



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

Northwest Region Office
PO Box 330316, Shoreline, WA 98133-9716 • 206-594-0000

December 12, 2022

Mr. Rick Garlock
PO Box 870
Burlington, WA 98233-0620

Re: **WARNING LETTER** for State Waste Discharge Permit Number ST0501320
Skagit Valley Farm Cooling

Dear Rick Garlock:

This letter is to inform you that your facility was out of compliance with the conditions in your industrial wastewater discharge permit as listed in Tables 1 through 5.

Table 1. Numeric Effluent Violations for Outfall #001 (MP01), September 2021 to September 2022

Date	Parameter	Measurement	Units	Limit	Limit Type
9/13/2021	pH	6.2	S.U.	6.5	Minimum Daily
9/13/2021	Total Coliforms	>16000	MPN/100 mL	400	Maximum Daily
September 2021	Total Coliforms	>16000	MPN/100 mL	200	Average Monthly
10/11/2021	pH	6.4	S.U.	6.5	Minimum Daily
10/11/2021	Total Coliforms	790	MPN/100 mL	400	Maximum Daily
October 2021	Total Coliforms	790	MPN/100 mL	200	Average Monthly
11/2/2021	pH	6.4	S.U.	6.5	Minimum Daily
1/4/2022	pH	6.4	S.U.	6.5	Minimum Daily
January 2022	Total Coliforms	220	MPN/100 mL	200	Average Monthly
7/7/2022	pH	6.4	S.U.	6.5	Minimum Daily
8/31/2022	Total Coliforms	130000	MPN/100 mL	400	Maximum Daily
August 2022	Total Coliforms	130000	MPN/100 mL	200	Average Monthly
9/7/2022	Total Coliforms	490	MPN/100 mL	400	Maximum Daily
September 2022	Total Coliforms	490	MPN/100 mL	200	Average Monthly

Table 2. Monitoring Violations from July 2021 to December 2022

Monitoring Period	Monitoring Points	Parameter	Sampling Frequency	Violation
July-September 2021	MW1, MW2, MW3	Iron and Manganese	Quarterly	Analysis Not Conducted
October-December 2021	MW1, MW2, MW3	Iron and Manganese	Quarterly	Analysis Not Conducted

Monitoring Period	Monitoring Points	Parameter	Sampling Frequency	Violation
January-June 2022	MW1, MW2, MW3, MW4	Fecal Coliform	Semi-annual	Analysis Not Conducted
February 2022	MP01	Flow	Continuous	Sampling Frequency
July-September 2022	5PS	Iron, Ferrous	Quarterly	Analysis Not Conducted
July-December 2022	MP01, MW1, MW2, MW3, MW4	Fecal Coliform	Semi-annual	Analysis Not Conducted

Table 3. DMRs submitted early in 2022

Monitoring Period		DMR Due Date	DMR Submitted Date	Days Early*
Begin Date	End Date			
3/1/2022	3/31/2022	4/28/2022	3/4/2022	27
1/1/2022	3/31/2022	4/28/2022	3/17/2022	14
4/1/2022	4/30/2022	5/28/2022	4/11/2022	19
5/1/2022	5/31/2022	6/28/2022	5/6/2022	25
6/1/2022	6/30/2022	7/28/2022	6/15/2022	15
4/1/2022	6/30/2022	7/28/2022	5/5/2022	56
1/1/2022	6/30/2022	7/28/2022	3/17/2022	105
7/1/2022	9/30/2022	10/28/2022	8/23/2022	38
10/1/2022	10/31/2022	11/28/2022	10/28/2022	3
7/1/2022	12/31/2022	1/28/2023	10/5/2022	87
1/1/2022	12/31/2022	1/28/2023	3/8/2022	298

*DMR submitted this many days before the end date of the monitoring period.

Table 4. Exceedance of Early Warning Levels from September 2021 to September 2022

Date	Monitoring Point	Parameter	Measurement	Units	Limit	Limit Type
9/13/2021	MP01	Manganese	0.0336	mg/L	0.025	Maximum Daily
10/11/2021	MP01	Arsenic	< 0.5	µg/L	0.250	Maximum Daily
10/11/2021	MP01	Manganese	0.0324	mg/L	0.025	Maximum Daily
11/2/2021	MP01	Manganese	0.0516	mg/L	0.025	Maximum Daily
12/8/2021	MP01	Manganese	0.116	mg/L	0.025	Maximum Daily
1/4/2022	MP01	Arsenic	< 0.5	µg/L	0.250	Maximum Daily
1/4/2022	MP01	Manganese	0.0534	mg/L	0.025	Maximum Daily
3/16/2022	MW1	Manganese	12.9	mg/L	0.025	Maximum Daily
3/16/2022	MW2	Manganese	4.2	mg/L	0.025	Maximum Daily
3/16/2022	MW3	Manganese	0.569	mg/L	0.025	Maximum Daily
3/16/2022	MW4	Manganese	1.26	mg/L	0.025	Maximum Daily
4/13/2022	MW1	Manganese	11.1	mg/L	0.025	Maximum Daily
4/13/2022	MW2	Manganese	2.49	mg/L	0.025	Maximum Daily
4/13/2022	MW3	Manganese	1.64	mg/L	0.025	Maximum Daily
4/13/2022	MW4	Manganese	12	mg/L	0.025	Maximum Daily
7/7/2022	MP01	Manganese	0.098	mg/L	0.025	Maximum Daily
7/19/2022	MW1	Manganese	11.1	mg/L	0.025	Maximum Daily

Date	Monitoring Point	Parameter	Measurement	Units	Limit	Limit Type
7/19/2022	MW2	Manganese	2.49	mg/L	0.025	Maximum Daily
7/19/2022	MW3	Manganese	1.64	mg/L	0.025	Maximum Daily
7/19/2022	MW4	Manganese	12	mg/L	0.025	Maximum Daily
8/31/2022	MP01	Manganese	0.131	mg/L	0.025	Maximum Daily
9/7/2022	MP01	Manganese	0.0502	mg/L	0.025	Maximum Daily

Table 5. Missing Submittals in 2021-2022

Due Date	Submittal Report	Permit Section
3/1/2021	Annual Irrigation Report	S11
7/1/2021	Groundwater Quality Evaluation Final Report	S9.2
1/1/2022	Groundwater Monitoring Wells	S10.4

Non-compliance notifications are required by your permit. You must submit this notice immediately. You have not submitted a written notice of non-compliance for the Total Coliforms violations in Table 1 or the monitoring violations in Table 2, therefore you are in violation of your permit. You may refer to **permit section S3.F.6.a.** for more information about what must be included in a written notice of non-compliance. From this point forward, an electronic copy of the laboratory report should be attached to every DMR submission. The written notice of non-compliance should also be attached to the DMR submission. Furthermore, your facility has a pattern of submitting DMRs before the end of the monitoring period (Table 3). DMRs must not be submitted prior to the end of a monitoring period, to allow for reporting the event of an unplanned discharge. Many of the 2022 monitoring violations listed in Table 2 could have been avoided by planning another sampling event(s) in the monitoring period. The flow sample frequency violations in February 2022 could be avoided by entering “No Discharge” under DMR Reporting Codes, which applies to all outfalls and parameters.

Two consecutive exceedances of early warning levels (manganese benchmark exceedances in Table 4) requires additional investigation according to **permit section S1.B.** Your facility should provide Ecology with a **written report** on the investigation into the source(s) of the elevated manganese. This report must include a discussion of the steps taken to locate the source(s), steps taken to correct those sources, and steps taken to ensure future exceedances do not occur. In addition, the analytical method used to measure arsenic was not sensitive enough to measure arsenic below the early warning level. The arsenic early warning level is 0.25 µg/L, which is lower than the measurement of 0.5 µg/L (reported below detection limit). Ecology requests that you coordinate with your laboratory to use a method with a detection limit below 0.25 µg/L arsenic. You should attach an electronic copy of the laboratory report to every DMR submission to support this action.

Ecology uses the DMR to evaluate compliance with permit requirements. Ecology places great importance on the submittal of complete and accurate DMRs. Three of the reports required by your permit are past due (Table 5), and this is the second notice you have received regarding these missing reports. If you fail to comply with the conditions of your permit, Ecology may take formal administrative enforcement action, including issuing orders and penalties. Ecology’s enforcement authority for state waste discharge permits is governed by Chapter 173-216 of the Washington Administrative Code (WAC).

Ecology requests that you submit the following items:

1. Notice of Non-compliance for all permit violations in Tables 1 and 2.
2. Lab reports attached to all future DMR submissions.
3. Report on the investigation into the source(s) of the elevated manganese in Table 4.
4. Missing submittal reports listed in Table 5.

If you have any questions or concerns, please contact me at gretchen.onstad@ecy.wa.gov or 425-457-0999.

Sincerely,



Gretchen Onstad
Compliance Specialist
Water Quality Program

e-cc: Permit and Reporting Information System (PARIS): Skagit Valley Farm Cooling, ST0501320
Chris Martin, Ecology
Chris Smith, Ecology
Monika Kannadaguli, Ecology
Rick Garlock, Skagit Valley Farm Cooling, rick.garlock@skagitvalleyfarm.com