

INSPECTION - ACCESS POINT "B" LOCATION ON GULF RD.



WASHINGTON STATE
DEPARTMENT OF
ECOLOGY

Construction Stormwater General Permit
Short Field Report

WAR 125379

Section A: General Data

Permit # <u>WAR125379</u>	County <u>WHATCOM</u>	Receiving Waters: <u>GULF ROAD DITCH</u>	Inspector: <u>KURT BAUMGARTEN</u>
ERTS # <u>N/A</u>			
Inspection Date: <u>FEBRUARY 29, 2012</u>	Entry Time: <u>0930</u>	Exit Time: <u>1030</u>	Inspection Type <u>ANNOUNCED</u>
<u>TERRITENTIAL GEOTECHNICAL</u>	Section B: Site Information		<u>PACIFIC INTERNATIONAL</u>
Site Name: <u>INVESTIGATIONS GATEWAY PACIFIC</u>	Permittee/Operator: <u>TERMINALS, INC.</u>		
Site Address: <u>HENRY RD</u>	Name/Title: <u>1131 SW. KLICKITAT</u>		
City, State, Zip: <u>FERNDALE, WA 98248</u>	Mailing Address: <u>SEATTLE WA 98134</u>		
GPS:	City, State, Zip:		
Total Acreage: <u>1090</u>	Disturbed Acreage: <u>9.1</u>	Phone: <u>(253) 627-0406</u>	Fax: <u>()</u>
Certified Erosion and Sediment Control Lead (CESCL): (or on-site rep.)			
Name / Title / Company: <u>AL JEROUF</u>			Phone: <u>(253) 627-0406</u>

Section C: Permit Condition Violations

The Department of Ecology has the authority to issue formal enforcement actions, including issuance of orders and civil penalties of up to \$10,000 per day per violation for violations of your NPDES permit and/or state laws and regulations

Violation of Permit Condition for: S3. FOR CAUSING OR CONTRIBUTING TO A WATER QUALITY STANDARDS VIOLATION FOR TURBIDITY

Violation of Permit Condition for: S4.C5. a. ii. FOR FAILURE TO REQUEST A TIME EXTENSION WITH IN 10 DAYS OF EXCEEDING BENCHMARK FOR TURBIDITY.

Violation of Permit Condition for: S9.D5. FOR FAILURE TO STABILIZE SOIL AS REQUIRED BY THE PERMIT.

Violation of Permit Condition _____: for: _____

Comments/Recommendations:

SEE ATTACHED INSPECTION NARRATIVE AND CORRECTIONS REQUIRED NOTICE.

SENT VIA EMAIL

Print Representative Name	Representative Signature (Acknowledges Receipt Only)	Date
<u>KURT BAUMGARTEN</u>	<u>Kurt R Baumgarten</u>	<u>3.5.12</u>
Inspector Name	Inspector Signature	Date

Department of Ecology Inspection Narrative
NPDES Construction Stormwater General Permit
Terrestrial Geotechnical Investigations Gateway Pacific Terminal – Access Point “B”
Inspection date: 2/29/2012

Inspection was requested by Permittee to discuss possible sources of turbidity to ditch on east side of Gulf Rd. north of Henry Rd. Discussed Best Management Practices (BMPs) used in attempts to stabilize exposed soil on a geo-exploration road just east of the County road and ditch. Permittee has used erosion control blankets and hand dug diversions to stabilize soils and reduce flow. Current Erosion and Sediment Control (ESC) measures are not effective to bring levels below Permit benchmark for turbidity. Additional BMPs are needed to stabilize the exposed soil. Soil has not been stabilized according to permit conditions. **(Violation of Permit condition S9. D5. - p 16)**

Road is covered by several inches of standing water that eventually flows to the ditch. Hydroseed was applied last fall but did not take in this area. Mulch is not advised given the depth of water. Additional BMPs may include erosion control blankets and ESC logs (coir, straw, etc.). Runoff from the ditch can be intercepted and dispersed upland and advanced treatment could also be installed.

Permittee attempted to contact Ecology on January 31 to discuss rising turbidity levels. Ecology staff was unable to meet with Permittee until the time of this inspection. The 25 NTU benchmark was exceeded on February 3 (53 NTU), February 6 (51 NTU) and February 29 (31 NTU) **(Violation of Permit Condition S3 – p 11)**

Although technically a violation of water quality standards the turbidity levels are low. At this level of turbidity, water leaving the site is the color of weak tea. Inspector noted the increase in turbidity appeared limited to the ditch immediately adjacent to the site. By the time discharge reached fish-bearing creek, levels were at or below benchmark.

Permittee had 10 days, from February 3, to either bring the turbidity level back down below benchmark or request a time extension to do so. ESC Measures listed above were attempted but did not bring the site into compliance. Request for a time extension was not received until March 2. **(Violation of Permit Condition S4. C.5. a. ii. – pp 29-30)**

Kurt Baumgarten – Water Quality Specialist
Bellingham Field Office
March 5, 2012



Water Quality Program Corrections Required

Construction Stormwater General Permit (CSGP) <input checked="" type="checkbox"/>	Industrial Stormwater General Permit (ISGP) <input type="checkbox"/>	Sand and Gravel General Permit (S&G) <input type="checkbox"/>
Site name: <u>TERRESTRIAL GEOTECHNICAL INVESTIGATION GATEWAY PACIFIC TERMINAL</u>		Mailing address - (if different than site) address: <u>1131 SW KLUCKITAT</u>
Site address: <u>HENRY RD</u>		City, State, Zip: <u>SEATTLE WA 98134</u>
City, State, Zip: <u>CHEWY POINT, FERNDALE, WA 98248</u>		Phone: <u>253.627.0406</u>
Site contact: <u>AL JEROME</u>		Permit #: <u>WAR 125379</u>
Ecology inspector(s): <u>KURT BAUMGARTEN</u>		Inspection date: <u>FEBRUARY 29, 2012</u>
Inspector phone: <u>360.715.5210</u> FAX:		E-mail: <u>KUBA</u> 461@ecy.wa.gov
Notice of Penalty issued <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Field Citation # <u>N/A</u>
		Latitude and longitude (if available):

The Department of Ecology (Ecology) is responsible for overseeing environmental laws that protect human health and the environment in Washington. Ecology observed violations of Chapter 90.48 of the Revised Code of Washington (RCW), Chapter 173-226 of the Washington Administrative Code (WAC), Waste Discharge General Permit Program during this site visit. Violations observed are checked below.

Violation No.	Violation	Reason	Permit Condition
<input type="checkbox"/> 1	RCW 90.48.160	Operating or discharging without a permit (all)	Does not apply.
<input type="checkbox"/> 2	RCW 90.48.080	Polluting waters of the state (all)	
<input type="checkbox"/> 3	RCW 90.48.080	Polluting impaired waters, discharge exceeds 303(d) limit (CSGP and ISGP)	
<input checked="" type="checkbox"/> 4	WAC 173-201A or WAC 173-200	Violating Water Quality Standards (List specific standard violated.) (all) <u>TURBIDITY</u>	
<input type="checkbox"/> 5	RCW 90.48.090	Denial or withdrawal of access (all)	
<input type="checkbox"/> 6	RCW 90.48.080, WAC 173-226-070	Process water discharge without treatment in lined impoundment (S&G)	
<input type="checkbox"/> 7	RCW 90.48.080, WAC 173-226-070	Failure to clean up oil spills or repair leaking equipment (S&G)	
<input type="checkbox"/> 8	RCW 90.48.080, WAC 173-226-070	Cover or containment not provided for chemical or petroleum products (all)	
<input type="checkbox"/> 9	RCW 90.48.080, WAC 173-226-070	Corrective Action not taken (ISGP)	
<input type="checkbox"/> 10	RCW 90.48.080, WAC 173-226-070	No Stormwater Pollution Prevention Plan (SWPPP) (all)	
<input type="checkbox"/> 11	RCW 90.48.080, WAC 173-226-070	SWPPP does not meet permit requirements (all)	
<input type="checkbox"/> 12	RCW 90.48.080, WAC 173-226-070	<input type="checkbox"/> Not <u>maintaining</u> best management practices (BMPs) (all) <input type="checkbox"/> Not <u>implementing</u> BMPs (all) <input type="checkbox"/> Failure to modify SWPPP per permit or Dept. of Ecology Notice (all)	
<input checked="" type="checkbox"/> 13	RCW 90.48.080, WAC 173-226-070	<input checked="" type="checkbox"/> BMPs not <u>maintained</u> per permit or Dept. of Ecology Notice (all) <input checked="" type="checkbox"/> BMPs not <u>implemented</u> per permit or Dept. of Ecology Notice (all)	<u>S9.D5.</u>
<input type="checkbox"/> 14	RCW 90.48.080, WAC 173-226-070	<input type="checkbox"/> Inspections not completed as required by permit (CSGP and ISGP) <input type="checkbox"/> Inspections do not comply with permit requirements (CSGP and ISGP)	
<input type="checkbox"/> 15	RCW 90.48.080, WAC 173-226-090	<input type="checkbox"/> Monitoring not conducted as required by permit (all) <input type="checkbox"/> Sampling does not comply with permit requirements (all)	
<input type="checkbox"/> 16	RCW 90.48.080, WAC 173-226-070	<input type="checkbox"/> Not keeping site log book (CSGP and ISGP) <input type="checkbox"/> Not keeping inspection reports or checklists (CSGP)	
<input type="checkbox"/> 17	RCW 90.48.080, WAC 173-226-090	<input type="checkbox"/> Did not telephone report turbidity greater than 250 NTU (CSGP), or threshold exceeded (ISGP) <input type="checkbox"/> No Discharge Monitoring Reports available (all) <input type="checkbox"/> Failure to notify Dept. of Ecology of noncompliance with permit requirement (all)	
<input type="checkbox"/> 18			
<input type="checkbox"/> 19			

Violation No.	Observation(s) and action(s) required to achieve compliance. (see permit conditions)	Complete or Submit Date
4+13	STABILIZE ALL EXPOSED SOIL. PREVENT VIOLATIONS OF WATER QUALITY STANDARD FOR TURBIDITY. PROVIDE PROGRESS UPDATES TO ECOLOGY AFTER BMPs ARE INSTALLED AND AFTER SAMPLES ARE TAKEN, SEE INSPECTION REPORT FOR ADDITIONAL DETAIL.	3.12.12

Instructions:

- These corrective action requirements are not an enforcement order and are **not appealable**.
- If a penalty accompanies these corrective action requirements, **the penalty is appealable**.
- **Appeal directions are on the back of the penalty.**
- Failure to comply with these corrective action requirements may result in enforcement action.

1. To comply with the water quality regulations, complete the actions identified in the table above.
2. If you have questions, contact KURT BAUMGARTEN, Ecology inspector, at 360.715.5210.
3. To request an extension, **send a written request** to the Ecology inspector by N/A.

Ecology will notify you if an extension is granted. Please include all of the following:

- Reason extension is needed.
- Steps already taken.
- Description of work that remains to be completed.
- Anticipated completion date.

Send required document(s) to the appropriate Ecology office:

Bellingham Field Office
1440 10th St Ste 102
Bellingham WA 98225
360-715-5200

Vancouver Field Office
2108 Grand Blvd
Vancouver WA 98661
360-690-7171

Central Regional Office
15 W Yakima Ave Ste 200
Yakima WA 98902
509-575-2490

Northwest Regional Office
3190 160th Ave SE
Bellevue WA 98008-5452
425-649-7000

Southwest Regional Office
PO Box 47775
Olympia WA 98504-7775
360-407-6300

Eastern Regional Office
4601 N Monroe
Spokane WA 99205-1295
509-329-3400

Ecology Inspector (signature): Kurt Baumgarten Date: 3.5.12
 Owner/Operator (signature): _____ Date: _____
 Owner/Operator (print name): _____ Date: _____

If you need this publication in an alternate format, call the Water Quality Program at 360-407-6722. Persons with hearing loss call 711 for the Washington Relay Service. Persons with a speech disability call 877-833-6341