

JUL 27 1992

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DEPARTMENT OF ECOLOGY

IN THE MATTER OF COMPLIANCE BY )  
ARCO Petroleum Products Company )  
with Chapter 90.48 RCW and the )  
Rules and Regulations of the )  
Department of Ecology )

Order  
No. DE 90-S155

To: ARCO Petroleum Products Company  
Attn: Mr. Kyle Christie  
P. O. Box 5811  
San Mateo, CA 94402

I.  
Jurisdiction

- Chapter 173-201 WAC, entitled "Water Quality Standards" establishes water quality standards for all waters of this state including all surface and groundwater. Also the aforementioned regulation establishes that all activities which discharge wastes to waters of the state or otherwise affect the quality of said waters shall provide all known available and reasonable methods of treatment and control to maintain established water quality standards.
- RCW 90.48.020 defines underground waters as waters of the state. RCW 90.48.080 provides that it shall be unlawful for any person to throw, drain, run, or otherwise discharge into any waters of this state, or cause, permit, or suffer to be thrown, run, drained, allowed to seep or otherwise discharge into such waters any organic or inorganic matter that shall cause or tend to cause pollution of such waters according to the determination of the Director.
- RCW 90.48.320 provides that it shall be unlawful for oil to enter the waters of the state from any ship or fixed or mobile facility or installation located off shore or onshore whether publicly or privately operated, regardless of the course of the entry of fault of the person having control over the oil, or regardless of whether it be the result of intentional or negligent conduct, accident or other cause.
- WAC 173-201-100(2) allows the Department of Ecology, through the issuance of permits, directives and orders, to control miscellaneous waste discharges. The regulation notes that, from time to time, certain short term activities which are deemed necessary to accommodate essential activities may be specially authorized.

II.  
Statement of Facts

- The ARCO Petroleum Products Company has removed several underground storage tanks from their service station located at 20013 East 112th Street, Tacoma, Washington, Latitude 122 Degrees, 24 minutes, 30 seconds West; Longitude 47 Degrees, 9 minutes North.
- The tank excavation has accumulated up to 20,000 gallons of contaminated water. The water contains the contaminants normally associated with gasoline: benzene, toluene, ethylbenzene, and xylenes. Some of these contaminants have been shown to be carcinogenic.
- ARCO Petroleum Products Company has proposed that they treat the contaminated water and then be allowed to discharge the water to the storm drains in the area of the station. The wastewater cannot be drained directly to a municipal sewage treatment plant since none have their collection systems in the area.

III.  
Order

In view of the foregoing and in accordance with RCW 90.48.120(2):

IT IS ORDERED THAT ARCO Petroleum Products Company, upon receipt of this order, is authorized to discharge treated wastewater under the following conditions:

1. ARCO Petroleum Products Company is authorized to discharge the treated wastewater to City of Tacoma storm sewers. The water will then flow to a roadside swale along the west side of Portland Avenue South. The water will next flow to an unlined roadside slough located north of the site and hence to the Puyallup River and Commencement Bay. Due to the natural conditions of this area the treated wastewater may alternatively percolate into the soil and hence to groundwater. No more than 20,000 gallons of treated wastewater can be discharged on a one time basis. Any requirement to discharge any additional amounts of wastewater shall require the issuance of an additional Department of Ecology Order. The source of the wastewater is from an excavation associated with the removal of an underground storage tank from the ARCO Service Station, Number 4415.
2. All water that is removed from the underground tank excavation shall be treated prior to discharge. Prior to any discharge, the approval of the Ecology Site Manager shall be obtained. The treatment shall include, but is not limited to, aeration tanks. The wastewater shall be sampled and analyzed upon entry to the aeration tanks and retested at least once per week until the limits set for discharge, below, are reached, or a decision is made that no further treatment by this method is practical. If that decision is made, the instructions in Paragraph 3, below, shall be followed. No treated or untreated wastewater can be discharged to the environment that does not meet the limits set in Paragraph 6, below.
3. In the event that the aeration tanks alone cannot treat the wastewater, one of two options will be followed. Prior to either of the two options being exercised, the permission of the Ecology Site Manager shall be obtained. Prior to any discharge, the approval of the Ecology Site Manager shall be obtained.
  - A. In the first option, treatment shall continue with the use of two carbon filters placed in series with a sampling point (Testing Point) between the two filters. The first carbon filter will be tested for contaminant breakthrough at the Testing Point. At the beginning of the discharge and then again after 10,000 gallons of wastewater has been discharged, the water shall be sampled and tested. At that time the flow shall be halted until the laboratory results are returned. These laboratory results will be reported to the Ecology Site Manager prior to discharge resuming. If the contaminants in the wastewater have reached a level above the limits set below, at the testing point, the first filter will be replaced or otherwise regenerated. After this regeneration of the carbon, and notification of the Ecology Site Manager, further discharge may continue. No treated or untreated wastewater can be discharged to the environment that does not meet the limits set below. The wastewater shall be sampled and tested at the

beginning of the discharge and after each 10,000 gallons at the outfall of the second carbon filter (Outfall Point).

B. The second option involves the transportation of the wastewater to the collection system of a permitted municipal sewage treatment plant. Proper written permission of the municipality shall be obtained prior to discharge. The permission letter shall include a description of the levels of the pollutants that are in the wastewater. Copies of the analytical data will be included in the letter.

4. The discharge may start no sooner than May 20, 1990 and must cease no later than July 31, 1990.
5. Permission must be obtained from the City of Tacoma to use the storm drains prior to the discharge commencing. The permission must be in writing and a copy shall be provided to the Ecology Site Manager prior to discharge.
6. The quality of the discharged water shall be at or below the limits set below:

Benzene	1.0 ug/l
Toluene	40.0 ug/l
Ethylbenzene	20.0 ug/l
Total Xylenes	20.0 ug/l
Total Petroleum Hydrocarbons (TPH)	10.0 mg/l and no sheen*

\*The above limit is an average of samples with no individual sample greater than 15.0 mg/l TPH.

The wastewater shall be tested at least once per week during the period it is being treated in the aeration tank. No treated or untreated wastewater can be discharged to the environment that does not meet the limits set above.

7. Standard sampling techniques are to be used, including, but not limited to chain of custody procedures, maintenance of records for three years, and utilization of laboratory blanks. The wastewater shall be sampled prior to discharge at the outfall from the treatment tank or the carbon filter and the results submitted to the Ecology Site Manager for approval prior to discharge. The testing methods to be used are as follows:

BTEX (Benzene, Toluene, Ethylbenzene, and Total Xylenes)	8020
Total Petroleum Hydrocarbons	418.1

The references for these test methods are:

1. Method 8020 is from an EPA Publication, "Test Methods for Evaluating Solid Waste" (SW-846).
  2. Method 418.1 is published in an EPA Publication, "Methods for Chemical Analysis of Water and Waste" (EPA 600/4-79-020).
8. The discharge rate shall not exceed 10 gallons per minute. A flow restricting and/or measuring device shall be utilized to insure that this rate is not exceeded.

9. During treatment, prior to discharge, the storm drain shall be protected to insure that no untreated or partially treated wastewater enters the storm drain.
10. Prior to starting the aeration, the Puget Sound Air Pollution Control Authority shall be contacted and their permission to aerate the wastewater shall be obtained.
11. The site shall be posted with a sign that explains that wastewater from the excavation is being treated on site under the provisions of this order. A copy of this Order shall be maintained on site at all times and be available for inspection. Also on the sign shall be the name and telephone number of a 24 hour contact point, who can be reached in case of an emergency.
12. The Ecology Site Manager is:  
W. Thomas Todd  
Washington Department of Ecology  
7272 Cleanwater Lane  
Mail Stop LU-11  
Olympia, Washington 98504  
Telephone: (206) 586-4689

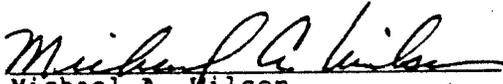
The Ecology Site Manager may change during the period covered by this Order; if this occurs, notification shall be made to ARCO Petroleum Products Company's representative with at least one week's notice prior to the change.

13. Under no circumstances is this Order to be considered a Department of Ecology approval of the cleanup of Service Station 4415. That action is voluntarily taking place under Chapter 70.105D RCW, and outside of the provisions of this Order. The purpose of this Order is solely to facilitate the quick treatment of the contaminated water.

Any person who fails to comply with any provision of this Order shall be liable for a penalty of up to ten thousand dollars for each day of continuing noncompliance.

Any person feeling aggrieved by this order may obtain review thereof by application, within 30 days of receipt of this Order, to the Washington Pollution Hearings Control Board, Mail Stop PY-11, Olympia, Washington 98504-8921. Concurrently, a copy of the application must be sent to the Department of Ecology, Mail Stop LU-11, Olympia, Washington 98504-6811. These procedures are consistent with the provisions of Chapter 43.21B RCW and the rules and regulations thereunder.

DATED this 29th day of May, 1990 at Olympia, Washington.

  
Michael A. Wilson  
Section Supervisor  
Hazardous Waste Investigations  
and Cleanup Program