

BEFORE THE BOARD OF NORTHEAST TRI COUNTY HEALTH DISTRICT

IN THE MATTER OF ADOPTING
REGULATION NO. 01-2015
RELATING TO SOLID WASTE

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RESOLUTION 02-2015
ADOPTING REGULATION NO. 01-2015
ESTABLISHING SOLID WASTE HANDLING
STANDARDS FOR THE REGULATION OF
SOLID WASTE AND THE PROTECTION OF
PUBLIC HEALTH IN NORTHEAST TRI COUNTY
HEALTH DISTRICT

WHEREAS, solid waste rules and regulations are promulgated under the authority of Chapters 70.05 and 70.95 Revised Code of Washington; **AND**

WHEREAS, the Northeast Tri County Health District Health Officer is charged with administering these regulations; **AND**

NOW, THEREFORE:

IT IS HEREBY RESOLVED by the Board of Health of the Northeast Tri County Health District that the attached Northeast Tri County Health District Regulation No. 01-2015 is adopted and shall be in full force and effect within the jurisdiction of Northeast Tri County Health District.

Done this 15th day of July, 2015 in Republic, Washington and effective immediately upon signatures as of this date.


Board Member, City of Republic



Board Member, Ferry County


Board Member, City of Colville

Board Member, Ferry County



Board Member, Town of Lone


Board Member, Pend Oreille County


Health Officer


Board Member, Pend Oreille County


Board Member, Stevens County


Board Member, Stevens County



Northeast Tri County Health District Regulation # 01-2015 Solid Waste Regulation

A REGULATION RELATING TO PUBLIC HEALTH; ESTABLISHING SOLID WASTE HANDLING STANDARDS FOR THE REGULATION OF SOLID WASTE AND THE PROTECTION OF PUBLIC HEALTH WITHIN THE JURISDICTION OF NORTHEAST TRI COUNTY HEALTH DISTRICT.

BE IT ADOPTED ON JULY 15, 2015 IN REPUBLIC, WASHINGTON BY THE BOARD OF HEALTH OF THE NORTHEAST TRI COUNTY HEALTH DISTRICT AS FOLLOWS:

1. **Scope:** This regulation shall apply to all territory embraced within the limits of Northeast Tri County Health District.
2. **Authority:** This regulation is promulgated under the authority of Chapters 70.05, and 70.95 Revised Code of Washington (RCW) and Chapters 173-304, 173-350, and 173-351 Washington Administrative Code (WAC), to protect the public health, safety, environment, and welfare of the Northeast Tri County Health District citizens.
3. **Purpose:** This regulation governs the handling and disposal of solid waste within Northeast Tri County Health District, including permit issuance by adoption of WAC 173-304, 173-350 and 173-351.
4. **Administration:** The Northeast Tri County Health District Health Officer shall administer the provisions of these regulations.
5. **Adoption of State Solid Waste Rules:** In accordance with the provisions of RCW 70.95.160, the Northeast Tri County Health District Board of Health hereby adopts all sections of WAC 173-304, 173-350 and 173-351 as adopted, except where modified and specified herein.
6. **Definitions:** WAC 173-350-100 and 173-351 "Definitions" is hereby adopted by reference with the following additions:
 - "**Health District**" means the Northeast Tri County Health District
 - "**Health Officer**" means the Health Officer of the Northeast Tri County Health District or his/her duly authorized representative
 - "**Jurisdictional Health District**" means the Northeast Tri County Health District
 - "**Northeast Tri County Health District**" means the Northeast Tri County Health District as established pursuant to RCW 70.46

7. Financial Assurance Requirements: WAC 173-350-600 "Financial assurance requirements" is hereby adopted by reference with the following additions:

Section (1) shall be amended to include an additional section as follows:

(1)(d) Other solid waste handling facilities as determined by the Health Officer. Examples of such facilities are:

- (i) permitted facilities found to be out of compliance with these regulations;
- (ii) facilities exempt from permit found to be out of compliance with these regulations.

8. Prior Regulations Repealed: This regulation shall herewith supersede and repeal Northeast Tri County Health District Regulation # 01-1988 relating to the minimum functional standards for solid waste handling, collection, and disposal, Regulation # 01-1999 relating to municipal solid waste landfills, and Regulation # 01-2004 relating to solid waste handling standards.

9. Development of Policies: Northeast Tri County Health District may establish written policies and procedures to ensure uniform implementation of WAC 173-350 and WAC 173-351 and to establish acceptable procedures and practices in the enforcement of the rules.

10. Appeals: Any person aggrieved by a determination or action may appeal such determination or action. Appeal requests must be made in writing and shall be processed in conformance with the appeal procedure adopted by the Northeast Tri County Board of Health.

11. Fees: Fees established for solid waste permitting and activities are established and updated by the Northeast Tri County Health District Board of Health.

12. Penalties: Any person, firm or corporation who violates or refuses or fails to comply with the provisions of these regulations shall be guilty of a misdemeanor in accordance with these regulations and shall be punished by a fine not to exceed one thousand dollars (\$1,000) or imprisonment not to exceed ninety (90) days or to both fine and imprisonment. Each day a violation is allowed to continue shall be considered a separate violation.

13. Severability: If any section or provision of this regulation is adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity of this regulation as a whole, or any section, provision or part thereof not adjudged invalid or unconstitutional.

14. Effective Date: This regulation shall be in full force and effect after approval and adoption by the Northeast Tri County Board of Health.