



**STATE OF WASHINGTON**  
**DEPARTMENT OF ECOLOGY**

PO Box 47600, Olympia, WA 98504-7600 • 360-407-6000

June 27, 2024

U.S. Army Corps of Engineers Seattle District  
Attn: Collin Ray  
4735 East Marginal Way South, Bldg. 1202  
Seattle, WA 98134-2388

Re: Amendment to 401 Water Quality Certification Order No. 16466 for Skokomish River Basin Ecosystem Restoration Project, South Fork and North Fork Skokomish River, and Wetlands, Mason County, Washington

Dear Collin Ray:

Enclosed is an amendment to Water Quality Certification Order No. 16466, issued on June 27, 2019, for the above project. We have also included a strikeout version of the Water Quality Certification that reflects the changes made. All other conditions of Water Quality Certification Order No. 16466 remain in effect.

The purpose of this amendment is to extend the WQC an additional 5-years.

If you have any questions, please contact Brook Swensen at 564-999-1749. The enclosed Amendment may be appealed by following the procedures described in the Amendment.

Sincerely,

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Loree' Randall, Section Manager  
Aquatic Permitting and Protection Section, HQ  
Shorelands and Environmental Assistance Program

Enclosure (2)

By certified mail: 9171 9690 0935 0233 1416 52

Sent via e-mail: [Collin.Ray@usace.army.mil](mailto:Collin.Ray@usace.army.mil)

E-cc: Caren Crandell, U.S. Army Corps of Engineers  
Daniel Taylor, U.S. Army Corps of Engineers

First Amendment to Order No. 16466

Aquatics No. 135115

June 27, 2024

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Brook Swensen, Ecology

Chris Waldbilig, WDFW

Darrin Masters WDFW

Cailan Nealer, WA DNR

[ecyrefedpermits@ecy.wa.gov](mailto:ecyrefedpermits@ecy.wa.gov) – Aquatics ID No. 135115

**In The Matter of Granting a Water Quality  
Certification (WQC) to U.S. Army Corps of Engineers Seattle District  
pursuant to 33 U.S.C. 1341 (FWPCA § 401), RCW 90.48.120, RCW  
90.48.260 and Chapter 173-201A WAC**

U.S. Army Corps of Engineers Seattle District  
Attn: Collin Ray  
4735 East Marginal Way South, Bldg. 1202  
Seattle, WA 98134-2388

<b>WQC Order No.</b>	16466, First Amendment
<b>Site Location</b>	Skokomish River Basin Ecosystem Restoration Project, South Fork and North Fork Skokomish River, and Wetlands, Mason County, Washington.

On June 27, 2019, the Washington Department of Ecology (Ecology) issued a 401 Water Quality Certification to U.S. Army Corps of Engineers Seattle District for the above-referenced project pursuant to the provisions of 33 U.S.C. 1341 (FWPCA § 401).

Ecology received a request to extend the WQC an additional 5-years.

WQC Order No. 16466 dated June 27, 2019, is hereby amended as follows:

I. Condition number C1 which reads:

This Order will expire five (5) years from the date of issuance.

Is replaced with:

This Order will expire June 27, 2029.

No other conditions or requirements of the above referenced Order are affected by this amendment.

Ecology retains continuing jurisdiction to make modifications hereto through supplemental order, if it appears necessary to further protect the public interest.

Failure to comply with this amended Order may result in the issuance of civil penalties or other actions whether administrative or judicial, to enforce the terms of this amended Order.

### **Your right to appeal**

You have a right to appeal this Order to the Pollution Control Hearings Board (PCHB) within 30 days of the date of receipt. The appeal process is governed by Chapter 43.21B RCW and Chapter 371-08 WAC. "Date of receipt" is defined in RCW 43.21B.001(2).

To appeal, you must do all of the following within 30 days of the date of receipt of this Order:

- File your notice of appeal and a copy of this Order with the PCHB (see filing options below). “Filing” means actual receipt by the PCHB during regular business hours as defined in WAC 371-08-305 and -335. “Notice of appeal” is defined in WAC 371-08-340.
- Serve a copy of your notice of appeal and this Order on the Department of Ecology mail, in person, or by email (see addresses below).

You must also comply with other applicable requirements in Chapter 43.21B RCW and Chapter 371-08 WAC.

## Filing an appeal

### Filing with the PCHB

For the most current information regarding filing with the PCHB, visit: <https://elaho.wa.gov/> or call: 360-664-9160.

### Service on Ecology

#### Street Addresses:

Department of Ecology  
Attn: Appeals Processing Desk  
300 Desmond Drive SE  
Lacey, WA 98503

#### Mailing Addresses:

Department of Ecology  
Attn: Appeals Processing Desk  
PO Box 47608  
Olympia, WA 98504-7608

#### E-Mail Address:

[ecologyappeals@ecy.wa.gov](mailto:ecologyappeals@ecy.wa.gov)

## Contact Information

Please direct all questions about this Order to:

Brook Swensen  
Department of Ecology

First Amendment to WQC Order No. 16466

Aquatics No. 135115

June 27, 2024

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564-999-1749

[Brook.Swensen@ecy.wa.gov](mailto:Brook.Swensen@ecy.wa.gov)

## More Information

- **Pollution Control Hearings Board Website**  
<https://elaho.wa.gov>
- **Chapter 43.21B RCW - Environmental and Land Use Hearings Office – Pollution Control Hearings Board**  
<http://app.leg.wa.gov/RCW/default.aspx?cite=43.21B>
- **Chapter 371-08 WAC – Practice and Procedure**  
<http://app.leg.wa.gov/WAC/default.aspx?cite=371-08>
- **Chapter 34.05 RCW – Administrative Procedure Act**  
<http://app.leg.wa.gov/RCW/default.aspx?cite=34.05>

## Signature

Dated this 27 day of June 2024 at the Department of Ecology, Lacey Washington.



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Loree' Randall, Section Manager  
Aquatic Permitting and Protection Section, HQ  
Shorelands and Environmental Assistance Program

This document shows the activities and/or conditions that have been amended since the original Order was issued. Therefore, it is not the official certification and should be used for information purposes only.

**IN THE MATTER OF GRANTING A )**  
**WATER QUALITY )**  
**CERTIFICATION TO )**  
**U.S. Army Corps of Engineers )**  
**Seattle District )**  
**ATTN: Nancy Gleason )**  
in accordance with 33 U.S.C. 1341 )  
(FWPCA § 401), RCW 90.48.120, RCW )  
90.48.260, and Chapter 173-201A WAC )

**ORDER No. 16466 First Amendment**  
Skokomish River Basin Ecosystem Restoration  
Project, South Fork and North Fork Skokomish  
River, and Wetlands, Mason County,  
Washington

TO: U.S. Army Corps of Engineers  
Seattle District  
ATTN: Nancy Gleason  
P.O. Box 3755  
Seattle, WA 98124-3755

On March 29, 2019 the Department of Ecology (Ecology) received information from the Seattle District U.S. Army Corps of Engineers requesting a Section 401 Water Quality Certification under the federal Clean Water Act to construct the Skokomish River Basin Ecosystem Restoration Project. Ecology issued a joint public notice for the project on May 7, 2019.

The proposed restoration consists of the following elements:

- Confluence Levee Removal – Located at the confluence of North Fork and South Fork Skokomish River channels at river mile (RM) 9. Approximately 2, 040 linear feet of levee will be removed, flow will be diverted from South Fork to North Fork through a diversion channel through the levee, and several engineered log jams(ELJs) and single log structures will be placed to direct flow into diversion channel
- Upstream Large Woody Debris (LWD) – Several ELJ installations will be placed to restore missing habitat and channel complexity in the riverbed throughout RM 9 to 11.
- Side Channel Reconnection – Located on the Skokomish River left bank at approximately RM 4 to 5.6, this component will reconnect an abandoned channel to a large wetland during moderate and higher discharges. This will open up 44 acres of wetlands to the floodplain.
- Wetland Restoration at RM 9 – Located on the Skokomish River right bank at approximately river mile 8.3 to 9.2. This restoration is intended to reconnect and restore high quality wetland habitat. An agricultural berm will be breached and a new embankment will be constructed landward at varying distances ranging approximately from 200 – 300 feet.
- Wetland Restoration at Grange – Located on the Skokomish River right bank at approximately river mile 7.5 to 8.0. An agricultural berm will be breached and a new

wetland embankment will be constructed landward up to 1,200 feet away from the river.

The breaches of the berms will allow for reconnection of the wetlands to the floodplain

The project activities will permanently impact approximately 8.13 acres of riverine wetlands and temporarily impact 7.11 acres of riverine wetlands.

There has been significant degradation of natural processes that influence ecological functions within the lower Skokomish watershed. Currently, a mile of the river runs subsurface every summer, creating a fish passage blockage for ESA-listed salmon. The proposed restoration activities are designed to restore fish habitat in 11 miles of the lower Skokomish River Basin by restoring ecosystem processes, structure, and function within the aquatic ecosystem.

The project is located from River Mile (RM) 4 – 11 of the Skokomish River along multiple properties near Shelton, Mason County, Washington; NW Quarter Sections 17 and 18, Township 21 North, Range 4 West; WRIA 16, Skokomish-Dosewallips Watershed.

#### **AUTHORITIES:**

In exercising authority under 33 U.S.C. § 1341, RCW 90.48.120, and RCW 90.48.260, Ecology has examined this application pursuant to the following:

1. Conformance with applicable water quality-based, technology-based, and toxic or pretreatment effluent limitations as provided under 33 U.S.C. §§1311, 1312, 1313, 1316, and 1317 (FWPCA §§ 301, 302, 303, 306 and 307);
2. Conformance with the state water quality standards contained in Chapter 173-201A WAC and authorized by 33 U.S.C. §1313 and by Chapter 90.48 RCW, and with other applicable state laws; and
3. Conformance with the provision of using all known, available, and reasonable methods to prevent and control pollution of state waters as required by RCW 90.48.010.

#### **WATER QUALITY CERTIFICATION CONDITIONS:**

Through issuance of this Order, Ecology certifies that it has reasonable assurance that the activity as proposed and conditioned will be conducted in a manner that will comply with the applicable water quality standards and other appropriate requirements of state law. In view of the foregoing and in accordance with 33 U.S.C. §1341, RCW 90.48.120, RCW 90.48.260, Chapter 173-200 WAC, and Chapter 173-201A WAC, water quality certification is granted to Clallam County subject to the conditions within this Order.

Certification of this proposal does not authorize the Seattle District U.S. Army Corps of Engineers to exceed applicable state water quality standards (Chapter 173-201A WAC), ground water standards (Chapter 173-200 WAC), or sediment quality standards (Chapter 173-204 WAC). Furthermore, nothing in this certification shall absolve the Applicant from liability for

contamination and any subsequent cleanup of surface waters, ground waters, or sediments resulting from project construction or operations.

**A. General Conditions:**

1. For purposes of this Order, the term “Applicant” shall mean the Seattle District U.S. Army Corps of Engineers (Corps) and its agents, assignees, and contractors.
2. All submittals required this Order shall be sent to The Department of Ecology, Southwest Regional Office, Attn: Federal Permit Manager, SEA Program, P.O. Box 47775, Olympia, WA 98504-7775 or by e-mail (preferred) to [fednotification@ecy.wa.gov](mailto:fednotification@ecy.wa.gov) with a copy to [lori.kingsbury@ecy.wa.gov](mailto:lori.kingsbury@ecy.wa.gov). All submittals shall reference Order No. **16466** and include the Applicant name, project name, project contact, and the contact phone number.
3. Work authorized by this Order is limited to the work described in the information package received by Ecology on March 29, 2019.
4. The Applicant shall obtain Ecology review and approval before undertaking any changes to the proposed project that might significantly and adversely affect water quality other than those project changes required by this Order.
5. Within 30 days of receipt of any updated information, Ecology will determine if the revised project requires a new Public Notice and Water Quality Certification or if a modification to this Order is required.
6. The Applicant shall send (per Condition A.2, above) a copy of the final Section 404 Permit to Ecology’s Federal Permit Manager within two weeks of receiving it.
7. The Applicant shall keep copies of this Order on the job site and readily available for reference by Ecology personnel, the construction superintendent, construction managers and lead workers, and state and local government inspectors.
8. The Applicant shall provide access to the project site and all mitigation sites upon request by Ecology personnel for site inspections, monitoring, necessary data collection, and/or to ensure that conditions of this Order are being met.
9. Nothing in this Order waives Ecology’s authority to issue additional orders if Ecology determines that further actions are necessary to implement the water quality laws of the state. Further, Ecology retains continuing jurisdiction to make modifications hereto through supplemental order if additional impacts due to project construction or operation are identified (e.g., violations of water quality standards, downstream erosion, etc.), or if additional conditions are necessary to further protect water quality.
10. In the event of changes or amendments to the state water quality, ground water quality, or sediment standards, or changes in or amendments to the state Water Pollution Control Act (RCW 90.48) or the federal Clean Water Act, Ecology may issue an amendment to this Order to incorporate any such changes or amendments applicable to this project.



11. The Applicant shall ensure that all appropriate project engineers, contractors, and other workers at the project site with authority to direct work, have read and understand relevant conditions of this Order and all permits, approvals, and documents referenced in this Order. The Applicant shall provide Ecology a signed statement (see Attachment A for an example) that they have read and understands the conditions of this Order and any permits, plans, documents and approvals referenced herein. The signed statement shall be submitted to Ecology (per Condition A2 of this Order) at least 7 days prior to start of in-water work.
12. This Order does not authorize direct, indirect, permanent, or temporary impacts to waters of the state or related aquatic resources, except as specifically provided for in the conditions of this Order.
13. Failure of any persons or entity to comply with this Order may result in the issuance of civil penalties or other actions, whether administrative or judicial, to enforce the terms of this Order.

**B. Notification Requirements:**

1. The following notification shall be made via e-mail to the Federal Permit Manager at [fednotification@ecy.wa.gov](mailto:fednotification@ecy.wa.gov) with a copy to the [Lori.Kingsbury@ecy.wa.gov](mailto:Lori.Kingsbury@ecy.wa.gov). Notifications shall be identified with Order No. **16466** and include the Applicant name, project name, project location, project contact and the contact's phone number.
  - a. Immediately following a violation of the state water quality standards or any condition of this Order.
  - b. At least ten (10) days prior to the start of work for each construction season.
  - c. Within ten (10) days after the completion of construction for each construction season.
2. If project construction is not completed within thirteen (13) months of issuance of this Order, the Applicant shall submit a written construction status report per Condition A.2. of this Order. Status reports shall be submitted every twelve (12) months thereafter until project construction and mitigation are completed.

**C. Timing Requirements:**

1. This Order will expire ~~five (5) years from the date of issuance~~ **June 27, 2029**.
2. The following in-water work windows shall apply to this project unless otherwise approved by Ecology:
  - a. July 15 – August 31 of any year.
3. Work may be conducted any time above the wetted perimeter or when the stream bed is dry.

**D. Water Quality Monitoring & Criteria Conditions:**

1. The Skokomish River is categorized as core summer salmonid habitat. The criteria of that categorization applies as described in WAC 173-201A-200(1), except as specifically modified by this Order.
2. This Order authorizes a temporary turbidity mixing zone of 1,000 feet downstream for the following activities:
  - Excavation to isolate work areas for Engineered Log Jam installation,
  - Excavation and fill to install timber pile if pile driving is unsuccessful,
  - Installation of temporary culverts for stream crossings, and
  - Channel excavation for flow diversion.
3. The Applicant shall conduct water quality monitoring as described in the approved Water Quality Monitoring Plan, Skokomish River Basin Ecosystem Restoration, Mason County, Washington, Prepared June 2019 (hereafter referred to as the WQMP) prepared by the U.S. Army Corps of Engineers, Seattle District.
4. The Applicant must provide, in writing, any changes or additions to the WQMP and obtain approval from Ecology's Federal Permit Manager prior to implementation of the changes or additions.
5. Results of the water quality monitoring shall be documented in a report and submitted to Ecology's Federal Permit Manager weekly via e-mail during the identified in water work activities, per Condition A.2.
6. If water quality exceedances are observed outside the point of compliance, work shall cease immediately and the Applicant or the contractor shall assess the cause of the water quality problem and take immediate action to stop, contain, correct the problem, and prevent further water quality turbidity exceedances.
7. Notification of exceedances shall be made to Ecology **within 24 hours of occurrence**. Notification shall be made with reference to Order No. **16466** Attn: Federal Permit Manager, by telephone at (360) 407-6926 or by e-mail at [lori.kingsbury@ecy.wa.gov](mailto:lori.kingsbury@ecy.wa.gov). The Applicant shall, at a minimum, provide Ecology with the following information:
  - a. A description of the nature, extent, and cause of the exceedance.
  - b. The period of non-compliance, including exact dates, duration, and times and/or the anticipated time when the project will return to compliance.
  - c. The steps taken, or to be taken, to reduce, eliminate, and prevent recurrence of the non-compliance.
  - d. In addition, within five (5) days after notification of an exceedance, the Applicant shall submit a written report to Ecology that describes the nature of the exceedance, water quality monitoring results and location, photographs, and any other pertinent information.

8. Mitigation and/or additional monitoring may be required if the monitoring results indicate that the water quality standards have not been met.

**E. Construction Conditions:**

*General*

1. The Applicant or their contractor, shall obtain and comply with the conditions of the current Construction Stormwater Permit (National Pollutant Discharge Elimination System – NPDES) issued for this project.
2. All work in and near waters of the state shall be conducted so as to minimize turbidity, erosion, and other water quality impacts. Construction stormwater, sediment, and erosion-control Best Management Practices (BMPs) suitable to prevent exceedances of state water quality standards shall be in place before starting clearing, filling, and grading work and shall be maintained throughout construction.
3. The project shall be clearly marked/staked prior to construction. All clearing limits, travel corridors, stockpile locations, and staging areas shall be clearly marked. Sensitive areas and their buffers that are to be protected from disturbance shall be marked so as to be clearly visible to equipment operators. All project staff shall be trained to recognize construction fencing or flagging that identifies sensitive area boundaries. Equipment shall enter and operate within the marked clearing limits corridors and stockpile areas.
4. The Applicant shall establish a separate, contained area for washing down vehicles and equipment that does not have any possibility of draining to surface waters and/or wetlands. Wash water containing oils, grease, or other hazardous materials resulting from wash down of equipment or working area shall be contained for proper disposal, and shall not be discharged into waters of the state.
5. No construction or waste material shall be stored or stockpiled on a temporary or permanent basis at or below the OHWM. All construction debris, excess sediment, and other solid waste material shall be properly managed and disposed of in an upland disposal site approved by the appropriate regulatory authority.
6. No petroleum products, fresh concrete, lime, chemicals, or other toxic or deleterious materials shall be allowed to enter waters of the state.
7. Work within waters of the state shall be conducted in the dry or during periods of low-flow to the extent practicable.
8. The Applicant shall have a boat available on site during in- and over-water construction activities to immediately retrieve any debris entering the water.
9. If contamination is discovered, it must be reported to Ecology (per Condition A2, above). Contaminated soils or water may require special handling and/or disposal to avoid escaping dust, soil erosion, and water pollution during construction activities.

10. If contamination is observed during construction activities, sampling of the potentially contaminated media must be conducted. Protective measures to isolate or remove contaminated soils or sediments shall be implemented. Contaminated soils or sediments shall be managed and disposed of in accordance with state and local regulations.

*Equipment & Maintenance*

11. All equipment operating within and over state waters shall utilize only vegetable-based biodegradable hydraulic fluid.
12. Work using heavy equipment shall be completed by working from the top of the bank to the extent practicable.
13. Staging areas will be located a minimum of 50 feet, and where practical, 200 feet from waters of the state including wetlands. If a staging area must be located within 50 feet of waters of the state, then the Applicant shall provide a written explanation (with additional BMPs) and obtain approval from Ecology's Federal Permit Manager before placing the staging area within the 50-foot setback area.
14. All equipment and gear shall be thoroughly cleaned before arriving and leaving the job site to prevent the transport and introduction of aquatic invasive species. Properly manage and dispose of any water and chemicals used to clean gear and equipment.
15. All equipment operating within or directly over waters of the state shall be free of external petroleum-based products. Equipment shall be inspected daily for leaks, accumulation of grease, etc. Any identified problems shall be fixed before operating over or within waters of the state.
16. Accumulation of soils or debris shall be removed from the drive mechanisms and the undercarriage of equipment prior to use. Appropriate BMPs shall be implemented to minimize track-out during construction.
17. Machinery and equipment used during construction shall be serviced, fueled, and maintained on uplands a minimum of 100 feet, and where practical, 200 feet from waters of the state in order to prevent contamination of surface waters.
18. Untreated timber piles may be installed using a vibratory driver or an impact hammer. If an impact hammer will be used, a dampening device, such as a block of wood at least 6 inches thick, shall be placed between the piling and the impact hammer to attenuate noise.

*Culverts /Temporary Diversion Structures/ Dewatering*

19. The Applicant shall provide to Ecology (per Condition A.2. of this Order) a *Care and Diversion of Water Plan* for review and approval at least 30 days prior to the start of construction.
20. Culvert replacement /installation shall be conducted in the dry or in isolation from surface waters.

21. Culverts shall be installed and maintained to avoid inlet scouring and prevent erosion.
22. Temporary cofferdams, bladder dams, sandbag dams, floating turbidity curtains, and bypasses used to divert water around the work area shall be in place prior to initiation of work within the wetted perimeter.
23. The temporary diversion/bypass shall be of sufficient size, constructed of non-erosive materials, and installed to divert the entire flow through the bypass or around the isolated work area for the duration of the project.
24. The diversion system shall be designed and operated so as not to cause erosion in the channel or on the bank of the waterbody in which the work is being conducted.
25. Turbid de-watering water shall not be discharged directly to waters of the state, including wetlands. Turbid de-watering water shall be routed to an upland area for settling.
26. Clean de-watering water that has been tested and confirmed to meet water quality standards may be discharged directly to waters of the state, including wetlands. The discharge outfall method shall be designed and operated so as not to cause erosion or scour in the stream channel, along the banks, or within the vegetation.
27. Pumps and other equipment associated with dewatering activities shall be inspected a minimum of twice per day when in use to ensure proper operation and maintenance.
28. Logs or other large woody material used in the construction of the log structures and engineered log jams shall be free of dirt, sand, and other fine material to the extent practicable.
29. Prior to returning water flow to the work area, all bank protection measures shall be in place.
30. To minimize sediment releases, re-introduction of water into the isolated work area shall be done gradually, in order to minimize the mobilization of sediments and fines.
31. Upon completion of the project, all material used in the temporary bypass shall be removed from the site and the site returned to pre-project or improved conditions.

**F. Long Term Monitoring and Maintenance:**

1. The Applicant shall conduct post-construction monitoring as outlined in the *Monitoring and Adaptive Management Plan, Skokomish River Basin, Mason County, Washington, Ecosystem Restoration, Integrated Feasibility Report and Environmental Impact Statement, Appendix E*.
2. A copy of the monitoring reports shall be submitted to Ecology for review (per Condition A.2. of this Order) for monitoring years 1, 3, 5, 7 and 10.

**G. Emergency/Contingency Measures:**

1. The Applicant shall develop and implement a Spill Prevention and Control and Countermeasure Plan for all aspects of this project and shall have adequate and

appropriate spill cleanup response materials on hand to respond to emergency release of petroleum products or any other material into waters of the state.

2. Fuel hoses, oil drums, oil or fuel transfer valves and fittings, etc. shall be checked regularly for drips or leaks, and shall be maintained and stored properly to prevent spills into waters of the state.
3. Work causing distressed or dying fish, or any discharge of oil, fuel, or chemicals into state waters, including wetlands, or onto land with a potential for entry into state waters, is prohibited. If such work, conditions, or discharges occur, the Applicant shall notify the Ecology Federal Permit Manager per condition B.1. of this Order and immediately take the following actions:
  - a. Cease operations at the location of the non-compliance problem.
  - b. Assess the cause of the water quality problem and take appropriate measures to correct the problem and/or prevent further environmental damage.
  - c. In the event of a discharge of oil, fuel, or chemicals into state waters, or onto land with a potential for entry into state waters, containment and cleanup efforts shall begin immediately and be completed as soon as possible, taking precedence over normal work. Cleanup shall include proper disposal of any spilled material and used cleanup materials.
  - d. Immediately notify Ecology's 24-Hour Spill Response Team at 1-800-258-5990, **and** within 24 hours of spills or other events to Ecology's Federal Permit Manager at (360) 407-6926 or (360) 407-6300.
  - e. Immediately notify the National Response Center at 1-800-424-8802, for actual spills to water only.
  - f. Submit a detailed written report to Ecology's Federal Permit Manager within five (5) days that describes the nature of the event, corrective action taken and/or planned, steps to be taken to prevent a recurrence, results of any samples taken, and any other pertinent information.
4. Notify Ecology's Regional Spill Response Office immediately if chemical containers (e.g. drums) are discovered on-site or any conditions present indicating disposal or burial of chemicals on-site that may impact surface water or ground water.