

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

IN THE MATTER OF)	AGREED ORDER NO. 7295
COMPLIANCE BY)	(First Amendment to Agreed Order
Snohomish County)	No. 6688)

To: Aaron Reardon, County Executive
Snohomish County
3000 Rockefeller Avenue
M/S 407
Everett, WA 98201-4046

For the site located at: The Snohomish County Municipal Separate Storm Sewer System (MS4)
Phase I Municipal Stormwater Permit No. WAR04-4502

BACKGROUND

In accordance with item 1 of the Compliance Schedule in Agreed Order No. 6688, the County submitted their revised package of draft code and engineering and stormwater manual documents on April 24, 2009. The County and Ecology also completed item 2 of the Compliance Schedule in Agreed Order No. 6688.

Item 3 of the Compliance Schedule in Agreed Order No. 6688 required Ecology to provide comments on Snohomish County's submittal of a revised package of draft code and engineering and stormwater manual documents by May 29, 2009. On May 29, 2009, Ecology instead notified Snohomish County that Ecology would be unable to meet this schedule due to the illness of Ecology's primary technical reviewer.

Ecology and County staff met and teleconferenced regularly to work through Ecology's preliminary and partial comments as they became available. Ecology provided complete written comments to the County on August 31, 2009. Between September and November 2009, Ecology and the County clarified comments and discussed additional technical issues raised by the County.

The County evaluated the formal adoption process necessary to put the revised code, engineering and stormwater manual documents into effect and has determined that the County's standard code development and legislative process, and associated schedule, is appropriate.

Agreed Order No. 6688, effective May 6, 2009, is amended as follows:

IV. COMPLIANCE SCHEDULE

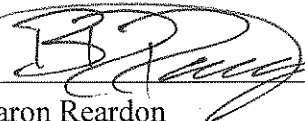
- 3) The County will revise the submittal to resolve Ecology's comments. The County will present to Ecology final draft code and engineering and stormwater manual documents that address Ecology's comments no later than February 28, 2010.
- 4) The County will conduct a formal adoption process such that the Ecology-approved codes, engineering and stormwater manual documents will become effective no later than September 30, 2010.

V. PROGRESS REPORTING

The County agrees to provide monthly progress reports to Ecology during execution of item 4 in Section IV. Monthly progress reports will be submitted by the 10th of each applicable month. Such reports shall be signed by the Acting Director or Director of the Snohomish County Department of Planning and Development Services.

The County agrees to immediately notify Ecology of any occurrence which may result in noncompliance with the requirements of this Agreed Order. Such notification will state the nature of the potential noncompliance, the reason(s) for the occurrence, and the actions taken by the County to address the potential noncompliance.

No other condition or requirement of Agreed Order No. 6688 is hereby affected by this amendment. All other conditions and requirements of Agreed Order No. 6688 are still in effect.

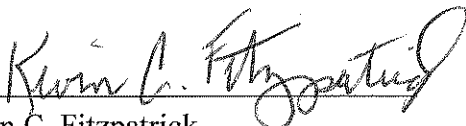


Aaron Reardon
County Executive
Snohomish County

BRIAN D. PARRY
Executive Director

BP

2/18/10
Date



Kevin C. Fitzpatrick
Water Quality Section Manager
Northwest Regional Office
Department of Ecology

January 14, 2010
Date

COUNCIL USE ONLY	
Approved:	<u>2-10-10</u>
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