

Memorandum of Agreement  
Lewis County Public Health & Social Services  
Washington Department of Ecology

LEWIS COUNTY PUBLIC HEALTH & SOCIAL SERVICES

AND

STATE OF WASHINGTON DEPARTMENT OF ECOLOGY

This is a binding agreement entered into by and between Lewis County Public Health & Social Services (LCPHSS) and the State of Washington Department of Ecology (Ecology) and to carry out the activities described herein.

|                        |                                                                                                          |
|------------------------|----------------------------------------------------------------------------------------------------------|
| LCPHSS ADDRESS         | Lewis County Public Health & Social Services<br>360 NW North Street<br>Chehalis, WA 98532                |
| LCPHSS REPRESENTATIVE  | Meja Handlen, Director                                                                                   |
| TELEPHONE              | 360-740-2766                                                                                             |
| FAX                    | 360-740-1472                                                                                             |
| ECOLOGY ADDRESS        | Department of Ecology – SWRO<br>Solid Waste Management Program<br>PO Box 47775<br>Olympia, WA 98504-7775 |
| ECOLOGY REPRESENTATIVE | Peter Lyon, Section Manager                                                                              |
| TELEPHONE              | 360-515-8348                                                                                             |
| FAX                    | 360-407-6305                                                                                             |

Memorandum of Agreement  
Lewis County Public Health & Social Services  
Washington Department of Ecology

Agreement Providing for the Exercise by the Department of  
Ecology of Specific Powers Granted to Lewis County Public  
Health & Social Services Chapter 70A.205 RCW

PURPOSE AND SCOPE

Lewis County Public Health & Social Services (LCPHSS) is responsible for the permitting and regulation of solid-waste handling facilities in Lewis County through authorities granted it by Chapter 70A.205 RCW and Chapter 173-350 WAC. As prescribed in Chapters 70A.205 RCW and Chapter 173-350 WAC, the Washington Department of Ecology (Ecology) reviews solid waste permits issued by LCPHSS and further supports LCPHSS with technical assistance on solid waste facility permitting and oversight of facility construction, operation, closure and post-closure activities.

The purpose of this agreement is to provide for the exercise by Ecology of specific powers among the solid waste authorities and responsibilities granted to LCPHSS by Chapter 70A.205 RCW. LCPHSS and Ecology enter into this agreement with the intent of better deploying the strengths and resources of each agency while ensuring that the affected facility will continue to be regulated in a manner which will protect human health and the environment.

This agreement affects the TransAlta Centralia Mining LLC (TCM) Limited Purpose Landfill and other activities by TCM or by TransAlta Centralia Generation LLC which may be subject to solid waste handling permitting or permit deferrals.

AUTHORITY

This agreement is entered into pursuant to Section 105 of Chapter 70A.205 RCW, which specifically authorizes a local health department to enter into agreements with Ecology for the exercise by Ecology of those powers specified in the contract and granted to the health department under Chapter 70A.205 RCW.

SCOPE OF POWERS CONTRACTED TO ECOLOGY

LCPHSS contracts with Ecology to exercise LCPHSS's powers regarding solid waste permits in accordance with Sections 125, 130, 135, 140 and 155 of Chapter 70A.205 RCW. Ecology and LCPHSS specifically acknowledge that this contract is limited to this scope of powers and that it does not apply to facilities or circumstances other than those described herein.

FEES

Ecology will collect fees for any applications reviewed, permits issued, or other services provided under solid waste authorities contracted herein, consistent with the fees which LCPHSS would bill for such services.

APPEALS

Chapter 70A.205 RCW describes various procedures by which solid waste permits may be appealed. LCPHSS specifically contracts with Ecology to exercise all powers regarding appeals of permitting actions taken pursuant to this agreement. LCPHSS and Ecology agree that Ecology will be solely responsible for defending its decision to issue, deny, or suspend a solid waste permit under the terms of this agreement.

TERM OF AGREEMENT

This agreement shall become effective upon signature by representatives of both LCPHSS and Ecology, and shall be effective until terminated or modified.

Memorandum of Agreement  
Lewis County Public Health & Social Services  
Washington Department of Ecology

TERMINATION OR MODIFICATION OF AGREEMENT

This agreement can be terminated by either LCPHSS or Ecology, provided that at least 90 days written notice is provided to the other party. The terminating party is under no obligation to show cause for such termination. However, in the event this agreement is terminated, both parties agree to work cooperatively to resolve any related administrative or procedural issues that arise.

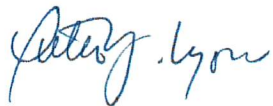
This agreement may be modified or superseded at any time upon written agreement by both parties.

The LCPHSS and the Department of Ecology hereby agree to the terms and conditions as described above.

IN WITNESS WHEREOF, the parties hereby execute this Agreement:

LEWIS COUNTY  
PUBLIC HEALTH & SOCIAL SERVICES

STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

|              |      |                                                                                     |            |
|--------------|------|-------------------------------------------------------------------------------------|------------|
| <hr/>        |      |  | <hr/>      |
| Meja Handlen | Date | Peter Lyon                                                                          | 11/17/2022 |
| Director     |      | Section Manager                                                                     |            |
|              |      | Southwest Region Solid Waste Management                                             |            |
|              |      | Program                                                                             |            |

Approved as to form only by  
Assistant Attorney General