

ERTS # 546209

Initial Report

External Reference #

Caller Information

Where did it happen

First Name AMY
 Last Name SANSAYER
 Business Name
 Street Address
 Other Address
 City State WA Zip
 E-mail Confidential_FL
 Phone (509) 264-6464
 Ext
 Type Mobile

Berth Anchorage
 Location Name TRUCK CITY
 Street Address 3228 Old Hwy 99 S. Rd
 Other Address OLD HIGHWAY 99 AND HICKOCK RD
 City/Place MOUNT VERNON State WA Zip
 County - Region SKAGIT NWRO FS ID
 WIRA #
 Waterway UNKNOWN Type CREEK
 Latitude Longitude
 Topo Quad 1:24:000 MOUNT VERNON

What happened

Spills Program Oil Spill? N

Direction/Landmark (mile post, cross roads, township/range)

Incident Date 2/9/2005 Received Date 2/9/2005 0:00
 Medium SURFACE WATER-FRESH
 Material PETROLEUM - DIESEL FUEL
 Quantity Unit

Primary Potentially Responsible Party Information

Source UNKNOWN
 Cause UNKNOWN
 Activity UNKNOWN
 Impact WATER POLLUTION
 Vessel Name
 Hull Number

First Name UNK
 Last Name UNK
 Business Name TRUCK CITY TRUCK STOP
 Street Address 3228 Old Hwy 99 S. Rd
 Other Address
 City State WA Zip
 Phone Ext Type
 E-mail

Additional Contact Information

Name Phone Ext Type

More Information

CALLER SAYS THERE IS A RAINBOW SHEEN ON THE SLOUGH. IT RUNS ALL THE WAY ACROSS AND IS UP STREAM AS FAR AS SHE CAN SEE. SHE SAYS THAT SHE CAN TELL BY THE SMELL THAT IT IS DIESEL. THE SHEEN DOES NOT APPEAR TO BE THICK. SHE SAYS UP CLOSE THE SHEEN HAS A GREEN TINT.

THERE IS A JOHN DEER PLACE UP STREAM THAT SHE SUSPECTS MAY BE THE PROBLEM.

TAKE EXIT 224 OFF I-5 AND GO OVER FREEWAY TO OLD HIGHWAY 99.

Entry Person WALTERS, TRACIE

Entry Date 2/9/2005

Department of Ecology - Environmental Report Tracking System

ERTS # 546209

Initial Report

External Reference #

Caller Information

Where did it happen

First Name, Last Name, Business Name, Street Address, Other Address, City, State WA, Zip, E-mail, Phone, Ext, Type, Confidential_FL checkbox

Berth, Anchorage, Location Name, Street Address, Other Address, City/Place, State WA, Zip, County - Region, WIRA #, Waterway, Type, Latitude, Longitude, Topo Quad, Direction/Landmark

What happened

Spills Program Oil Spill? N

Incident Date, Received Date, Medium, Material, Quantity, Unit

Primary Potentially Responsible Party Information

Source, Cause, Activity, Impact, Vessel Name, Hull Number

First Name, Last Name, Business Name, Street Address, Other Address, City, State WA, Zip, Phone, Ext, Type, E-mail

Additional Contact Information

Name, Phone, Ext, Type for ED and CARLA

More Information

CALL FROM ED AT WA STATE EMD: ANON CALLER REPORTS OIL IN THE WATER - SAYS IT IS A DITCH WHICH DRAINS INTO FARMLANDS. THERE IS AN INDUSTRIAL COMPLEX UP STREAM. SOME OF THE BUSINESSES ARE JOHN DEER AND A CARPENTER TRAINING CENTER. ED HAS CONTACTED SKAGET EMD.

Entry Person WALTERS, TRACIE Entry Date 2/9/2005

ERTS # 546209

Referral

Referral Method		Person Referred to GREGORY, CHARLIE	Referral # 76907
<input type="radio"/> E-mail ERTS number		Phone (425) 649-7092 Fax (425) 649-7098	Primary <input type="checkbox"/>
<input checked="" type="radio"/> E-mail attachment		E-mail CGRE461@ECY.WA.GOV	
<input type="radio"/> Print		Program/Organization SPILLS, PREVENTION, PREPAREDNESS AND RESPONSE	
<input type="radio"/> Telephone		Address 3190 160TH AVE SE	
		City BELLEVUE WA 98008-	
		Region/Location NWRO	
		Referral Date 2/9/2005	
			Referral # 84909
Referral Method		Person Referred to WIETFELD, JOHN	Primary <input type="checkbox"/>
<input type="radio"/> E-mail ERTS number		Phone (425) 649-7282 Fax (425) 649-7098	
<input checked="" type="radio"/> E-mail attachment		E-mail JWIE461@ECY.WA.GOV	
<input type="radio"/> Print		Program/Organization TOXICS CLEANUP	
<input type="radio"/> Telephone		Address 3190 160TH AVE SE	
		City BELLEVUE WA 98008-	
		Region/Location NWRO	
		Referral Date 11/3/2005	

Department of Ecology - Environmental Report Tracking System

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Followup

Inspector Information

Referral # 76907
 Lead Inspector GREGORY, CHARLIE
Program/Organization SPILLS, PREVENTION, PREPAREDNESS AND RESPONSE
*** Region/Location** NWRO
of Ecology Staff 2 **Overtime**

Action

FIELD RESPONSE - INVESTIGATION **Start Date** 2/9/2005 **End Date** 2/14/2005

What happened

Incident Date 2/9/2005 **Spills Program Oil Spill?** N

Medium

SURFACE WATER-FRESH

Material

PETROLEUM - DIESEL FUEL

Quantity	Unit	Est
25	GALLON	<input type="checkbox"/>

Source

COMMERCIAL **Regulated?**

Cause

HUMAN FACTOR - INCOMPETENCE

Activity

REFUELING

Impact

WATER POLLUTION

Vessel

Where did it happen

Followup #1

Berth **Anchorage**
Location Name TRUCK CITY TRUCK STOP
Street Address OLD HIGHWAY 99 AND HICKOCK RD
Other Address 3228 Old Hwy 99 S. Rd
City/Place MOUNT VERNON **State** WA **Zip** 98273-
County SKAGIT **Region** NWRO **FS ID**
Waterway MADDOX **Type** CREEK
WRIA #
Latitude 48.391194 **Longitude** 122.335537
Topo Quad 1:24,000 MOUNT VERNON
Direction/Landmark (mile post, cross roads, township/range)

Potentially Responsible Party Information

Check if the primary PRP provided notice to Ecology

Primary **First** **Last**
Name Vicky Swihart
Business Name Truck City Truck Stop
Street Address 3228 Old Hwy 99 S. Rd
Other Address
City Mount Vernon **State** WA **Zip** 98273-
Phone **Ext** **Type**
E-mail

Narrative

NWRO CLINE AND GREGORY RESPONDED ON 2-9-05.
 MORE INFORMATION TO FOLLOW THIS INITIAL ENTRY.

On Wednesday, Feb 9 Charlie Gregory and David Cline responded to a report of a sheen in Maddox Creek just south of Mt. Vernon. Based on initial reports from Skagit County DEM, who reported that the sheen was significant and did not appear to be normal surface water run off. DEM also reported there was evidence of a recent spill upstream at Truck City Truck Stop that may be related. Charlie and David made a trip to the site and found evidence of a diesel spill at the truck stop's fuel pumps. They assisted Truck City employees with the clean up of the spill on their property and also hired National Response Corporation to do the cleanup in the creek. The following day, Charlie and David returned to the site to continue their investigation and clean up but were denied access to Truck City Property by the company bookkeeper. With out accessing Truck City property, they collected samples up stream and down stream of the site. With Skagit County DEM's help, we gained access to the site on the following Monday, February 14. A dye test confirmed that the diesel spill had a pathway to enter Maddox Creek. Enforcement action will follow.

Details:
 2/9/2005

08:22 and 08:33 Received two initial calls about this spill.
 08:45 Contacted Mark Watkinsen (360-428-3250) at Skagit Count EMD. He received the report from State EMD and will respond to investigate. We are not anticipating that it is a big deal.
 09:15 Mark called me. He is in the area. He reports: There is a lot of product floating down the drainage ditch. This is in a large industrial area. The sheen is in an open ditch line, not in Carpenter Creek. He is trying to find out where it came from. The product is very, very, very light in the drainage ditch. (it's a sheen) It is too thin to be recovered. The drainage ditch is flowing – not stagnant or still water. He can not detect an odor – he has a poor sense of smell. He will try to determine the source and call back.

09:45 Mark Watkinsen calls back: The area is an industrial area south of Mt. Vernon City limits - scheduled for more industry. The ditch is a small stream called Maddox Creek. Maddox Creek "tight lines" from east to west (flow direction) under I-5 then bends south to the location of the reported sheen. North of Maddox Creek, there is a large drainage system put in place to handle runoff for new industry. There is

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evidence of a spill at the pumps at Truck City – staining and kitty litter present. Truck City is located to the north of the sheen area in Maddox Creek (up stream) and has been there 40 + years. He has not spoken to Truck City, requests a call when we come up, and he will show us around when we come up. He describes the area as low production farm land until about 15 years ago (when it started to become industrial). It was a wet area taking drainage from the hills in Mt. Vernon. There is a stain of 10 feet by 10 feet or so in size. an area on Truck City Property where truck traffic has driven through the spill (apparently a spill at the pumps).

Charlie Gregory and David Cline respond to the site
1155 CG and DC arrive at Hickox Road photograph sheen in Maddox Creek.

1200 Sample 00A collected By David Cline from Maddox Creek where it reaches Hickox Road and changes direction from flowing South to flowing West.

1205 (approx) Met with Mark Watkinson (Skagit DEM) reviewed his findings with him. Viewed Maddox Creek and Truck City property. Invited Mark to approach Truck City management – he declined. Met with Victoria Sweihart – who is the book keeper for Truck City and their representative. She did not believe that the sheen in Maddox Creek could be from them. She did not know where liquids went once they entered storm drains on her (Truck City) property. Nor did she know of any diagrams or documentation about this. She did not know if there is an oil water separator. She did not know anyone she could call who would know. If there is an oil water separator, there could be a slug of diesel in it ready to discharge during the next rain. She did provide a map of the facility which showed property boundaries, property dimensions, and the locations of buildings, canopies and underground storage tanks.

CG and DC directed and assisted two employees clean up the remaining fuel spill on the Truck City property. Truck City had run out of absorbent materials, had not taken action to get more cleanup supplies, and had ceased cleanup activity. They accepted our assistance and use of our materials and followed our directions to complete the clean up. The area we cleaned up was to the south and east of the diesel pump.

Ecology hired a clean up contractor (NRC Environmental Services) to address the diesel that had made its way to the drainage ditch and to Maddox Creek. Two people arrived and placed absorbent boom and absorbent pads in the drainage ditch and Maddox Creek before dark.

1715 Sample 00B was collected by Charlie Gregory from the bog where it reaches Maddox Creek at the location where the largest amount of standing diesel was.

2/10/05

1250 C. Gregory and D. Cline arrive at Truck City in Mt. Vernon. CG called Mt. Vernon Public Works to notify them of our intent to run a dye test. CG tried to contact John Buckley. He was not there. CG spoke with Walt Enquist. He will e-mail the 911 center the county and the city to notify them.

1315 The book keeper (Victoria Swihart) requests that Ecology leave the site. She says it is private property and we do not have permission to be there. I assure her that we do have the authority to be there. She said that unless the spill is of 25 gallons, then we have no right to be there. CG told her there is no volume consideration and asked what her source is. She said she had it on good authority from an individual. When asked, she would not name the individual or provide contact information. When questioned about her authority to speak for the property owner she assured us that she was speaking on behalf of the property owner and we were not permitted on the property. We left the property after resetting a storm grate that we had lifted and collecting our tools. CG and DC called Paul O'Brien, and discussed options for trying to continue the investigation. One option was to try to reach this "phantom" person the book keeper had referred too, and convince them by phone or at a meeting to allow us access to the property. We also discussed obtaining a warrant. Both these options seemed to be cumbersome and time consuming. We decided that we would stay off the property, abandon the on-site dye testing we had planned, abandon the on-site sampling we had planned, and collect whatever useful samples we could from locations outside the property boundary.

1350 CG and DC meet with Matt Cheney (NRC). We walked the storm drain line and smelled diesel fuel in the storm drain (SD-4) located about 10 feet south (and down stream) of the Truck City Property.

1440 Matt Cheney leaves after reviewing the drainage line with us.

1445 CG and DC are on site at the nursery north of Truck City. We checked property boundary between the nursery and Truck City. There are no storm drains in that area.

1452 at storm drain about 60 to 70 feet north of the residence on the nursery property.

1500 Sample 001 collected By Charlie Gregory from this storm drain which is inline with the storm drain at Truck City and with the storm drains south of Truck City that lead to the contaminated creek (Maddox Creek). No diesel odor detected. GPS N 48° 23.743' W122° 20.006'

1511 CG and DC leave the nursery after collecting sample #001.

CG and DC met the owner of the property adjacent to and south of Truck City. He gave us permission to access his property for investigation and sampling, and he showed us blue prints of the property which is being developed.

1525 CG collects sample #002 from SD #4, located about 20 feet south of a storm drain on Truck City property. This sample location is the closest storm drain to the south end of Truck City's property. There is a petroleum odor coming from this storm drain. On 2/9/05 CG and DC observed a diesel odor coming from the storm drain on Truck City property about 20 feet north of this location (SD #4, sample #002). GPS Location N 48° 23.663', W 122° 19.974'

1600 Sample #003 collected from the bog where the storm drain pipe from Truck City empties into Maddox Creek.

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GPS location N 48° 23.524', W 122° 19.981'

02/14/2005

0900 OP, CG, and DC in PO's office. Telephone call with Tom Sheahan with Skagit County EMD. Tom informs us that he spoke with Vicky Swiehart and Suba on Saturday. He believes they will be cooperative now. He said he might have to have their electricity shut off through the fire marshals office because of the potential fire threat. He also provided information about a paint spill at 1607 Birch Court off Otter Pond which has paint init. Otter Pond is all white from the paint and is located at Eaglemont Country Club. (see ERTS # 546313 for more information)

0940 CG and DC leave NWRO in the Dodge spill truck, and PO leaves in the Expedition.

0943 Rick Haley Skagit Co. WQ called CG. Rick has an e-mail from someone who knows the site very well. He will forward it to me.

Relayed the following information: there are three storm drain systems that drain the site. Two along old hwy 99, and one that drains the center of the site. There is also a shop on the NW corner of the property that has floor drain that may not go to an OWS.

1050 At Hickox Rd. Photos # 25 and #26 of Maddox Creek. There is a minor sheen in the outside corner.

1056 At culvert/bog area. The area is nearly clean. Photos 27 to 32.

Stopped at south boundary of Truck City. Petroleum smell in the storm drain to the south of the property line.

Parked off old hwy 99 just south of Truck City to inspect storm drains in that area

1115 (approx) PO, CG and DC met with Vicky Swiehart. PO, CG and DC discussed with her what our role is, what the laws are, and why we are here: Investigation the spill and storm drains lead us to Truck City. Initial investigations show storm drain upstream of the site is clean and storm drains downstream of the site are contaminated.

1145 (approx.) VS made a call and came back and granted permission to sample and dye test on site. VS requested copies of data collected. CG and DC leave Truck City building to sample and dye test. PO continues discussion with VS.

1150 PO Completed meeting with Vicky Swiehart.

1155 Matt Chaney (NRC) called CG. He will pull the booms tomorrow morning unless he hears from CG.

1220 CG collects sample #004 from SD #5.

GPS location N 48° 23.660', W 122° 19.970'

SD #5 is located on the Truck City property near the southern boundary and about 20 feet north of SD #4. SD #5 appears to connect to SD #4 by an underground pipe. Inside SD #5 there appears to be 3 pipes that flow in and 1 that flows out. One pipe flows in from the Northeast, one flows in from the West, and one flows in from the North. The pipe that flows out to the south goes to SD #4.

Inspected SD #6, could not remove drain cover

Inspected SD #7, one pipe leading in from north, one pipe leading in from west, and there is one pipe exiting to the south.

Inspected SD #8 - appears to flow into SD #6

Inspected SD #9 - appears to flow from truck wash

Inspected SD #10 in from south and north out to east

Inspected SD #11 pipes from the north south and east

Inspected SD #12 and #13 - appeared to contain petroleum. Oil absorbent pad was used to detect petroleum and none was found. SD #13 has a pipe coming from the north and west, no flow. SD #14 has only water in it.

1412 CG attempts to collect trench drain sample, sample collection was discontinued due to lack of water in the drain.

1418 CG collects sample #005 from SD #8

GPS location: N 48° 23.681' W 122° 20.049'

1423 Paul O'Brien placed water hose from the north diesel pump into the trench drain and completely opened the valve.

1429 (approx) PO, CG, and DC observed a flow of water into SD #8 (first drain east of the trench drain) from the trench drain

1430 CG places 10-12 red fluorescene dye tablets into trench drain a few feet up stream of the outlet.

1440 (approx) PO, CG, and DC observed red water entering SD #8 from the trench drain Photo 37

1450 (approx) CG places green fluorescene dye in the trench drain - Concerned that the red may not be visible far enough down stream.

1452 CG calls Tracy Walters at NWRO to notify of dye test

1455 CG called Skagit County at 360-336-9400, told reception about dye test she asked who I was talking to earlier, CG told her Rick Haley about the test. He will notify other people who need to know. CG called Tom Sheahan, notified him of dye test.

1510 green dye is observed in SD #4 (just south of Truck City property) and SD #5 (about 20 feet north of SD #4, and on Truck City property)

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1520 CG collects sample # 006 from both dispensers on the south diesel island.

1530 (approx.) PO, CG, and DC at culvert/bog area-no dye in water.

1544 CG puts more dye (green fluorescene) in the storm drain (SD #4) just south of truck city property line.

1547 Fluorescene dye first detected at the bog

1553 Green dye coming out of the culvert at the culvert/bog area. Photos 38 to 43.

1612 Onsite shut the water off

1615 (approx) Departed truck city

2/15/2005
Matt Cheney, NRC goes to the site – removes absorbents

02/17/05
1000 recorded phone messages

2/11/05, 0927 Friday Matt Cheney left a message on the status on cell phone with clean up status.

2/12/05, 0919 Saturday Matt Cheney just walked the site Hickox Road to the spill, looks similar to yesterday, small sheen all over from Hickox Rd to Brown trucking. At the culvert there is significantly less product. The volume of flow in Maddox Creek is about 2-3 times what it was yesterday. The water height is about where it was before the vegetation was removed. He is planning on being there tomorrow to check the absorbents.

02/13/05 0925 Sunday Message from Matt Chaney looks better there is nearly no sheen. A tiny sheen in the center of the channel. One or two small pockets of mousse. It is cleaning out. At the culvert there is significantly less mousse today than yesterday. The rain yesterday flushed it away. The water level is up. Slight sheen coming from some of the bog vegetation. Leaving the booms in until communication with CG.

02/15/05 1536 Tuesday Message from Matt Cheney boom has been removed and the stakes pulled. No sheen at Hickox Rd. Cleanup is complete.

Week of February 21
Received Laboratory data
Sample 00A "This sample contains weathered diesel"
Sample 00B "This sample contains weathered diesel"
Sample 001 "No recognizable petroleum hydrocarbons or products found"
Sample 002 "This sample contains weathered diesel"
Sample 003 "This sample contains weathered diesel"
Sample 004 "This sample contains #2 diesel which matches the #2 diesel of sample #006"
Sample 005 "This sample contains weathered #2 diesel"
Sample 006 "This sample is #2 diesel"

1/20/2006 Notice of Penalty (Docket Number DE 3007) and an Administrative Order Reimbursement of Expenses (Docket Number DE 3008) were sent out.

Vessel Emergency

Entry Person: CLINE, DAVID

Entry Date 2/16/2005

Inspector Information

Referral # 84909

Lead Inspector BAILS, JOHN

Program/Organization TOXICS CLEANUP

* Region/Location NWRO

of Ecology Staff

Overtime

Action

TCP - NFA

Start Date

11/8/2005

End Date

11/8/2005

Where did it happen

Berth

Anchorage

Location Name TRUCK CITY

Street Address 3228 Old Hwy 99 S. Rd

Other Address OLD HIGHWAY 99 AND HICKOCK RD

City/Place MOUNT VERNON State WA Zip

County SKAGIT Region NWRO FS ID

Waterway UNKNOWN

Type CREEK

WRIA #

Followup #2

Department of Ecology - Environmental Report Tracking System

ERTS # 546209

What happened

Spills Program Oil Spill? N

Latitude

Longitude

Incident Date 2/9/2005

Topo Quad 1:24,000 MOUNT VERNON

Medium

Direction/Landmark (mile post, cross roads, township/range)

SURFACE WATER-FRESH

Material

PETROLEUM - DIESEL FUEL

Quantity Unit

Est



Potentially Responsible Party Information

Check if the primary PRP provided notice to Ecology

Source

Regulated?

Primary

First

Last

UNKNOWN

Name

UNK

Cause

UNKNOWN

Business Name TRUCK CITY TRUCK STOP

Street Address 3228 Old Hwy 99 S. Rd

Other Address

City

State WA

Zip

Activity

UNKNOWN

Phone

Ext

Type

Impact

WATER POLLUTION

E-mail

Vessel

Narrative

A ADEMASU CONDUCTED THE INVESTIGATION IN FEBRUARY.
DETERMINED THAT SOURCE WAS FROM A REFUELING SPILL AND NOT RELATED TO OPERATION OF UST'S
SPILL DID NOT IMPACT SOIL OR GW.
SPILLS UNIT IS HANDING THE CASE.
NOT TO BE LISTED AT LEAST FROM THIS INCIDENT AT THIS TIME.
[JMB,11/08/05]

Vessel Emergency

Entry Person: BAILS, JOHN

Entry Date 11/8/2005