollutant over the day. This does not apply to pH.

Mine Dewatering Water means any water that is impounded or that collects in the mine and is pumped, drained, or otherwise removed from the mine through the efforts of the mine operator. This term must also include wet pit overflows caused solely by direct rainfall and groundwater seepage. However, if a mine is used for treatment of process generated waste water, discharges of commingled water from the mine must be deemed discharges of process generated water.

Minor Modification of Coverage means a change of operation at a facility that does not substantially change the volume or nature of pollutants. No public notice or new Application for Coverage is required for this modification.

Municipality means a political unit such as a city, town, or county, incorporated for local self-government.

NAICS means North American Industry Classification System.

National Pollutant Discharge Elimination System (NPDES) means the national program for issuing, modifying, revoking, and reissuing, terminating, monitoring, and enforcing permits, and imposing and enforcing pretreatment requirements, under sections 307, 402, 318, and 405 of the Federal Clean Water Act, for the discharge of pollutants to surface waters of the state from point sources. These permits are referred to as NPDES permits and, in Washington State, are administered by the Washington Department of Ecology.

Natural Conditions means surface water quality that was present before any human-caused pollution. When estimating natural conditions in the headwaters of a disturbed watershed it may be necessary to use the less disturbed conditions of a neighboring or similar watershed as a reference condition.

New Facility means a facility which begins activities that result in a discharge, or a potential discharge to waters of the state, on or after the effective date of this general permit.

Non-Delegated POTW means a POTW which has not been delegated to issue permits for industrial dischargers to its system. Ecology is the permitting authority for non-delegated POTWs.

Nonoperating means an inactive site that has reduced fees per WAC 173-224.

NTU means Nephelometric Turbidity Units, a measure of turbidity.

Outfall means a point where a discharge from a facility enters a receiving waterbody or receiving waters.

pH – The pH of a liquid measures its acidity or alkalinity. A pH of 7 is defined as neutral and large variations above or below this value are harmful to most aquatic life.

Point Source means any discernible, confined, and discrete conveyance, including but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, and container from which pollutants are or may be discharged to waters of the state. This term does not include return flows from irrigated agriculture.

Pollutant means dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt, and industrial, municipal, and agricultural waste. This term does not include sewage from vessels within the meaning of section 312 of the FWPCA, nor does it include dredged or fill material discharged in accordance with a permit issued under section 404 of the FWPCA.

Pollution means contamination or other alteration of the physical, chemical, or biological properties of waters of the state, including change in temperature, taste, color, turbidity, or odor of the waters; or such discharge of any liquid, gaseous, solid, radioactive or other substance into any waters of the state as will or is likely to create a nuisance or render such waters harmful,

detrimental or injurious to the public health, safety or welfare, or to domestic, commercial, industrial, agricultural, recreational, or other legitimate beneficial uses, or to livestock, wild animals, birds, fish, or other aquatic life.

Portable Facility means a specific portable concrete batch plant, portable asphalt batch plant, or portable rock crusher.

POTW means publically-owned treatment works. This is a sewage treatment plant and the collection system (40 CFR 122.2).

Process Water means any water that is used for or results from the production, clean-up, or use of any raw material, intermediate product, finished product, byproduct, or waste product. The term also means any waste water used in or results from the slurry transport of mined material, air emissions control, or processing exclusive of mining.

Receiving Water means the waterbody at the point of discharge. If the discharge is to a *stormwater* conveyance system, either surface or subsurface, the receiving water is the waterbody that the stormwater conveyance system discharges to. Systems designed primarily for other purposes such as for groundwater drainage, redirecting stream natural flows, or for conveyance of irrigation water/return flows that coincidentally convey stormwater are considered the receiving water.

Reclamation means the rehabilitation of *disturbed areas* resulting from surface or underground mining; typically per a Department of Natural Resources Reclamation plan.

Representative Sampling means collecting an array of samples to accurately represent the nature of the discharge for parameters of concern. Many factors contribute to variability of pollutants in a discharge including quantity of water, time and date of sampling, and physical events and location of discharge.

Returned asphalt means hot mix asphalt that was brought back to the hot mix asphalt plant after being sent to a job site. Returned asphalt does not include asphalt that was installed and allowed to cool.

Sanitary Sewer means a sewer designed to convey domestic wastewater.

Sediment means the fragmented material that originates from the weathering and erosion of rocks or unconsolidated deposits and is transported by, suspended in, or deposited by water.

Sedimentation means the depositing or formation of sediment.

SEPA (State Environmental Policy Act) means the Washington State Law, RCW 43.21C.020, intended to prevent or eliminate damage to the environment.

Severe Property Damage means substantial physical damage to property, damage to the treatment facilities which would cause them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass.

Significant Process Change means a change in the nature of discharge with respect to increased volume and type or concentrations of pollutants. Examples include adding a batch plant at a site, etc.

Significant Amounts means those amounts of pollutants that are amenable to treatment or prevention or that have the potential to cause or contribute to a violation of standards for surface or groundwater quality or sediment management.

Significant Materials includes, but is not limited to: raw materials; fuels; materials such as solvents and detergents; hazardous substances designated under section 101(14) of CERCLA; any chemical the facility is required to report pursuant to section 313 of title III of SARA; fertilizers; pesticides; and waste products such as ashes, slag, and sludge that have the potential to be released with stormwater or process water discharges.

Silvicultural Point Sources are timber tract and logging activities (*SIC* codes 0811 and 2411) that produce mined materials for use in forest management. Additionally, silvicultural point source activities are limited to rock crushing or gravel washing operations that use a discernible, confined and discrete conveyance to discharge pollutants to surface waters of the state.

Site means the land or water area where any facility or activity is physically located or conducted.

Source Control BMPs means physical, structural, or mechanical devices or facilities intended to prevent pollutants from entering stormwater. A few examples of source control BMPs are erosion control practices, maintenance of stormwater facilities, construction of roofs over storage and working areas, and direction of wash water and similar discharges to the sanitary sewer or a dead end sump.

Stabilization means the application of appropriate BMPs to prevent the erosion of soils, such as temporary and permanent seeding, vegetative covers, mulching and matting, plastic covering, and sodding. See also the definition of Erosion and Sediment Control BMPs.

Standard Industrial Classification (SIC) is the statistical classification standard underlying all establishment-based federal economic statistics classified by industry as reported in the 1987 SIC Manual by the Office of Management and Budget.

Storm Sewer means a sewer that is designed to carry stormwater. Also called a storm drain.

Stormwater means rainfall and snowmelt runoff.

Stormwater Drainage System means constructed and natural features that function together as a system to collect, convey, channel, hold, inhibit, retain, detain, infiltrate, or divert stormwater.

Stormwater Management Manuals (SWMM) means the most current edition[8] of the technical manuals [*Stormwater Management Manual for Western Washington* (*SWMMWW*) and *Stormwater Management Manual for Eastern Washington* (*SWMMEW*)] prepared by Ecology for use by local governments that contains BMPs to prevent, control, or treat pollution in stormwater.

Stormwater Pollution Prevention Plan (SWPPP) means a documented plan to implement measures to identify, prevent, and control the contamination of point source discharges of stormwater.

[8] Most current edition at the date of permit issuance.

Substantial Change (Requiring a new *application* for coverage) – Substantial change of discharge for this industry group will be any modification of the facility that would change the characteristics of the discharge or include for coverage a new activity that was not previously covered.

Surface Water Discharges – For all parameters required by this permit, a grab sample of instantaneous measurement will be considered representative. Stormwater sampling should occur within 24 hours of the initial discharge from a significant precipitation event (e.g. 0.25 inch/24 hr. precipitation event). Process water or *mine dewatering water* sampling should be timed to occur when the facility is operating at full capacity.

Surface Waters of the State includes lakes, rivers, ponds, streams, wetlands, inland waters, salt waters, and all other surface waters and water courses within the jurisdiction of the state of Washington.

Total Daily Maximum Load (TMDL) means a calculation of the maximum amount of a pollutant that a waterbody can receive and still meet State water quality standards. Percentages of the total maximum daily load are allocated to the various pollutant sources. A TMDL is the sum of the allowable loads of a single pollutant from all contributing point and nonpoint sources. The TMDL calculations must include a "margin of safety" to ensure that the waterbody can be protected in case there are unforeseen events or unknown sources of the pollutant. The calculation must also account for seasonable variation in water quality. A TMDL is effective after EPA approval. TMDL as used in this permit includes alternative “direct to implementation plans”.

Total Dissolved Solids (TDS) means those solids that are capable of passing through a glass fiber filter (1.0 – 1.5 µm) and dried to a constant weight at 180 degrees centigrade.

Total Suspended Solids (TSS) is the particulate material in an effluent that does not pass through a glass fiber filter. Large quantities of TSS discharged to a receiving water may result in solids accumulation. Apart from any toxic effects attributable to substances leached out by water, suspended solids may kill fish, shellfish, and other aquatic organisms by causing abrasive injuries and by clogging the gills and respiratory passages of various aquatic fauna. Indirectly, suspended solids can screen out light and can promote and maintain the development of noxious conditions through oxygen depletion.

Treatment BMPs means *BMPs* intended to remove pollutants from stormwater. A few examples of treatment BMPs are detention ponds, oil/water separators, biofiltration, and constructed wetlands.

Turbidity means the clarity of water as expressed by nephelometric turbidity units (NTU) and measured with a calibrated turbidimeter.

Type 1 Stormwater means *stormwater* from portions of a site where no industrial activities have occurred or from a site or area within a site that has been reclaimed and the reclamation bond portion thereof (if any) has been released.

Type 2 Stormwater means stormwater from: 1) portions of a site where mining has temporarily or permanently ceased; or 2) from portions of a site with exposed soils in areas cleared in preparation for mining or other industrial activity. When different types of stormwater

commingle the water becomes the highest of the types which have commingled (i.e. when Type 1 and Type 2 stormwater commingle the stormwater becomes Type 2).

Type 3 Stormwater means stormwater discharges from:

1. Industrial plant yards;
2. Immediate access roads and rail lines used or traveled by carriers of raw materials, manufactured products, waste material, or by-products used or created by the facility;
3. Material handling sites*;*
4. Sites used for the storage and maintenance of material handling equipment;
5. Sites used for residual treatment, storage, or disposal;
6. Shipping and receiving areas;
7. Storage areas for raw materials or intermediate and finished products at active sites; and
8. Areas where industrial activity has taken place in the past and *significant materials* remain and are exposed to stormwater.

USEPA means the United States Environmental Protection Agency.

Wasteload Allocation (WLA) means the portion of a receiving water's loading capacity that is allocated to one of its existing or future point sources of pollution. WLAs constitute a type of water quality based effluent limitation (40 CFR 130.2(h)).

Wastewater means water or liquid carried waste from industrial or commercial processes. These wastes may result from any process or activity of industry, manufacture, trade or business, or from the development of any natural resource. Examples include, but are not limited to, *process water*, *mine dewatering water*, and industrial stormwater (type 2 and 3 stormwater).

Water Quality means the chemical, physical, and biological characteristics of water, normally with respect to its suitability for a particular purpose.

Waters of the State includes those waters as defined as "waters of the United States" in 40 CFR Subpart 122.2 within the geographic boundaries of Washington State and "waters of the state" as defined in Chapter 90.48 RCW. This includes groundwater, lakes, rivers, ponds, streams, wetlands, inland waters, salt waters and all other surface waters and water courses within the jurisdiction of the State of Washington.

Wellhead Protection Area (WHPA) means the portion of a well's, well field's, or spring's zone of contribution defined as such using WHPA criteria established by the Washington Department of Health.

Answer to Question #5 (3 pages)

CLARK COUNTY WASHINGTON

PUBLIC HEALTH

clark.wa.gov

1601 E Fourth Plain Blvd, Bldg 17
PO Box 9825
Vancouver, WA 98666-8825
360.397.8000

MEMORANDUM

DATE: May 02, 2019

TO: Gregg Ganson, Clark County Public Works

FROM: Melissa Sutton, Clark County Public Health

RE: WHATLEY PIT DECANT FACILITY-STREET SWEEPING STOCKPILES

Clark County Public Health (CCPH) is in receipt of the *March 15, 2019 Test America analytical reports for the Whatley Pit Decant Facility (2018-201) Street Sweeping & Decant Solids.* ECY staff has had the opportunity to review the report and compare the results to the Model Toxics Control Act to ensure the material is in compliance with the recently updated Washington State Administrative Code (WAC) 173-350.

CCPH understands that it is the intent of Whatley Pit Decant Facility operators to utilize the street sweeping material as sub-grade fill material in various projects (i.e. WSDOT) within Clark County, Washington. *NOTE: ECY and CCPH do not support the reuse of decant solids as this material has elevated toluene (volatile organic compound (VOC)), chromium, chromium-trivalent, gasoline and motor oil.*

Based upon the laboratory analysis provided and consultation with ECY, CCPH supports utilizing the processed street sweeping material *(2018-2019 stockpiles)* with the following restrictions: the material is to be applied as sub-grade fill (*covered with 18-inches of clean material*) in non-residential uses within Clark County.

APPENDIX C4

CLARK COUNTY WASHINGTON
PUBLIC HEALTH

clark.wa.gov

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Vancouver, WA 98666-8825
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MEMORANDUM

DATE: May 02, 2018

TO: Gregg Ganson, Clark County Public Works

FROM: Melissa Sutton, Clark County Public Health

RE: WHATLEY PIT DECANT FACILITY-STREET SWEEPING STOCKPILES

Clark County Public Health (CCPH) is in receipt of the *April 3, 2018 Test America analytical reports for the Whatley Pit Decant Facility (2017-2018) Street Sweeping & Decant Solids.* CCPH staff has had the opportunity to review the report.

CCPH understands that it is the intent of Whatley Pit Decant Facility operators to utilize this material as sub-grade fill material in various projects (i.e. WSDOT) within Clark County, Washington. Stockpiled decant solids have higher levels of cPAHs than in previous years; however, no exceedances of the Table IV-G.4 criterion were noted.

Based upon the laboratory analysis provided and consultation with ECY, CCPH supports utilizing the processed street sweeping material *(2017-2018 stockpiles)* with the following restrictions: the material is to be applied as sub-grade fill (*covered with 18-inches of clean material*) in non-residential uses within Clark County.

CLARK COUNTY WASHINGTON

PUBLIC HEALTH

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MEMORANDUM

DATE: August 5, 2019
TO: Gregg Ganson, Clark County Public Works
FROM: Brian Schlottman, Clark County Public Health
RE: WHATLEY PIT DECANT FACILITY- INTERIM SOLID WASTE MANAGEMENT PLAN

Whatley Pit Decant facility has a solid waste handling permit issued by Clark County Public Health (CCPH). Historically, the Whatley Pit Decant Facility (upper yard) has managed solid waste to exclusively include: A) vactor truck waste and B) street sweepings.

On July 3, 2019 Clark County Public Health (CCPH) received an interim handling proposal for solid waste material management for solid waste that is generated from various road projects performed by Clark County Public Works. This interim handling proposal would expand the current use of the paved area of the facility to include the addition of 1) overage, 2) swales, 3) gabion, 4) shouldering, 5) ditching, 6) banks. According to the approved Operations Plan for the Whatley Pit Decant Facility, the facility is allowed to accept *"materials that include: street sweepings, catch basin debris, and other stormwater-generated solids and liquids."* Based upon our conversations, CCPW staff identified that the expanded scope of material will only be generated and managed onsite between April and October annually.

Clark County Public Health grants ***conditional approval*** to expand the scope of the material on the impervious surface of Whatley Pit Decant Facility through October 31, 2019. The conditional approval includes the following conditions:

a) Additional concrete ecology blocks to be placed along the south border of the concrete deck where they are currently absent to ensure runoff from the deck is directed to the intended inflow to the biofiltration swale;
b) Perform increased maintenance on the sediment trap and biofiltration swale to ensure the facility is not compromised by additional sediment input *(NOTE: to include weekly vactor cleaning of the sediment trap, and excavation of sediment within the swale if solids are no longer being contained effectively)*;
c) The volume of material, inbound and outbound, will be tracked and recorded;
d) The destination and final disposal of all outbound material will be tracked and recorded;
e) Any material from new waste streams not currently stored on the concrete pad will be covered *(i.e. tarped)* daily to protect surface water and the environment.
f) Any material from new waste streams will be removed from the site on or before October 31, 2019.

Clark County Public Health has reviewed the proposal with Clark County Clean Water Program staff and has sampled the southernmost bioswale as a baseline. Within the interim handling period *(today-Oct. 31, 2019)*, CCPH will collect and cover the costs of all soil samples of the bioswale to ensure the use of the site protects public health and the environment. *(NOTE: in the event the sampling data indicates the additional material is negatively impacting the bioswale, CCPH may require additional BMPs including, but not limited, covering stockpiled materials at all times and biannual sampling protocol for the bioswale at the expense of the facility operator.)*

On or before December 31, 2019, Clark County Public Works will update the Whatley Pit Decant Facility Operations Plan to include any updates and/or modifications in operations and submit the plan to CCPH and ECY for review and approval prior to accepting material beyond vactor waste and street sweepings in 2020.

Answer to Question #5 (3 pages)

APPENDIX C5

Charter for the Whatley Decant & Street Sweeping Recycling Facility Steering Committee

I. The Committee will be called the Whatley Decant & Street Sweeping Recycling Facility Steering Committee.

It is authorized by Clark County Public Works and will serve in an advisory role to assist in decision making relating to this facility.

This steering committee will be a standing committee under the grounds, equipment and roads maintenance (GEM) interagency cooperative. Guests may attend committee meetings at the discretion of this committee.

II. Purposes

The Whatley Decant & Street Sweeping Recycling Facility Steering Committee is created for the purpose of working with Clark County Public Works and shall limit its activities to advising on matters that directly concern this facility. The specific purposes of the Committee may include the following responsibilities:

- Approve the operational plan and procedures governing the standard operating procedures for the site.
- Recommendation for site operating days & hours.
- Provide recommendations for setting rate and structure for decant and street sweeping waste streams (quantity and measurement & approach).
- Research composite or split rates for decant solids/dewatering.
- Provide guidance on material processing and identify potential end use for product produced.
- Provide recommendations for prioritization of major maintenance and facility site improvements.
- Provide recommendations for setting rate and structure for major maintenances and site facility improvements.
- Research options for expanding operations for other public agencies (non-partner use) that express interest in participating in this existing partnership.
- Research options for expanding operations due to increased waste stream growth.
- Site material storage and impact in regards to solid waste handling regulations.
- Hydro excavation material management.
- Other issues or concerns relating to partnering agencies and site management.

APPENDIX C5

III. Relationship of Steering Committee to Clark County Public Works

It is the role and prerogative of the steering committee to make recommendations regarding the purposes identified in section II of this charter. The steering committee is will provide recommendations to Clark County Public Works regarding the points identified in section II of this charter.

IV. Membership

Composition: The steering committee shall consist of 6 voting members. Meeting quorum will constitute at least 3 voting committee members (50% or greater). Members will be selected and appointed by each representative partnering agency. Committee members will be appointed by a directorate level manager in their respective agency. For voting representation on this committee, votes are distributed in the relation to initial capital investment made on the site upon its initial development.

Decant Facility Impacts:
Washington State Department of Transportation – 1 vote
Clark County Public Works – 1 vote
City of Vancouver Public Works – 1 vote

Street Sweeping Facility Impacts:
Washington State Department of Transportation – 1 vote
Clark County Public Works – 1 vote
City of Vancouver Public Works – 1 vote
City of Battle Ground – 1 vote
City of Camas – ½ vote
City of Washougal – ½ vote

Entire Facility Impacts:
Washington State Department of Transportation – 1 vote
Clark County Public Works – 1 vote
City of Vancouver Public Works – 1 vote
City of Battle Ground – 1 vote
City of Camas – ½ vote
City of Washougal – ½ vote

All votes are advisory in nature and will be passed onto Clark County Public Works management team to enact recommended changes. All changes will be reported back though this advisory committee. Changes that are not made, as per recommendation will also be reported back to this advisory committee. Clark County will provide a recorder for purposes of capturing minutes for this committee and its work.

This committee will also have at a minimum of one and a maximum of two staff representatives from Clark County Public Works that will not have voting rights. These individuals will serve as liaisons between this committee and Clark County Public Works.

Term: A term of membership shall last a minimum of one year, with a maximum determined by the agency the individual represents. Partnering agencies will be sure to have an appointed representative on this committee at all times. Partnering agencies can change their steering committee representative at any time, provided the member has served at least one year.

V. Organizational Structure

Officers: The committee will have a chair, vice chair, and recording secretary who are elected for one-year terms by the committee. Elections will be held at the initial meeting after the charter is approved, and then conducted annually. Committee chair can be any assigned member to the committee, including staff liaison representatives from Clark County Public Works.

VI. Procedural Rules

By-Laws: The bylaws of the GEM interagency cooperative govern the working activities of this steering committee.

Meetings: The committee will meet at least 2 times per year. Written notices of upcoming meetings will be emailed to members at least 14 days before a meeting. Meeting dates and times will be determined by committee members in attendance at previous meeting. Agendas will be provided for each meeting.

Minutes: Minutes of each meeting will be kept. Copies will be mailed to the GEM interagency cooperative executive board, steering committee representatives, and any other partnering agency management representatives that request copies of the minutes.

Recommendations and Reports: Committee recommendations and reports will be submitted in the form of its documented minutes. Suggestions for action and justification for those suggestions will be provided in the meeting minutes at subsequent meetings. Clark County Public Works will respond & react to such recommendations & reports in future committee meetings.

Dismissal: Agency representatives (or designated substitute) are highly encouraged to attend all meetings. Advisory votes can be called at any meeting, and will be tallied and reported in the meeting minutes. A quorum is not required to tally an advisory vote. Committee members will not be dismissed, but agencies need to monitor representative attendance.

Answer to Question #5 (16 pages)

INTERLOCAL AGREEMENT

BETWEEN CLARK COUNTY AND _____

FOR

DECANT AND/OR STREET SWEEPINGS PROCESSING AND DISPOSAL SERVICES

THIS IS AN INTERLOCAL AGREEMENT, entered into under the authority of the Interlocal Cooperation Act, Chapter 39.34 RCW, between Clark County, Washington, a political subdivision of the State of Washington, (the "County") and The City of _____, hereinafter referred to as the "Agency", a municipal corporation and charter Agency of the first class of the State of Washington, by which the County will allow utilization of the County's Whatley Facility for the treatment and disposal of storm water liquids and solids, and/or street sweepings generated by the Agency.

WHEREAS, pursuant to Chapter 39.34 RCW (Interlocal Cooperation Act), one or more public entities may contract with one another to perform government services which each is by law authorized to perform; and

WHEREAS, the county has the resources available to provide such services to the Agency in a cost-effective manner; and

WHEREAS, for purposes and intent of this Agreement, the facility is defined as the upper-portion of the Whatley site which encompasses the main gate access to, and including the scale, wash rack, upper asphalt stockpile pad, Decant facility, stormwater systems and retention ponds.

WHEREAS, as set forth in the Charter for the Whatley Decant and Street Sweeping Recycling Facility Steering Committee; hereinafter referred to as Steering Committee, the county and partnership agencies within aforementioned committee shall serve in an advisory role to assist in decision making related to this facility; and

NOW, THEREFORE,

THE COUNTY AND AGENCY agree as follows:

SECTION 1. PURPOSE. The purpose of this Agreement is to provide for utilization of the County's Whatley Facility for treatment and disposal of storm water solids and liquids, and/or street sweepings generated by the Agency.

SECTION 2. TERM. The initial term of the Agreement, not including any extensions is a (5) five-year period from January 1, 2017 through December 31, 2022.

SECTION 3. TERMINATION. Either party may choose to terminate this Agreement by notifying the other party in writing 180 days prior to termination. The Agency agrees to reimburse the County for the cost of services provided, and includes any amounts owed related to import fees or costs of Agency-contributed portion of stockpiled materials, and furthermore; Agency shall be responsible for any remaining proportional projected costs of materials, equipment, hauling, tipping fees, taxes, labor, grinding, screening, chipping, etc., associated with movement of Agency-generated materials. The Agency hereby agrees to payment and/or reimbursement as expressed within the body of this agreement, and understands that the amount owed may be based on actual or projected

costs of remaining materials as identified within this agreement. The County reserves the right to accept services in lieu of monetary funds if in the best interest of the site objectives and if approved in advance by the Steering Committee.

SECTION 4. EXTENSIONS. The term of this Agreement may be extended in two-year increments of subsequent years by mutual written agreement of both parties, up to maximum of four additional (4) years. The extension agreements shall be executed at least fifteen (15) days prior to the expiration of the contract. The County Manager is authorized to approve and execute such two-year extensions without further authorization from the Board of County Councilors.

SECTION 5. DEFINITION OF FACILITY AND PARTICIPANTS. The facility, located at 11203 N.E. 76th Street, Vancouver, Washington was designed and built to treat and store solids, and to treat, store and dispose of storm water liquids removed from storm water and drainage systems, and municipal street sweepings. The original cost of construction of the facility was borne by Clark County, and subsequent expansion occurred through contributions from the Washington State Department of Transportation (State) and the City of Vancouver (Agency) for their impacts related to sizing of the facility. Currently, Clark County, City of Vancouver, Washington State Department of Transportation, City of Battle Ground, City of Camas and City of Washougal compose a Steering Committee which serves in an advisory role to assist in decision making related to this facility.

SECTION 6. SCOPE OF SERVICES. The County will allow the Agency to bring storm water solids and liquids and/or street sweepings collected inside the Agency boundaries, for treatment and coordinated disposal as-defined within this agreement. The County will provide all labor and equipment necessary for the treatment of liquids and solids, and disposal of liquids from the decant and sweepings processes; and shall provide disposal services as outlined in Section 7B, as-necessary to maintain sufficient pad space related to solids treatment and storage areas on the solids pad. The Agency hereby agrees that necessary pad storage space shall be as-determined by the County, with the understanding that pad space for storage and treatment of solids material shall take precedent over any implied or intended cost-savings related to a local reuse event. The Agency also hereby acknowledges that a determination to move solids based on aforementioned storage space may result in the Agency's solids disposal costs increasing significantly higher than costs which are dependent upon participation from the Agency during reuse/disposal haul-out events described in Section 7B.

SECTION 7. COST OF SERVICES – GENERAL. Costs will be based per weight of each imported load, and shall be derived from the sum of separate, described herein operations for accounting and billing purposes. The first operation; liquids and treatment, covers overall decant facility operations, and includes daily operations, liquid treatment, testing, maintenance, associated stormwater facilities, and handling of solids related to treatment such as solids movement from decant or street sweeping materials, pile separation and turning. The second service is defined by the solids that remain following the liquid and treatment service, which include screening, testing, loading, transporting, overage disposal,

various tipping-related fees and equipment related to re-use/disposal sites such as excavators/loaders needed for material handling, as well as other on-site and/or reuse/disposal site requirements or upgrades, services such as planting operations or site improvements. The Agency understands that the cost of some of these aforementioned services is highly subject to Agency participation during partnership supported reuse projects of solids materials, and may fluctuate significantly annually.

SECTION 7A. COSTS FOR LIQUIDS AND TREATMENT. The cost of liquids and treatment services under this Agreement are established by the County on an annual basis, and based on the projected budget amount over each biennium and the quantity of imported materials from the previous year; unless, at the discretion of the County, there is found to be a more suitable accounting of imported material costs. These costs shall be defined in Attachment A, incorporated herein by reference, and attached. Costs will be based on the budgeted data, tonnages of decant and sweepings material brought into the facility, equipment, upgrades and/or repairs, and any uncollected costs from previous year(s), including costs from redirection of solids to the landfill site or any other less cost-effective options than local reuse.

Liquids and treatment services reporting category costs do not include costs specific to the lower pit area or solids disposal/reuse. The lower pit area is designated only for Clark County Public Works Operations use, and Clark County Public Works will be responsible for any and all costs and fees associated with the lower pit, including operations, maintenance, permitting, etc., and any other items related to requirements, needs or projects that occur which are exclusive to Clark County.

SECTION 7B. FEES FOR SOLIDS. Fees of solids-related services under this Agreement are based on scale weights of imported material, an estimated level of decomposition and drying of material, and remaining solids. To achieve consistency for all partnership agencies, each agency will pay an annually determined amount for the type and weight of material they bring in to the site, which covers anticipated costs for disposal during a local reuse event. Each agency is responsible for payment of their respective portion of the solids they have imported onto the site.

The Agency understands that participation in local reuse events is critical to keeping costs and fees low for all partnership agencies, and participation is preferred but not mandatory. The Agency hereby understands that although not mandatory; significant non-participation causes overall cost and fee increases to other partnership agencies. The burden of significant non-participation should not be placed on other partnership agencies, and is subject to a separate, proportionally-determined payment exclusive to the non-participating agency with a majority vote from the Steering Committee. In the event of a majority vote of significant non-participation, costs shall be billed to the Agency based on the Agencies percentage-based proportion of material(s) brought in to Whatley.

The Agency understands that fees per wet ton generally vary annually due to overall quality of material, regulator directive, storage pad space restraints, hauling to a landfill, and all other disposal, tipping, tax, overhead, or any other costs or savings subject to variation based on internal or external sources, agreements and/or contracts.

The fees per wet ton (Attachment A) will be annually adjusted, and for disclosure purposes of this Agreement, the Agency and County hereby recognizes and agrees that:

1. There is currently no reserve fee for major maintenance projects, as these projects will be determined by the Steering Committee on an annual basis, and the overall fees will be distributed amongst all partnership agencies. The County reserves the right to create a reserve fund if needed during the scope or extended scope of this agreement, with approval through a majority vote of the Steering Committee.
2. A program overhead charge is included on all imported solids, and includes costs for program administration and division support. Changes will be updated annually on Attachment A.
3. Solid waste collection tax, currently 3.6%, is included in the import fee for overage material. This tax applies to materials that do not get reused, including overage and solids that are transported to the dump per WAC 458-20-250. Changes to anticipated solids waste collection tax, including tax rate and/or changes in quantity of material to be taxed will be reflected on Attachment A.

SECTION 8. BILLING METHOD AND PROCESS. Per wet ton fees based on type of material imported to the facility will be charged by the County to the Agency on a monthly basis. The invoice will identify the dates, type of material and weight of the solid material delivered, with the amount owed during that billing period.

Import records will be taken directly from Whatley scale documentation, input into an electronic format by County staff, then sent to the County's Accounting Department for

processing and formal billing to the Agency. The County Accounting Department will send billings to the Agency's Finance office for payment and will simultaneously send an informational copy of the billing to the Agency. Payment by the Agency shall be due within thirty days after issuance of the bill. Payments that are not paid within the allotted time periods shall be considered delinquent. Delinquent charges shall accrue interest on the unpaid balance, from the date of delinquency until paid, at a County set interest rate, which is currently one percent (1%) per month.

In the event of dispute due to lack of, or illegible information on the scale documentation, the County shall take an average of the most previous three (3) loads of the Agencies similar type of material with completed scale data, and annotate through supporting documentation and/or directly on invoice that an average was applied for billing; this average will be utilized until complete information is available.

SECTION 9. CONTRIBUTIONS AND AGENCY PAYMENT. The Agency may submit invoices for services or improvements provided and agreed upon by Clark County and/or the Steering Committee for any portion that is reimbursable through the intent of this agreement. The County, with any requested guidance from the Steering Committee shall consider all items and/or services on an individual agency basis, and reserves the right to accept or deny payment/credit for any item or service that is not conducive to the intent of this agreement and/or the overall benefit to the Whatley Facility or members. Each agency must provide invoices to County within 60 days of each solids disposal and/or local reuse project completion. Payment may be subject to the approval of Steering Committee

if the contribution was not pre-authorized. Reimbursable services or improvements would include items such as the following not all-inclusive examples:

1. Hourly cost and total quantity of hours of labor provided by the Agency
2. Any vehicles, machinery or rentals costs provided by the Agency
3. Any materials (including ground cover, vegetation, herbicides, etc.) associated with loading, disposal or application of Whatley solids.
4. Any other items or services that are provided which are determined as desirable by the Steering Committee for the general purposes of the overall site or individual project provided the County pre-authorizes the aforementioned items or services prior to the agency commencing said items or services.

SECTION 10. COMPLIANCE TO OPERATING PROCEDURES. The Agency will be required to follow the terms and conditions outlined in the Clark County Public Works Decent Facility Standard Operations and Procedures Manual, incorporated by reference and available to all partnership agencies.

SECTION 11. ADMINISTRATION/COMMUNICATIONS. Contract managers designated by the County Administrator and Agency Manager shall administer this Agreement. Contract managers shall monitor service level and budget provisions of this Agreement. The County and Agency contract managers shall review service levels, service delivery, and costs on an annual basis. The contract managers shall, during the interim, communicate via telephone or e-mail to relay information, answer questions, or raise concerns.

SECTION 12. DISPUTE RESOLUTION. In the event of a dispute between the County and Agency regarding the delivery of services under this Agreement, which cannot be resolved by their respective designated contract managers, the Clark County Administrator and the Agency Manager or their designated representatives shall review such dispute and options for resolution. Any dispute not resolved by the representatives shall be referred to the Clark County Board of Commissioners. The decision of the County Board and the Agency Manager regarding the dispute shall be final as between the parties.

Any controversy or claim arising out of or relating to this Agreement or the alleged breach of such Agreement that cannot be resolved by the County Board and the Agency Manager may be submitted to mediation and if still not resolved, shall be submitted to binding arbitration in accordance with the rules and procedures set forth in Chapter 7.04 RCW, and the judgment or award rendered by the arbitrator may be entered in any court having jurisdiction thereof.

SECTION 13. INDEPENDENT CONTRACTOR. The County is and shall at all times be deemed to be an independent contractor in the provision of the services set forth in this Agreement. Nothing herein shall be construed as creating the relationship of employer and employee, or principal and agent, between the County and Agency or between any of the County's or Agency's employees. The County shall retain all authority for provision of services, standards of performance, discipline and control of personnel, and other matters incident to the performance of services by the County pursuant to this Agreement. Nothing in this Agreement shall make any employee of the County an

employee of the Agency or any employee of the Agency an employee of the County for any purpose, including but not limited to, for withholding taxes, payment of benefits, workers' compensation pursuant to Title 51 RCW, or any other rights or privileges accorded their respective employees by virtue of their employment.

SECTION 14. HOLD HARMLESS/INDEMNIFICATION.

a. COUNTY RESPONSIBILITY. The County agrees to indemnify, defend, save and hold harmless the Agency, its officials, employees, and agents from any and all liability, demands, claims, causes of action, suits or judgments, including costs, attorney fees and expenses incurred in connection therewith, or whatsoever kind of nature, arising out of, or in connection with, or incident to, the performance of services by the County pursuant to this Agreement. In the event that any suit based on such a claim, demand, loss, damage, cost, or cause of action is brought against the Agency; the Agency retains the right to participate in said suit if any principal of public law is involved.

This indemnity and hold harmless shall include any claim made against the Agency by an employee of the County or subcontractor or agent of the County, even if the County is thus otherwise immune from liability pursuant to the workers' compensation statute, Title 51 RCW.

b. AGENCY RESPONSIBILITY. The Agency agrees to indemnify, defend save and hold harmless the County, its officials, employees, and agents from any and all liability, demands, claims, causes of action, suits or judgments, including costs, attorney fees and expenses incurred in connection therewith, or whatsoever kind of nature, arising

out of, or in connection with, or incident to, the provision of services by the Agency pursuant to this Agreement.

In the event that any suit bases on such a claim, demand, loss, damage, cost, or cause of action is brought against the Agency, the County retains the right to participate in said suit if any principal of public law is involved.

This indemnity and hold harmless shall include any claim made against the County by an employee of the Agency or subcontractor or agent of the Agency, even if the Agency is thus otherwise immune from liability pursuant to the workers' compensation statute, Title 51 RCW.

c. ATTORNEYS FEES AND COSTS. All parties shall bear their own costs of enforcing the rights and responsibilities under the contract.

SECTION 15. ASSIGNMENT/SUBCONTRACTING. Neither party shall transfer or assign, in whole or in part, any or all of its respective rights or obligations under this Agreement without the prior written consent of the other. The County shall not subcontract for the provision of any services it is to provide the Agency under this Agreement without the prior written consent of the Agency.

SECTION 16. NO THIRD PARTY BENEFICIARY. The County does not intend by this Agreement to assume any contractual obligations to anyone other than the Agency. The Agency does not intend by this Agreement to assume any contractual obligations to anyone other than the County. The County and Agency do not intend there be any third-party beneficiary to this Agreement.

SECTION 17. NOTICE. Any notices to be given under this Agreement shall at minimum be delivered, postage prepaid and addressed to:

To the Agency:

CITY OF _____
_____
_____, Washington, _____
Attention: _____

To the County:

CLARK COUNTY PUBLIC WORKS
4700 NE 78th Street
Vancouver, Washington 98665
Attention: Safety and Asset Manager

The name and address to which notices shall be directed may be changed by either the County or Agency giving the other notice of such change as provided in this section.

SECTION 18. WAIVER. No waiver by either party of any term or condition of this Agreement incorporated in the Agreement shall be deemed or construed to constitute a waiver of any other term or condition or of any subsequent breach, whether of the same or different provision.

SECTION 19. INTERLOCAL COOPERATON ACT COMPLIANCE. This is an Agreement entered into pursuant to Chapter 39.34 RCW. Its purpose is as set forth in Section 1. Its duration is as specified in Sections 2 (Term) and 2 (Extensions). Its method of termination is set forth in Section 3. Its manner of financing and of establishing and

maintaining a budget therefore is described in Sections 6 (Scope of Service) and 7 (Cost of Services). No property shall be acquired pursuant to this Agreement, which will need to be disposed of upon partial or complete termination of this Agreement.

SECTION 20. ENTIRE AGREEMENT. This Agreement contains all of the agreements of the parties with respect to the subject matter covered or mentioned therein, and no prior Agreements shall be effective to the contrary.

SECTION 21. AMENDMENT. The provisions of this Agreement may be amended with the mutual consent of the parties. No additions to, or alterations of, the terms of this Agreement shall be valid unless made in writing and formally approved and executed by the duly authorized agents of both parties, provided that pursuant to Sections 4 and 5, respectively, the County Administrator or designated agent may approve up to two (2), two-year extensions of this Agreement and additional compensation to the County for additional service hours without further approval of the Board of Commissioners.

SECTION 22. DOCUMENT EXECUTION AND FILING. The County and Agency agree that there shall be four (4) signed originals of this Agreement procured and distributed for signature by the necessary officials of the County and Agency. Upon execution, the executed originals of this Agreement shall be returned to the contract manager who shall file copies of the Agreement with the Agency Clerk, the Clark County Auditor, and the Washington State Secretary of State. Upon receipt by the Clark County

Auditor of the signed originals, each such signed original shall constitute an agreement binding upon both County and Agency.

SECTION 23. RATIFICATION. Acts taken in conformity with this Agreement prior to its execution are hereby ratified and affirmed.

SECTION 24. SEVERABILITY. If any section or part of this Agreement is held by a court to be invalid, such action shall not affect the validity of any other part of this Agreement.

IN WITNESS WHEREOF, the County and Agency have caused this Agreement to be executed in their respective names by their duly authorized officers and have caused this Agreement to be dated and in effect as of the First day of January, 2017.

FOR CLARK COUNTY, WASHINGTON,
a subdivision of the State of Washington

By: _____
Mark McCauley, County Manager

Approved as to form:

By: _____
_____, Prosecuting Attorney
By Deputy Prosecuting Attorney

_____, a municipal
corporation

By: _____
_____

By: _____

_____

Approved as to form:

By: _____

_____, City Attorney

Answer to Question #5 (1 page)

2. CITYOF VANCOUVER

WHATLEY - Record of Decant & Sweepings Materials (For Invoicing)

Date	Time	Truck # (last 4)	Heavy Truck (after de-watering)	Light Truck (after off-loading)	Check One			Agency # (see bottom of sheet)	Location where material was picked up (or delivered if export from Whatley)	C = Commercial R= Residential M= Multi-Family	Driver Initials
					DECANT	SWEEPINGS	EXPORT				

2. CITY OF VANCOUVER (Example Only - Each Agency has own sheet)

APPENDIX D1

Answer to Question #5 (2 pages)

Month:_____ **Year:**_____

D= Daily, W= Weekly, M= Monthly, A= As-Needed/Appropriate

Whatley Site - Maintenance & Operations Checklist (and Inspection Form)

Decant Treatment Facility & Wash Pad	Minimum Frequency	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31
Clean all decant facility screens	D																															
Adjust block screens as necessary	D																															
Account for all vactor decant drops	D																															
Verify vactor operators report on log sheet	D																															
Check for vactor waste malodor/contamination	D																															
Check detention ponds for water quality, debris and water depth	D																															
Remove any debris in wash pad trench	D																															
Inspect wash pad vault/basin and vacuum as needed	M																															
Pump water off secondary bays	M																															
Remove sludge from secondary bays	M																															
Check sediment level of decant facility center bays	M																															
Clean out solids in decant/dewatering bays	A																															
Move dried decant to processing area	A																															
Skim floating debris in secondary & center bays	A																															
Wash deck around decant facility	A																															
Transfer decant from covered area to holding area on asphalt deck	A																															
Vacuum center bays as needed (Every 3 to 6 months)	A																															
Ensure all weight tickets have a corresponding entry on Sign-In Log	D																															
Street Sweeping Dewatering & Stockpile Pad	**Minimum Frequency**	**1**	**2**	**3**	**4**	**5**	**6**	**7**	**8**	**9**	**10**	**11**	**12**	**13**	**14**	**15**	**16**	**17**	**18**	**19**	**20**	**21**	**22**	**23**	**24**	**25**	**26**	**27**	**28**	**29**	**30**	**31**
Verify truck weight on reader board matched recorded number	D																															
Verify sweeper operators report on log sheet	D																															
Turn/Stockpile sweepings as-needed	A																															
Check day (if street sweeper cleans facility asphalt)	A																															
General Site, Lower Pit & Other Material Storage Areas	**Minimum Frequency**	**1**	**2**	**3**	**4**	**5**	**6**	**7**	**8**	**9**	**10**	**11**	**12**	**13**	**14**	**15**	**16**	**17**	**18**	**19**	**20**	**21**	**22**	**23**	**24**	**25**	**26**	**27**	**28**	**29**	**30**	**31**
Check & clean 76th Street swale intake grates	W																															
Empty small trash cans	W																															
Litter pick facility/site	W																															
Check trash dumpster and call in as needed	W																															
Inspect all equipment & vehicles stored on site for fluid leaks	M																															
Monitor, fix or report nuisance odors	A																															
Monitor, fix or report dust from migrating beyond property lines	A																															
Monitor, fix or report the attraction of vectors	A																															
Weeding and/or mowing (as-needed)	A																															

Monthly Inspection Data	Date	Initials	Acceptable Y or N	Record comments, any discrepancies, actions taken, potential issues, etc.
Oil/Water Separator does not have 1" of floating oil, and does not have more than 6" of sludge on bottom of unit.			**Y N**	
There are no signs of poor biological conditions in ponds (floating sludge, excessive turbidity, unusual color, etc.).			**Y N**	
There is no oil sheen present in ponds.			**Y N**	
There is no signs of spills/leakage of any materials of concern or other pollutants throughout the site (refer to Spill Control Plan).			**Y N**	
Containers on site have lids/caps and are properly labeled. Safety Data Sheets are accessible.			**Y N**	
Emergency Spill kit is replenished. If an item is missing, is there a record of the incident in the Whatley log book? Gensuite® ?			**Y N**	
Is sediment in storm drains excessive to the point of clogging drain or otherwise inhibiting the function of the drain.			**Y N**	
OTHER COMMENT, OBSERVATIONS, DISCREPANCIES, ACTIONS TAKEN, ETC.				

Answer to Question #5 (1 page)

INSPECTION LOG - Stormwater Pollution Prevention Plan (SWPPP)

A= Acceptable ①= Note Reference

Month/Year:		Date of Inspection & Initials	Any Evidence of Runoff	Any Evidence of Spills	Storm Drains Function Properly	Applicable Alarms or Sensors Working	Were any Items Fixed Since Last Inspection	Is Spill Kit Stocked	Chemicals Labeled, SDS & Storage	pH (6.5-8.5): Quarterly	Turbidity (<50 NTU): 2X/Month	Oil Grease Visual (Y or N)
Whatley Pit	General Site											
Stormwater & Process	G001 (Front Gate/Road)											
	G002 (Wash Rack)											
	G003 (South Pad)											
	WD01 (Pond)											
Maple Pit	General Site											
Stormwater & Process	RO01 (Behind Shop)											
	RO02 (Behind Fuel Area)											
	RP01 (Pit in Roadway)											
	RP02 (Pond - Pit Entry)											
	RS01 (Roadside Ditch)											
Maple Pit	General Site											
Stormwater & Process	RO01 (Behind Shop)											
	RO02 (Behind Fuel Area)											
	RP01 (Pit in Roadway)											
	RP02 (Pond - Pit Entry)											
	RS01 (Roadside Ditch)											
Finn Hill	General Site											
SW/Process	FH01 (From Hillside)											
Finn Hill	General Site											
SW/Process	FH01 (From Hillside)											
78th Street	General Site											
149th Street	General Site											
Daybreak	General Site											
Washougal	General Site											

Weather Conditions & Notes:

APPENDIX D3

Answer to Question #8 (5 pages)

CLARK COUNTY PUBLIC HEALTH

Center for Community Health
1601 E Fourth Plain Blvd - PO Box 9825
Vancouver, WA 98666-8825
564-397-8428

PERMIT

POST IN A CONSPICUOUS PLACE FOR PUBLIC VIEW
VALID ONLY TO OWNER & SITE LISTED BELOW

Owner of Business	**Clark County Public Works**	**PERMIT NUMBER**	**PT0006095**
Type of Business	**Vactor Waste Process**	**Valid Through**	**3/1/2026**
Name of Business	**FA0001816 Whatley Pit Decant Facility**	**PR0005927 - 2111**	
Site Address	**11203 NE 76th ST VANCOUVER, WA 98662**	**SW Permit Interim Handling Type: Vactor Waste Processing**	

This non-refundable permit is issued pursuant to Clark County Code and applicable State of Washington regulations and Laws. This permit is valid through the date indicated above unless previously suspended or revoked. Prior to any structural change or modification of equipment or operations, the owner or operator is required to notify Clark County Health Department for review and approval.

Alan Melnick, MD, MPH, Health Officer

Public Health: Always working for a safer and healthier community

6024.rpt
20190726.n

Clark County Public Health
SOLID WASTE PERMIT

Facility Name:	**Whatley Pit Decant Facility**
Facility Address:	11203 NE 76th Street Vancouver, WA 98662 (360)397-6118 ext. 1682
Facility Type:	**Vactor Waste Processing**
ID Number:	PT0006095
Facility Owner:	**Clark County** 4700 NE 78th ST Vancouver, WA 98665
Facility Operator:	**Clark County Public Works**
Facility Contact:	**Gregg Ganson**

The above noted parties agree to comply with Chapter 173-350 WAC, "Solid Waste Handling Standards", the Clark County Solid Waste Management Plan dated September 2015, conditions of this permit and comply with all other applicable local, state, and federal laws and regulations including, but not limited to, water quality, air quality, dangerous waste, and noise. The above noted parties are hereby granted a permit to operate a vactor waste processing facility.

This permit shall remain the property of Clark County Public Health (CCPH) and may be suspended by the Health Officer or an authorized agent of Clark County Public Health. This permit may be revoked after an opportunity for a hearing under Clark County Code (CCC) 24.12 upon violation by the holder of any applicable local, state or federal rule(s) or regulation(s).

The cover page and subsequent portions of this permit shall remain on site and shall be presented to authorized local or state authorities upon request.

This permit is not transferable and must be renewed annually.

Date of Issue: **March 01, 2021**

Date of Expiration: **February 28, 2026**

SECTION I DESCRIPTION

The permittee is allowed to operate and maintain a vactor waste processing facility at the location listed below.

Section(s):	**10**
Township:	**2N**
Range:	**2E**
Tax Lots:	**106550-000; 106540-000**

SECTION II PERFORMANCE STANDARDS

The following standards of performance are the enforceable objectives of this permit:

1. The permittee shall not contaminate the groundwater underlying the vactor waste processing facility beyond the point of compliance.
2. The permittee shall not cause a violation of any ambient air quality standard at the property boundary.
3. The permittee shall not cause a violation of any receiving water quality standard or violate 90.48 RCW from discharges of surface water runoff, leachate or any other liquid associated with decanting, recycling or transfer of solid waste.
4. If the performance standards of this section are not met, corrective actions shall be designed, implemented and enforced on a time schedule set by CCPH.
5. The applicant shall at all times adhere to the requirements and conditions of the **Conditional Use Permit** issued by the Clark County Planning Department in May 1996.
6. Any significant change in the waste stream, such as quantity, origin or type, during the period of this permit shall initiate the SEPA process. The permittee shall submit SEPA, EIS or DNS statements drafted by the originator of the solid waste and notify CCPH, and Washington State Department of Ecology (ECY).

SECTION III GENERAL PERMIT CONDITIONS

1. All conditions of this permit must be followed for the permittee to remain in compliance. Compliance schedules must also be within the specified time period. The permit holder is responsible for all acts and omissions of all contractors and agents of the permittee. This requirement shall continue for the life of the facility.
2. Ensure that the **Whatley Pit Decant Facility** is operated in accordance with the requirements of the Washington State Administrative Code (WAC) 173-350, Clark County Code (CCC) Chapter 24.12, and the Clark County Solid Waste Management Plan.
3. Any duly authorized employee or representative of the Clark County Health Officer or Washington State Department of Ecology may enter and inspect the permitted facility at any reasonable time for the purpose of determining compliance with Chapter 173-350 WAC or the Clark County Solid Waste Management Plan dated 2015 and all subsequent updates of the WAC, CCC and Solid Waste Management Plan.
4. As a general condition of this permit, the permittee must comply with Revised Code of Washington (RCW) 70.95, WAC 173-350, CCC 24.12 and the Clark County Solid Waste Plan and all subsequent revisions. Where any conflicts between the two regulations are present, the more stringent regulation shall be in effect.
5. This permit or a valid copy shall be displayed or stored in a manner allowing easy access by operating personnel.
6. This permit is subject to suspension or revocation if CCPH finds:
   a. That the permit was obtained by misrepresenting or omitting any information that could have affected the issuance of the permit or will affect the current operation of the facility;
   b. That there has been a violation of any of the conditions contained in this permit.
7. This permit may be amended by CCPH. More stringent restrictions may be imposed on the facility during the period the permit is valid. Amendments will be made in writing and become specific conditions of the permit.

8. Nothing in this permit shall be construed as excusing the permittee from compliance with any applicable federal, state or local statutes, ordinances or regulations.

9. Should any part, section, specific portion, or provision of the conditional land use permit or the operating permit issued by CCPH to **Clark County Public Works Department** be found invalid by judicial process, the remainder of this permit will continue to be binding and in force.

10. All applicable permits including, but not limited to, permits pertaining to air quality, water quality, and water resources shall be acquired and maintained prior to accepting vactor wastes at **Whatley Pit Decant Facility**.

SECTION IV OPERATING CONDITIONS

The **Whatley Pit Decant Facility** shall operate within the following conditions at all times unless otherwise approved by CCPH:

1. The facility must operate according to the rules set forth in WAC 173-350-320 & 490.

2. The facility shall be operated according to the approved Plan of Operation. The permittee must notify CCPH in writing when any deviation or change in the operating plan is considered. An amendment to the permit is necessary by CCPH for changes.

3. The decant facility must not accept, treat, dispose or store wastes designated as dangerous waste in WAC 173-303. In addition, the decant facility may not receive wastes that were designated as dangerous or hazardous in their state of origin.

4. Permitee shall follow conditions set by any special waste permits in addition to this permit.

5. Storage, treatment & recycling of solid wastes shall be executed in such a manner as to prevent:
   a. Safety and health hazards;
   b. Creation of nuisances;
   c. Vermin or vector inhabitation or infestation; and
   d. Adverse environmental and/or public health effects.

6. In the event of ground water contamination that is determined to be a result of the operation of the **Whatley Pit Decant Facility, Clark County Public Works** must notify CCPH and immediately initiate cleanup and mitigative measures.

SECTION V COMPLIANCE SCHEDULE

General Facility Standards

1. Plan of Operation

A plan of operation must be provided to CCPH describing the operation of the solid waste facility. The plan must include, but is not limited to:

a. Describe operation as intended by designer;
b. Be available for inspection by CCPH;
c. Assure that the facility be operated in accordance to the plan; and
d. Specify that future modifications shall be approved by CCPH.

2. Plan Contents – WAC 173-350-320(6)(a)

The operating plan must include, but is not limited to, the following items as applicable to this solid waste handling facility:

a. Description of the types of waste materials to be handled at the facility;
b. Description of the procedures used to ensure that dangerous waste and other unacceptable waste are not accepted at the facility;
c. Description of how waste materials are to be handled on-site, including recycling or recovery, storage, maximum site capacity, methods of adding or removing waste materials from the facility and equipment used, and how operators will ensure adequate dumping capacity at all times;
d. Description of operator maintenance procedures and inspections as specified in WAC 173-350-320;

e. Record keeping system to address records as specified in WAC 173-350-320;
f. Methods which will be used to control access to the pile;
g. Methods which will be used to control litter, dust, odor, noise and vectors (*i.e. rodents, insects, nuisance birds etc.)* at the facility;
h. Safety and emergency plans;
i. As this site may store and/or treat contaminated soils or contaminated dredged materials, specifications included in WAC 173-350-320(6)(a)(ix)&(x) must be included in the plan;
j. Corrective action programs to take if groundwater is contaminated or in the event of other releases;
k. Closure procedures which the facility will use. The closure methods must, as a minimum, meet the requirements as outlined in the "Solid Waste Handling Standards" (WAC 173-350) and the Clark County Solid Waste Management Plan; and
l. Any other details as stated by CCPH.

3. Reporting Requirements - WAC 173-350-320(6)(b)

An annual report must be filed with CCPH & ECY by April 1st based on the previous year's records. This report must include as a minimum:

a. Name and address of the facility;
b. Calendar year covered by the report;
c. Types of solid wastes handled;
d. Annual quantities in tons or cubic yards of each type received and removed;
e. Amount of waste remaining at the end of the year;
f. Destination of waste material transported from the facility for processing or disposal; and
g. Results of self-inspection and required environmental monitoring and analysis, including, but not limited to, analytical data utilized to characterize soils.

SECTION VI SPECIAL CONDITIONS

1. The decant facility shall be operated and managed such that dust and erosion of soil is avoided to the maximum extent practicable.

2. Air emissions (dust, malodors, air toxics, etc.) from construction, operation and all other activities at the site shall be controlled so as to comply with Washington Air Quality Standards. If excessive or offensive odors are detected, immediate corrective measures will be initiated as described in the approved Operations Plan.

3. Blowing debris shall be controlled so that the entire site is maintained virtually free of litter at all times. Any debris that escapes the site shall be retrieved and properly disposed as soon as possible that same operational day.

4. The permittee shall operate and maintain the site in a manner which avoids the attraction of insects, rodents, birds and/or other vectors to the most practical extent in accordance with best management practices.

5. Public access to the site shall be controlled as necessary to prevent unauthorized entry and dumping.

6. The permittee shall report to CCPH thirty days prior to any changes in ownership of the site property or of the permittee's or operator's name and address.