TRIBAL COUNCIL ACT 6.2

AN ACT RELATING TO

SOLID WASTE MANAGEMENT

BE IT ENACTED BY THE SNOQUALMIE TRIBAL COUNCIL

SECTION 1.0 - TITLE AND CODIFICATION

This Chapter shall be known as the Snoqualmie Tribal Solid Waste Management Code and shall be codified as Title 6, Chapter 2 of the Snoqualmie Tribal Code.

SECTION 2.0 - STATUTORY AUTHORIZATION

The Snoqualmie Indian Tribe desires to manage the disposal of solid waste on Snoqualmie Tribal lands and at Snoqualmie Tribal facilities by creating a Solid Waste Management Program (SWMP), including the establishment of a recycling program and the reduction of waste stream. The aboriginal and inherent sovereign powers of the Snoqualmie Indian Tribe to govern are vested in the Snoqualmie Tribal Council. The Snoqualmie Tribal Council has the authority to safeguard and promote the peace, safety, and moral and general welfare of the members of the Tribe by regulating the behavior and actions of all persons within the jurisdiction of the Tribe, and to provide for the enactment and enforcement of the laws of the Tribe. Snoq. Tr. Const. Art. VIII, Section 1(j). This authority includes the power to protect and regulate natural resources, land use and development within the Tribe's jurisdiction. Snoq. Tr. Const. Art. VIII, Section 1(u).

SECTION 3.0 - PURPOSE AND FINDINGS OF FACT

The Snoqualmie Tribal Council finds, as a matter of Tribal public policy, that the objectives of this Chapter include:

(a) The Tribe has a primary interest in the protection and control of the land and other natural resources affected by the improper disposal of solid waste on Snoqualmie Tribal lands. The quality of such land and natural resources must be protected in order to insure the continued health and economic, aesthetic and cultural well-being of the Tribe.

(b) Open dumping, as defined in Section 4.0 of this Chapter, is particularly harmful to one's health; it contaminates drinking water from underground and surface supplies and pollutes Snoqualmie Tribal land, air and water.

(c) Inadequate and environmentally unsound practices employed for the disposal or use of solid or hazardous waste generate greater amounts of pollution on Snoqualmie Tribal land, air and water and have other adverse effects on the

Tribe's public health and environment. The traditional methods of solid waste management may not meet future requirements for eliminating environmental pollution and conserving natural resources.

(d) Methods of solid waste management that emphasize source reduction, recovery and recycling of all solid waste are essential for: the long-term preservation of the health, safety and welfare of the public; the economic productivity of the Tribe; the environmental quality of Snoqualmie Tribal lands; and the conservation of natural resources.

(e) Disposal of solid waste and hazardous waste on the Snoqualmie Tribal lands without careful planning and management presents a danger to public health and the environment.

(f) Methods are available to separate, recycle and reuse recoverable materials from solid waste. The recovery and conservation of such materials can produce numerous benefits for the Tribe, the State of Washington and the United States, including economic benefits.

(g) It is in the best interest of the Tribe, the residents and the visitors of Snoqualmie Tribal lands to establish and maintain a comprehensive tribal solid waste management program. The objectives of this Chapter will be to manage and control solid waste on Snoqualmie Tribal Lands. The policy will be designed to: protect the health, safety and welfare of tribal members; preserve the environment; and provide for the maximum reuse of the resources contained in solid waste.

(h) The protection of Snoqualmie Tribal resources from the impacts of solid waste are not adequately provided for under the existing legislation and such protection will be furthered by the passage, adoption and implementation of this Chapter.

(i) The general purposes of this Chapter are:

(1) to finance, implement, regulate and enforce environmental standards, criteria, orders and permit conditions concerning the disposal of solid waste;

(2) to exercise comprehensive Tribal regulatory authority over all solid waste disposal matters on Snoqualmie Tribal lands;

(3) to protect fundamental Tribal, cultural, ceremonial, religious, and fishery interests;

(4) to promote the economic stability of residential, agricultural, commercial, industrial, forest, wetlands, riparian and environmentally sensitive

activities on Snoqualmie Tribal lands;

(5) to prevent the deterioration of the environment, the standard of living, the quality of life, and the health, safety and welfare of all persons on Snoqualmie Tribal lands;

(6) to provide and promote Tribal environmental protection and services on Snoqualmie Tribal lands and to regulate environmental activities under principles of Tribal sovereignty; and

(7) to prevent Snoqualmie Tribal air, water and land from solid waste pollution, including contamination of the Tribe's aquifers, ground waters, surface waters, drinking water supplies and other natural resources.

SECTION 4.0 - DEFINITIONS

The following words and terms, when used in this Chapter, shall have the following meanings, unless the context clearly indicates otherwise:

APPLICANT means any person who has filed an application with the Tribe's Environmental and Natural Resources Department for approval to store, collect, transport or dispose of solid waste on Snoqualmie Tribal lands.

APPROVED EPA SOLID WASTE DISPOSAL PROGRAM means a Tribal municipal solid waste landfill disposal program, including a system of prior approval and permit conditions that has been determined to be adequate by the Environmental Protection Agency ("EPA") under 40 C.F.R. Part 258 (Criteria for Municipal Solid Waste Landfills).

AQUIFER means any geologic formation capable of yielding a significant amount of potentially recoverable water.

DESIGNATED USES means all lawful uses of waters identified in the Tribe's Surface Water Resources Management Code. Uses may include, but are not limited to, domestic, commercial, industrial, agricultural, traditional, cultural and recreational uses, and uses by fish and wildlife for habitat or propagation.

CLOSURE means the termination of the receiving, handling, recycling, treatment, composting or disposal of solid waste at a solid waste facility, and includes all operations necessary to prepare the facility for post-closure maintenance.

COLLECTION means the act of collecting solid or hazardous waste at the place of generation by an approved collection agent and does not mean removal.

COMMITTEE means the Tribe's Environmental and Natural Resources Committee, unless otherwise specified.

COVER MATERIAL means soil or other material suitable for use in covering compacted solid waste in a sanitary landfill. A material is suitable for use as a cover material if, when properly used, it will prevent:

(a) the propagation, harborage, or attraction of vectors;

(b) the progress of fires;

(c) the escape of odor;

(d) excess infiltration of surface water runoff; and

(e) erosion.

CULTURALLY SENSITIVE AREAS means any area on Snoqualmie Tribal lands that contains or may contain cultural items or cultural resources as defined in the Tribe's Cultural Resources Protection Act.

DAILY COVER means cover material spread and compacted on the entire surface of the active face of a sanitary landfill at the end of each operating day.

DEPARTMENT means the Tribe's Environmental and Natural Resources Department, unless otherwise specified.

DIRECTOR means the Director of the Tribe's Environmental and Natural Resources Department, unless otherwise specified.

DISPOSAL means the discharge, deposit, injection, dumping, spilling, leaking, or placing of any solid or hazardous waste into or on any land or water so that such solid or hazardous waste or any constituent thereof may enter the environment or be emitted into the air, or discharged into any waters, including surface waters or groundwaters.

ENERGY RECOVERY means the production of energy or energy resources from the handling, disposal or treatment of solid waste.

FAULT means a fracture or a zone of fractures in any material along which strata on one side have been displaced with respect to that on the other side.

FINANCIAL ASSURANCE means a trust fund or other equivalent acceptable financial arrangement to provide the financial assurances required for meeting the costs of closure, post-closure, and corrective action, if applicable.

FLOODPLAIN means land that would be inundated with flood water as a result of the occurrence of a 100-year flood.

GROUNDWATER means water below the land surface in a zone of saturation.

GUIDANCE DOCUMENT means a document prepared by the Waste Management Director that supplements specified criteria under this Chapter. A guidance document may provide specific technical direction regarding the manner in which an owner or operator shall comply with the Part 258 Criteria or other provisions of this Chapter. Guidance documents may be referred to or attached as conditions to permits. Such technical direction must either conform to the Part 258 Criteria, or be more stringent. A guidance document may also provide direction as to how the Waste Management Director interprets the Tribe's solid waste permit program, consistent with Tribal law.

HANDLING means collection, transportation, storage, transfer or processing of solid waste.

HAZARDOUS WASTE means: (a) any substance, typically toxic, corrosive, ignitable, explosive, or chemically reactive, that poses a threat to human health or the environment; (b) any substance that is hazardous, toxic, ignitable, reactive or corrosive and that is defined and regulated as a hazardous waste or hazardous material by the Department, the State of Washington or the United States of America; or (c) any substance that is defined as hazardous or toxic by the Comprehensive Environmental Response, Compensation and Liability Act of 1980, 42 U.S.C. §§ 9601-9675, or the Resource Conservation and Recovery Act of 1976 ("RCRA"), 42 U.S.C. §§ 6901-6992k, as either act may be amended from time to time, and by any regulations promulgated thereunder, including but not limited to any substance, material, smoke, gas, particulate matter or combination thereof containing asbestos, petroleum or its byproducts, or polychlorobiphenyls ("PCBs").

HOUSEHOLD HAZARDOUS WASTE means hazardous waste generated and discarded by households.

IMPERVIOUS BARRIER means any material or structure on, above or below ground that does not allow precipitation or surface water to penetrate directly into the underlying surface.

INFECTIOUS WASTE means:

(a) laboratory wastes, including but not limited to cultures of etiologic agents, which pose a substantial threat to health due to their volume and virulence;

(b) pathologic specimens, including but not limited to human or animal tissues, blood elements, excreta, and secretions that contain etiologic agents, and attendant disposable fomites;

(c) surgical specimens, including but not limited to human or animal parts and tissues removed surgically, or at autopsy, which in the opinion of the attending physician or veterinarian, contain etiologic agents and attendant disposable fomites;

(d) human dialysis waste materials, including but not limited to arterial lines and dialysate membranes;

(e) carcasses of animals infected with etiologic agents that may present a substantial hazard to public health if improperly managed;

(f) equipment, instruments, or utensils that are likely to transmit etiologic agents; and

(g) any other material that is likely to transmit etiologic agents, or presents a significant danger of infection, because it is contaminated with, or may reasonably be expected to be contaminated with, etiologic agents.

LIQUID WASTE means any waste material which contains free liquid that is defined by Method 9095 (Paint Filter Liquids Test), as described in "Test Methods for Evaluating Solid Wastes, Physical/Chemical Methods" (EPA Pub. No. SW-846).

MEDICAL WASTE means, in congruence with the Medical Waste Tracking Act of 1988, 42 U.S.C. §§ 6992-6992(k), any solid waste that is generated in the diagnosis, treatment, or immunization of human beings or animals, in research pertaining thereto, or in the production or testing of biologicals. This includes, but is not limited to: blood soaked bandages; culture dishes and other glassware; discarded surgical gloves; discarded surgical instruments; discarded needles used to give shots or draw blood (e.g., medical sharps); cultures, stocks, swabs used to inoculate cultures; removed body organs (e.g., tonsils, limbs, appendices); and discarded lancets.

MITIGATION means a measure taken to reduce adverse impacts on human health and the environment.

MUNICIPAL SOLID WASTE LANDFILL UNIT OR MSWLF means a discrete area of land or an excavation that receives household waste, and that is not a land application unit, surface impoundment, injection well, or waste pile, as those terms are defined under 40 C.F.R. Part 257. A MSWLF unit also may receive, as authorized under the Solid Waste Disposal Act ("SWDA"), 42 U.S.C. §§ 7001-7011 (1976) (as amended by RCRA), other types of RCRA Subtitle D wastes, such as, commercial solid waste, non-hazardous sludge and industrial solid waste. A MSWLF unit may be publicly or privately owned and may be a new unit, an existing unit or a lateral expansion. A lateral expansion is the horizontal expansion of the waste boundary of an existing unit.

NUISANCE means anything within or affecting Snoqualmie Tribal lands, which (a) is injurious to human health or offensive to the senses; (b) is injurious to natural resources including land, air, water or biota; (c) is an obstruction to the free use of property so as to interfere with the comfortable enjoyment of life or property; (d) unreasonably pollutes or obstructs any land, navigable lake or river, stream, canal or basin, or any public park, square, street or highway; (e) injures, threatens or disturbs Tribal cultural resources or values as determined by the Snoqualmie Tribal Council; or (f) results in a violation of

any environmental standard of the United States or the State of Washington that does not conflict with similar Tribal standards.

100-YEAR FLOOD means a flood that has a one percent chance of being equaled or exceeded, or a greater chance of re-occurring, in a one-year period based on criteria established by the Director.

OPEN BURNING means the combustion of solid waste without:

(a) control of combustion air to maintain adequate temperature for efficient combustion;

(b) containment of the combustion reaction in an enclosed device to provide sufficient residence time and mixing for complete combustion; and

(c) control of the emission of the combustion products.

OPEN DUMP means any facility or site on Snoqualmie Tribal lands where solid waste has been disposed of, which is not a sanitary landfill authorized under Snoqualmie Tribal Law and/or under 40 C.F.R. Parts 257 or 258.

OPERATING RECORD means an official record of all documents, information, reports and other information concerning a MSWLF unit, which is maintained by the Department in accordance with Tribal records laws.

OPERATOR means the person(s) responsible for the overall operation of a MSWLF unit or part of a MSWLF unit and, on Snoqualmie Tribal lands, to whom approval is granted by the Department.

OWNER means the person(s) who owns a MSWLF unit or part of a MSWLF unit and, on Snoqualmie Tribal lands, that is approved by the Department.

PERMIT means any authorization, license or equivalent control document issued by the Department regulating the siting, design, construction, operation, monitoring, corrective actions, closure, post-closure maintenance and financial assurance of solid waste facilities.

POLLUTION means the unauthorized disposal of any solid waste into the air, land, surface water or groundwater.

POST-CLOSURE CARE means all activities undertaken at a closed MSWLF unit to maintain the integrity of containment features and to monitor compliance with applicable performance standards as required under Tribal law or Subpart F of 40 C.F.R. Part 258.

PROCESSING means the reduction, separation, recovery, treatment or recycling of solid waste.

RECYCLING means the process of sorting, cleansing, treating, and reconstituting solid waste or other discarded material in order to prepare the altered form for use in the same or another manner.

REGULATED HAZARDOUS WASTE means a solid waste that is a hazardous waste, as defined in 40 C.F.R. Part 261 (Identification and Listing of Hazardous Waste), that is not excluded from regulation as a hazardous waste under 40 C.F.R. Part 261.4(b) (Solid Wastes which are not Hazardous Wastes), or was not generated by a conditionally exempt small quantity generator as defined in 40 C.F.R. Part 261.5 (Special Requirements for Hazardous Waste Generated by Conditionally Exempt Small Quantity Generators).

RELEASE means any known or threatened discharge of solid waste, hazardous substances, pollutants or other contaminants from any source.

REMOVAL means the act of taking solid waste from the place of generation, either by an approved collection agency or by the owner of the solid waste.

RESERVATION means all land, whether owned in fee or trust, within the exterior boundaries of the Snoqualmie Indian Reservation.

RESOURCE RECOVERY SYSTEM means a solid waste management system that provides for collection, separation, recycling and recovery of solid waste, including disposal of non-recoverable waste residue.

RIPARIAN means land on the banks of a lake or natural watercourse.

RUN-OFF means rainwater, leachate, or other liquid that drains over land from any part of a MSWLF unit.

RUN-ON means any rainwater, leachate, or other liquid that drains over land onto any part of a MSWLF unit.

SEWAGE SLUDGE means any residue, excluding grit or screenings, removed from wastewater, whether in a dry, semi-dry, or liquid form from a municipal, commercial, or industrial wastewater treatment plant, water supply treatment plant, or air pollution control facility, exclusive of the treated effluent from a wastewater treatment plant.

SNOQUALMIE TRIBAL FACILITIES include all facilities that house Snoqualmie Tribal offices, departments, businesses, entities and employees of any kind whatsoever, whether or not the facilities are located on fee or trust land, including Snoqualmie Casino.

SNOQUALMIE TRIBAL LANDS OR TRIBAL LANDS include lands over which the Snoqualmie Tribe exercises jurisdiction, including but not limited to, the initial

reservation, trust lands (Tribal and individual), lands subject to treaty-reserved rights, and lands within the federal definition of "Indian Country" set forth in 18 U.S.C. § 1151.

SOLID WASTE means all solid, semisolid and liquid waste, including but not limited to garbage, trash, refuse, paper, rubbish, ashes, industrial waste, construction and demolition waste, abandoned vehicles and parts thereof, discarded home and industrial appliances, manure, vegetable or animal solid and semisolid waste, other discarded solid, liquid and semisolid waste from a wastewater treatment plant, water supply treatment plant or air pollution control facility or other discarded containerized gaseous material resulting from industrial, commercial, mining or agricultural operations, or community activities; but not including hazardous waste, solid or dissolved material in domestic sewage, solid or dissolved material in irrigation return flows, industrial discharges that are point sources subject to permits under 33 U.S.C. § 1342, or source, special nuclear, or byproduct material as defined by the Atomic Energy Act of 1954, as amended, 42 U.S.C. § 2011 *et seq*.

SOLID WASTE ACTIVITY OR SOLID WASTE-GENERATING ACTIVITY includes but is not limited to:

(a) the operation and existence of landfills and open dumps;

(b) the storage of animal or medical waste;

(c) the operation and existence of automobile graveyards and junkyards;

(d) landfilling of sludge or septic systems;

(e) the operation and existence of individual, residential, industrial, commercial or agricultural sewage treatment facilities; and

(f) all other activities that involve the storage, collection, transportation or disposal of solid waste on Snoqualmie Tribal lands.

SOLID WASTE CONTAINER means any vehicle, equipment or receptacle used in the collection, storage or transportation of solid waste.

SOLID WASTE FACILITY means a solid waste disposal facility; a transfer/processing station; a recycling facility; a composting facility; any resource recovery system or component thereof; any system, program or facility for resource conservation; and any facility used for the handling, treatment, composting or disposal of solid waste, whether such facility is associated with other facilities that generate solid waste, and includes all contiguous land and structures, other appurtenances and improvements on the land.

SOLID WASTE MANAGEMENT means a planned program for effectively controlling the generation, handling, treatment, composting and disposal of solid waste in a safe, sanitary, aesthetically acceptable and environmentally sound manner.

SOLID WASTE MANAGEMENT PLAN means the formation of the Tribal policies for all solid waste collection, handling, transportation, disposal, treatment, storage, recycling and resource conservation on or off Snoqualmie Tribal lands and at Snoqualmie Tribal Facilities.

SWDA means the Federal Solid Waste Disposal Act, as amended by RCRA, and the 1984 Hazardous and Solid Waste Amendments ("HSWA") to the RCRA, and more particularly, Subtitle D State or Regional Solid Waste Plans, 42 U.S.C §§ 6941-6949(a), which requires that the EPA promulgate criteria for MSWLF units, and which prohibits disposal of solid waste at landfills that do not satisfy such criteria.

TOXIC MATERIAL means any chemical or mixture that presents an unreasonable risk or injury to human health or the environment.

TRANSFER/PROCESSING STATION means a facility used to receive, temporarily store, process or transfer solid waste directly from smaller to larger vehicles for transport and does not include:

(a) a facility the principal function of which is to receive, handle, process, treat or compost manure in accordance with minimum Tribal standards;

(b) a facility the principal function of which is to receive or handle solid waste that has already been separated for reuse and is not intended for disposal; or

(c) the operations premises of a duly licensed solid waste collection operator who handles solid waste as an activity incidental to the conduct of a refuse collection and disposal business.

TRANSPORTER means any person or vehicle that transports solid waste from one location to another using any means whatsoever.

TREATMENT, when used in connection with hazardous waste, means any method, technique or process, including neutralization, designed to change the physical, chemical, or biological character or composition of any hazardous waste so as to neutralize such waste or so as to render such waste non-hazardous, safe for transport, amendable for recovery, amendable for storage, or reduced in volume.

VECTOR means any insect, arthropod, rodent, or other animal or mechanism (such as wind or rain) capable of transmitting a pathogen from one organism to another, or of disrupting the normal enjoyment of life by adversely affecting the public health and well-being.

SECTION 5.0 - LEAD TRIBAL AGENCY; DUTIES

The Tribe's Environmental and Natural Resources Department shall be the lead agency for implementing this Chapter. The Department shall:

(a) communicate with the United States Environmental Protection Agency ("EPA") regarding the Tribe's solid waste program;

(b) prepare the application for EPA approval of the Tribe's solid waste program under the 40 C.F.R. Part 258 Criteria;

(c) make reports to the EPA as necessary, excluding any confidential or privileged information; and

(d) implement and enforce the provisions of this Chapter.

SECTION 6.0 - WASTE MANAGEMENT DIRECTOR

There is hereby created the position of Waste Management Director. The Waste Management Director shall serve under the direction of the Department Director and shall be appointed by the Director, subject to the approval of the Tribal Administrator. The Waste Management Director shall coordinate with the Committee, the EPA and other federal agencies or the State of Washington, as necessary and appropriate to carry out the provisions of this Chapter and to implement the Tribe's Solid Waste Management Plan.

6.1 POWERS AND DUTIES OF THE WASTE MANAGEMENT DIRECTOR

The Waste Management Director shall have the following powers and duties:

(a) The Waste Management Director, in coordination with policy input from the Director and the Committee, is authorized to develop the Tribe's Solid Waste Management Plan ("Plan"), which shall include the identification of, and a plan for, preventing or closing all "open dumps" or other illegal dumping on Snoqualmie Tribal lands, in accordance with Tribal law, the SWDA and 40 C.F.R. Part 258 Criteria. The Plan shall be in writing and submitted to the ENR Committee, for its input and suggested modifications, and to the Department Director for final approval. The Waste Management Director shall submit this Plan to the Director of the ENR Department within 180 days of being hired. Within thirty (30) days of the Waste Management Director's presentation of the Plan, he or she shall publicize its existence and make it widely available to all interested persons. The Plan shall go into effect upon approval by the Tribal Administrator. The Plan shall include:

(1) Formation and/or consolidation of Tribal policies for all solid waste collection, transportation, handling, treatment and disposal on Snoqualmie Tribal lands and at Snoqualmie Tribal facilities;

(2) Development of a resource recovery program for the recycling of solid wastes and a program for the disposal of household hazardous wastes;

(3) A descriptive narration of the location, design and operation of any MSWLF units on Snoqualmie Tribal lands and how all MSWLF units satisfy the 40 C.F.R. Part 258 Criteria;

(4) An estimation of the volume and composition of all solid waste which is generated on Snoqualmie Tribal lands and an estimation of the volume and composition of solid waste from sources outside Snoqualmie Tribal lands that may be disposed of in any MSWLF unit on Snoqualmie Tribal lands pursuant to any intergovernmental agreement that the Snoqualmie Tribal Council may authorize;

(5) The identification of the responsibilities of other Tribal agencies and entities involved in the implementation of the Tribe's solid waste disposal program and the distribution of federal or state funds to the Tribal authorities responsible for development and implementation of the Tribe's solid waste disposal program;

(6) A review of the Tribal regulatory systems that are necessary to implement and enforce the Tribe's solid waste disposal program and the rules or regulations promulgated hereunder;

(7) A review of any contracts for the closing of all open dumps on Snoqualmie Tribal lands, or the removal of solid waste disposed of at open dumps on Snoqualmie Tribal lands, to duly authorized facilities off Snoqualmie Tribal lands and an assessment of such costs;

(8) A review of the 40 C.F.R. Part 257 Criteria and the authorization of the disposal of any solid waste on Snoqualmie Tribal lands under the 40 C.F.R. Part 257 Criteria under the rules and regulations to be adopted by the Committee;

(9) The identification of preferred locations, if any, on Snoqualmie Tribal lands for the establishment of new MSWLF units and a review of whether groundwater monitoring could be suspended at such locations under 40 C.F.R. § 258.50(b);

(10) A study of how solid waste will be disposed of on or off Snoqualmie Tribal lands in compliance with the 40 C.F.R. Part 258 Criteria, including an assessment of costs for constructing and operating MSWLF units, or transfer stations on Snoqualmie Tribal lands and an assessment of costs for the collection and transportation of solid waste on or off Snoqualmie Tribal lands;

(11) A section regulating the recycling of electronics and other reusable materials; and

(12) Any other matters deemed relevant to the Tribe's solid waste disposal program and any other duties assigned by the Director from time to time.

In addition to development of the Solid Waste Management Plan, the Solid Waste Director shall also have the following duties, responsibilities and authority:

(b) Identify and prohibit the disposal of all solid waste at all open dumps on Snoqualmie Tribal lands. The Waste Management Director shall take whatever action is necessary to close all open dumps on Snoqualmie Tribal lands in a timely manner, as required by the 40 C.F.R. Part 258 criteria.

(c) Issue permits for the location, design, construction, operation, closure, post-closure and financial assurance requirements for MSWLF units on Snoqualmie Tribal lands. The Waste Management Director shall have the authority and responsibility to issue permits for the collection and transportation of solid waste on or across Snoqualmie Tribal lands.

(d) Take remedial action, assess civil penalties and revoke, suspend or modify permits to ensure compliance with the Tribe's solid waste disposal program and the provisions of this Chapter.

(e) Promulgate rules and regulations necessary to implement and enforce any provisions or requirements of this Chapter. All rules and regulations promulgated by the Waste Management Director shall be submitted to the Committee for review and referral to the Snoqualmie Tribal Council for its approval and adoption, before they are enforceable as Tribal law. The Committee and Waste Management Director shall adopt rules and regulations for landfills on Snoqualmie Tribal lands under the 40 C.F.R. Part 257 Criteria, and for the collection and transportation of solid waste, and other rules and regulations as required herein.

(f) Approve and issue Guidance Documents as part of the Tribe's solid waste program, subject to the approval of the Director. Guidance documents shall contain specific technical or scientific criteria for implementing the location, construction, design, operation, closure or post-closure requirements for MSWLF units. Guidance documents may supplement the 40 C.F.R. Part 258 Criteria, but a guidance document shall not conflict with any 40 C.F.R. Part 258 Criteria, nor shall it contain any criteria which are less stringent than the 40 C.F.R. Part 258 Criteria. Upon the Director's approval, guidance documents shall be enforceable if they are specifically incorporated as a part of, or as a condition to, any permit issued under this Chapter.

(g) Apply, as soon as practicable, with policy input from the Committee, for federal and state financial aid, training and technical assistance, for development and implementation of the Tribe's Solid Waste Management Plan. The financial assistance shall include grants available from the EPA's Regional Office as may

be authorized under the SWDA and includes any other federal grants, funds or assistance that may be available from the EPA, the U.S. Department of the Interior, the Bureau of Indian Affairs, the U.S Department of Housing and Urban Development, the Administration for Native Americans, and any other federal, state or other governmental agencies or sources, including any federal appropriations under the Indian Environmental General Assistance Program Act of 1992, 42 U.S.C. § 4368(b).

(h) Develop and use a permit application form for all solid waste permits authorized under this Chapter.

(i) Develop an operating budget for the Tribe's Waste Management Program, on an annual basis, in accordance with all Tribal budget laws and policies. The ENR Director shall have the authority to approve the final budget.

(j) Prepare and file an annual report with the ENR Department Director no later than October 1 of each year, which shall review the progress achieved under the Tribe's solid waste program, and shall include any reports requested by the ENR Committee. After review of the annual report, the Director shall recommend what specific actions should be taken regarding the Tribe's solid waste program.

(k) Prepare an inventory and location of all sites on Snoqualmie Tribal lands where solid waste has been disposed of and a plan to close all sites as required under 40 C.F.R. Part 258.

(l) Locate appropriate sites on Snoqualmie Tribal lands where MSWLF units may be located in compliance with this Chapter and 40 C.F.R. Part 258.

(m) Prepare technical reports for the Committee or the Snoqualmie Tribal Council, as may be requested from time to time, including environmental assessments as may be necessary for projects involving the management or disposal of solid waste.

(n) Prepare the application to the EPA for approval of the Tribe's solid waste program under 40 C.F.R. Parts 239 and 258.

(o) Administer, supervise, monitor, investigate and enforce solid waste collection, transportation and disposal on or across Snoqualmie Tribal lands and at Snoqualmie Tribal Facilities in compliance with this Chapter and all laws, rules and regulations and guidance documents promulgated hereunder, as well as any non-Tribal laws, rules and regulations that may apply off of Snoqualmie Tribal lands.

(p) Provide any assistance to the Department, as requested from time to time, in matters involving this Chapter and the Tribe's solid waste program, including assisting in public education regarding solid waste collection, disposal and recycling on Snoqualmie Tribal lands and at Snoqualmie Tribal facilities, and

assisting in any public, judicial or administrative hearings, as provided for under this Chapter.

(q) Supervise the daily management of the Waste Management Division of the Department, and supervise and manage any employees of the Waste Management Division who are hired by the Tribe.

(r) Issue compliance, cease and desist and remedial action orders to any permit holder under this Chapter as provided herein and apply for injunctive relief to abate pollution and other unlawful activities under this Chapter, with the assistance of the Tribe's Legal Department.

(s) Upon the complaint by any person that establishes reasonable grounds, or upon his or her own motion, investigate the activities of any permit holder under this Chapter. In conducting an investigation, the Waste Management Director shall have the authority, without reasonable notice, if necessary, to enter into the permit holder's place of business, operation or facility, in order to inspect any books or records of the permit holder, to inspect any of the permit holder's property or sites of possible pollution and to take samples. In addition, the Department may require or monitor such tests as it deems necessary to ensure compliance with the provisions of this Chapter or any permit conditions by any owner/operator of an MSWLF unit or transporter of solid waste. The Waste Management Director shall have those powers and duties set forth herein regarding the compliance monitoring of permit holders. The Waste Management Director is authorized to investigate the activities of any person who is suspected of violating, or being in violation of, any provisions of this Chapter, any rules or regulations promulgated hereunder, or any permit conditions. All investigations authorized under this section shall be conducted in consultation with the Tribe's Legal and Police Departments.

(t) Coordinate with the staff and representatives of other jurisdictions and agencies for solid waste related matters, and participate in and represent the Tribe at meetings on matters pertaining to solid waste issues, including participation in the Tribal Solid Waste Advisory Network.

SECTION 7.0 - PROHIBITIONS OF HAZARDOUS WASTE

In order to protect the limited land, air and water resources of the Snoqualmie Indian Tribe from irreparable hazardous pollution and to protect the health, safety and welfare of all residents and visitors of Snoqualmie Tribal lands, facilities and the surrounding communities, the receiving, accepting, handling, transporting, treating, storing, composting, processing and disposing of hazardous waste is prohibited on Snoqualmie Tribal lands and facilities. However, the Department may permit the establishment of a program for the collection, storage, transfer, transportation and disposal of hazardous waste off Snoqualmie Tribal lands if that hazardous waste is generated or found on Snoqualmie Tribal lands. Any such regulation of hazardous waste shall be subject to any

and all conditions imposed by the Department.

SECTION 8.0 - PROHIBITED TYPES OF SOLID WASTE

The following types of solid waste shall not be accepted at any MSWLF unit on Snoqualmie Tribal lands under any conditions:

(a) radioactive wastes;

(b) all regulated hazardous waste as defined herein;

(c) unregulated, small quantity generator hazardous wastes;

(d) infectious biomedical wastes, including human tissue or human anatomical remains;

(e) animals or bedding exposed to infectious agents;

(f) sharps, needles and lancets that have not been contained for disposal in leak-proof, rigid, puncture-resistant containers, such as cartons or metal cans which are taped closed or tightly lidded to prevent loss of contents under severe compact conditions;

(g) bulk quantities of infectious-type waste including blood products and body fluids;

(h) any materials containing friable asbestos waste from building demolition or cleaning, and any friable asbestos materials;

(i) sewage or sewage sludge wastes;

(j) bulk liquids of any kind;

(k) polychlorinated biphenyls (PCBs);

(l) car batteries;

(m) used oil;

(n) 55 gallon drums;

(o) fireworks and explosives;

(p) tires;

(q) oil or gas exploration wastes; and

(r) computers, monitors, televisions or any component thereof.

If necessary, the Department has the discretion to issue rules and regulations governing the disposal, or prohibition of disposal, of other solid wastes not listed herein, including, but not limited to, ashes, powders, mineral wastes and soils. The Department has the discretion to develop rules and regulations for special wastes that require unique handling, treatment and disposal.

SECTION 9.0 - PROHIBITION OF DISPOSAL IN OPEN DUMPS

Disposal of solid waste in any open dump or unauthorized area is expressly prohibited on Snoqualmie Tribal lands. The Waste Management Director is authorized to coordinate with Indian Health Services and other governmental agencies, pursuant to acts such as the Indian Lands Open Dump Cleanup Act of 1994, 25 U.S.C. §§ 3901-3908, which authorizes Indian Health Services to identify and assess open dumps on Indian lands.

SECTION 10.0 - SOLID WASTE FACILITY SITES

10.1 SITE CONSIDERATIONS

The Waste Management Director is authorized to establish appropriate siting criteria for MSWLF units on Snoqualmie Tribal lands. Absent conditions specified to the contrary, the Waste Management Director will take into consideration those criteria set out in 40 C.F.R. Part 258.10-258.15. These criteria are incorporated by reference herein. In addition, the Waste Management Director shall also take into consideration:

(a) **Bodies of Water**. No solid waste disposal site or landfill shall be located within 1,000 feet of a lake, pond, slough, river, stream or other body of water. To the greatest extent possible, MSWLF units will be located at substantially greater distances from any significant surface water.

(b) **Adverse Impact**. No MSWLF unit shall be located in any place that will cause significant adverse impacts to recreational opportunities, wildlife habitat or populations, or to the aesthetics of Snoqualmie Tribal lands.

(c) **Domestic Water Well**. No MSWLF unit shall be located within 2,000 feet of a domestic water well, unless the Department determines, in writing, that the well will not be contaminated by the site and establishes a water monitoring program for the well, or the Department provides a substitute water source of equal or greater convenience and quality.

10.2 DETERMINATION PREREQUISITES FOR RESERVATION OF SITE

The following information shall be submitted by the entity proposing to create a MSWLF unit on Snoqualmie Tribal lands to the Director and Waste Management Director for

review and evaluation:

(a) A map or aerial photograph of the proposed site that shows all land within a one mile radius of the proposed MSWLF site. The map or aerial photograph shall be of sufficient scale to show: the entire property owned or leased for the disposal site; all homes, industrial buildings, wells, watercourses, rock outcroppings, roads and other applicable details; and the general topography.

(b) A summary of the geological formations and the groundwater table to a depth of at least ten feet below the proposed excavation and at the lowest elevation at the site. Such data will be obtained by soil borings or other appropriate means.

(c) An identification of the source and the characteristics of the cover material.

(d) An identification of the lakes and natural watercourses within or adjacent to the proposed disposal site and, if no watercourse is involved, the name of the watershed which will receive the drainage from the site.

(e) A review and analysis of potential impacts to culturally sensitive areas.

(f) Any other information pertinent to the proposed site, as determined by the Director.

SECTION 11.0 – STORAGE OF SOLID WASTE ON SNOQUALMIE TRIBAL LANDS AND FACILITIES

11.1 SANITARY SITE CONDITIONS

The owner, agent or occupant of any dwelling, residence, premises or business establishment on Snoqualmie Tribal lands shall be responsible for the sanitary conditions of said residence, premises or business establishment. The Tribal Administrator, or his or her designee, shall be responsible for the sanitary conditions of Snoqualmie Tribal Facilities. No person shall place or deposit refuse or allow refuse to be placed or deposited on any public street, road or alley within the exterior boundaries of Snoqualmie Tribal lands.

11.2 STORAGE OF SOLID WASTE FOR COLLECTION

The owner, agent or occupant of any dwelling, residence, premises or business establishment on Snoqualmie Tribal Lands shall be responsible for the storage and stockpiling of all solid waste it accumulates for collection and disposal. The Tribal Administrator, or his or her designee, shall be responsible for the storage and stockpiling of all solid waste accumulated at Snoqualmie Tribal Facilities.

11.3 CONTAINER SPECIFICATIONS

Commercial establishments on Snoqualmie Tribal lands shall be required to store garbage in durable, rust-resistant, non-absorbent and easily cleanable containers with close-fitting covers. Residents who transport solid waste to community transfer stations shall be required to haul their solid waste in such a way that it does not result in littering or wind-swept garbage on or around Snoqualmie Tribal lands.

11.4 ASHES

Ashes, warm or cold, shall not be placed in plastic containers for disposal as solid waste.

SECTION 12.0 - COLLECTION OF SOLID WASTE ON SNOQUALMIE TRIBAL LANDS AND FACILITIES

The Waste Management Director is authorized to establish collection procedures, fees and fines, subject to the approval of the Director, and is authorized to coordinate with, and recommend to the Tribal Administrator, contracts with Waste Management entities for solid waste collection on Snoqualmie Tribal lands and at Snoqualmie Tribal Facilities.

SECTION 13.0 - DISPOSAL OF SOLID WASTE AT MSWLF UNITS ON SNOQUALMIE TRIBAL LANDS

Reserved.

SECTION 14.0 - PROHIBITION OF BURNING OF SOLID AND HAZARDOUS WASTE

It is expressly prohibited, and shall be unlawful, for any person to burn any solid or hazardous waste at a MSWLF unit, or anywhere else on Snoqualmie Tribal lands or at Snoqualmie Tribal Facilities, except as the Department may specifically authorize or permit by rule or regulation. The Department may authorize, by rule or regulation, the infrequent open burning of agricultural wastes, silvicultural wastes, land cleaning debris, diseased trees, or debris from emergency cleanup operations at a MSWLF unit. The permitting of such activities shall be done in compliance with other provisions of Tribal law and shall take into account the effect on air quality. Burning activities associated with traditional cultural practices are considered exempt from the above prohibition with respect to solid, but not hazardous, waste.

SECTION 15.0 - HOUSEHOLD HAZARDOUS WASTES

The Waste Management Director is authorized to conduct a study regarding the disposal of household hazardous wastes on Snoqualmie Tribal lands and at Snoqualmie Tribal Facilities, as well as at the homes of Snoqualmie Tribal members, as part of the Tribe's Solid Waste Program. The study shall include an analysis of the existing methods used for disposal, the economic feasibility of the separate collection of household hazardous wastes, and the disposal of household hazardous wastes at duly authorized facilities other

than MSWLF units on Snoqualmie Tribal lands. If economically feasible, the Department may issue rules and regulations for the collection and lawful disposal of household hazardous wastes generated on Snoqualmie Tribal lands or at Snoqualmie Tribal Facilities.

SECTION 16.0 - RESOURCE RECOVERY POLICY AND PROGRAM

In line with the Snoqualmie Tribe's desire to encourage and incorporate environmentally protective solid waste practices, with a focus on potential solid waste reuse, the Snoqualmie Tribal Facilities shall adopt and implement the following practices:

(a) All Snoqualmie Tribal Facilities shall participate in a recycling program to be established and implemented by the Waste Management Director. All recyclable materials shall be disposed of in separate containers from those used for other solid wastes, with all glass items being separate from other recyclables, which are clearly labeled as designated solely for recycling purposes. All Snoqualmie Tribal Facilities shall have signs placed in visible and conspicuous locations that explain which items may and may not be recycled. The following items shall be placed in the recycling containers:

(1) Metals: aluminum beverage cans (emptied); steel or tin cans (rinsed with loose lids thrown away); metal hangers; ferrous metal (that sticks to a magnet, maximum size 16" x 16" x 12").

(2) Glass: all colors of glass jars and bottles (clean and empty with lids and caps removed).

(3) Plastic: bottles (such as for water or soda, lids removed); jugs (such as for milk, caps removed); round dairy tubs (lids removed); plastic shopping bags (clean with receipts removed, stuffed into one clear plastic bag and tied securely).

(4) Paper: butter boxes; cardboard (boxes flattened); coated cardboard (boxes emptied and cleaned); food-boxes (such as for cereal, liners removed); frozen food boxes; frozen juice containers (lids removed); hardback books (with hard covers removed); juice boxes; mail; milk cartons; newspaper; magazines; paperback books; phone books; strip-cut shredded paper (in clear plastic bag, tied securely); soy milk cartons.

(b) All Snoqualmie Tribal Facilities shall be required to compost their food-waste as part of their overall recycling program. The Department shall promulgate rules regarding the implementation of the composting program.

(c) In addition to the above listed minimum recycling requirements, the Snoqualmie Casino shall participate in a kitchen grease recycling program whereby the grease produced by the Casino will be provided to the Department for use as fuel or for

other beneficial purposes. The Department will oversee the creation and implementation of this program, which may include, but is not limited to, the establishment of a recycling/reuse fund generated from profits made from the sale of kitchen grease and also the use of biodiesel in Tribal fleet vehicles. The Department shall have the right to make all necessary modifications to this plan in the future as conditions may change.

SECTION 17.0 - SOLID WASTE FACILITY AND TRANSPORTATION; PERMIT REQUIRED

Tribally-chartered corporations or agencies, private enterprises, and any other persons or entities, are required to obtain a permit from the Department in order to collect and/or transport solid waste, or to construct and/or operate a MSWLF unit on Snoqualmie Tribal lands. Any permit holder shall be required to comply with this Chapter, any rules or regulations promulgated hereunder, all Tribal environmental standards, criteria and guidance documents, all permit conditions, all orders issued by the Department under authority of this Chapter, and all applicable federal or Tribal laws, environmental in nature or otherwise.

17.1 PERMIT APPLICATION

(a) An application for a permit to collect and/or transport solid waste, or to construct and/or operate a MSWLF unit on Snoqualmie Tribal lands must contain the tests and data necessary to demonstrate that the permit holder will comply with all of the provisions of (1) this Chapter; (2) the SWDA; (3) 40 C.F.R. Part 258; and (4) all other Tribal and Federal solid waste rules or regulations, technical standards, criteria or applicable guidance documents. In addition, the Department may require that a permit holder acquire or perform such additional information, tests or studies as deemed reasonably necessary to demonstrate compliance with this Chapter.

(b) The permit application to construct and/or operate a MSWLF unit on Snoqualmie Tribal lands must also contain, at a minimum, the following information:

(1) a legal description and area map of the proposed site for the MSWLF unit;

(2) a title report showing ownership of the proposed site for the MSWLF unit that lists all the property's encumbrances, covenants, conditions, restrictions, reservations to title, easements and rights of way;

(3) proof that the applicant is the owner of the proposed site or that he or she holds an interest in, or lease on, the land. Also, proof that all taxes, fees and lease payments are current, and if not, that the applicant has the notarized consent of the owner approving the use of the land for the purposes set forth in the application;

(4) proof of approval from the Snoqualmie Tribal Council and, if the land is

leased or permitted under Title 25 of the United States Code, approval of the Secretary of the Interior, or his or her authorized delegate, and a certified copy of the lease or permit, with all exhibits and attachments thereto;

(5) a general design plan for the facility, certified by a professional engineer, which identifies how the MSWLF unit will meet the standards and criteria of this Chapter and 40 C.F.R. Part 258 for the location, design, performance, operating standards, groundwater monitoring, closure, post-closure and financial assurance requirements. The design shall also include one or more topographic maps with contour intervals. The maps should show the proposed fill area, borrow areas, access roads, drainage areas, fencing, equipment, buildings and the groundwater monitoring systems. The plan shall include a statement or review of potential impacts to culturally sensitive areas;

(6) a map and aerial photograph of the area to be used for the MSWLF unit showing all land use and political jurisdiction within five miles of the site. The map and aerial photograph shall be of sufficient scale to show the general topography and all homes, airports, wells, lakes or natural watercourses, roads and other objects that may be affected by the disposal site;

(7) a report indicating the following:

(A) the population and area to be served by the proposed MSWLF unit and the life expectancy of the facility;

(B) the geological formations, aquifer characteristics and groundwater elevations below the lowest elevation of the site. Such data will be obtained by soil boring and other appropriate means;

(C) the source and characteristics of cover material to be used;

(D) reliable data on existing groundwater quality within 2,000 feet of the site;

(E) the topography of the site and drainage patterns; and

(F) the location of the 100 year flood plain, as approved by the Department, in relation to the site;

(8) a financial statement estimating the cost of construction, operation, closure and post-closure of the MSWLF unit, which explains the applicant's financial status and his or her ability to fund the operation, including closure and post-closure costs of the site, in compliance with this Chapter

and the financial assurance requirements of 40 C.F.R. Part 258;

(9) an identification statement certified as to the application's truth and accuracy, signed by the applicant and notarized, containing the following information:

(A) the names, addresses, social security and phone numbers of all persons owning or holding an interest of 5% or more in the MSWLF unit;

(B) the names, addresses, social security and phone numbers of all officers, directors or partners of the entity that owns and/or operates the MSWLF unit;

(C) a statement that no officer, director, partner or holder of an interest of 5% or more in the MSWLF unit has ever been convicted of a felony, and that no felony charges are currently pending; and

(D) a statement that discloses, in detail, any charge, complaint, fine, order, decree, statement or finding of "no contest" for violation of any Tribal, federal, state, county or municipal environmental or health law, regulation, permit or condition against any officer, director, partner or holder of an interest of 5% or more in the MSWLF unit within the past five (5) years. This shall also include the jurisdiction, disposition, name, address and phone number of the person who filed the original charge or complaint, and the name of the director, board, administrative body, judge, justice of the peace, magistrate or arbitrator who levied or entered any fine, order, penalty, decree, statement or finding;

(10) a current financial statement of the applicant's net worth, including a description of his or her major assets and liabilities, and any other financial information requested by the Department;

(11) description of any judgments, other than those described in (9)(d) of this Section, rendered against any officer, director, partner or holder of an interest of 5% or more in the MSWLF unit for five (5) years preceding the date of the application; and

(12) a description of any bankruptcy or insolvency proceedings instituted by any officer, director, partner or holder of an interest of 5% or more in the MSWLF unit for five (5) years preceding the date of application.

(c) Upon receipt of an application for a permit pursuant to this Section, the Department shall open an operating record for the proposed activity.

17.2 PERMIT ISSUANCE OR DENIAL

(a) The Department may issue a solid waste collection, transportation, construction and/or operation permit only if it finds, on the basis of the information contained in the application and otherwise available to it, and after conducting a public hearing as specified herein, that the applicant will comply with this Chapter, 40 C.F.R. Part 258 Criteria, and all rules, regulations, technical standards, criteria, guidance documents and permit conditions issued pursuant to this Chapter.

(b) The burden of proof shall rest on the applicant to demonstrate compliance with all Tribal solid waste criteria and requirements. The issuance or denial of any permit is within the discretion of the Department. The Department may impose permit conditions that are more stringent than provided for under this Chapter if such conditions are deemed reasonably necessary given the circumstances.

(c) The Department shall not issue a solid waste collection, transportation, construction and/or operation permit unless it is convinced that the primary concern of the permit holder is to prevent environmental damage and to protect public health. The long-term protection of the Tribe's public health, environment and natural resources shall be a critical factor in the Department's decision to issue or deny a permit. The Department's decision to issue or deny a solid waste permit constitutes a final decision that is appealable to the Snoqualmie Tribal Court.

17.3 LENGTH OF PERMIT; REVOCATION; SUSPENSION; MODIFICATION

A solid waste collection, transportation, construction and/or operation permit shall be valid for the existence of the operation, and closure and post-closure period designated and required for a MSWLF unit, but the permit is subject to revocation, suspension or modification when deemed necessary by the Department. Any condition imposed on any solid waste collection, transportation, construction and/or operation permit issued by the Department may only be modified after a public hearing for which due notice is given regarding the need to modify such permit.

The decision whether to revoke, suspend, or modify a solid waste collection, transportation, construction and/or operation permit shall be subject to the discretion of the Waste Management Director, with input from the Department, and will take into consideration the following activities of the permit holder: failure to timely file his or her annual report as required in sub-section 17.4(b); failure to pay his or her mandatory fees and taxes as required in Section 18.0; failure to comply with an Enforcement Order issued pursuant to sub-section 22.8; failure to properly identify the solid waste being transported in his or her transport vehicle as required in sub-section 17.4(a); and failure of the permit holder to comply with any other rule or regulation established by this Chapter. The Department will also take into consideration whether suspension, modification or revocation is necessary to protect the health, welfare and environment of the Snoqualmie Tribe and its members.

17.4 PERMITS FOR THE COLLECTION AND TRANSPORTATION OF SOLID WASTE; SPECIAL CONDITIONS

(a) As a condition for the issuance of a solid waste collection and transportation permit, the Department shall require every vehicle operated by the transporter or collector to be conspicuously marked to identify the solid waste being transported. The Department shall create a regulation classifying the types of solid waste and designating how the different types are to be identified on the vehicles used for collection and/or transportation. Every vehicle shall be marked with the trade name of the transporter and/or collector and the number of the solid waste collection and/or transportation permit issued pursuant to this Chapter. Every vehicle and driver must be licensed by the State of Washington and/or the Tribe (if necessary under Tribal law) and must comply with all safety and insurance requirements of the State and the Tribe.

(b) As a condition for the issuance of a solid waste collection and/or transportation permit, a transporter or collector agrees to make an annual report by October 1 of each year to the Department indicating the number and type of solid waste containers emptied or cleaned, the volume and nature of solid waste transported, the place and manner in which such solid waste was finally disposed of and such other information as the Department may require. A renewal of the solid waste collection and transportation permit may be revoked by the Department if the permit holder fails to properly and timely file the annual report as required in this Section.

(c) Permits for the collection and/or transportation of solid waste must be renewed annually by the Department on a calendar year basis. The Department shall adopt rules and regulations for solid waste collection and transportation on Snoqualmie Tribal lands, including the operation of transfer stations, if necessary and appropriate under the circumstances. The Department may impose whatever conditions it deems reasonably necessary to protect the environment, health, safety and welfare of the Tribe and its members when issuing any permit under this Chapter.

17.5 COMMITTEE HEARING ON CONSTRUCTION AND/OR OPERATION PERMIT APPLICATION

The ENR Committee shall conduct a public hearing prior to the issuance of a solid waste facility construction and/or operation permit. At the hearing, the applicant and all interested persons shall have an opportunity to present relevant evidence and be heard on whether the permit should be granted or whether there are any special conditions that should be included in the permit. All applications for a solid waste facility construction and/or operation permit, including all documentation required for such permit, shall be available for public review and inspection at least sixty (60) days in advance of the hearing. The Committee shall publish weekly notices of a public hearing on each

application beginning at least sixty (60) days in advance of the hearing in the most widely circulated newspaper or newsletter on Snoqualmie Tribal lands for a period of three consecutive weeks. The Committee shall post notice of the public hearing near the proposed permanent site for a solid waste facility, in a location that is viewable to the public, at least sixty (60) days in advance of the hearing. The Committee may identify issues it deems relevant for the public hearing in the public notice, but the Committee shall consider all issues raised at the hearing. All persons shall have an opportunity to present their views at the public hearing.

17.6 OATH; APPLICATION FILING FEES

Each report and application filed with the Department pursuant to this section shall be signed or notarized under oath in a form approved by the Department. Each application shall be accompanied by a reasonable filing fee established by the Committee to reflect the Tribe's costs of processing the application, including but not limited to, preparing an environmental assessment, issuing the public notice, holding the public hearing, and any costs associated with technical and legal review of the application, preparation of the permit, exhibits and guidance documents.

17.7 OTHER FEES AND TAXES

The Department may impose reasonable fees on each permit holder who constructs and/or operates a MSWLF unit on Snoqualmie Tribal lands, or who collects and/or transports solid waste on or across Snoqualmie Tribal lands. Any fees imposed by the Department shall be specifically identified in each permit. The payment of mandatory fees or taxes shall be a condition of maintaining any permit and shall be assessed in accordance with the Snoqualmie Tribal Tax Code.

SECTION 18.0 - CLOSURE CARE REQUIREMENTS FOR MSWLF UNITS

(a) The owner or operator of a MSWLF unit on Snoqualmie Tribal lands that has received solid waste after October 9, 1991, must install a final cover system that is designed to minimize infiltration and erosion in compliance with 40 C.F.R. § 258.60. The final cover system, as mandated herein and in accordance with 40 C.F.R. § 258.60(a), must be comprised of an erosion layer underlain by an infiltration layer as follows:

(1) the infiltration layer must be comprised of a minimum of eighteen (18) inches of earthen material that has a permeability of less than or equal to the permeability of any bottom liner system or natural sub-soils present at the MSWLF site, or a permeability no greater than 1×10^{-5} cm/sec, whichever is less; and

(2) the erosion layer must consist of a minimum of six (6) inches of earthen material that is capable of sustaining native plant growth.

(b) If the EPA approves the Tribe's solid waste program, then the Department may approve an alternative final cover design under 40 C.F.R. § 258.60(b) that includes:

(1) an infiltration layer that achieves an equivalent reduction in infiltration as the infiltration layer specified in 40 C.F.R. § 258.60(a)(1); and

(2) an erosion layer that provides equivalent protection from wind and water erosion as the erosion layer specified in 40 C.F.R. § 258.60(a)(2).

(c) The owner or operator of a MSWLF unit must prepare a written closure plan that describes the steps necessary to close the MSWLF unit at any point during its active life in accordance with the cover design requirements. The closure plan must be approved by the Director and must include, at a minimum, the following information:

(1) a description of the final cover and the methods and procedures to be used to install the cover;

(2) an estimate of the largest area of the MSWLF unit ever requiring a final cover at any time during the active life;

(3) an estimate of the maximum inventory of wastes present on-site over the active life of the landfill facility; and

(4) a schedule for completing all activities necessary to satisfy the closure criteria in 40 C.F.R. § 258.60.

(d) The owner or operator of the MSWLF unit must notify the Department that a closure plan has been prepared and placed in the operating record by the date of the first receipt of solid waste.

(e) Prior to beginning closure of each MSWLF unit, the owner or operator must notify the Department that a notice of intent to close the unit has been submitted to the Department and placed in the operating record.

(f) The owner or operator must begin closure activities of each MSWLF unit no later than thirty (30) days after the date on which the MSWLF unit receives the known final receipt of wastes or, if the MSWLF unit has remaining capacity and there is a reasonable likelihood that the MSWLF unit will receive additional wastes, no later than one (1) year after the most recent receipt of waste. Extensions beyond the one-year deadline for beginning closure may be granted by the Department if: (1) the Tribe has an EPA-approved solid waste program; (2) the owner or operator demonstrates that the MSWLF unit has the capacity to receive additional wastes; and (3) the owner or operator has taken and will continue to take all steps necessary to prevent threats to human health and the environment from the

unclosed MSWLF unit.

(g) The owner or operator of any MSWLF unit must complete closure activities of each MSWLF unit, in accordance with the closure plan, within 180 days following the beginning of closure as specified in 40 C.F.R. § 258.60(f). Extensions of the closure period may be granted by the Department if: (1) the Tribe has an EPA-approved solid waste program; (2) the owner or operator demonstrates that closure will, of necessity, take longer than 180 days; and (3) the owner or operator has taken and will continue to take all steps necessary to prevent threats to human health and the environment posed by the unclosed MSWLF unit.

(h) Following closure of each MSWLF unit, the owner or operator must supply the Department with a certification, signed by an independent registered professional engineer, which verifies that the closure has been completed in accordance with the closure plan. The owner or operator shall place this certification in the operating record.

(i) The Department shall take whatever action is reasonably necessary in perpetuity to notify any potential users or purchasers of former MSWLF unit property on Snoqualmie Tribal lands that the land has been used as a landfill facility and that its use is restricted under 40 C.F.R. § 258.61(c)(3). Post-closure use of the property shall not disturb the integrity of the site, the final cover, the liner(s) or the monitoring systems, unless such disturbance is necessary to comply with the requirements of 40 C.F.R. Part 258.

SECTION 19.0 - POST-CLOSURE CARE REQUIREMENTS FOR MSWLF UNITS

(a) Following closure of each MSWLF unit, the owner or operator must conduct post-closure care. Post-closure care must be conducted for thirty (30) years, except as provided under Paragraph (b) of this section, and must include the following:

(1) maintenance of the integrity and effectiveness of any final cover, including making repairs to the cover as necessary to correct the effects of settlement, subsidence, erosion, or other events, and preventing run-on and run-off from erosion or other damage to the final cover;

(2) maintenance and operation of the leachate collection system in accordance with the requirements in 40 C.F.R. § 258.40. The Department may allow the owner or operator to stop managing leachate if the owner or operator demonstrates that leachate no longer poses a threat to human health or the environment;

(3) monitoring of the groundwater in accordance with the requirements of Subpart E of 40 C.F.R. Part 258 and maintenance of the groundwater

monitoring system; and

(4) maintenance and operation of the gas monitoring system in accordance with the requirements of 40 C.F.R. § 258.23.

(b) The length of the post-closure care period may be:

(1) decreased by the Department if the Tribe has an EPA-approved solid waste program and if the owner or operator of the MSWLF unit demonstrates, to the satisfaction of the Department, that the reduced period is sufficient to protect human health and the environment; or

(2) increased by the Department if the Department determines that the lengthened period is necessary to protect human health and the environment.

(c) The owner or operator of a MSWLF unit on Snoqualmie Tribal lands must prepare a written post-closure plan that includes, at a minimum, the following information:

(1) a description of the monitoring and maintenance activities, as required in 40 C.F.R. § 258.61(a), for each MSWLF unit and the frequency at which these activities will be performed;

(2) the name, address and telephone number of the person or office to contact about the facility during the post-closure period; and

(3) a description of the planned uses of the property during the post-closure period. Post-closure use of the property shall not disturb the integrity of the final cover, liner(s), or any other component of the containment system, or the function of the monitoring systems, unless necessary to comply with the requirements in 40 C.F.R. Part 258. The Department may, if the Tribe has an EPA-approved solid waste plan, approve other disturbances if the owner or operator demonstrates that disturbance of the final cover, liner or other component of the containment system, including any removal of waste, will not increase the potential threat to human health or the environment.

(d) The owner or operator must notify the Department when a post-closure plan has been prepared and submitted for placement in the operating record before the initial receipt of waste by the facility.

(e) Following completion of the post-closure care period for each MSWLF unit, the owner or operator must supply the Department with a certification, signed by an independent registered professional engineer, verifying that all post-closure care has been completed in accordance with the post-closure plan, and he or she shall

place such certification in the operating record.

SECTION 20.0 - FINANCIAL ASSURANCE REQUIREMENTS FOR CLOSURE, POST-CLOSURE AND CORRECTIVE ACTION

Owners or operators of MSWLF units on Snoqualmie Tribal lands are required to comply with the financial assurance criteria under Subpart G of 40 C.F.R. Part 258, which is incorporated herein by reference and contained in 40 C.F.R. § 258.71 (Financial Assurance for Closure); 40 C.F.R. § 258.72 (Financial Assurance for Post-Closure Care); 40 C.F.R. § 258.73 (Financial Assurance for Corrective Action); and 40 C.F.R. § 258.74 (Allowable Mechanisms to Demonstrate Financial Assurance).

20.1 FINANCIAL ASSURANCE FOR CLOSURE

(a) The owner or operator of a MSWLF unit on Snoqualmie Tribal lands must have a detailed written estimate, in current U.S. dollars, of the cost of hiring a third party to close the largest area of each MSWLF unit that will require a final cover, as required under 40 C.F.R. § 258.60, at any time during the active life of the MSWLF unit, in accordance with the closure plan. The owner or operator must notify the Department that the estimate has been submitted for placement in the operating record.

(b) The cost estimate must equal the cost of closing the largest area of a MSWLF unit, an area that requires a final cover, at any time during the active life of the MSWLF unit, at a time when the extent and manner of the MSWLF unit's operation would make closure the most expensive, as indicated by its closure plan.

(c) During the active life of the MSWLF unit, the owner or operator must annually adjust the closure estimate for inflation and provide notification to the Department of this updated information.

(d) The owner or operator must increase the closure cost estimate and the amount of financial assurance provided if changes occur in the closure plan or the MSWLF unit conditions increase the maximum cost of closure at any time during the remaining active life. The owner or operator may reduce the closure cost estimate and the amount of financial assurance provided under sub-section (b) herein if the cost estimate exceeds the maximum cost of closure at any time during the remaining life of the MSWLF unit. The owner or operator must notify the Department that the justification for the reduction of the closure cost estimate and the amount of financial assurance has been placed in the operating record.

(e) The owner or operator of each MSWLF unit on Snoqualmie Tribal lands must demonstrate financial assurance for closure of the MSWLF unit in compliance with 40 C.F.R. § 258.74. The owner or operator must provide continuous coverage for closure until released from financial assurance requirements by

demonstrating compliance with 40 C.F.R. § 258.60(h) and (i) to the satisfaction of the Department.

20.2 Financial Assurance For Post-Closure Care

(a) The owner or operator must have a detailed estimate, in current U.S. dollars, of the cost of hiring a third party to conduct post-closure care for the MSWLF unit in compliance with the post-closure plan developed under 40 C.F.R. § 258.61. The post-closure cost estimate used to demonstrate financial assurance must account for the total costs of conducting post-closure care, including annual and periodic costs as described in the post-closure plan over the entire post-closure care period. The owner or operator must notify the Department that the estimate has been submitted for placement in the operating record.

(b) The cost estimate for post-closure care must be based on the most expensive cost of post-closure care possible during the post-closure care period.

(c) During the active life of the MSWLF unit on Snoqualmie Tribal lands and during the post-closure care period, the owner or operator must annually adjust the post-closure cost estimate for inflation.

(d) The owner or operator of the MSWLF unit must increase or decrease the post-closure care cost estimate and the amount of financial assurance in accordance with the rules laid out in sub-section 20.1(d) of this Chapter.

(e) The owner or operator of each MSWLF unit on Snoqualmie Tribal lands must establish financial assurance for the costs of post-closure care of the MSWLF unit in compliance with 40 C.F.R. § 258.74. The owner or operator must provide continuous coverage and financial assurance for post-closure care until released from financial assurance requirements for post-closure care by demonstrating compliance with 40 C.F.R. § 258.61(e).

20.3 Financial Assurance For Corrective Action

(a) An owner or operator of an MSWLF unit on Snoqualmie Tribal lands required to undertake a corrective action program under 40 C.F.R. § 258.58 must have a detailed written estimate, in current U.S. dollars, of the cost of hiring a third party to perform the corrective action in accordance with the program required under 40 C.F.R. § 258.58. The corrective action cost estimate must account for the total cost of corrective action activities as described in the corrective action plan for the entire corrective action period. The owner or operator must notify the Department that the estimate has been submitted for placement in the operating record.

(b) The owner or operator must annually adjust the estimate for inflation until the corrective action program is completed in accordance with 40 C.F.R. § 258.58(f).

(c) The owner or operator must increase the corrective action cost estimate and the amount of financial assurance provided if changes occur in the corrective action program or the MSWLF unit conditions increase the maximum cost of corrective action.

(d) The owner or operator of a MSWLF unit on Snoqualmie Tribal lands may reduce the amount of the corrective action cost estimate and the amount of financial assurance provided in accordance with the rules laid out in sub-section 20.1(d) of this Chapter.

(e) The owner or operator of each MSWLF unit on Snoqualmie Tribal lands required to undertake a corrective action program under 40 C.F.R. § 258.58 must establish, in accordance with 40 C.F.R. § 258.74, financial assurance for the most recent corrective action program. The owner or operator must provide continuous coverage and financial assurance for corrective action until released from financial assurance requirements for corrective action by demonstrating compliance with 40 C.F.R. § 258.58(f) and (g).

20.4 ALLOWABLE FINANCIAL MECHANISMS

(a) To ensure that the funds necessary to cover the costs of closure, post-closure care and corrective action for releases of solid waste or other pollution that occurs as a result of solid waste storage or handling are available, an owner or operator of a MSWLF unit must provide financial assurance when needed and in a timely fashion in accordance with 40 C.F.R. § 258.74. There are four mechanisms available to provide financial assurance, including a trust fund, a surety bond, a letter of credit, an insurance policy, or any combination of the four. Any mechanism(s) that is/are used by an owner or operator must comply with all of the criteria in 40 C.F.R. § 258.74, which is incorporated herein by reference, and must be legally valid, binding and enforceable under state, federal and Tribal law.

(b) The financial assurance mechanism(s) must be obtained by the owner or operator of the MSWLF unit before the initial receipt of waste in the case of closure and post-closure care cost estimates, and no later than 120 days after the corrective action remedy has been selected in accordance with the requirements of 40 C.F.R. § 258.58, and maintained as required by 40 C.F.R. §§ 258.71-74.

(c) The Department must approve the actual financial assurance mechanism(s) and financial assurance agreements that is/are provided by the owner or operator. The Department may also require, at its discretion, in addition to the criteria for financial assurance under 40 C.F.R. Part 258, that an owner or operator provide financial assurance for corrective action for incidents, other than releases of solid waste or other pollution that occurs as a result of solid waste storage or handling,

as a condition for issuing a permit for a MSWLF unit.

(d) The Department shall require that an owner or operator of a MSWLF unit provide liability and property damage insurance coverage for claims arising from personal injury or property damage, including but not limited to, any claims arising from releases from an MSWLF unit.

(e) If the owner or operator of a MSWLF unit uses a trust fund mechanism, the trustee must be an entity who has the authority to act as a trustee (as determined by the Department in accordance with all relevant laws), whose trust operations are regulated and examined by a federal agency. Trust fund payments must be made as specified in 40 C.F.R. § 258.74 criteria. The Department must approve the terms of any trust agreement which is to be used as a financial assurance mechanism. The trust agreement shall be irrevocable. Trust funds shall only be released to reimburse the owner or operator for closure, post-closure and corrective action costs actually incurred, but only if sufficient funds remain in the trust to cover the remaining costs.

(f) If the owner or operator of a MSWLF unit uses a surety bond, the surety company issuing the bond must, at a minimum, be among those listed as acceptable sureties in federal bonds in Circular 570 of the U.S. Department of the Treasury.

(g) If the owner or operator of a MSWLF unit uses a letter of credit, the issuing institution must be an entity which has the authority to issue letters of credit and whose letter of credit operations are regulated and examined by a federal agency.

SECTION 21.0 - ENFORCEMENT; ADMINISTRATIVE PROCEDURES

21.1 ENFORCEMENT POLICY

It is the policy of the Department to encourage informal, practical, result-oriented resolution of alleged violations of this Chapter. The Department will take those actions as are necessary to prevent damage to the Tribe's natural resources, health, safety and welfare. It is also the policy of the Department, consistent with the principles of due process, to provide effective procedures for the enforcement of this Chapter.

21.2 ENFORCEMENT AGENCY

The Department shall be responsible for enforcing the provisions of this Chapter.

21.3 ENFORCEMENT ACTIVITIES

The Department and the Solid Waste Director are authorized to conduct a prompt investigation upon receipt of a written and verified complaint alleging that any person is in violation of any solid waste regulation or permit condition issued pursuant to this Chapter. The Department also has the authority to conduct an investigation if it has

reason to believe that a violation has occurred.

21.4 NOTICE OF VIOLATION; CEASE AND DESIST ORDER

(a) If the Department finds that, after an investigation pursuant to Section 21.3 of this Chapter, a violation of any provision of this Chapter, including regulations and permits issued hereunder, has occurred or is occurring, the Department shall promptly notify, in writing, both the alleged violator and the Tribal Administrator.

(b) In the case of an apparent violation described in paragraph (a) of this Section, the Department is authorized to issue a Notice of Violation to the person(s) apparently responsible for the violation and, if the apparent violation occurred on property owned by a person other than the alleged violator, a Notice of Violation shall also be issued to the landowner. If the violation occurs on Snoqualmie Tribal lands that are held in trust, a notice of violation should also be sent, for informational purposes only, to the EPA, the BIA and the Snoqualmie Tribal Council.

(c) In the case of a continuing violation or a threatened violation, the Director or the Waste Management Director is authorized to issue a Cease and Desist Order to prevent the violation from continuing or occurring.

(d) Failure to comply with a Cease and Desist Order shall constitute a violation of this Chapter and may constitute a crime under Snoqualmie Tribal law. Both a Notice of Violation and a Cease and Desist Order may be issued for a single incident. A Notice of Violation will include a Summons to appear before the Committee for an enforcement hearing at a specified time and date, and shall advise the alleged violator that failure to appear may result in the imposition of civil penalties.

(e) If a Cease and Desist Order is issued without an accompanying Notice of Violation, the Order will inform the recipient that failure to comply with the Order will constitute a violation of this Chapter, may constitute a crime under Snoqualmie Tribal law, will result in the issuance of a Notice of Violation and may result in the imposition of civil penalties.

21.5 INFORMAL CONFERENCES

The Department shall afford the person apparently responsible for the violation, the landowner, or his or her representative, reasonable opportunities to discuss proposed enforcement actions at an informal conference prior to undertaking further enforcement action, unless the Department determines that there is a risk of imminent environmental damage to a Snoqualmie Tribal resource or adverse impact upon the health, safety and welfare of Snoqualmie Tribal members and others in neighboring communities. Informal conferences may be used at any stage in the enforcement proceedings, except that the Department may refuse to conduct informal conferences with respect to any matter

already pending before the Department or Snoqualmie Tribal Court.

21.6 REPORTS REQUIRED

The Department shall keep written records of the date and place of the informal conference, the persons in attendance, the subject matter discussed and any decisions reached with respect to further enforcement action. All written records shall be maintained in accordance with Tribal records and document retention laws and policies.

21.7 ENFORCEMENT HEARINGS

(a) If the alleged violator and the Department are unable to resolve the matter via an informal conference, the Department is authorized to initiate a hearing before the ENR Committee to determine if a violation of this Chapter has occurred. In such a hearing, the Waste Management Director shall present the case to the Committee establishing that the person(s) charged has (have) committed a violation of this Chapter. Any person so charged shall be entitled, at his or her own expense, to be represented by an attorney or other representative before the Committee.

(b) The Waste Management Director shall have the burden of proving that a violation of this Chapter has occurred and that the person charged is responsible this violation.

(c) The Committee shall find that a violation of this Chapter has occurred if it finds that the charges are supported by substantial evidence.

(d) Within thirty (30) days after a hearing before the Committee has concluded, the Committee shall issue a written decision setting forth its findings of fact and conclusions of law. If the Committee determines that a violation has occurred and that the person(s) charged is (are) responsible for the violation, the Committee's decision shall include an Enforcement Order in accordance with section 21.8 of this Chapter.

21.8 ENFORCEMENT ORDER; CIVIL PENALTIES; CORRECTIVE ACTION

(a) An Enforcement Order shall direct any person(s) found to have committed a violation of this Chapter to take corrective action that the Department deems appropriate under the circumstances. An Enforcement Order may impose civil penalties in accordance with a schedule of civil penalties prescribed by the Committee. Costs of remediation may be recovered by the Department and shall be deposited into a trust fund established for remediation activities. Alternatively, an Enforcement Order may impose civil penalties in the event that a person found to have committed a violation of this Chapter does not take corrective action in accordance with the Order within a prescribed period of time. If such a failure to act occurs, an appropriate department or agency of the Tribal government may

take the necessary corrective action, in which case the amount of any civil penalty, and related costs, shall be increased by twice the amount of the cost incurred by the Tribal department or agency in taking the corrective action. An Enforcement Order shall constitute a final decision subject to appeal to the Snoqualmie Tribal Court.

(b) Notwithstanding any other provision of this Chapter, if the Department determines that a person's noncompliance with this Chapter presents an imminent and substantial threat to the Tribe's public health, welfare or environment, and the Department determines, in consultation with the Tribe's In-House Legal Counsel, that it is not practicable to assure prompt protection of the Tribe's public health, welfare or environment through an administrative enforcement action under this Chapter, the Department may issue an emergency order as necessary to protect the Tribe's public health, welfare or environment. Any emergency order shall be effective immediately upon issuance and shall remain in effect for a period not to exceed sixty (60) days. An emergency order issued under this sub-section shall constitute a final decision subject to appeal to the Snoqualmie Tribal Court.

(c) Failure of any person to comply with an Enforcement Order will result in an immediate revocation of his or her permit. In order to obtain a reinstatement of such permit, the person(s) against whom the Enforcement Order was issued must first demonstrate compliance with the Order and pay all outstanding penalties, and then petition for reinstatement of the permit with the Department

21.9 JUDICIAL ENFORCEMENT

The Snoqualmie Tribal Court shall have jurisdiction over all final decisions issued by the Department and Committee under this Chapter.

(a) The Department, subject to the approval of the ENR Committee, may file an action in Snoqualmie Tribal Court pursuant to this Chapter for:

(1) a temporary restraining order;

(2) a preliminary injunction;

(3) a permanent injunction;

(4) any other relief provided by law, including the assessment and recovery of civil penalties and clean up and administrative costs associated with the enforcement of this Chapter.

(b) The Department may seek the above-named relief in any of the following instances:

(1) when a person or entity has violated, or is in violation of, any provision of

this Chapter, including but not limited to a regulation, permit or order issued pursuant to this Chapter;

(2) when a person submits false information under this Chapter or regulations promulgated under this Chapter; or

(3) when a person is creating an imminent and substantial endangerment to the public health, welfare, environment or cultural resources of the Tribe, in which case the Department shall pursue injunctive relief but not the assessment of penalties, unless the endangerment is caused by a violation, as specified in paragraphs (1) and (2) above.

SECTION 22.0 - MODIFICATIONS; APPLICABILITY OF PART 258 CRITERIA

As stated throughout, this Chapter hereby incorporates by reference all of the criteria contained in 40 C.F.R. Part 258. If any part of 40 C.F.R. Part 258 is modified, amended or superseded, any modifications or amendments are automatically incorporated by reference and become part of this Chapter and supersede any of the provisions that were modified, amended or superseded. If any of the 40 C.F.R. Part 258 Criteria are not expressly restated in this Chapter, they are nevertheless incorporated by reference and are applicable. If the EPA approves the Tribe's solid waste program, then the Tribe has all of the flexibility granted to it under the 40 C.F.R. Part 258 Criteria, whether or not such flexibility is specifically restated in this Chapter. Any specific provisions of this Chapter that are more stringent than the 40 C.F.R. Part 258 Criteria are applicable and controlling.

SECTION 23.0 - MEDICAL WASTE

The handling, treatment, storage and disposal of medical waste at Snoqualmie Tribal Health Facilities requires compliance with numerous state and Federal laws. Therefore, to ensure compliance with all applicable laws, the Snoqualmie Tribal Health Administrator is directed to develop, in consultation with the Waste Management Director and the Snoqualmie Health Board, policies and procedures governing the handling, treatment, storage and disposal of medical waste at Snoqualmie Tribal Health Facilities. All medical waste at Snoqualmie Tribal Facilities shall be handled, treated, stored and disposed of in accordance with the policies and procedures developed by the Health Administrator.

ENACTED BY THE SNOQUALMIE TRIBAL COUNCIL ON THE 21ST DAY OF AUGUST, 2008 IN SESSION DULY MET, WITH 7 FOR, 0 AGAINST, AND 0 ABSTAINING. RESOLUTION NO. 100-2008.

CODIFIED BY THE SNOQUALMIE TRIBAL SECRETARY ON THE 21 DAY OF October **2008.**

Arlene Henderson
TRIBAL SECRETARY 10-21-08