



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

Northwest Regional Office • 3190 160th Avenue SE • Bellevue, Washington 98008-5452 • (425) 649-7000  
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January 7, 2021

Wayne Rismoen  
Prospect Construction Inc.  
116 23rd Street SE  
Puyallup, WA 98372

Re: Amended Administrative Order

Dear Wayne Rismoen:

<b>Amended Order Docket #</b>	19529
<b>Original Order Docket #</b>	18238
<b>Site Location</b>	South Park Pump Station 640 South Riverside Drive Seattle, WA 98108

The Department of Ecology (Ecology) has issued the enclosed amended Administrative Order (Order) requiring Prospect Construction Inc. to comply with:

- Chapter 90.48 Revised Code of Washington (RCW) – State of Washington Water Pollution Control Act.
- Chapter 173-201A Washington Administrative Code (WAC) – Water Quality Standards for Surface Waters of the State of Washington.
- Construction Stormwater General Permit (CSGP) number WAR306612.

If you have questions, please contact David Adler at (425) 649-7263 or by email at [dad1461@ecy.wa.gov](mailto:dad1461@ecy.wa.gov).

Sincerely,

Rachel McCrea  
Water Quality Section Manager  
Northwest Regional Office

Enclosure: Amended Administrative Order Docket #19529

Sent by Certified Mail: 9171 9690 0935 0233 2087 44

STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

IN THE MATTER OF AN	)	AMENDED ADMINISTRATIVE
ADMENDED ADMINISTRATIVE ORDER	)	ORDER DOCKET #19529
AGAINST	)	AMENDING
Prospect Construction Inc.	)	ADMINISTRATIVE ORDER
Wayne Rismoen	)	DOCKET #18238

To: Wayne Rismoen  
Prospect Construction Inc.  
116 23rd Street SE  
Puyallup, WA 98372

<b>Amended Order Docket #</b>	19529
<b>Original Order Docket #</b>	18238
<b>Site Location</b>	South Park Pump Station 640 South Riverside Drive Seattle, WA 98108

The Department of Ecology (Ecology) has issued this amended Administrative Order (Order) Docket #19529 to amend Order Docket #18238 dated August 10, 2020, issued to Seattle Public Utilities and then transferred to Prospect Construction Inc. to comply with:

- Chapter 90.48 Revised Code of Washington (RCW) – State of Washington Water Pollution Control Act.
- Chapter 173-201A Washington Administrative Code (WAC) – Water Quality Standards for Surface Waters of the State of Washington.
- Permit: National Pollutant Discharge Elimination System (NPDES) Construction Stormwater General Permit (CSWGP) No. WAR308085.

This is an amended Administrative Order in accordance with General Condition G13 (Additional Monitoring) as set forth in the Construction Stormwater General Permit. RCW 90.48.120(2) authorizes Ecology to issue Administrative Orders to accomplish the purposes of Chapter 90.48 RCW. This Order describes the corrective actions required at the location known as the South Park Pump Station located at 640 South Riverside Drive, Seattle, WA 98018.

#### **ADMINISTRATIVE ORDER AMENDMENTS**

##### **Background and associated corrective actions.**

Prospect Construction is covered under Construction Stormwater General Permit (CSWGP) number WAR308085 for construction activities at the location known as the South Park Pump Station. Administrative Order number 18238 was issued August 10, 2020, to Seattle Public Utilities to establish treatment requirements for discharge of contaminated stormwater and groundwater from the South Park Pump Station construction project. This permit was later transferred to Prospect Construction Inc.

On December 10, 2020, Duncan Medlin of Clear Water Service submitted an email request to Ecology on behalf of Prospect Construction Inc. to amend Order 18238 to include several other contaminants found in the soil on the site.

Table 1 below includes the contaminants recently found on site, as well as the contaminants listed in Table 1 from Order #18238, and their analytical methods, detection limits, and quantitation levels. All other corrective actions and requirements from Order #18238 are unchanged and remain in effect.

Table 1 from Administrative Order #18238, effective August 10, 2020, is replaced with the Table 1 below.

**Table 1**

Prospect Construction Inc. must use the specified analytical methods, detection limits (DLs) and quantitation levels (QLs) in the following table for monitoring unless the method used produces measurable results in the sample and EPA has listed it as an EPA-approved method in 40 CFR Part 136. If Prospect Construction Inc. uses an alternative method, not specified in the order and as allowed above, it must report the test method, DL, and QL on the discharge monitoring report.

Pollutant (CAS No. if available)	Sampling Frequency *	Sample Type	Indicator Level, µg/L unless otherwise noted	Required Analytical Protocol	Detection Level, µg/L	Quantitation Level, µg/L
<b>POLYCYCLIC AROMATIC HYDROCARBONS (PAHs)</b>						
1-Methylnaphthalene (90-12-0)	Batch/ Weekly	Grab	0.01 <sup>a</sup>	8270	0.01	0.01
Acenaphthene (83-32-9)	Batch/ Weekly	Grab	5.7 <sup>a</sup>	625.1	1.9	5.7
Anthracene (120-12-7)	Batch/ Weekly	Grab	5.7 <sup>a</sup>	625.1	1.9	5.7
Fluoranthene (206-44-0)	Batch/ Weekly	Grab	6.6 <sup>a</sup>	625.1	2.2	6.6
Fluorene (86-73-7)	Batch/ Weekly	Grab	5.7 <sup>a</sup>	625.1	1.9	5.7
Phenanthrene (85-01-8)	Batch/ Weekly	Grab	16.2 <sup>a</sup>	625.1	5.4	16.2
Pyrene (129-00-0)	Batch/ Weekly	Grab	5.7 <sup>a</sup>	625.1	1.9	5.7
<b>CARCINOGENIC POLYCYCLIC AROMATIC HYDROCARBONS (cPAHs)</b>						
Benzo(a)anthracene (56-55-3)	Batch/ Weekly	Grab	23.4 <sup>a</sup>	625.1	7.8	23.4
Benzo(b)fluoranthene (205-99-2)	Batch/ Weekly	Grab	14.4 <sup>a</sup>	610/625.1	4.8	14.4
Chrysene (218-01-9)	Batch/ Weekly	Grab	7.5 <sup>a</sup>	610/625.1	2.5	7.5
<b>METALS</b>						
Barium, Total (7440-39-3)	Batch/ Weekly	Grab	1,000 <sup>f</sup>	200.8	0.5	2.0

Pollutant (CAS No. if available)	Sampling Frequency *	Sample Type	Indicator Level, µg/L unless otherwise noted	Required Analytical Protocol	Detection Level, µg/L	Quantitation Level, µg/L
Chromium, Total (7440-47-3)	Batch/ Weekly	Grab	1100 <sup>c</sup>	200.8	0.2	1.0
Lead, Total (7439-94-6)	Batch/ Weekly	Grab	210 <sup>b</sup>	200.8	0.1	0.5
<b>PETROLEUM HYDROCARBONS</b>						
Diesel and Oil-Range Hydrocarbons (NWTPH-Dx) <sup>d</sup>	Batch/ Weekly	Grab	250 <sup>a</sup>	NWTPH- Dx	250	250
BTEX (benzene, toluene, ethylbenzene and O,M,P xylenes)	Batch/ Weekly	Grab	2.0 <sup>a</sup>	SW 846 8021/ 8260	1.0	2.0
<b>VOLATILE ORGANIC COMPOUNDS (VOCs)</b>						
Isopropylbenzene (98-82-8)	Batch/ Weekly	Grab	1.0 <sup>a</sup>	624/8260	1.0	1.0
n-Butylbenzene (104-51-8)	Batch/ Weekly	Grab	1.0 <sup>a</sup>	624/8260	1.0	1.0
sec-Butylbenzene (135-98-8)	Batch/ Weekly	Grab	1.0 <sup>a</sup>	624/8260	1.0	1.0
tert-Butylbenzene (98-06-6)	Batch/ Weekly	Grab	1.0 <sup>a</sup>	624/8260	1.0	1.0
2-Butanone (MEK) (78-93-3)	Batch/ Weekly	Grab	5.0 <sup>a</sup>	624/8260	5.0	5.0
Acetone (67-64-1)	Batch/ Weekly	Grab	5.0 <sup>a</sup>	624/8260	5.0	5.0
Carbon disulfide (75-15-0)	Batch/ Weekly	Grab	10.0 <sup>a</sup>	624/8260	10.0	10.0
Vinyl Chloride (75-01-4)	Batch/ Weekly	Grab	2.0 <sup>a</sup>	624 /SM6200B	1.0	2.0
<b>HALOGENATED VOCs</b>						
Tetrachloroethylene (127-18-4)	Batch/ Weekly	Grab	12.3 <sup>a</sup>	624/8260	4.1	12.3
cis-1,2-Dichloroethene (156-159-2)	Batch/ Weekly	Grab	4.8 <sup>a</sup>	624.1	1.6	4.8
Methyl chloride (74-87-3)	Batch/ Weekly	Grab	2.0 <sup>a</sup>	624.1	1.0	2.0
<b>SEMI-VOLATILE ORGANIC COMPOUNDS (SVOCs)</b>						
Carbazole (86-74-8)	Batch/ Weekly	Grab	0.01 <sup>a</sup>	8270	0.01	0.01
<b>Construction Stormwater General Permit Benchmarks</b>						
Parameter	Sampling Frequency*	Sample Type	Benchmark		Analytical Method	
Turbidity	Batch/ Weekly	Grab	25 NTU		SM2130 <sup>e</sup>	
pH	Batch/ Weekly	Grab	6.5 - 8.5 SU		SM4500-H <sup>+</sup> B	
<b>NOTES</b>						
<sup>a</sup>	No applicable surface water criterion; value is laboratory quantitation level.					
<sup>b</sup>	Acute – Marine Water Toxic Substances Criteria (WAC 173-201A-240).					
<sup>c</sup>	Indicator Level total chromium is actually for hexavalent chromium using Acute – Marine Water Toxic Substances Criteria (WAC 173-201A-240) because there is no water quality standard for total chromium.					

d	NWTPH-Dx = Northwest Total Petroleum Hydrocarbons – Semi-volatile (“diesel”) for diesel range organics and heavy oils (includes jet fuels, kerosene, diesel-oils, hydraulic fluids, mineral oils, lubricating oils, and fuel oils).
e	Or equivalent.
f	Applicable surface water criteria do not exist for barium. The indicator level of 1,000 µg/L for barium is based on groundwater quality standards to be protective of human health and the environment.
*	If permission is granted for flow through, sampling will then be weekly.

No other condition or requirement of Order Docket #18238, including the monitoring requirements and indicator levels for other pollutants, is hereby affected by this amendment.

**FAILURE TO COMPLY WITH THIS ORDER**

Failure to comply with this Order may result in the issuance of civil penalties or other actions, whether administrative or judicial, to enforce the terms of this Order.

**YOUR RIGHT TO APPEAL**

You have a right to appeal this Order to the Pollution Control Hearing Board (PCHB) within 30 days of the date of receipt of this Order. The appeal process is governed by Chapter 43.21B RCW and Chapter 371-08 WAC. “Date of receipt” is defined in RCW 43.21B.001(2).

To appeal you must do both of the following within 30 days of the date of receipt of this Order:

- File your appeal and a copy of this Order with the PCHB (see addresses below). Filing means actual receipt by the PCHB during regular business hours.
- Serve a copy of your appeal and this Order on Ecology in paper form - by mail or in person. (See addresses below.) E-mail is not accepted.

You must also comply with other applicable requirements in Chapter 43.21B RCW and Chapter 371-08 WAC.

Your appeal alone will not stay the effectiveness of this Order. Stay requests must be submitted in accordance with RCW 43.21B.320.

**ADDRESS AND LOCATION INFORMATION**

Street Addresses	Mailing Addresses
<p><b>Department of Ecology</b>                      Attn: Appeals Processing Desk                      300 Desmond Drive SE                      Lacey, WA 98503</p> <p><b>Pollution Control Hearings Board</b>                      1111 Israel Road SW                      STE 301                      Tumwater, WA 98501</p>	<p><b>Department of Ecology</b>                      Attn: Appeals Processing Desk                      PO Box 47608                      Olympia, WA 98504-7608</p> <p><b>Pollution Control Hearings Board</b>                      PO Box 40903                      Olympia, WA 98504-0903</p>

## CONTACT INFORMATION

Please direct all questions about this Order to:

David Adler  
Washington State Department of Ecology  
Northwest Regional Office  
3190 160th Avenue SE  
Bellevue, WA 98008  
Phone: (425) 649-7263 or (206) 949-1615  
Email: [dadl461@ecy.wa.gov](mailto:dadl461@ecy.wa.gov)

## MORE INFORMATION

- **Pollution Control Hearings Board Website**  
<http://www.eluho.wa.gov/Board/PCHB>
- **Chapter 43.21B RCW - Environmental and Land Use Hearings Office – Pollution Control Hearings Board**  
<http://app.leg.wa.gov/RCW/default.aspx?cite=43.21B>
- **Chapter 371-08 WAC – Practice and Procedure**  
<http://app.leg.wa.gov/WAC/default.aspx?cite=371-08>
- **Chapter 34.05 RCW – Administrative Procedure Act**  
<http://app.leg.wa.gov/RCW/default.aspx?cite=34.05>
- **Ecology's Laws, rules, & rulemaking website**  
<https://ecology.wa.gov/About-us/How-we-operate/Laws-rules-rulemaking>

## SIGNATURE



\_\_\_\_\_  
Rachel McCrea  
Water Quality Section Manager  
Northwest Regional Office  
Washington State Department of Ecology

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1/7/2021  
Date