



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

1250 West Alder Street • Union Gap, Washington 98903-0009 • (509) 575-2490

November 2, 2021

Ryan Smith  
Tribal Fishco, LLC  
c/o CRITFC  
700 NE Multnomah Ave, Ste 1200  
Portland, OR 97232

*Sent via email only: [ryan.smith@ctwsbnr.org](mailto:ryan.smith@ctwsbnr.org)*

**RE: Notice of Temporary State Waste Discharge Permit No. ST0501337 for East White Salmon Fish Processing Plant, Effective October 9, 2021**

Dear Ryan Smith:

Your application for a state waste discharge permit for East White Salmon Fish Processing Plant was received by this office on May 17, 2021. It was reviewed and accepted as complete on August 19, 2021. A Public Notice of Application was published on September 1, and September 8, 2021, in the White Salmon Enterprise and the public comment period ended on October 8, 2021, with no comments being received.

Given our limited resources, beyond processing and approving your application, we can't issue a full permit at this time. Washington Administrative Code (WAC) 173-216-070 explains what satisfies the requirement for filing a permit application. WAC 173-216-090 requires publication of a public notice followed by a 30-day comment period. Revised Code of Washington (RCW) 90.48.200 states, "In the event of failure of the Department of Ecology (Ecology) to act upon an application within 60 days after it has been filed, the applicant shall be deemed to have received a temporary permit. Said permit shall authorize the applicant to discharge wastes into waters of the state as requested in its application only until such time as Ecology shall have taken action upon said application."

Therefore, as RCW 90.48.200 and WAC 173-216-090 provide, your new Temporary Permit became effective **October 9, 2021**, the day following completion of the public notice comment period. It will remain in force for up to five years or until further notice by the Department, whichever occurs first.

Ecology will undertake writing a full permit as time allows. At that time we will contact you to discuss any changes in operation and to do a site visit.

**Your temporary permit consists of the permit application and all appendices submitted with it.** Compliance with the application and the appendices will constitute compliance with the temporary permit.

**Wastewater Discharge Limitations**

The City of White Salmon, City of Bingen, and Tribal Fishco, LLC agreed on discharge limitations and are as follows:

- 75 lbs/day of BOD (biochemical oxygen demand) and 100 lbs/day of Total Solids the first week
- 150 lbs/day of BOD (biochemical oxygen demand) and 200 lbs/day of Total Solids thereafter
- FOG (fats, oil and grease) concentration will be limited to 100 mg/liter
- pH will be kept within the range of 6 to 9.5
- Maximum flow rate is limited to: 60 gallons per minute subject to revision by Bingen

## Temporary Permit Conditions and Requirements

### Monitoring requirements

The Permittee must monitor the wastewater and production according to the following schedule:

| Process Wastewater Effluent to Bingen POTW<br>(001) |   |                            |                         |
|---|---|----------------------------|-------------------------|
| Parameter   | Units & Speciation  | Minimum Sampling Frequency | Sample Type             |
| Flow  | gal/day   | Continuous <sup>a</sup>    | Metered                 |
| pH  | Standard Units  | 2/month <sup>b</sup>       | Grab <sup>c</sup>       |
| Biological Oxygen Demand (BOD <sub>5</sub> )        | mg/L  | 2/month                    | Grab                    |
| BOD <sub>5</sub>                                    | lbs/day   | 2/month                    | Calculated <sup>d</sup> |
| Total Suspended Solids (TSS)                        | mg/L  | 2/month                    | Composite               |
| TSS   | lbs/day   | 2/month                    | Calculated              |
| Fats, Oil, and Grease (FOG)                         | mg/L  | 2/month                    | Grab                    |
| a   | Continuous means uninterrupted except for brief lengths of time for calibration, power failure, or unanticipated equipment repair or maintenance. The time interval for the associated data logger must be no greater than 30 minutes. The Permittee must sample daily when continuous monitoring is not possible. Report daily total flows in discharge monitoring reports (DMRs). |                            |                         |
| b   | 2/month means twice during each calendar month.   |                            |                         |
| c   | Grab means an individual sample collected over a fifteen (15) minute, or less, period.  |                            |                         |
| d   | Calculated means figured concurrently with the respective sample, using the following formula:<br>Flow (in MGD) X Concentration (in mg/L) X Conversion Factor (8.34) = lbs/day  |                            |                         |

This authorization does not allow you to discharge pollutants not specified in your application or appendices, or in quantities exceeding those specified. You are also required to comply with all water pollution laws and regulations.

### Discharge Monitoring Report (DMR) Forms

Submit DMRs for parameters with the monitoring frequencies specified in the monitoring tables above (monthly, quarterly, semiannual, etc.) at the reporting schedule identified below. The Permittee must:

- Submit **monthly** DMRs by the 15<sup>th</sup> day of the following month, beginning with the **December 2021** DMR due by **January 15, 2022**.

Ecology requests that you register for WQWebDMR, Ecology's electronic data reporting system, and submit your DMRs electronically. To sign up for WQWebDMR (with step-by-step registration instructions and screen shots) at: <https://ecology.wa.gov/Regulations-Permits/Guidance-technical-assistance/Water-quality-permits-guidance/WQWebPortal-guidance>. Please feel free to contact Ecology if you have any questions about WQWebDMR.

If you are unable to submit your DMR electronically, contact the Water Quality Permit Coordinator, Department of Ecology, 1250 West Alder Street, Union Gap, WA 98903-0009, to request a waiver to use WQWebDMR and obtain a paper DMR form.

### **Renewal Application**

A new application must be submitted before **October 2, 2025**, if discharge of wastewater is to continue after the five-year term of this temporary permit. Ecology may issue a new permit for this discharge at any time. Ecology may request an updated application if a substantial amount of time passes before acting on your original application.

### **Permit Fees**

Under the Model Toxics Control Act, codified as RCW 90.48.465, Ecology is required to recover the cost of the Water Quality Permit Program. Ecology has adopted a regulation (Chapter 173-224 WAC) establishing annual permit fees for all municipal/domestic and industrial wastewater discharge permit holders. Your Temporary Permit is subject to this fee. Permit fee billing will be in a separate mailing from the Ecology Fee Unit.

### **Appeal Process**

You have the right to appeal this permit within thirty (30) days upon receipt of this document. Pursuant to Chapter 43.21B RCW, your appeal must be filed with the Pollution Control Hearings Board, and served on the Department of Ecology, within thirty (30) days of the date of your receipt of this document.

If you choose to appeal this action or decision, your notice of appeal must contain: (1) A copy of the permit you are appealing, and (2) A copy of the application for the permit.

Any appeal must contain the following in accordance with the rules of the hearing board:

- a. The appellant's name and address;
- b. The coverage date and number of the permit appealed;
- c. A description of the substance within the permit that is the subject of the appeal;
- d. A clear, separate, and concise statement of every error alleged to have been committed;
- e. A clear and concise statement of facts which the requester relies to sustain his or her statements of error; and
- f. A statement setting forth the relief sought;
- g. The notice of appeal shall contain a copy of the order or decision appealed from, and if the order or decision followed an application, a copy of the application.

Ryan Smith  
Tribal FishCo, LLC  
November 2, 2021  
Page 4

Your appeal must be filed with the Pollution Control Hearings Board:

Street Address

Pollution Control Hearings Board  
1111 Israel Road SW, Suite 301  
Tumwater, WA 98501

Mailing Address

Pollution Control Hearings Board  
PO Box 40903  
Olympia, WA 98504-0903

Your appeal must also be served on the Department of Ecology:

Street Address

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

Mailing Address

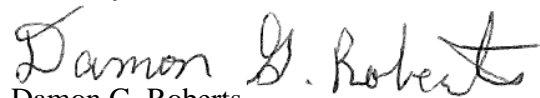
Department of Ecology  
Attn: Appeals Processing Desk  
PO Box 47608  
Olympia, WA 98504-7608

In addition, please send a copy of your appeal to:

Damon G. Roberts  
Section Manager/Water Quality Program - CRO  
Department of Ecology  
1250 W. Alder St.  
Union Gap, WA 98903-0009

If you have any questions or need assistance, please feel free to contact Keith Primm, your permit manager at 509-457-7124 or [keith.primm@ecy.wa.gov](mailto:keith.primm@ecy.wa.gov).

Sincerely,



Damon G. Roberts  
Section Manager  
Water Quality Program

c: Water Quality Fee Unit, Lacey  
Keith Primm, Ecology-Union Gap  
Caleb Bos, Ecology-Union Gap