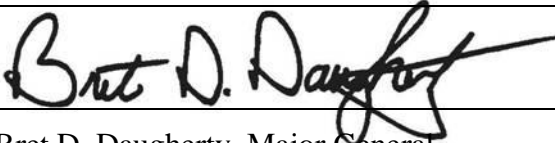




Department Policy No. CFMO-401-09

Title:	Unauthorized Dumping of Wastes
References:	Army Regulation 200-1:2007 WAC173-303 Dangerous Waste Regulations RCW 70.95 Solid Waste Management RCW 70.93 Waste Reduction, Recycling, and Model Litter Control Act Pierce County Code Title 8.32.020 – Unlawful Dumping Protocol for Submitting Waste to the Environmental Programs Office (EPO) Memorandum, January 31, 2020
Information Contact:	Washington Military Department Environmental Programs Office Building #36, Camp Murray (253) 512-8717
Effective Date:	March 23, 2009
Mandatory Review Date:	September 10, 2024
Revised:	September 10, 2020
Approved By:	 Bret D. Daugherty, Major General The Adjutant General Washington Military Department Director

Purpose

Establish policy that governs the unauthorized dumping of wastes on any property owned or operated by the Washington Military Department (WMD).

Scope

This policy applies to all WMD state and federal civilian employees, contractors, vendors, visitors, and all members of the Washington National Guard.

Personnel who find themselves attached or assigned to any active duty facility (e.g., Joint Base Lewis-McChord [JBLM], Yakima Training Center [YTC], or Fairchild Air Force Base [FAFB]), are hereby notified of the need to comply with the requirements of their respective host installation, in addition to the policies and procedures presented herein.

Definitions

Environmental Programs Office (EPO): WMD environmental staff responsible for overseeing the Hazardous Waste Program.

Responsible Party: Person(s), business, or entity identified to be responsible for the unauthorized dumping.

Unauthorized Dumping: Unlawful disposal of waste such as used tires, construction debris, old appliances, furniture, as well as household, commercial and/or industrial wastes in places other than permitted facilities.

Policy

It is unlawful for any person to dump or permit the dumping of solid or hazardous waste to the land, surfaces or waters owned or leased by the WMD. WMD EPO Hazardous Waste Program staff are available to assist with the disposal of unauthorized waste(s) and will take reasonable action to determine and identify the responsible party for the unauthorized dumping.

Procedure

1. The individual(s) who first becomes aware of the unauthorized dumping is responsible to report the finding as outlined in the Spill Response and Reporting Procedures (Unified Policy No. 10-04) document to the EPO Spill Coordinator.
2. The EPO will request environmental response contractors for incidents that cannot be mitigated by internal resources.
3. The EPO will ensure that mitigation measures are completed. Mitigation efforts can include, but are not limited to, assessment of impacted area, containment, disposal of waste, sampling, remediation, restoration, reporting, and final surveys.
4. The identified responsible party will be held liable for:
 - a. Damages resulting from impacts to the environment (natural, cultural, and historic);
 - b. The expense of any mitigation measures used to clean and dispose of the waste properly; and
 - c. All costs associated with notice of violation(s) and/or enforcement actions by federal, state, and/or local authorities, and any fines that are applicable by state or county law.
5. Records of unauthorized dumping incidents will be maintained by the EPO. Electronic copies will be placed in a centralized folder on the EPO SharePoint site for future reference, to be available for audits, communication with regulatory agencies, or legal action. These records will be retained according to approved WMD record retention schedule(s), generally a minimum of six (6) years. After expiration of the retention schedule, records will be forwarded to the WMD Records Officer for destruction or archiving.