



King County

Water and Land Resources Division

Department of Natural Resources and Parks

King Street Center

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TTY Relay: 711

Memorandum

October 31, 2019

Sent via email

TO: Danielle DeVoe, Washington State Department of Ecology, Northwest Regional Office

FM: Douglas D. Navetski, Environmental Programs Managing Supervisor, Water Quality Compliance Unit 

RE: Update – Briarwood Shopping Center (ERTs 692213)

Dear Ms. DeVoe:

Please consider this an update on King County's response for the Briarwood Shopping Center (**ERTs 692213**). King County provided an S4.F.1. written 30-day notice to the Washington State Department of Ecology (Ecology) on September 3, 2019, indicating that King County had become aware of a discharge from its municipal separate storm sewer system (MS4) into receiving waters that was likely to have caused a violation of Water Quality Standards.

Background

Site-Specific Incident Date and Location Information

On August 6, 2019, an inspector conducting a routine drainage facility inspection in the Briarwood Shopping Center noticed a pipe coming out of the hillside behind the Sno-King Ice Arena, discharging something other than stormwater. There was distinct white fungus (*Sphaerotilus natans*) on the pavement below the pipe and in the ditch downstream. *Sphaerotilus natans* is associated with sewage in water. The discharge went a short distance to a catch basin and then into the large detention tank (drainage facility) on site. The tank outlet goes to a short section of a roadside ditch that drains to a small tributary of May Creek.

Source

The source was quickly determined to be from the Large-On-Site-Septic-System (LOSS) that serves the shopping complex. One of the surge tanks had overflowed and a drain field had failed.

Notification to Ecology

On September 3, 2019, King County provided S.4.F Notification to Ecology in a letter to Danielle DeVoe. See attached letter.

Operational and/or structural best management practices (BMPs) implemented to prevent or reduce any pollutants that are causing or contributing to the violation of water quality standards

The regulatory authority for the LOSS is through the Washington State Department of Health. King County is checking regularly with the Health Department to be sure that repairs and upgraded are properly made.

King County had the property owner plug the pipe that conveyed sewage to the catch basin involved in the original discharge from the LOSS. For now, some additional voluntary random site visits and sampling will be conducted by King County.

Additional actions associated with the onsite LOSS are the responsibility of the LOSS Environmental Public Health of Washington and can be provided by Andrew Jones.

Potential additional operational and/or structural BMPs that will or may be implemented in order to apply AKART to prevent or reduce pollutants

King County's ongoing facility inspection, Source Control, and IC/IDDE (Illicit Connections and Illicit Discharges Detection and Elimination) programs under the Phase I permit represents MEP (Maximum Extent Practical) and AKART (All Known, Available, and Reasonable Treatment) for spills such as these. King County's Source Control and IC/IDDE programs also include "escalating enforcement and legal actions if the discharge is not eliminated" and a "progressive enforcement policy," according to S5.C8.b. and S5.C9.d.

King County will continue to implement the above programs and to evaluate improvements around corrective action letters and progressive enforcement to improve efficiencies around this part of the process.

Potential monitoring or other assessment and evaluation efforts that will or may be implemented to monitor, assess, or evaluate the effectiveness of the additional BMPs

King County will be performing the following monitoring or other assessment and evaluation efforts:

1. Continuing to investigate the area to determine if all sources are appropriately controlled.
2. Limited on-going monitoring will be performed in the area around the shopping center.

If you have any questions regarding the details contained in this letter, please contact me at 206-477-4783 or doug.navetski@kingcounty.gov.

DN:MG:bgD15

Table – Chronology of Actions Taken

Date	Event
August 6, 2019	<p>The Stormwater Services (SWS) Asset Management Inspector discovers sewage leak. The property manager, Lara Pharmer, was notified by both phone and email that the stormwater vault would need to be pumped out due to the large volume of sewage that had entered the vault. Ms. Pharmer acknowledged receipt of the email on August 8.</p> <p>ERTs 692213 was called in by King County staff.</p>
August 8	<p>The property manager, Lara Pharmer, was notified by both phone and email that the stormwater vault would need to be pumped out due to the large volume of sewage that had entered the vault. Ms. Pharmer acknowledged receipt of the email on August 8.</p>
August 10	<p>Ms. Pharmer sent an email implying she would not be acting to remove the contaminated water as required.</p>
August 12	<p>After SWS repeated that the water needed to be removed, Ms. Pharmer stated she had found a contractor to do the work.</p>
August 13	<p>SWS sent a Corrective Action Letter (CAL) to Ms. Pharmer by mail, repeating the requirement to pump out the sewage-contaminated stormwater, as originally stated in the August 8 phone call and email. She then replied later that day the “remediation is currently underway as directed.”</p>
August 16 through 29	<p>SWS worked with King County Industrial Waste to arrange for disposal of the liquid fraction to South Treatment Plant at the septage site. SWS also worked with King County Solid Waste for disposal of any solids at the Cedar Hills Landfill. The property manager told SWS the disposal process was underway but when SWS staff went out to the site to inspect, they discovered that not to be true.</p> <p>Ms. Pharmer then said that they were considering pumping the vault contents into Baker Tanks and then metering it in to the LOSS. SWS contacted State Health to get the approval process underway. Approval was granted; however, State Health said it would take 6 months to meter out this water, based on the LOSS capacity.</p>
September 6	<p>Ms. Pharmer emailed that they would not be taking any action regarding the sewage-contaminated stormwater vault. Sampling that they had recently performed did not support the County’s result.</p>
September 19	<p>SWS staff revisited the Briarwood Shopping Center and sampled the water in the stormwater vault, as well as the water entering and leaving the vault, and concluded that levels of fecal indicator bacteria in the water was now at background levels.</p>
Currently	<p>SWS staff is continuing to pursue enforcement and penalty action to be taken.</p>

