

WOOD WASTES EXEMPT FROM THE PERMITTING REQUIREMENTS OF 18 AAC 60

There are some instances where disposing of solid waste, including certain wood waste, does not require a landfill permit (see 18 AAC 60.005[b]). Also, certain types of facilities are exempt from requiring a solid waste disposal permit (see 18 AAC 60.200[a]). Wood wastes that are exempt from landfill disposal permitting include the following:

Wood waste used to build roads or other projects;

Tree limbs and other foliage or woody debris in timber harvest areas, provided this waste is no thicker than ten feet. This waste is sometimes called slash;

Wood waste in quantities less than 10 cubic yards per year, such as is generated from small log splitting operations. Larger amounts may also be exempt if certain conditions are met. These conditions are listed in 18 AAC 60.005(b)(11);

Wood waste for which disposal is governed by a permit issued under 18 AAC 72.010, 18 AAC 72.210, or an approved contaminated site cleanup plan under 18 AAC 75 or 18 AAC 78;

Wood waste for which disposal is governed by a permit issued under 18 AAC 62 or under 40 CFR 264 or 40 CFR 265 which are adopted by reference in 18 AAC 62;

Wood waste treatment works designed to treat less than 5 tons of wood waste daily or up to 10 tons in a single batch unless it causes or contributes to a threat to human health or the environment or is operated in a manner that causes or contributes to a nuisance;

Wood waste in temporary storage prior to recycling;

Woody material in land-clearing waste, similar to waste generated when preparing a site for construction.

This waste may include stumps and butt ends;

Wastes, including wood waste, that have been treated in such a manner that the potential for contaminant releases is eliminated (18 AAC 60.400(d)). The Department may then allow the treated waste to be exempt from the requirements of 18 AAC 60, or be managed as an inert waste under 18 AAC 60.460. The exempt wastes listed in 18 AAC 60.005(b) include wastes that normally do not require treatment to be exempt, provided they are not mixed with nonexempt waste, do not cause a public health threat or environmental problem, and are managed in a location where they are not likely to cause a nuisance;

Waste transfer sites designed to hold less than 20 cubic yards of solid waste. Transfer sites designed for 20 cubic yards of waste or more must meet requirements listed in 18 AAC 60.010(f). A transfer site of any size must meet requirements found in 18 AAC 60.010(g) if the department finds that it is causing a nuisance or a risk to human health or the environment. Facilities holding 50 tons or more of solid waste destined for recycling, reuse, resource recovery, or for disposal that are causing a nuisance or a risk to human health or the environment must meet the requirements found in 18 AAC 60.010(h).

Certain facilities may qualify for a general permit depending upon waste quantities and compositions, and the characteristics of the disposal site. Refer to 18 AAC 60.255. Facilities must meet the following conditions to qualify for a general permit:

- are involved with the same type of waste handling systems;
- are disposing of the same type of solid waste;
- will not threaten human health or the environment; and

- are, in the department's judgment, best regulated under a general permit.

The department will restrict the general permit to a specific area or set of physical conditions and can modify, revoke, reissue, or terminate a general permit without opportunity for hearing. The department will require a facility to obtain an individual permit if that facility is operating in a manner that might threaten human health or the environment, is not in compliance with the general permit, undergoes a material change in the operation or in the type or quantity of waste, or if the facility's general permit was procured under misrepresented or undisclosed facts.