



December 12, 2022

Randy Caton
Caton Limited Purpose Landfill
1251 Humphrey Road
Tieton, WA 98947

NOTICE OF PERMIT SUSPENSION

RE: Repeated fire events at the Caton Limited Purpose Landfill (permit number HSW2018-00006) located at 1500 Naches-Wenas Rd, Selah, WA 98942.

Mr. Caton,

Chapter 70.95 RCW, promulgated through WAC 173-350, charges the local health jurisdiction with the responsibility of reviewing, permitting and regulating solid waste facilities.

It is **the responsibility of the facility to be compliant** with WAC 173-350 and permit conditions. Under RCW 70A.205.140, the rule gives authority to YHD by stating:

Any permit for a solid waste disposal site issued as provided herein shall be subject to suspension at any time the jurisdictional health department determines that the site or the solid waste disposal facilities located on the site are being operated in violation of this chapter, the regulations of the department, the rules of the department of agriculture, or local laws and regulations.

Since the Yakima Health District (YHD) and Washington State Department of Ecology (DOE) was notified on November 2nd, 2022 of a fire at the Caton Limited Purpose Landfill (Caton LPL) we have been working in close partnership with you and DOE to remedy a series of fire events at the Caton LPL to this date. We recognize your efforts in

reacting and trying to remedy the series of fires at this facility. Nonetheless, there has been no clear indication of the source or a remedy that has proven to be effective at this time as the fire events continue at the Caton LPL.

As stated in the letter you received from YHD, dated November 18th, 2022, under the paragraph titled LANDFILL FIRE: “YHD reserves the right to take potential enforcement action if necessary.” It has been deemed necessary by YHD, with awareness and agreement from the DOE, that the permit (permit number HSW2018-00006) be suspended indefinitely, effective immediately, until such time the YHD determines it is safe to resume operations.

Below are the conditions and requirements for the permit suspension of the Caton LPL:

1. The suspension of the permit requires the cease in operations of accepting any and all new waste into the landfill.
2. The newly hired Landfill Fire Consultant is to come on-site to perform an assessment of the ongoing fire situation at the Caton LPL.
3. The Landfill Fire Consultant is to submit a written work plan to YHD and DOE for review and approval. The work plan is to demonstrate the source and/or cause of the fires, the remedy as to how the fires will not continue to happen in the short and long-term future, and a written response plan if a fire does happen at the facility in the future.
4. Evidence and assurance that the work plan has been executed and the ongoing fire issues will not continue at the Caton LPL.
5. At that time, the Caton LPL will be under consideration for resuming operations. The notification of permit reinstatement and the allowed resuming of operations will be delivered to the Caton LPL in writing from YHD. Operations at the Caton LPL are not to continue before that time.

The series of fires at the Caton LPL are of serious concern to the health of landfill staff, the general public, and the environment. It is imperative that the issue of ongoing fires is resolved as soon as possible. Therefore, efforts to cover the affected area, including finishing the cover on the eastern side of the affected area, and other fire suppression efforts should continue.

If you have any questions, please contact shawn.magee@co.yakima.wa.us or (509) 249-6533.

Sincerely,



Shawn Magee, R.S.
Environmental Health Director

cc: Washington State Department of Ecology
Yakima County Planning Division
Yakima Regional Clean Air Authority
Yakima County Commissioners