

## **CHAPTER 2**

### **REGULATORY REQUIREMENTS**

Federal and state regulatory requirements were used in developing the design criteria for improvements to the City of Woodland’s wastewater collection, treatment, and disposal facilities. The purpose of this chapter is to identify and summarize the regulations that affect the planning, design, and approval of improvements discussed in this plan.

This chapter does not describe each regulation in detail; rather, it addresses important facets of the regulations that affect the planning and design process. Subsequent sections of this report address technical requirements of the regulations at a level of detail appropriate for the evaluation provided by that section. For instance, Chapters 5, 6, and 7 contain more detailed information regarding wastewater collection and treatment system and biosolids management regulations.

#### **FEDERAL AND STATE STATUTES, REGULATIONS, AND PERMITS**

This section discusses some of the various federal and state laws that may affect wastewater system construction and operations, as well as other relevant permits, programs, and regulations.

##### **FEDERAL CLEAN WATER ACT**

The Federal Water Pollution Control Act is the principal law regulating the water quality of the nation’s waterways. Originally enacted in 1948, it was significantly revised in 1972 and 1977, when it was given the common title of the “Clean Water Act” (CWA). The CWA has been amended several times since 1977. The 1987 amendments replaced the Construction Grants program with the Water Pollution Control State Revolving Fund (SRF) that provides low-cost financing for a range of water quality infrastructure projects.

##### **NPDES and State Waste Discharge Permits**

The National Pollutant Discharge Elimination System (NPDES) program was established by Section 402 of the CWA and its subsequent amendments. The Department of Ecology administers NPDES permits for the U.S. Environmental Protection Agency (EPA). Most NPDES permits have a 5-year term and place limits on the quantity and quality of pollutants that may be discharged to water bodies. There are 29 current NPDES and State Waste Discharge Permits (SWDP) issued to facilities in the Woodland area, as shown in Table 2-1. The NPDES program covers wastewater, industrial discharge, and stormwater permits. If considered significant, industrial discharges to municipal wastewater collection/treatment systems are typically addressed in SWDPs.

**TABLE 2-1**

**NPDES and State Waste Discharge Permits Issued**

<b>Facility</b>	<b>Permit Number</b>	<b>Permit Type</b>
Woodland Commerce Center	WAR006683	Construction SW GP
Woodland WWTP	WA0020401	Municipal NPDES Permit
Woodland WTP	WAG641021	Water Treatment Plant GP
New Woodland High School	WAR126937	Construction SW GP
Columbia Colstor Woodland	WAR126020	Industrial SW GP
Sonoco Products Co Woodland	WAR003460	Industrial SW GP
Natural Resources Woodland Div	WAR000242	Industrial SW GP
Cal Portland Woodland Plant	WAG501398	Sand and Gravel GP
JL Storedahl & Sons Woodland Pit	WAG501244	Sand and Gravel GP
Columbia River Carbonates	WA0039721	Industrial NPDES IP
KWRL Transportation	WAR006704	Industrial SW GP
Walt's Wholesale Meats Inc.	ST0005055	Industrial (IU) POTW/Private SWDP IP
WA DOT I-5 Fork Lewis River	WAR126774	Construction SW GP
Groat Bros Inc.	WAR000885	Industrial SW GP
Bulk Transportation Inc.	WAR125107	Industrial SW GP
Lilac Place	WAR126041	Construction SW GP
Hamilton Materials LLC	WAR003415	Industrial SW GP
Groat Bros Engine Shop	WAR004062	Industrial SW GP
PDM Steel Service Centers Inc.	WAR006710	Industrial SW GP
Northwood Cabinets Inc.	WAR012406	Industrial SW GP
Lewis River Hatchery	WAG131040	Upland Fish Hatchery GP
Northwest Energetic Services Dis. Center	WAR124862	Construction SW GP
Northwest Pet Products	WAR012373	Industrial SW GP
Applied Plant Science	WAR125104	Industrial SW GP
Paradise Pont Wellfield	WAR126042	Construction SW GP
Truck Shop Inc.	WAR004133	Industrial SW GP
Precision Industrial Contractors Inc.	WAR012388	Industrial SW GP
Pacific Seafood	ST000622	Industrial (IU) POTW/Private SWDP IP
BNSF VBP Interstate Yard Improvement	WAR012018	Construction SW GP

SW = Stormwater, GP = General Permit, IP = Industrial Permit

City of Woodland WWTP NPDES Permit

The City of Woodland's current wastewater treatment plant NPDES permit, number WAG641021 and fact sheet are attached as Appendix B. The City's current permit effluent limits are shown in Chapter 4. Condition S1 of the City's permit requires the treatment plant effluent meet limits for 5-day biochemical oxygen demand (BOD<sub>5</sub>), total suspended solids (TSS), fecal coliform bacteria, pH, and total ammonia.

Condition S2 lists monitoring requirements including BOD<sub>5</sub>, TSS, and ammonia for the influent. Monitoring requirements for the effluent include flow, BOD<sub>5</sub>, TSS, fecal coliform, ammonia, pH, temperature, nitrates, phosphorous, and hardness. Pretreatment parameters include oil and grease, cyanide, pollutant metals, volatile organic compounds (VOC's), acid extractable compounds, and base neutral compounds. Additional permit requirements include residual chlorine, DO, nitrogen, and dissolved solids. Condition S3 lists reporting and recording requirements.

Condition S4.A specifies the WWTP design capacity for maximum month BOD<sub>5</sub> loading is 3,107 pounds per day (lb/d) and 3,160 lb/d for TSS. The maximum month and peak daily flow capacities for the WWTP are 2.0 and 3.2 million gallons per day (mgd), respectively. Condition S4.B requires the City to prepare a plan to maintain adequate capacity when flows and loadings to the WWTP exceed 85 percent of design capacity for 3 consecutive months or the projected increase would reach design capacity within 5 years, whichever occurs first. There are other conditions of the permit that can be found in Appendix B. Chapter 7 of this plan includes an evaluation of the WWTP operating conditions and provides recommendations for improving and maintaining adequate treatment capacity to ensure long-term NPDES permit compliance.

#### Other NPDES and State Waste Discharge Permits Issued to Facilities in the Woodland Area

Two of the facilities discharging industrial wastewater to the Woodland WWTP have state waste discharge permits: Walt's Meats and Pacific Seafoods. In addition, Columbia River Carbonates has an NPDES permit that allows it to discharge to the Columbia River (through a diking district ditch) or the Woodland wastewater collection system.

A number of the facilities with NPDES permits in the Woodland area listed in Table 2-1 are for stormwater discharges to water bodies. (The City's NPDES permit does not allow discharge of stormwater to the WWTP.) The EPA requires stormwater discharge permits for certain types of industrial activities. The EPA uses two methods to determine if the activity requires a permit. The first method is the Standard Industrial Classification (SIC) code. The second method is called a narrative description. This distinction is important because an SIC code activity may or may not require an NPDES permit. However, narrative description activities require a permit for any described activity. Even if there is an applicable SIC code for the type of activity taking place, businesses may not always need a discharge permit. Under current EPA regulations, these types of industrial activities may be conducted without obtaining a stormwater discharge permit if no material handling equipment or activities, raw materials, intermediate products, final products, waste materials, byproducts, or industrial machinery is exposed to stormwater (40 CFR 122.26(b)(14)).

## Industrial Pretreatment/Source Control

Section 307 of the CWA established the National Pretreatment Program; 40 CFR Part 403 lists the federal pretreatment requirements. This program is designed to protect publicly owned treatment works (POTW) from *pass-through* of pollutants or *interference* with the treatment process from industrial or other non-residential discharges that is not “domestic-equivalent” (similar in quality to domestic wastewater). *Pass-through* is defined as “a discharge that exits the POTW into waters of the United States in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the POTW’s NPDES permit (including an increase in the magnitude or duration of a violation). *Interference* is defined as a discharge that inhibits or disrupts the POTW, its treatment processes or operations, or its sludge processes, use or disposal.

Woodland’s NPDES permit includes requirements for ensuring prevention of pass-through and interference. The permit requirements include:

1. Identification and reporting of existing, new, and proposed industrial users, including completing an Industrial User Survey every 5 years and updating the survey annually.
2. Working with Ecology to ensure that all commercial and industrial dischargers are compliant with 40 CFR Part 403.
3. Ensuring prohibitions on flammability, pH (5 to 11), toxicity, viscosity, and dangerous wastes.
4. Testing to identify priority pollutants and other deleterious constituents in influent, effluent, and biosolids.
5. Completing an evaluation of whether “local limits” are necessary to protect the WWTP against pass-through and interference, and if so, develop local limits and a load allocation strategy. Woodland’s NPDES permit and Sewer Use Ordinance do not currently include numeric pretreatment limits for pollutants, other than oil and grease and pH. However, based on this requirement in the NPDES permit, Ecology is considering requiring that Woodland develop numeric effluent limits for commercial/industrial dischargers and revising its Sewer Use Ordinance, in order to institute procedures to verify compliance with 40 CFR Part 403. Typically, such ordinances will include “local limits,” concentration or loading limits for a number of pollutants, primarily metals, developed through an engineering assessment of impacts. The most commonly regulated pollutants are arsenic, cadmium, chromium, copper, lead, molybdenum, mercury, nickel, selenium, silver, zinc, and oil

and grease. Priority pollutant organics may also be regulated if typically present in the wastewater.

The City is currently completing a local limits evaluation.

## **PROPOSED CAPACITY, MANAGEMENT, OPERATION AND MAINTENANCE REGULATIONS**

In 2005, EPA adopted a new round of recommendations titled Capacity, Management, Operation and Maintenance (CMOM). Though the regulations are yet to be formally made into law by EPA, some municipalities are anticipating the adoption and have moved forward with implementation. In addition, EPA has used CMOM as de facto standards for collection system audits, including for some facilities in Washington State. CMOM focuses on implementing standards to prevent the failure of collection systems and suggests a program for long-term financing and repair. Under its authority granted by the federal Clean Water Act, EPA seeks to address sanitary sewer overflows (SSO) under the CMOM program.

In general, the CMOM guide can be summarized in the following elements:

1. General performance standards including collection system maps, information management, and odor control.
2. Program documentation including the goals, organizational, and legal authority of the organization operating the collection system.
3. An overflow response plan that requires response in less than 1 hour and is demonstrated to have sufficient and adequate personnel and equipment, etc. Estimated volumes and duration of overflows must be accurately measured and reported to the regulatory agency.
4. System evaluation requires that the entire system be cleaned on a scheduled basis (for example, once every 5 years), be regularly television inspected, and that a program for short- and long-term rehabilitation replacement be generated. EPA has proposed, as a rule of thumb, a 1.5 to 2 percent system replacement rate, which implies that an entire collection system is replaced somewhere in the range of a 50- to 70-year time period.
5. A capacity assurance plan that will use flow meters to evaluate infiltration and inflow (I&I), ensure lift stations are properly operated and maintained, and that source control is maintained.
6. A self-audit program to evaluate and adjust performance.

7. A communication program to communicate problems, costs, and improvements to the public and decision-makers.

EPA is considering some changes in design standards for collection systems including requiring that sanitary sewer overflows not occur except in extreme storms. They have also decided that they will not predefine the type of storm, leaving that decision to the design engineer.

### **FEDERAL ENDANGERED SPECIES ACT**

There are currently a total of seventeen salmon, steelhead, and trout Evolutionarily Significant Units (ESUs)/Distinct Population Segments (DPSs) in Washington State. There are currently ten ESA-listed salmonid ESUs/DPSs in the Columbia River. Of these, five including Lower Columbia River chinook salmon, steelhead, and coho salmon, and Columbia River bull trout and chum salmon are present in the Lewis River near Woodland. In addition, the Lewis River provides critical habitat for eulachon or Columbia River smelt, which are also listed as “Threatened.”

ESA listings impact activities that affect salmon and trout habitat, such as water uses, land use, construction activities, and wastewater disposal. Impacts to the City of Woodland may include longer timelines for permit applications and more stringent regulation of construction impacts on in-water work and riparian corridors. The presence of ESA-listed species and associated critical habitat in the Lewis River has the potential to impact future WWTP and outfall improvement projects.

### **NATIONAL ENVIRONMENTAL POLICY ACT**

The National Environmental Policy Act (NEPA) was established in 1969 and requires federal agencies to determine environmental impacts on all projects requiring federal permits or funding. Federally delegated activities such as NPDES permits or Section 401 certification are considered state actions and do not require NEPA compliance. If a project involves federal action (through, for example, an Army Corps of Engineers Section 404 permit), and is determined to be environmentally insignificant, a Finding of No Significant Impact (FONSI) is issued; otherwise, an Environmental Assessment (EA) or Environmental Impact Statement (EIS) would be required. NEPA is not applicable to projects that do not include a federal component or nexus. If there is a federal nexus, the City will need to follow NEPA procedures in order to obtain any permits required for upgrades to the WWTP, which are outlined in the Capital Improvement Plan of this document.

When both federal and state licenses or permits are required, then both NEPA and SEPA requirements must be met. WAC 197-11-610 allows the use of NEPA documents to meet SEPA requirements.

## **FEDERAL CLEAN AIR ACT**

The Federal Clean Air Act requires all wastewater facilities to plan to meet the air quality limitations of the region. Woodland falls in the jurisdiction of the Southwest Clean Air Agency. Ecology is responsible for enforcing federal, state and local outdoor air quality standards and regulations in Cowlitz and Clark Counties.

## **STATE STATUTES, REGULATIONS, AND PERMITS**

### **STATE WATER POLLUTION CONTROL ACT**

The intent of the State Water Pollution Control Act is to “maintain the highest possible control standards to ensure the purity of all waters of the state consistent with public health and the enjoyment...the propagation and protection of wildlife, birds, game, fish and other aquatic life, and the industrial development of the state.” Under the Revised Code of Washington (RCW) 90.48 and the Washington Administrative Code (WAC) 173-240, Ecology issues permits for wastewater treatment facilities and land application of wastewater under WAC 246-271.

### **Submission of Plans and Reports for Construction of Wastewater Facilities, WAC 173-240**

Prior to construction or modification of domestic wastewater facilities, engineering reports, plans, and specifications must be submitted to and approved by Ecology. This regulation outlines procedures and requirements for the development of an engineering report that thoroughly examines the engineering and administrative aspects of a domestic wastewater facility project. This State regulation defines a facility plan as an engineering report under federal regulations, 40 CFR Part 35.

Key provisions of WAC 173-240 are provided below:

- An engineering report for a wastewater facility project must contain everything required for a general sewer plan unless an up-to-date general sewer plan is on file with Ecology.
- An engineering report shall be sufficiently complete so that plans and specifications can be developed from it without substantial changes.
- A wastewater facility engineering report must be prepared under the supervision of a professional engineer.

### **Criteria for Sewage Works Design, Washington State Department of Ecology**

Ecology has published design criteria for collection systems and wastewater treatment plants. While these criteria are not legally binding, their use is strongly encouraged by

Ecology since the criteria are used by the agency to review engineering reports for upgrading wastewater treatment systems. Commonly referred to as the “Orange Book,” these design criteria primarily emphasize unit processes through secondary treatment, and also include criteria for planning and design of wastewater collection systems. Any expansion or modification of the City of Woodland’s collection system and/or WWTP will require conformance with Ecology criteria unless the City demonstrates alternate standards provide similar reliability and efficacy.

### **Certification of Operators of Wastewater Treatment Plants, WAC 173-230**

Wastewater treatment plant operators are certified by the State Water and Wastewater Operators Certification Board. The operator assigned overall responsibility for operation of a wastewater treatment plant is defined by WAC 173-230 as the “operator in responsible charge.” This individual must have State certification at or above the classification rating of the plant.

The City of Woodland’s WWTP is currently assigned a Class III rating and the operating staff assigned to the plant must have the required certification. The operator in charge must have at least a Class III certification and any operators in charge of each shift must have a Class II certification. The City currently employs one Class IV and two Class III operators for the WWTP.

### **Surface Water Quality Standards (WAC 173-201A)**

WAC 173-201A establishes water quality standards within Washington State. The State adopted revised water quality standards in May 2011. The standards are based on two objectives: protection of public health and enjoyment, and protection of fish, shellfish, and wildlife. For each surface water body in the State, the standards assign specific uses, such as aquatic life, recreation, or water supply. Water quality standards have been developed for each use for parameters such as fecal coliform, dissolved oxygen, temperature, pH, turbidity, and toxic, radioactive, and deleterious substances. The surface water criteria include 29 toxic substances, including ammonia, residual chlorine, several heavy metals, polychlorinated biphenyls (PCBs), and pesticides.

The water uses that are defined in the standards for the portion of the Lewis River to which the WWTP discharges include:

#### **Aquatic Life Uses**

- Salmonid Spawning, Rearing

#### **Recreational Uses**

- Primary Contact



### **Water Supply Uses**

- Domestic Water
- Industrial Water
- Agricultural Water
- Stock Water

### **Miscellaneous Uses**

- Wildlife Habitat
- Harvesting
- Commerce and Navigation
- Boating
- Aesthetics

It is the policy of the State of Washington to maintain existing beneficial uses of surface water by preventing degradation of existing water quality. However, certain allowances are made by Ecology for discharging treated wastewater into a surface water that enable a temporary or mitigated degradation to occur. These allowances are made by establishing mixing zones and determining the assimilative capacity of the receiving water.

The anti-degradation policy aims to maintain the highest possible quality of water in the State by preventing the deterioration of water bodies that currently have higher quality than the water quality standards require. The revised water quality standards define three tiers of waters in the anti-degradation policy:

- Tier I water bodies are those with violations of water quality standards from natural or human-caused conditions. The focus of water quality management is on maintaining or improving current uses and preventing any further human-caused degradation.
- Tier II water bodies are those of higher quality than required by the water quality standards. The focus of the policy is on preventing degradation of the water quality and to preserve the excellent natural qualities of the water body. New or expanded actions are not allowed to cause a “measurable change” in the water quality unless they are demonstrated to be “necessary and in the overriding public interest.”
- Tier III are the highest quality “outstanding resource waters.” Tier III(A) prohibits any and all future degradation, or Tier III(B) which allows for de minimis (below measurable amounts) degradation from well-controlled activities.

Discharging to surface water requires an NPDES permit issued by Ecology under WAC 173-220. Wastewater treatment plants must generally, at a minimum, meet technology-based limits that include 30 mg/L total suspended solids (TSS) and 30 mg/L 5-day biochemical oxygen demand (BOD<sub>5</sub>) (typically termed “30-30 limits”). Additionally, under WAC 173-201A-060, State Water Quality Standards, Ecology is authorized to condition NPDES permits so that the discharge meets water quality standards. Therefore, other permit conditions in addition to or more stringent than the 30-30 limits could be added to ensure that the water quality of the receiving water is not degraded.

The State is currently in the process of updating its water quality standards. The biggest proposed changes would come from a reassessment of human health protection based on increased assumptions of fish consumption rates. If adopted, more stringent water quality standards are likely for some parameters, which may result in more stringent NPDES permit limits. The most likely parameters to be affected are persistent, bioaccumulative toxic compounds, including polychlorinated biphenyls (PCBs), polyaromatic hydrocarbons (PAHs), and mercury.

## RECLAIMED WATER STANDARDS

The State *Water Reclamation and Reuse Standards* define the water quality standards for reclaimed water. The City of Woodland WWTP does not generate reclaimed water; however, an evaluation of the feasibility of generating reuse water generated at the existing WWTP (after appropriate modifications) is provided in Chapter 7, as required by State regulations.

The standards for the use of reclaimed water are outlined in RCW 90.46 and in a separate document published by the Washington State Departments of Health and Ecology entitled “Water Reclamation and Reuse Standards.” Reclaimed water is the effluent derived from a wastewater treatment system that has been adequately and reliably treated, such that it is no longer considered wastewater and is suitable for a beneficial use or a controlled use that would not otherwise occur. The legislature has declared that “the utilization of reclaimed water by local communities for domestic, agricultural, industrial, recreational, and fish and wildlife habitat creation and enhancement purposes (including wetland enhancement) will contribute to the peace, health, safety, and welfare of the people of the State of Washington.”

The generation of Class A reclaimed water has four minimum requirements that are described below:

1. **Continuously Oxidized** – Wastewater that at all times has been stabilized such that the monthly average BOD<sub>5</sub> and TSS are less than 30 mg/L, is non-putrescible, and contains dissolved oxygen.

2. **Continuously Coagulated** – Oxidized wastewater that at all times has been treated by a chemical or equally effective method to destabilize and agglomerate colloidal and finely suspended matter prior to filtration.
3. **Continuously Filtered** – Oxidized and coagulated wastewater that at all times has been passed through a filtering media so that the turbidity of the filtered effluent does not exceed an average of 2 nephelometric turbidity units (NTU), determined monthly, and does not exceed 5 NTU at any time.
4. **Continuously Disinfected** – Oxidized, coagulated, and filtered wastewater that at all times has been disinfected to kill or inactivate pathogenic organisms. A group of indicator microorganisms, coliform bacteria, are used to measure the effectiveness of the disinfection process. The Class A reclaimed water standard is a total coliform density of 2.2 per 100 milliliters (ml) for the median of the last 7 days of samples, with no sample having a density greater than 23 per 100 ml.

Reclaimed water may be used to recharge groundwater by surface percolation or through direct injection, as long as the quality of the reclaimed water meets groundwater recharge criteria which are defined in the Reuse Standards. Groundwater recharge projects must also be in compliance with the State's groundwater regulations listed in WAC 173-200. This regulation contains groundwater quality criteria that are to be met in the saturated zone. Recharge of groundwater with reclaimed water would require a state waste discharge permit issued by Ecology. Ecology may also require the development of a groundwater monitoring program to ensure degradation does not occur.

Discharge of reclaimed water for the purpose of stream flow augmentation, fish and wildlife habitat, irrigation supply, or water right replenishment or transfer must comply with WAC Chapter 173-201A. A beneficial use of the reclaimed water must be established for the project to be accepted as a stream flow augmentation project.

Short-term storage or an alternative disposal system (e.g., an outfall) must be provided for situations where the reclaimed water cannot be used due to bad weather, reduced demand, etc. Provisions must also be made for storage or disposal of water that does not meet the treatment and water quality criteria, perhaps due to a treatment upset or equipment failure.

The Reuse Standards require reliability for individual treatment units such as biological treatment, secondary clarification, coagulation, filtration, and disinfection. Generally, if long-term storage or an alternative disposal method is not available, the facility must have redundant units each capable of treating the entire flow, or short-term storage with standby replacement equipment provided. Furthermore, coagulation and chlorination unit processes must have standby chemical feed equipment provided, regardless of storage and disposal options, to ensure uninterrupted chemical feed.

Washington State began a rulemaking process in 2006 to update and to convert the 1997 Water Reclamation and Reuse Standards (Washington State Department of Ecology, 1997) into a regulation, the Reclaimed Water Rule, Chapter 173-219 Washington Administrative Code (Washington State Department of Ecology, 2010). The rule is intended to provide a consistent and efficient regulatory process as well as to be sufficiently adaptable in order to govern reclaimed water production over a long time period.

The rule refers to a Reclaimed Water Facilities Manual, a.k.a., the “Purple Book,” for supplemental guidance on implementing the rule. Gray & Osborne, Inc. was retained by the Washington Coalition for Clean Water and the Washington State Department of Ecology (Ecology) to assist in development of the manual, which has been released in draft form for review by stakeholders. The date for final adoption of the Reclaimed Water Rule is uncertain due to State financial and policy issues; the earliest potential adoption is mid-2015.

#### **STATE ENVIRONMENTAL POLICY ACT**

WAC 173-240-050 requires a statement in all wastewater comprehensive plans regarding proposed projects in compliance with the State Environmental Policy Act (SEPA), if applicable. The capital improvements proposed in this plan will fall under SEPA regulations. A SEPA checklist is included in Appendix A of this plan for use in the environmental review for the project. In most cases, a Determination of Non-Significance (DNS) is issued; however, if a project will have a probable significant adverse environmental impact, an Environmental Impact Statement (EIS) will be required.

#### **ACCREDITATION OF ENVIRONMENTAL LABORATORIES (WAC 173-050)**

The State of Washington established a requirement that all laboratories reporting data to comply with NPDES permits must be generated by an accredited laboratory. This accreditation program establishes specific tasks for quality control and quality assurance (QA/QC) that are intended to ensure the integrity of laboratory procedures. Accreditation requirements must be met for any on-site laboratory or outside laboratory used to analyze samples. Only accredited laboratories may be used for analyses reported for compliance with NPDES permits. In planning for an on-site laboratory, staffing must be sufficient to allow for QA/QC procedures to be performed. The Woodland WWTP laboratory is currently accredited for testing the following parameters: TSS, BOD<sub>5</sub>, ammonia, dissolved oxygen, pH, and fecal coliform.

#### **MINIMAL STANDARDS FOR SOLID WASTE HANDLING (WAC 173-304)**

Grit and screenings are not subject to the sludge regulations in WAC 173-308, but their disposal is regulated under the State solid waste regulations, WAC 173-304. Waste

placed in a municipal solid waste landfill must not contain free liquids, nor exhibit any of the criteria of a hazardous waste as defined by WAC 173-303. To be placed in a municipal solid waste landfill, grit, screenings, and incinerator ash must pass the paint filter test. This test determines the amount of free liquids associated within the solids and includes the toxic characteristic leachate procedure (TCLP) test, which determines if the waste has hazardous characteristics.

## **WETLANDS**

### **Dredging and Filling Activities in Natural Wetlands (Section 404 of the Federal Water Pollution Control Act)**

A U.S. Army Corps of Engineers permit is required when locating a structure, excavating, or discharging dredged or fill material in waters of the United States or transporting dredged material for the purpose of dumping it into ocean waters. Typical projects requiring these permits include the construction and maintenance of piers, wharves, dolphins, breakwaters, bulkheads, jetties, mooring buoys, and boat ramps.

If wetland fill activities cannot be avoided, the negative impacts can be mitigated by creating new wetland habitat in upland areas. If other federal agencies agree, the Corps would generally issue a permit.

### **Wetlands Executive Order 11990**

This order directs federal agencies to minimize degradation of wetlands and enhance and protect the natural and beneficial values of wetlands. This order could affect the siting of lift stations and sewer lines.

## **SHORELINE MANAGEMENT ACT**

The Shoreline Management Act of 1971 (RCW 90.58) establishes a broad policy giving preference to shoreline uses that protect water quality and the natural environment, depend on proximity to the water, and preserve or enhance public access to the water. The Shoreline Management Act jurisdiction extends to lakes or reservoirs of 20 acres or greater, streams with a mean annual flow of 20 cubic feet per second (cfs) or greater, marine waters, and an area inland 200 feet from the ordinary high-water mark. Projects are reviewed by local governments according to State guidelines.

The Woodland WWTP and portions of the collection system are located within shoreline areas.

## **FLOODPLAIN DEVELOPMENT PERMIT**

Local governments that participate in the National Flood Insurance Program are required to review projects in a mapped floodplain and impose conditions to reduce potential flood

damage from floodwater. A Floodplain Development Permit is required prior to construction, including projects involving wastewater collection facilities.

## **HYDRAULIC PROJECT APPROVAL**

Under the Washington State Hydraulic Code (WAC 220-110), the WDFW requires a hydraulic project approval (HPA) for activities that will “use, divert, obstruct, or change the natural flow or bed” of any waters of the State. For City activities, such as pipeline crossings of streams or WWTP outfall modifications, an HPA will be required. The HPA will include provisions necessary to minimize project-specific and cumulative impacts to fish.

## **CITY SEWER ORDINANCES AND PLANNING POLICIES**

The City of Woodland has a Municipal Code that regulates sewer services. This chapter of the municipal code has been included in Appendix C. The sewer ordinances address such issues as requirements for connections to sewer system, permits for sewer installation by developers, rates for sewer service, development requirements for private sewer systems, conditions for sewer service extensions, and sewage pretreatment regulations.

Section 13.12 of the Woodland Municipal Code, titled “Sewer Construction and Use,” includes standards for public and private sewers, a list of substances prohibited from the sewer system, and requirements for pretreatment facility design and operation for industrial dischargers and dischargers of fats, oils, and greases (e.g., food service establishments).

Per Section 13.08.060 of the code, all properties within the City’s sewer service area are required to connect to the City’s sewer system.

Per Section 17.64.010 of the code, “no building or structure to be used for human habitation or commercial enterprise shall be erected” unless it has “adequate provision for domestic water supply and sewage disposal.”