



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

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May 20, 2019

Mr. Frank DeVries  
Active Berry Packers LLC  
210 Nooksack Ave, Suite 101  
Lynden, WA 98264

Re: **WARNING LETTER:** State Waste Discharge Permit Number ST0045505, Active Berry Packers LLC.

Dear Mr. DeVries:

Your Discharge Monitoring Reports (DMRs) show that your facility was out of compliance with monitoring requirements in October 2018 according to your Washington State Waste Discharge Permit Number ST0045505 (Table 1).

**Table 1: Monitoring Violations for Outfall #1 in October 2018**

<i>Date</i>	<i>Violation</i>	<i>Parameter</i>	<i>Limit Type</i>
October 19, 2018	Analysis Not Conducted	BOD <sub>5</sub>	Weekly Max

BOD<sub>5</sub> = 5-Day Biochemical Oxygen Demand

The DMR is the principal tool used to evaluate compliance with permit requirements. The Department of Ecology (Ecology) places great importance on timely submittal of complete and accurate DMRs. Non-compliance notifications are required by your permit. The DMR note submitted on November 2, 2018, states that, "Sample was submitted but due to the weekend, received too late to be tested within time frame required."

Ecology notes that BOD<sub>5</sub> monitoring is a problem for your facility. Ecology requests that you address the root source of this problem and propose a solution to prevent future violations. Further failures to comply with the conditions of your permit could result in Ecology taking formal administrative enforcement action, including issuing orders and penalties.

Sincerely,

Gretchen Onstad  
Enforcement Coordinator  
Water Quality Program

cc: Central Files: Active Berry Packers LLC, ST0045505, WQ 6.4

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Frank DeVries, Active Berry Packers LLC, admin@berryacres.com