

Environmental Health Code, Chapter 12 Solid Waste Handling Standards

Board of Health Resolution #2019-4601
Adopted July 3, 2019



TABLE OF CONTENTS

Section 1: Title 1

Section 2: Authority and Purpose..... 1

Section 3: Administration 1

Section 4: State Regulation Adoption..... 1

Section 5: Enforcement 1

Section 6: Appeals 2

Section 7: Waiver and Variance..... 2

Section 8: Severability 2

Section 1: Title

Environmental Health Code Chapter 12 shall be known as, cited and referred to as the Solid Waste Handling Standards.

Section 2: Authority and Purpose

- A. Tacoma-Pierce County Board of Health enacts the regulations in this chapter under the authority granted in Article 11, §11 of the Washington Constitution, RCW 70.05.060, and Chapter 173-350 WAC.
- B. The purpose of these regulations is to prevent land, air, and water pollution, and conserve Pierce County’s natural, economic and energy resources. These regulations set minimum functional performance standards for the proper handling and disposal of solid waste originating from residences, commercial, agricultural and industrial operations and other sources. They also require solid waste handling facilities to be located, designed, constructed, operated and closed in accordance with this chapter.

Section 3: Administration

- A. The Health Officer shall administer and enforce these regulations under the authority of Chapter 70.05 RCW.
- B. Tacoma-Pierce County Board of Health may adopt fees for the administration of these regulations under the authority of RCW 70.05.060(7).

Section 4: State Regulation Adoption

WAC 173-350-700 requires local health jurisdictions to adopt regulations implementing [Chapter 173-350 WAC Solid Waste Handling Standards](#). Tacoma-Pierce County Health Board of Health adopts the state regulations by reference in their entirety. When or if state and local regulations conflict, the more stringent shall apply.

Section 5: Enforcement

- A. A notice of violation and order to correct shall be issued, as provided in Environmental Health Code Chapter 1, to any person who violates or does not comply with requirements of this chapter.
- B. After a notice of violation and order to correct is duly issued, if the person to whom such notice is directed fails to take the required corrective action within the designated time frame, the Health Officer may pursue any of the Chapter 1 remedies and penalties, except as described in 5.C below.

C. Administrative Civil Penalties.

1. The Health Officer may impose administrative civil penalties for violation of this chapter per Chapter 1 procedures and in amounts up to \$2,000 per day per violation, effective the first day the violation is documented.

D. The remedies and penalties in this chapter and Chapter 1 shall be in addition to applicable fees and charges in the current fee schedule adopted by the Tacoma-Pierce County Board of Health.

E. All administrative civil penalties recovered shall be paid into the solid waste general account.

Section 6: Appeals

A. Except as provided in 6.B below, any person aggrieved by a decision or final order of the Health Officer shall have the right to appeal such decision or order per Chapter 1 appeal procedures.

B. Exceptions: If the Health Officer's decision or action relates to the grant, denial, revocation, suspension, modification, refusal to modify, or failure to revoke a solid waste handling permit, then appeal of such action shall proceed directly to the Pollution Control Hearings Board, as provided in WAC 173-350-710(7)(b)(iii).

Section 7: Waiver and Variance

No waivers or variances shall be granted to these Solid Waste Handling Standards except as expressly provided in WAC 173-350-710.

Section 8: Severability

If any section, sentence, clause or phrase of this chapter should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this chapter.