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 # WAR125379	County: WHATCOM	Receiving Waters: GULF ROAD DITCH	Inspector: KURT BAUMGARTEN
ERTS # N/A			
Inspection Date: FEBRUARY 29, 2012	Entry Time: 0930	Exit Time: 1030	Inspection Type: ANNOUNCED

Section B: Site Information

Site Name: TERRESTRIAL GEOTECHNICAL INVESTIGATIONS GATEWAY PACIFIC TERMINAL	Permittee / Operator: PACIFIC INTERNATIONAL TERMINALS, INC.
Site Address: HENRY RD	~~Name / Title~~: 1131 SW. KLICKITAT
City, State, Zip: FERNDALE, WA 98248	Mailing Address: SEATTLE WA 98134
GPS:	City, State, Zip:
Total Acreage: 1090 Disturbed Acreage: 9.1	Phone: (253.627.0406 Fax: ( )

Certified Erosion and Sediment Control Lead (CESCL): (or on-site rep.)

Name / Title / Company: AL JEROUF Phone: (253.627.0406

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 WITHIN 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
KURT BAUMGARTEN	Kurt R Baumgarten	3.5.12
Inspector Name	Inspector Signature	Date

ECY 070-297 If you need this publication in an alternate format, please call Water Quality Program in the appropriate region (see list on back). Persons with hearing loss can call 711 for Washington Relay Service. Persons with a speech disability can call 877-833-6341.

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 Permitee 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. Permitee 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.

Permitee attempted to contact Ecology on January 31 to discuss rising turbidity levels. Ecology staff was unable to meet with Permitee 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.

Permitee 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

DEPARTMENT OF ECOLOGY State of Washington

Water Quality Program
Corrections Required

Construction Stormwater General Permit (CSGP)	☑	Industrial Stormwater General Permit (ISGP)	☐	Sand and Gravel General Permit (S&G)	☐

Site name: TERRESTRIAL GEOTECHNICAL INVESTIGATION GATEWAY PACIFIC TERMINAL	Mailing address - *(if different than site) address)* 1131 SW KLICKITAT
Site address HENRY RD	City, State, Zip: SEATTLE WA 98134
City, State, Zip: CHERRY POINT, FERNDALE, WA 98248	Phone: 253.627.0406
Site contact: AL JEROUE	Permit #: WAR 125379
Ecology inspector(s): KURT BAUMGARTEN	Inspection date: FEBRUARY 29, 2012
Inspector phone: 360.715.5210 FAX:	E-mail: KUBA 461@ecy.wa.gov
Notice of Penalty issued ☐ Yes ☑ No Field Citation # N/A	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
☐ 1	RCW 90.48.160	Operating or discharging without a permit (all)	Does not apply.
☐ 2	RCW 90.48.080	Polluting waters of the state (all)	
☐ 3	RCW 90.48.080	Polluting impaired waters, discharge exceeds 303(d) limit (CSGP and ISGP)	
☑ 4	WAC 173-201A or WAC 173-200	Violating Water Quality Standards *(List specific standard violated.)* (all) TURBIDITY	
☐ 5	RCW 90.48.090	Denial or withdrawal of access (all)	
☐ 6	RCW 90.48.080, WAC 173-226-070	Process water discharge without treatment in lined impoundment (S&G)	
☐ 7	RCW 90.48.080, WAC 173-226-070	Failure to clean up oil spills or repair leaking equipment (S&G)	
☐ 8	RCW 90.48.080, WAC 173-226-070	Cover or containment not provided for chemical or petroleum products (all)	
☐ 9	RCW 90.48.080, WAC 173-226-070	Corrective Action not taken (ISGP)	
☐ 10	RCW 90.48.080, WAC 173-226-070	No Stormwater Pollution Prevention Plan (SWPPP) (all)	
☐ 11	RCW 90.48.080, WAC 173-226-070	SWPPP does not meet permit requirements (all)	
☐ 12	RCW 90.48.080, WAC 173-226-070	☐ Not maintaining best management practices (BMPs) (all) ☐ Not implementing BMPs (all) ☐ Failure to modify SWPPP per permit or Dept. of Ecology Notice (all)	
☑ 13	RCW 90.48.080, WAC 173-226-070	☑ BMPs not maintained per permit or Dept. of Ecology Notice (all) ☑ BMPs not implemented per permit or Dept. of Ecology Notice (all)	S9.D5.
☐ 14	RCW 90.48.080, WAC 173-226-070	☐ Inspections not completed as required by permit (CSGP and ISGP) ☐ Inspections do not comply with permit requirements (CSGP and ISGP)	
☐ 15	RCW 90.48.080, WAC 173-226-090	☐ Monitoring not conducted as required by permit (all) ☐ Sampling does not comply with permit requirements (all)	
☐ 16	RCW 90.48.080, WAC 173-226-070	☐ Not keeping site log book (CSGP and ISGP) ☐ Not keeping inspection reports or checklists (CSGP)	
☐ 17	RCW 90.48.080, WAC 173-226-090	☐ Did not telephone report turbidity greater than 250 NTU (CSGP), or threshold exceeded (ISGP) ☐ No Discharge Monitoring Reports available (all) ☐ Failure to notify Dept. of Ecology of noncompliance with permit requirement (all)	
☐ 18			
☐ 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	3.12.12
	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.	

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