



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

Northwest Regional Office • 3190 160th Ave SE • Bellevue, WA 98008-5452 • 425-649-7000
711 for Washington Relay Service • Persons with a speech disability can call 877-833-6341

December 11, 2013

Ms. Lauren Miles-Golembiewski
Glacier Environmental Services, Inc
3415 121st Street SW
Lynnwood, WA 98087

Order Docket No.	10404
Site Location	Cornet Bay Marina, 200 Cornet Bay Road, Oak Harbor, WA

Re: Administrative Order

Dear Ms. Miles-Golembiewski:

The Department of Ecology (Ecology) has issued the enclosed Administrative Order (Order) requiring Glacier Environmental Services to comply with:

- Chapter 90.48 Revised Code of Washington (RCW) – Water Pollution Control.
- Chapter 173-201A Washington Administrative Code (WAC) Water Quality Standards for Surface Waters of the State of Washington.
- Permit: National Pollution Discharge Elimination System (NPDES) Construction Stormwater General Permit WAR301251.

If you have questions please contact Tracie Walters at (425) 649-4484 or twal461@ecy.wa.gov.

Sincerely,

Kevin C. Fitzpatrick for...

Kevin C. Fitzpatrick
Water Quality Section Manager
Northwest Regional Office

Enclosure: Administrative Order No. 10401

By Certified Mail No.: 7008 1140 0000 2359 8763



**STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY**

IN THE MATTER OF AN) ADMINISTRATIVE ORDER
ADMINISTRATIVE ORDER) DOCKET NO. 10404
AGAINST)
Lauren Miles-Golembiewski)
Glacier Environmental Services, Inc)

To: Glacier Environmental Services, Inc
3415 121st Street SW
Lynnwood, WA 98087

Order Docket No.	10404
Site Location	Cornet Bay Marina, 200 Cornet Bay Road, Oak Harbor, WA

The Department of Ecology (Ecology) has issued this Administrative Order (Order) requiring Glacier Environmental Services, Inc (Glacier Environmental Services) to comply with:

- Chapter 90.48 Revised Code of Washington (RCW) – Water Pollution Control.
- Chapter 173-201A Washington Administrative Code (WAC) Water Quality Standards for Surface Waters of the State of Washington.
- Permit: National Pollution Discharge Elimination System (NPDES) Construction Stormwater General Permit WAR301251.

This is an Administrative Order in association with General Condition G13 (Additional Monitoring) as set forth in the Construction Stormwater General Permit. RCW 90.48.120(2) authorizes Ecology to issue Administrative Orders to accomplish the purposes of Chapter 90.48 RCW.

ORDER TO COMPLY

Description:

Glacier Environmental has applied for coverage under the Construction Stormwater General Permit (Permit) for construction activities associated with the construction site known as Cornet Bay Marina. Glacier Environmental Services reported that the construction site contains contaminated soil and groundwater which may be discharged due to the proposed construction activity. The Construction Stormwater General Permit does not have water quality sampling or benchmarks for gasoline-range hydrocarbons (NWTPH-Gx), diesel and heavy oil-range hydrocarbons (NWTPH-Dx), or benzene, toluene, ethyl benzene and xylenes (BTEX) (see Table 1); however, the permit requires compliance with the Water Quality Standards for Surface Water of the State of Washington (Water Quality Standards).

This Order establishes Indicator Levels for the Cornet Bay Marina. Indicator Levels express a pollutant concentration used as a threshold, below which a pollutant is considered unlikely to

cause a water quality violation, and above which it may. Indicator Levels in this Administrative Order were derived from practical quantitation levels for the cited analytical method. Glacier Environmental Services must take the following actions to remain in compliance with NPDES Permit WAR301251.

- Glacier Environmental Services shall use storage tanks and/or weir tanks, media filtration, and granular-activated carbon columns to treat any contaminated dewatering water or stormwater comingled with dewatering water (dewatering water) prior to discharge to surface water.
- All dewatering water, stormwater, and stormwater comingled with dewatering water (water) must be sampled weekly and tested for the parameters listed in Table 1. If all parameters are equal to or below the benchmarks or Indicator Levels in Table 1, the water may be discharged to waters of the state. If any of the Indicator Levels listed in Table 1 are exceeded, the water must not be discharged to waters of the state until the water has been treated and retested to determine that all parameters are equal to or below the Indicator Levels in Table 1. If the indicator levels for turbidity or pH listed in Table 1 are exceeded, Construction Stormwater General Permit (Permit) condition S4.C.5 and S4.D.5 applies.
- Have all pre-treatment and treatment systems in place prior to any discharge of dewatering water to surface water.
- Sampling for gasoline-range hydrocarbons (NWTPH-Gx), diesel-range hydrocarbons (NWTPH-Dx), and benzene, toluene, ethylbenzene and xylene (BTEX) must be reported on the required Discharge Monitoring Report (DMR).
- All sampling data must be reported monthly on Discharge Monitoring Reports (DMRs) using Ecology's electronic secure online system WQWebDMR, in accordance to permit condition S5.B. If the measured concentration is below the detection level, then Glacier Environmental Services shall report single analytical values below detection as "less than the detection level (DL)" by entering "<" followed by the numeric value of the detection level (e.g. "<0.1"). All other values above DL must be reported as the numeric value.
- If Glacier Environmental Services conducts sampling for the above parameters more frequently than required by this Order, then Glacier Environmental Services must include the results of this monitoring in the calculation and reporting of the data submitted in the monitoring reports.
- All monitoring data must be prepared by a laboratory registered or accredited under the provisions of Chapter 137-50 WAC, *Accreditation of Environmental Laboratories*.
- If a modification of this Order is desired, a written request shall be submitted to Ecology; and if approved, Ecology will issue an approval letter or an amendment to this Order.
- The sampling dates of any two consecutive weekly dewatering monitoring samples should be at least six days apart and no more than eight days apart, unless directed by Ecology. If the dewatering discharge is intermittent rather than continuous, sampling should take place at the beginning of each discharge cycle.
- Any discharge to waters of the state in exceedance of the contaminant Indicator Level in Table 1, except for turbidity and pH criteria, shall be reported according to Permit condition S5.F, Noncompliance Notification.

If any monitoring result exceeds a benchmark listed on Table 1, immediately notify Tracie Walters (425) 649-4484, twal461@ecy.wa.gov and Raman Iyer (425) 649-4424, riye461@ecy.wa.gov.

Ecology retains the right to make modifications to this Order through supplemental order, or amendment to this Order, if it appears necessary to further protect the public interest. Transfer of NPDES WAR301251 may require an additional and/or separate Administrative Order.

This Order does not exempt Glacier Environmental Services from any Construction Stormwater General Permit requirement.

Table 1.

Parameter	Indicator Level	Unit	Analytical Method	Detection Level	Quantitation Level
TOTAL PETROLEUM HYDROCARBONS AND BTEX					
Gasoline-Range Hydrocarbons (NWTPH-Gx)	250 ^a	µg/L	Ecology NWTPH-Gx	250	250
Diesel and Heavy Oil-Range Hydrocarbons (NWTPH-Dx)	250 ^a	µg/L	Ecology NWTPH-Dx	250	250
BTEX (benzene +toluene + ethylbenzene + m,o,p xylenes)	2 ^a	µg/L	EPA SW 846 8021/8260	1	2
NPDES CONSTRUCTION STORMWATER GENERAL PERMIT BENCHMARKS					
Turbidity	25	NTU	SM2130*	NA	NA
pH	6.5-8.5	SU	pH Meter	NA	NA
a: No surface water standard, value is laboratory quantitation level. NWTPH-Gx: Northwest Total Petroleum Hydrocarbons Gasoline Extended Range NWTPH-Dx: Northwest Total Petroleum Hydrocarbons Diesel Extended Range *: Or equivalent.					

FAILURE TO COMPLY WITH THIS ORDER

Failure 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.

YOUR RIGHT TO APPEAL

You have a right to appeal this Order to the Pollution Control Hearing Board (PCHB) within 30 days of the date of receipt of this Order. 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 both of the following within 30 days of the date of receipt of this Order:

- File your appeal and a copy of this Order with the PCHB (see addresses below). Filing means actual receipt by the PCHB during regular business hours.
- Serve a copy of your appeal and this Order on Ecology in paper form - by mail or in person. (See addresses below.) E-mail is not accepted.

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

Your appeal alone will not stay the effectiveness of this Order. Stay requests must be submitted in accordance with RCW 43.21B.320.

ADDRESS AND LOCATION INFORMATION

Street Addresses	Mailing Addresses
Department of Ecology Attn: Appeals Processing Desk 300 Desmond Drive SE Lacey, WA 98503	Department of Ecology Attn: Appeals Processing Desk PO Box 47608 Olympia, WA 98504-7608
Pollution Control Hearings Board 1111 Israel Road SW STE 301 Tumwater, WA 98501	Pollution Control Hearings Board PO Box 40903 Olympia, WA 98504-0903

CONTACT INFORMATION

Please direct all questions about this Order to:

Tracie Walters
Department of Ecology
Northwest Regional Office
3190 160th Avenue SE
Bellevue, WA 98008-5452
Phone: (425) 649-4484
Email: twal461@ecy.wa.gov

MORE INFORMATION

- Pollution Control Hearings Board Website: www.ecy.wa.gov/Boards_PCHB.aspx
- Chapter 43.21B RCW – Environmental and Land Use Hearings Office – Pollution Control Hearings Board: <http://apps.leg.wa.gov/RCW/default.aspx?cite=43.21B>
- **Chapter 371-08 WAC – Practice And Procedure**
<http://apps.leg.wa.gov/WAC/default.aspx?cite=371-08>
- **Chapter 34.05 RCW – Administrative Procedure Act**
<http://apps.leg.wa.gov/RCW/default.aspx?cite=34.05>
- **Laws:** www.ecy.wa.gov/laws-rules/ecyrcw.html
- **Rules:** www.ecy.wa.gov/laws-rules/ecywac.html

SIGNATURE

Gerald Shuey for ...

Kevin C. Fitzpatrick
Water Quality Section Manager
Northwest Regional Office

Dec. 11, 2013

Date