

**Addendum to the Fact Sheet for  
National Pollutant Discharge Elimination System  
Waste Discharge Permit No. WA0030805  
Modification Date: February 3, 2021**

**1. General Information**

Facility: Brooks Manufacturing Company  
2120 Pacific Street, Bellingham, WA 98229

This is an addendum to the fact sheet to explain changes proposed for NPDES Permit No. WA0030805, issued on December 9, 2020. The permit included whole effluent toxicity testing on living organisms to check the toxicity of a new wood preservative. Ecology is modifying the permit to delay the toxicity testing requirement to 2023 because the facility will delay switching the preservative chemical from pentachlorophenol (PCP) to 4,5-Dichloro-2-octyl-3-isothiazolone (DCOI) until late 2022. Therefore, toxicity testing requirement should take effect the following year in 2023. The permittee requested clarification language to be added in the toxicity sections, S10 and S11 of the permit.

Note: New text in the modified permit is marked with grey highlight.

**2. Changes to Monitoring and Conditions**

Page 5, Table 1 – Summary of Permit Report Submittals: The first due date for S10.A and S11.A, Acute and Chronic toxicity testing, is changed from November 15, 2021 to November 15, 2023.

Page 24, S10 - Acute toxicity: S10.A.1, the second line which reads “The first testing starts in September 2021” will be clarified to read as follows “The first testing starts in September 2023 after the treatment solution is switched from PCP to DCOI.”

Page 26, S11 – Chronic toxicity: S11.A.1, the first sentence which reads “Conduct yearly chronic toxicity testing on the final effluent starting in September 2021” will be clarified to read as follows “Conduct yearly chronic toxicity testing on the final effluent starting in September 2023 after the treatment solution is switched from PCP to DCOI.”

**3. Public Process**

This change clarifies a technical error in the permit – the permit used an incorrect beginning date for using the new chemical. The proposed changes made in this modification are considered to constitute a minor modification under 40 CFR 122.63. Therefore, the changes made in the above-referenced permit are not required to be published for a 30-day public review and comment period.

**4. Permit Appeal Process**

**Appendix A** describes the permit appeal process.

The primary author of this permit modification and fact sheet is Jeanne Tran.

### **Appendix A --Your Right to Appeal**

You have a right to appeal this permit to the Pollution Control Hearing Board (PCHB) within 30 days of the date of receipt of the final permit. 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) (see glossary).

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

- File your appeal and a copy of this permit 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 permit 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.

#### **ADDRESS AND LOCATION INFORMATION**

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