

**FACT SHEET FOR THE PORT OF OLYMPIA  
CASCADE POLE REMEDIATION PROJECT  
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT  
WA0040533**

**April 2021**

This fact sheet explains and documents the decisions the Department of Ecology (Ecology) made in drafting the proposed National Pollutant Discharge Elimination System (NPDES) permit for the Port of Olympia.

This fact sheet complies with Section 173-220-060 of the Washington Administrative Code (WAC), which requires Ecology to prepare a draft permit and accompanying fact sheet for public evaluation before issuing an NPDES permit.

Ecology makes the draft permit and fact sheet available for public review and comment at least 30 days before issuing the final permit. Copies of the fact sheet and draft permit for the Port of Olympia, NPDES Permit WA0040533, are available for public review and comment. For more details on preparing and filing comments about these documents, please see **Appendix A - Public Involvement** Information.

The Port of Olympia reviewed the draft permit and fact sheet for factual accuracy. Ecology corrected any errors or omissions regarding the facility's location, history, discharges, or receiving water prior to publishing this draft fact sheet for public notice.

After the public comment period closes, Ecology will summarize substantive comments and provide responses to them. Ecology will include the summary and responses to comments in this fact sheet as **Appendix E - Response to Comments**, and publish it when issuing the final NPDES permit. Ecology generally will not revise the rest of the fact sheet. The full document will become part of the legal history contained in the facility's permit file.

**Summary**

The Port of Olympia has been operating a groundwater pump and treat system that discharges into Inner Budd Inlet via Lacey, Olympia, Tumwater, and Thurston County's (LOTT) Outfall 001.

This permit regulates the discharge of treated groundwater from a Model Toxics Control Act (MTCA) site. This site is located in Olympia, Washington. Ecology issued the original permit in 1993. The permit has been renewed and reauthorized several times every five years. The current permit expired on June 30, 2020. The permit limits for TOTAL SUSPENDED SOLIDS (TSS), pH, and Pentachlorophenol (PCP) are technology-base, and Benzo(a)pyrene will have a reporting requirement.

All the permit limits will be met at the end of the pipe without a need for mixing zone.

TABLE OF CONTENTS

<b>FACT SHEET FOR THE PORT OF OLYMPIA.....</b>	<b>1</b>
<b>CASCADE POLE REMEDIATION PROJECT .....</b>	<b>1</b>
<b>NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT WA0040533 .....</b>	<b>1</b>
<b>I. INTRODUCTION .....</b>	<b>1</b>
<b>II. BACKGROUND INFORMATION .....</b>	<b>2</b>
A. Facility Description.....	2
B. Description of the Receiving Water .....	4
C. Effluent Characterization .....	5
D. Summary of Compliance with Previous Permit Issued .....	5
E. State Environmental Policy Act (SEPA) Compliance .....	6
<b>III. PROPOSED PERMIT LIMITS .....</b>	<b>6</b>
A. Design Criteria.....	7
B. Technology-Based Effluent Limits.....	7
C. Surface Water Quality-Based Effluent Limits.....	8
D. Designated Uses and Surface Water Quality Criteria .....	10
E. Water Quality Impairments .....	12
F. Evaluation of Surface Water Quality-Based Effluent Limits for Narrative Criteria .....	12
G. Evaluation of Surface Water Quality-Based Effluent Limits for Numeric Criteria .....	13
H. Human Health .....	13
I. Sediment.....	14
J. Groundwater Quality Limits.....	14
K. Whole Effluent Toxicity.....	14
L. Comparison of Effluent Limits with the Previous Permit .....	15
<b>IV. MONITORING REQUIREMENTS .....</b>	<b>15</b>
A. Wastewater Monitoring .....	15
B. Lab Accreditation .....	15
C. Effluent Limits which are Near Detection or Quantitation Levels .....	16
<b>V. OTHER PERMIT CONDITIONS .....</b>	<b>16</b>
A. Reporting and record keeping .....	16
B. Non Routine and Unanticipated Wastewater .....	16
C. Spill Plan.....	16
D. Operation and Maintenance (O&M) Manual .....	17
E. Stormwater Pollution Prevention Plan (SWPPP) .....	17
F. Best Management Practices .....	19
G. General Conditions .....	19
<b>VI. PERMIT ISSUANCE PROCEDURES .....</b>	<b>19</b>
A. Permit Modifications .....	19
B. Proposed Permit Issuance .....	19
<b>VII. REFERENCES FOR TEXT AND APPENDICES .....</b>	<b>20</b>
<b>APPENDIX A — PUBLIC INVOLVEMENT INFORMATION .....</b>	<b>21</b>

*FACT SHEET FOR THE  
PORT OF OLYMPIA CASCADE POLE  
REMEDIATION PROJECT  
NPDES PERMIT WA0040533*

<b>APPENDIX B — YOUR RIGHT TO APPEAL .....</b>	<b>22</b>
<b>APPENDIX C — GLOSSARY .....</b>	<b>23</b>
<b>APPENDIX D — TECHNICAL CALCULATIONS.....</b>	<b>31</b>
<b>APPENDIX E — RESPONSE TO COMMENTS.....</b>	<b>34</b>
<b>APPENDIX F — DISCHARGE MONITORING DATA 2016 - 2021.....</b>	<b>39</b>
<b>Pentachlorophenol Performance Based Calculation, Data DMRs 2018-2020 .....</b>	<b>31</b>

## I. INTRODUCTION

The Federal Clean Water Act (FCWA, 1972, and later amendments in 1977, 1981, and 1987) established water quality goals for the navigable (surface) waters of the United States. One mechanism for achieving the goals of the Clean Water Act is the National Pollutant Discharge Elimination System (NPDES), administered by the federal Environmental Protection Agency (EPA). The EPA authorized the state of Washington to manage the NPDES permit program in our state. Our state legislature accepted the delegation and assigned the power and duty for conducting NPDES permitting and enforcement to Ecology. The Legislature defined Ecology's authority and obligations for the wastewater discharge permit program in 90.48 Revised Code of Washington (RCW).

The following regulations apply to industrial NPDES permits:

- Procedures Ecology Follows for Issuing NPDES Permits [chapter 173-220 Washington Administrative Code (WAC)]
- Water Quality Criteria for Surface Waters (chapter 173-201A WAC)
- Water Quality Criteria for Ground Waters (chapter 173-200 WAC)
- Whole Effluent Toxicity Testing and Limits (chapter 173-205 WAC)
- Sediment Management Standards (chapter 173-204 WAC)
- Submission of Plans and Reports for Construction of Wastewater Facilities (chapter 173-240 WAC)

These rules require any industrial facility owner/operator to obtain an NPDES permit before discharging wastewater to state waters. They also help define the basis for limits on each discharge and for performance requirements imposed by the permit.

Under the NPDES permit program and in response to a complete and accepted permit application, Ecology must prepare a draft permit and accompanying fact sheet, and make them available for public review before final issuance. Ecology must also publish an announcement (public notice) telling people where they can read the draft permit, and where to send their comments, during a period of thirty days (WAC 173-220-050). (See **Appendix A-Public Involvement Information** for more detail about the public notice and comment procedures). After the public comment period ends, Ecology may make changes to the draft NPDES permit in response to comment(s). Ecology will summarize the responses to comments and any changes to the permit in **Appendix E**.

## II. BACKGROUND INFORMATION

Applicant:	The Port of Olympia
Facility Name and Address	Cascade Pole Remediation 1503 Marine Drive Northeast Olympia, WA 98501
Contact at Facility	Name: Don Bache Telephone #: 360-528-8062
Responsible Official	Name: Rachael Jamison Title: Environmental Director Address: 606 Columbia Street Northwest, Suite 300 Olympia, WA 98501 Telephone #: 360-528-8020
Facility Type	Remediation and Hydraulic Control of Contaminated Groundwater from a Contaminated Site Under Model Toxics Control Act (MTCA)
Type of Treatment	Equalization Tank, Oil-Water Separator, Activated Carbon
Facility Location (NAD83/WGS84 Reference Datum)	Latitude: 47.058333 Longitude: -121.0975
Discharge Waterbody Name and Location (NAD83/WGS84 Reference Datum)	Inner Budd Inlet via LOTT Outfall 001 Latitude: 47.05941 Longitude: -122.9064
Reauthorization Date of Previous Permit	June 30, 2015
Application for Permit Renewal Submittal Date	June 27, 2019
Date of Ecology Acceptance of Application	July 16, 2019
Date of Last Sampling Inspection	December 2018

### A. Facility Description

#### History and Wastewater Treatment Process

Under the Model Toxics Control Act (MTCA), Chapter 70.105D RCW, The Port of Olympia (Port) and Ecology negotiated consent decrees and agreed orders to operate a groundwater treatment facility for hydraulic control of contaminated groundwater and remove wood treating chemicals from the contaminated groundwater. The operation of the groundwater treatment system started in 1993. The system consists of an equalization tank, oil-water separator, activated carbon,

filtration (bag filters), and an effluent tank. The treatment system design capacity is 25 gallons per minutes (gpm). There are 11 groundwater extraction wells at the site and the actual flow to the system is between 6 and 10 gpm. The original permit was issued in 1993 and has been renewed and reauthorized every five years since. The flow diagram of the treatment processes is on Figure 1:

**NOTE:** ALL FLOW RATES ARE BASED ON A DESIGN FLOW RATE OF 100 GPM. FLOW RATES MAY VARY DUE TO CHANGING GROUNDWATER LEVELS AND PUMP OPERATING CONDITIONS. FLOW RATES SHOULD BE MONITORED AND ADJUSTED AS NECESSARY TO MAINTAIN THE DESIRED TREATMENT EFFICIENCY.



FACT SHEET FOR THE  
PORT OF OLYMPIA CASCADE POLE  
REMEDiation PROJECT  
NPDES PERMIT WA0040533

The discharge from this facility enters Outfall 001 of the LOTT and mixes with their discharge before entering the receiving water, Inner Budd Inlet. The effluent is approximately 0.144 percent of LOTT's effluent. This was calculated based on an average discharge of 10 million gallons per day (MGD) of LOTT's effluent and 0.0144 MGD of Cascade Pole's effluent. Figure 2 shows the diagram of the LOTT's Outfall 001 approximate location in Inner Budd Inlet.

Figure 2: LOTT's Outfall 001 in which Discharge from Cascade Pole Remediation Site Enters Inner Budd Inlet



B. Description of the Receiving Water

The discharge from this facility discharges to Budd Inlet via LOTT's Outfall 001. Other nearby point source outfalls include Tamoshan, Seashore Villa, and Boston Harbor wastewater treatment plants. Significant nearby non-point sources of pollutants include stormwater. The ambient background data used for this permit includes the following from an Ecology long-term marine water quality station (BUD005):

Table 1 - Ambient Background Data

Parameter	Value Used
Temperature (highest annual 1-DADMax)	19.3 <sup>0</sup> C
pH (Maximum / Minimum)	8.6 / 7.2 Standard Units
Dissolved Oxygen	8.5 mg/L
Salinity	28.3 psu
Density	21.2 sigma t

#### C. Effluent Characterization

The Port of Olympia reported the concentration of pollutants in the discharge in the permit application and in discharge monitoring reports (2003-2020). The effluent is characterized as follows:

Table 2 — Effluent Characterization

Parameter	Units	Average Value	Maximum Value
Biochemical Oxygen Demand (BOD <sub>5</sub> )	mg/L	39.3	<160
Total Suspended Solids (TSS)	mg/L	8.9	15
pH	standard units	6.91 (Minimum)	7.86
Pentachlorophenol	µg/L	0.1570	1.160
Benzo (a) pyrene	µg/L	<0.1 (ND)	<0.1 (ND)
Naphthalene	µg/L	3.61	34
Phenols, total	µg/L	0.10	0.4
Acenaphthene	µg/L	0.127	1.0
Anthracene	µg/L	0.103	0.149

#### D. Summary of Compliance with Previous Permit Issued

Ecology Permit and Reporting Information System (PARIS) was reviewed. There were 15 violations reported for Pentachlorophenol (PCP) permit limit of 99.5 percent removal efficiency. The removal efficiency in the existing permit was calculated with the following equation:

$$[(\text{influent concentration} - \text{effluent concentration}) / (\text{influent concentration})] \times 100^1$$



FACT SHEET FOR THE  
PORT OF OLYMPIA CASCADE POLE  
REMEDATION PROJECT  
NPDES PERMIT WA0040533

The following is an example calculation using the equation <sup>1</sup> below with the influent/effluent data from June 2019 DMR:

$$\text{PCP Removal Efficiency} = [(24.1 \mu\text{g/L} - 0.50 \mu\text{g/L}) / (24.1 \mu\text{g/L})] \times 100 = 97.92\% < 99.5\% \text{ (Permit Limit)}$$

This was a permit violation since the removal efficiency is less than the permit limit of 99.5 percent. All 15 violations during the last five years are due to lower influent concentrations of PCP due to approximately 30 years of pumping and treating of contaminated groundwater and the gradual decreasing of groundwater influent PCP concentrations. Ecology acknowledges that these are minor violations and that they are due to lower influent concentrations of PCP. Therefore, the PCP removal efficiency limit will be removed from the existing permit. The permit will have a technology based permit limit for PCP.

The permittee has complied with all other effluent limits and permit conditions throughout the duration of the permit issued in June 2015. Ecology assessed compliance based on its review of the facility's information in PARIS, and a sampling inspection report.

E. [State Environmental Policy Act \(SEPA\) Compliance](#)

State law exempts the issuance, reissuance or modification of any wastewater discharge permit from the SEPA process as long as the permit contains conditions that are no less stringent than federal and state rules and regulations ([RCW 43.21C.0383](#)). The exemption applies only to existing discharges, not to new discharges.

III. **PROPOSED PERMIT LIMITS**

Federal and state regulations require that effluent limits in an NPDES permit must be either technology- or water quality-based.

- Technology-based limits are based upon the treatment methods available to treat specific pollutants. Technology-based limits are set by the EPA and published as a regulation, or Ecology develops the limit on a case-by-case basis [40 Code of Federal Regulations (CFR) 125.3, and chapter 173-220 WAC).
- Water quality-based limits are calculated so that the effluent will comply with the Surface Water Quality Standards (chapter 173-201A WAC), Ground Water Standards (chapter 173-200 WAC), Sediment Quality Standards (chapter 173-204 WAC), or the Federal Water Quality Criteria Applicable to Washington (40 CFR 131.45).
- Ecology must apply the most stringent of these limits to each parameter of concern. These limits are described below.

The limits in this permit reflect information received in the application and from supporting reports (engineering, hydrogeology, etc.). Ecology evaluated the permit application and determined the limits needed to comply with the rules adopted by the state of Washington. Ecology does not develop effluent limits for all reported pollutants. Some pollutants are not treatable at the concentrations reported, are

FACT SHEET FOR THE  
PORT OF OLYMPIA CASCADE POLE  
REMEDATION PROJECT  
NPDES PERMIT WA0040533

not controllable at the source, are not listed in regulation, and do not have a reasonable potential to cause a water quality violation.

Ecology does not usually develop limits for pollutants not reported in the permit application but may be present in the discharge. The permit does not authorize discharge of the non-reported pollutants. During the five-year permit term, the facility's effluent discharge conditions may change from those conditions reported in the permit application. The facility must notify Ecology if significant changes occur in any constituent [40 CFR 122.42(a)]. Until Ecology modifies the permit to reflect additional discharge of pollutants, a permitted facility could be violating its permit.

A. Design Criteria

The Port submitted an engineering design report in 2009 and Ecology reviewed and approved the engineering design report. The design flow is 25 gallons/minutes (GPM). The actual plant operates between 6-10 GPM.

B. Technology-Based Effluent Limits

**Total Suspended Solids (TSS):** In 2015, a performance based daily maximum permit limit of 15 mg/L was calculated. The review of PARIS showed the permittee has been in compliance with the TSS permit limit from 2015 to 2020.

In 2020, Ecology calculated the performance based values from 2018-2019 TSS DMRs data. TSS values of 18.5 mg/L for monthly average and 34.2 mg/L for daily maximum were calculated. The calculated values are greater than the existing permit limit, therefore, the technology based limits of 15.0 mg/L for daily maximum will be maintained in the proposed permit.

**Pentachlorophenol (PCP):** The current permit has a technology based daily maximum permit limit of 6.5 µg/L.

The technology based 1.0 µg/L for monthly average and 2.3 µg/L for daily maximum were calculated based on 2018-2019 DMRs data. Appendix D has the PCP technology based calculations work sheet.

**Benzo(a)pyrene:** The current permit has a reporting requirement of for Benzo(a)pyrene. The PAIRS DMRs were reviewed for 2015-2020. All the results were at the quantitation limit of 0.10 µg/L. The reporting requirement will be maintained. The permit will have a report due in 2024. The permit writer will set a permit limit after review of the report in the next permit cycle in 2025 [see Section III. Permit Limits, subsection H, items 1 through 4 (pages 13-14) of this fact sheet for report detail].

Table 3 — Technology-Based Limits

Parameter	Average Monthly Limit	Maximum Daily Limit
TSS	-	15.0, mg/L

Pentachlorophenol (PCP)	1.0, µg/L	2.3, µg/L
Benzo(a)pyrene	-	Report, µg/L
<b>Parameter</b>	<b>Daily Minimum</b>	<b>Daily Maximum</b>
pH	6.0 Standard Units	9.0 Standard Units

#### C. Surface Water Quality-Based Effluent Limits

The Washington State surface water quality standards (chapter 173-201A WAC) are designed to protect existing water quality and preserve the beneficial uses of Washington's surface waters. Waste discharge permits must include conditions that ensure the discharge will meet the surface water quality standards (WAC 173-201A-510). Water quality-based effluent limits may be based on an individual waste load allocation or on a waste load allocation developed during a basin wide total maximum daily load study (TMDL).

##### Numerical Criteria for the Protection of Aquatic Life and Recreation

Numerical water quality criteria are listed in the water quality standards for surface waters (chapter 173-201A WAC). They specify the maximum levels of pollutants allowed in receiving water to protect aquatic life and recreation in and on the water. Ecology uses numerical criteria along with chemical and physical data for the wastewater and receiving water to derive the effluent limits in the discharge permit. When surface water quality-based limits are more stringent or potentially more stringent than technology-based limits, the discharge must meet the water quality-based limits.

##### Numerical Criteria for the Protection of Human Health

In 1992, U.S. EPA published 91 numeric water quality criteria for the protection of human health that are applicable to dischargers in Washington State in its National Toxics Rule 40 CFR 131.36 (EPA, 1992). Ecology submitted a standards revision for 192 new human health criteria for 97 pollutants to EPA on August 1, 2016. In accordance with requirements of CWA section 303(c) (2) (B), EPA finalized 144 new and revised Washington specific human health criteria for priority pollutants, to apply to waters under Washington's jurisdiction. EPA approved 45 human health criteria as submitted by Washington. The EPA took no action on Ecology submitted criteria for arsenic, dioxin, and thallium. The existing criteria for these three pollutants remain in effect and were included in 40 CFR 131.45, Revision of certain Federal Water quality criteria applicable to Washington.

These newly adopted criteria, located in WAC 173-201A-240, are designed to protect humans from exposure to pollutants linked to cancer and other diseases, based on consuming fish and shellfish and drinking contaminated surface waters. The water quality standards also include radionuclide criteria to protect humans from the effects of radioactive substances.

### Narrative Criteria

Narrative water quality criteria [e.g., WAC 173-201A-240(1); 2006] limit the toxic, radioactive, or other deleterious material concentrations that the facility may discharge to levels below those which have the potential to:

- Adversely affect designated water uses
- Cause acute or chronic toxicity to biota
- Impair aesthetic values
- Adversely affect human health

Narrative criteria protect the specific designated uses of all fresh waters (WAC 173-201A-200, 2016) and of all marine waters (WAC 173-201A-210, 2016) in the state of Washington.

### Antidegradation

**Description** – The purpose of Washington's Antidegradation Policy (WAC 173-201A-300-330; 2016) is to:

- Restore and maintain the highest possible quality of the surface waters of Washington.
- Describe situations under which water quality may be lowered from its current condition.
- Apply to human activities that are likely to have an impact on the water quality of surface water.
- Ensure that all human activities likely to contribute to a lowering of water quality, at a minimum, apply all known, available, and reasonable methods of prevention, control, and treatment (AKART).
- Apply three tiers of protection (described below) for surface waters of the state.

**Tier I:** ensures existing and designated uses are maintained and protected and applies to all waters and all sources of pollutions.

**Tier II:** ensures that waters of a higher quality than the criteria assigned are not degraded unless such lowering of water quality is necessary and in the overriding public interest. Tier II applies only to a specific list of polluting activities.

**Tier III:** prevents the degradation of waters formally listed as "outstanding resource waters," and applies to all sources of pollution.

A facility must prepare a Tier II analysis when all three of the following conditions are met:

- The facility is planning a new or expanded action.
- Ecology regulates or authorizes the action.
- The action has the potential to cause measurable degradation to existing water quality at the edge of a chronic mixing zone.

#### Tier I Requirements

- Dischargers must maintain and protect existing and designated uses. Ecology must not allow any degradation that will interfere with, or become injurious to, existing or designated uses, except as provided for in chapter 173-201A WAC.

Because the proposed permit requires the discharge to meet water quality criteria it should not cause a measureable change to inner Budd Inlet. This facility is also not planning a new or expanded action under this permit. Therefore, the Tier II analysis is not required. Ecology's analysis described in this section of the fact sheet demonstrates that the proposed permit condition will protect the existing and designated uses of the receiving water so the facility will meet Tier 1 requirements.

#### Mixing Zones

The Port will implement AKART to treat the contaminated groundwater. Ecology determined that the effluent will meet water quality criteria in the discharge and therefore, the permit does not include a mixing zone.

#### D. Designated Uses and Surface Water Quality Criteria

Applicable designated uses and surface water quality criteria are defined in chapter 173-201A WAC. In addition, the U.S. EPA set human health criteria for toxic pollutants (EPA 1992). The table included below summarizes the criteria applicable to this facility's discharge.

- Aquatic Life Uses are designated using the following general categories. All indigenous fish and non-fish aquatic species must be protected in waters of the state.
  1. Extraordinary quality salmonid and other fish migration, rearing, and spawning; clam, oyster, and mussel rearing and spawning; crustaceans and other shellfish (crabs, shrimp, crayfish, scallops, etc.) rearing and spawning.
  2. Excellent quality salmonid and other fish migration, rearing, and spawning; clam, oyster, and mussel rearing and spawning; crustaceans and other shellfish (crabs, shrimp, crayfish, scallops, etc.) rearing and spawning.

FACT SHEET FOR THE  
PORT OF OLYMPIA CASCADE POLE  
REMEDICATION PROJECT  
NPDES PERMIT WA0040533

3. Good quality salmonid migration and rearing; other fish migration, rearing, and spawning; clam, oyster, and mussel rearing and spawning; crustaceans and other shellfish (crabs, shrimp, crayfish, scallops, etc.) rearing and spawning.
4. Fair quality salmonid and other fish migration.

The Aquatic Life Uses and the associated criteria for this receiving water are identified below.

Marine Aquatic Life Uses and Associated Criteria

Table 4 — Good Quality

Criteria	Value
Temperature Criteria – Highest 1D MAX	19°C (66.2°F)
Dissolved Oxygen Criteria – Lowest 1-Day Minimum	5.0 mg/L
Turbidity Criteria	<ul style="list-style-type: none"> <li>• 10 NTU over background when the background is 50 NTU or less; or</li> <li>• A 20 percent increase in turbidity when the background turbidity is more than 50 NTU.</li> </ul>
pH Criteria	pH must be within the range of 7.0 to 8.5 with a human-caused variation within the above range of less than 0.5 units.

- To protect shellfish harvesting, fecal coliform organism levels must not exceed a geometric mean value of 14 colonies/100 mL, and not have more than 10 percent of all samples (or any single sample when less than ten sample points exist) obtained for calculating the geometric mean value exceeding 43 colonies/100 mL.
- The *recreational use* is secondary contact recreation. After December 31, 2020, all marine waters will be designated for primary contact recreation. This redesignation of the recreational use includes a change in the bacteria indicator from fecal coliform to enterococci and elimination of the secondary contact enterococci standard.



Table 5 — Recreational Uses

Recreational Use	Criteria
Primary Contact Recreation (Effective 1/1/2021)	Enterococci organism levels within an averaging period must not exceed a geometric mean of 30 CFR or MPN per 100 mL, with not more than 10 percent of all samples (or any single sample when less than ten sample values exist) obtained within the averaging period exceeding 110 CFU or MPN per 100 mL.
Primary Contact Recreation (Expires 12/31/2020)	Fecal coliform organism levels must not exceed a geometric mean value of 14 colonies/100 mL, with not more than 10 percent of all samples (or any single sample when less than ten sample points exist) obtained for calculating the geometric mean value exceeding 43 colonies /100 mL.
Secondary Contact Recreation (Expires 12/31/2020)	Enterococci organism levels must not exceed a geometric mean value of 70 colonies/100 mL, with not more than 10 percent of all samples (or any single sample when less than ten sample points exist) obtained for calculating the geometric mean value exceeding 208 colonies/100 mL.

- The miscellaneous marine water uses are wildlife habitat, harvesting, commerce and navigation, boating, and aesthetics.

#### E. Water Quality Impairments

Budd Inlet is listed on the current 303(d) and is impaired for Dissolved Oxygen. Ecology is currently conducting a Total Maximum Daily Load (TMDL) analysis of Budd Inlet/Capital Lake. When completed the TMDL may include Waste Load Allocations (WLA).

#### F. Evaluation of Surface Water Quality-Based Effluent Limits for Narrative Criteria

Ecology must consider the narrative criteria described in WAC 173-201A-260 when it determines permit limits and conditions. Narrative water quality criteria limit the toxic, radioactive, or other deleterious material concentrations that the facility may discharge which have the potential to adversely affect designated uses, cause acute or chronic toxicity to biota, impair aesthetic values, or adversely affect human health.

Ecology considers narrative criteria when it evaluates the characteristics of the wastewater and when it implements AKART as described above in the technology-based limits section. When

Ecology determines if a facility is meeting AKART it considers the pollutants in the wastewater and the adequacy of the treatment to prevent the violation of narrative criteria.

In addition, Ecology considers the toxicity of the wastewater discharge by requiring Whole Effluent Toxicity (WET) testing when there is a reasonable potential for the discharge to contain toxics. Ecology's analysis of the need for WET testing for this discharge is described later in the fact sheet.

#### G. Evaluation of Surface Water Quality-Based Effluent Limits for Numeric Criteria

**Pentachlorophenol (PCP):** The acute and chronic marine water quality criteria for PCP is 13 µg/L and 7.90 µg/L, respectively. In the proposed permit, the technology based daily maximum permit limit of 2.3 µg/L and 1.0 µg/L for monthly average is proposed.

**pH:** Compliance with the technology-based limits of 6.0 to 9.0 will assure compliance with the water quality standards of surface waters because of the high buffering capacity of marine water.

**Turbidity:** The permit will have a technology based limits for TSS. Ecology expects no violations of the turbidity criteria because of technology based permit limit for TSS.

#### H. Human Health

Washington's water quality standards include numeric human health-based criteria for 97 priority pollutants that Ecology must consider when writing NPDES permits.

Ecology determined the effluent may contain chemicals of concern for human health, based on the information indicating the discharge contains regulated chemicals, or (3) a 303(d) listing (quality impairment) of the receiving waterbody for a regulated chemical that Ecology knows or expects is present in the discharge.

Ecology evaluated the discharge's potential to violate the water quality standards as required by 40 CFR 122.44(d) by following the procedures published in the *Technical Support Document for Water Quality-Based Toxics Control* (EPA/505/2-90-001) and Ecology's Permit Writer's Manual to make a reasonable potential determination. The evaluation showed that the existing data resulted in an ambiguous determination so the proposed permit requires the facility to submit additional data before the next permit reissuance.

The additional data that will need to be gathered is as follows:

1. Evaluation of process improvement (s) to the treatment process to achieve lower effluent concentrations for PCP and Benzo(a)pyrene.
2. Evaluation of testing method (s) to see if any testing method is available to have lower detection and quantitation levels for PCP and Benzo(a)pyrene than the test method specified in the permit.

FACT SHEET FOR THE  
PORT OF OLYMPIA CASCADE POLE  
REMEDATION PROJECT  
NPDES PERMIT WA0040533

3. Source control method (s) to evaluate and reduce the concentrations of PCP and Benzo(a)pyrene in the influent.
4. The influent and effluent concentrations for the five years (2020-2025) for PCP and Benzo(a)pyrene, and estimation of the removal efficiencies for these compounds.

The permit writer will evaluate this report in 2025 and based on this report will set permit limits for PCP and Benzo(a)pyrene.

I. Sediment

Through a review of the discharger characteristics and of the effluent characteristics, Ecology determined that this discharge has no reasonable potential to violate the sediment management standards.

A sediment testing study has been conducted around the LOTT's North Outfall 001 in 2019-2020. The sediment results will be submitted to Ecology in December 2020 (PARIS, LOTT's NPDES permit No. WA0037061). The discharge from Port of Olympia remediation site, discharges to Inner Budd inlet via LOTT's North Outfall 001 (Figure 2 of this fact sheet). The Port's discharge is 0.144 percent of LOTT's discharge. The permit writer will review the 2020 LOTT's sediment report to see if there is any adverse impact from the Port of Olympia discharge into sediment. This review will take place in the next permit renewal cycle.

J. Groundwater Quality Limits

The groundwater quality standards (chapter 173-200 WAC) protect beneficial uses of groundwater. Permits issued by Ecology must not allow violations of those standards (WAC 173-200-100).

Port of Olympia does not discharge wastewater to the ground. No permit limits are required to protect groundwater.

K. Whole Effluent Toxicity

The Port has tested the effluent for eight quarters in 1993, 1994, 2002, and 2003 as a part of the previous permit requirement. The permittee also characterized the effluent in the summer and winter of 2019 as a part of effluent characterization required by the current permit. Based on these test results, the effluent has not shown any acute or chronic toxicity.

Ecology determined that toxic effects caused by unidentified pollutants in the effluent are unlikely. Therefore, this permit does not require WET testing. Ecology may require WET testing in the future, if it receives information indicating that toxicity may be present in this effluent.

The permit will require effluent characterization for whole effluent toxicity during the last winter in the last year of the permit for the permit reissuance or renewal.

L. Comparison of Effluent Limits with the Previous Permit

Table 6 - Comparison of Previous and Proposed Effluent Limits

		Previous Effluent Limits: Outfall # 001		Proposed Effluent Limits: Outfall # 001	
Parameter	Basis of Limit	Average Monthly	Daily Maximum	Average Monthly	Daily Maximum
TSS	Technology	-	15.0, mg/L	-	15.0, mg/L
PCP	Technology	-	6.5, µg/L	1.0, µg/L	2.3, µg/L
Percent PCP Removal Efficiency	Technology	-	99.5%	-	Removed <sup>1</sup>
Benzo (a) Pyrene	Technology	-	Report µg/L	-	Report µg/L
Parameter	Basis of Limit	Limit		Limit	
pH	Technology	6		9	

<sup>1</sup> See Section D of this fact sheet for explanation

IV. MONITORING REQUIREMENTS

Ecology requires monitoring, recording, and reporting (WAC 173-220-210 and 40 CFR 122.41) to verify that the treatment process is functioning correctly and that the discharge complies with the permit's effluent limits.

If a facility uses a contract laboratory to monitor wastewater, it must ensure that the laboratory uses the methods and meets or exceeds the method detection levels required by the permit. The permit describes when facilities may use alternative methods. It also describes what to do in certain situations when the laboratory encounters matrix effects. When a facility uses an alternative method as allowed by the permit, it must report the test method, Detection Level (DL), and Quantitation Level (QL) on the discharge monitoring report or in the required report.

A. Wastewater Monitoring

The monitoring schedule is detailed in the proposed permit under Special Condition S.2. Specified monitoring frequencies take into account the quantity and variability of the discharge, the treatment method, past compliance, significance of pollutants, and cost of monitoring.

B. Lab Accreditation

Ecology requires that facilities must use a laboratory registered or accredited under the provisions of chapter 173-50 WAC, Accreditation of Environmental Laboratories, to prepare all monitoring data (with the exception of certain parameters).

C. Effluent Limits which are Near Detection or Quantitation Levels

The Method Detection Level (MDL) also known as DL is the minimum concentration of a pollutant that a laboratory can measure and report with a 99 percent confidence that its concentration is greater than zero (as determined by a specific laboratory method). The QL is the level at which a laboratory can reliably report concentrations with a specified level of error. Estimated concentrations are the values between the DL and the QL. Ecology requires permitted facilities to report estimated concentrations. When reporting maximum daily effluent concentrations, Ecology requires the facility to report "less than X" where X is the required detection level if the measured effluent concentration falls below the detection level.

V. OTHER PERMIT CONDITIONS

A. Reporting and record keeping

Ecology based Special Condition S3 on its authority to specify any appropriate reporting and record keeping requirements to prevent and control waste discharges (WAC 173-220-210).

B. Non Routine and Unanticipated Wastewater

Occasionally, this facility may generate wastewater which was not characterized in the permit application because it is not a routine discharge and was not anticipated at the time of application. These wastes typically consist of waters used to pressure-test storage tanks or fire water systems or of leaks from drinking water systems.

The permit authorizes the discharge of non-routine and unanticipated wastewater under certain conditions. The facility must characterize these waste waters for pollutants and examine the opportunities for reuse. Depending on the nature and extent of pollutants in this wastewater and on any opportunities for reuse, Ecology may:

- Authorize the facility to discharge the wastewater.
- Require the facility to treat the wastewater.
- Require the facility to reuse the wastewater.

C. Spill Plan

This facility stores a quantity of chemicals on-site that have the potential to cause water pollution if accidentally released. Ecology can require a facility to develop best management plans to prevent this accidental release [Section 402(a)(1) of the Federal Water Pollution Control Act (FWPCA) and RCW 90.48.080].

The Port developed a Plan for preventing the accidental release of pollutants to state waters and for minimizing damages if such a spill occurs. The proposed permit requires the facility to update this plan and submit it to Ecology.

**D. Operation and Maintenance (O&M) Manual**

Ecology requires industries to take all reasonable steps to properly operate and maintain their wastewater treatment system in accordance with state and federal regulations [40 CFR 122.41(e) and WAC 173-220-150 (1)(g)]. The facility has prepared and submitted an operation and maintenance manual as required by state regulation for the construction of wastewater treatment facilities (WAC 173-240-150). Implementation of the procedures in the operation and maintenance manual ensures the facility's compliance with the terms and limits in the permit. The permit will require yearly update of O&M manual.

**E. Stormwater Pollution Prevention Plan (SWPPP)**

In accordance with 40 CFR 122.44(k) and 40 CFR 122.44 (s), the proposed permit includes requirements for the development and implementation of a SWPPP along with Best Management Practices (BMPs) to minimize or prevent the discharge of pollutants to waters of the state. BMPs constitute Best Conventional Pollutant Control Technology (BCT) and Best Available Technology Economically Achievable (BAT) for stormwater discharges. Ecology has determined that the Port must develop a SWPPP and implement adequate BMPs in order to meet the requirements of "all known, available, and reasonable methods of prevention, control, and treatment" (AKART). A SWPPP requires a facility to implement actions necessary to manage stormwater to comply with the state's requirement under chapter 90.48 RCW to protect the beneficial uses of waters of the state.

The SWPPP must identify potential sources of stormwater contamination from industrial activities and identify how it plans to manage those sources of contamination to prevent or minimize contamination of stormwater. The Port must continuously review and revise the SWPPP as necessary to assure that stormwater discharges do not degrade water quality. It must retain the SWPPP on-site or within reasonable access to the site and available for review by Ecology.

**Best Management Practices (BMPs)**

BMPs are the actions identified in the SWPPP to manage, prevent contamination of, and treat stormwater. BMPs include schedules of activities, prohibitions of practices, maintenance procedures, and other physical, structural and/or managerial practices to prevent or reduce the pollution of waters of the state. BMPs also include treatment systems, operating procedures, and practices used to control plant site runoff, spillage or leaks, sludge or waste disposal, and drainage from raw material storage. The Port must ensure that its SWPPP includes the operational and structural source control BMPs listed as "applicable" in Ecology's stormwater management manuals. Many of these "applicable" BMPs are sector-specific or activity-specific, and are not required at facilities engaged in other industrial sectors or activities.

**Operational Source Control BMPs**

Operational Source Control BMPs include a schedule of activities, prohibition of practices, maintenance procedures, employee training, good housekeeping, and other managerial



practices to prevent or reduce the pollution of waters of the state. These activities do not require construction of pollution control devices but are very important components of a successful SWPPP. Employee training, for instance, is critical to achieving timely and consistent spill response. Pollution prevention is likely to fail if the employees do not understand the importance and objectives of BMPs. Prohibitions might include eliminating outdoor repair work on equipment and certainly would include the elimination of intentional draining of crankcase oil on the ground. Good housekeeping and maintenance schedules help prevent incidents that could result in the release of pollutants. Operational BMPs represent a cost-effective way to control pollutants and protect the environment. The SWPPP must identify all the operational BMPs and how and where they are implemented. For example, the SWPPP must identify what training will consist of, when training will take place, and who is responsible to assure that employee training happens.

### Structural Source Control BMPs

Structural source control BMPs include physical, structural, or mechanical devices or facilities intended to prevent pollutants from entering stormwater. Examples of source control BMPs include erosion control practices, maintenance of stormwater facilities (e.g., cleaning out sediment traps), construction of roofs over storage and working areas, and direction of equipment wash water and similar discharges to the sanitary sewer or a dead end sump. Structural source control BMPs likely include a capital investment but are cost effective compared to cleaning up pollutants after they have entered stormwater.

### Treatment BMPs

Operational and structural source control BMPs are designed to prevent pollutants from entering stormwater. However, even with an aggressive and successful program, stormwater may still require treatment to achieve compliance with water quality standards. Treatment BMPs remove pollutants from stormwater. Examples of treatment BMPs are detention ponds, oil/water separators, biofiltration, and constructed wetlands.

### Volume/Flow Control BMPs

Ecology recognizes the need to include specific BMP requirements for stormwater runoff quantity control to protect beneficial water uses, including fish habitat. New facilities and existing facilities undergoing redevelopment must implement the requirements for peak runoff rate and volume control identified by volume 1 of the *Western Washington SWMM* and chapter 2 in the *Eastern Washington SWMM* as applicable to their development. Chapter 3 of volume 3 *Western Washington SWMM* and chapter 6 in the *Eastern Washington SWMM* lists BMPs to accomplish rate and volume control. Existing facilities in western Washington should also review the requirements of volumes 1 (Minimum Technical Requirements) and chapter 3 of volume 3 in the *Western Washington SWMM*. Chapter 2 (Core Elements for New Development and Redevelopment) in the *Eastern Washington SWMM* contains the minimum technical requirements for facilities east of the Cascades. Although not required to implement these BMPs, controlling rate and

volume of stormwater discharge maintains the health of the watershed. Existing facilities should identify control measures that they can implement over time to reduce the impact of uncontrolled release of stormwater.

F. **Best Management Practices**

BMPs are the actions identified to manage, prevent contamination of, and treat stormwater. BMPs include schedules of activities, prohibitions of practices, maintenance procedures, and other physical, structural and/or managerial practices to prevent or reduce the pollution of waters of the state. BMPs also include treatment systems, operating procedures, and practices used to control plant site runoff, spillage or leaks, sludge or waste disposal, and drainage from raw material storage.

G. **General Conditions**

Ecology bases the standardized General Conditions on state and federal law and regulations. They are included in all individual industrial NPDES permits issued by Ecology.

VI. **PERMIT ISSUANCE PROCEDURES**

A. **Permit Modifications**

Ecology may modify this permit to impose numerical limits, if necessary to comply with water quality standards for surface waters, with sediment quality standards, or with water quality standards for groundwaters, after obtaining new information from sources such as inspections, effluent monitoring, outfall studies, and effluent mixing studies.

Ecology may also modify this permit to comply with new or amended state or federal regulations.

B. **Proposed Permit Issuance**

This proposed permit includes all statutory requirements for Ecology to authorize a wastewater discharge. The permit includes limits and conditions to protect human health and aquatic life, and the beneficial uses of waters of the state of Washington. Ecology proposes to issue this permit for a term of five years.

## VII. REFERENCES FOR TEXT AND APPENDICES

### Environmental Protection Agency (EPA)

1992. National Toxics Rule. Federal Register, V. 57, No. 246, Tuesday, December 22, 1992.
1991. *Technical Support Document for Water Quality-based Toxics Control*. EPA/505/2-90-001.
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1985. *Water Quality Assessment: A Screening Procedure for Toxic and Conventional Pollutants in Surface and Ground Water*. EPA/600/6-85/002a.
1983. *Water Quality Standards Handbook*. USEPA Office of Water, Washington, D.C. Tsivoglou, E.C., and J.R. Wallace.
1972. *Characterization of Stream Reaeration Capacity*. EPA-R3-72-012. (Cited in EPA 1985 op.cit.)
1979. *In-stream Deoxygenation Rate Prediction*. Journal Environmental Engineering Division, ASCE. 105(EE2). (Cited in EPA 1985 op.cit.)

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(<https://fortress.wa.gov/ecy/publications/documents/92109.pdf>)
- September 2011. [Water Quality Program Guidance Manual – Supplemental Guidance on Implementing Tier II Antidegradation. Publication Number 11-10-073](https://fortress.wa.gov/ecy/publications/summarypages/1110073.html)  
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- October 2010 (revised). [Water Quality Program Guidance Manual – Procedures to Implement the State's Temperature Standards through NPDES Permits. Publication Number 06-10-100](https://fortress.wa.gov/ecy/publications/summarypages/0610100.html)  
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- February 2007. [Focus Sheet on Solid Waste Control Plan, Developing a Solid Waste Control Plan for Industrial Wastewater Discharge Permittees, Publication Number 07-10-024](https://fortress.wa.gov/ecy/publications/documents/0710024.pdf).  
(<https://fortress.wa.gov/ecy/publications/documents/0710024.pdf>) Wright, R.M., and A.J. McDonnell.

[Laws and Regulations](http://leg.wa.gov/LawsAndAgencyRules/Pages/default.aspx) (<http://leg.wa.gov/LawsAndAgencyRules/Pages/default.aspx>)

[Permit and Wastewater Related Information](https://ecology.wa.gov/Regulations-Permits/Guidance-technical-assistance/Water-quality-permits-guidance) (<https://ecology.wa.gov/Regulations-Permits/Guidance-technical-assistance/Water-quality-permits-guidance>)

## APPENDIX A — PUBLIC INVOLVEMENT INFORMATION

Ecology proposes to reissue a permit to the Port of Olympia. The permit includes wastewater discharge limits and other conditions. This fact sheet describes the facility and Ecology's reasons for requiring permit conditions.

Ecology placed a Public Notice of Application on June 3, 2019; June 10, 2019; June 10, 2020; and June 17, 2020, in the *Olympian* to inform the public about the submitted application and to invite comment on the reissuance of this permit.

Ecology will place a Public Notice of Draft on February 12, 2021, in the *Olympian* to inform the public and to invite comment on the proposed draft National Pollutant Discharge Elimination System permit and fact sheet.

The notice:

- Tells where copies of the draft Permit and Fact Sheet are available for public evaluation (a local public library, the closest Regional or Field Office, posted on our website).
- Offers to provide the documents in an alternate format to accommodate special needs.
- Urges people to submit their comments, in writing, before the end of the Comment Period
- Tells how to request a public hearing of comments about the proposed NPDES permit.
- Explains the next step(s) in the permitting process.

Ecology has published a document entitled [Frequently Asked Questions about Effective Public Commenting](https://fortress.wa.gov/ecy/publications/SummaryPages/0307023.html) which is available on our website at <https://fortress.wa.gov/ecy/publications/SummaryPages/0307023.html>

You may obtain further information from Ecology by email at [carey.cholski@ecy.wa.gov](mailto:carey.cholski@ecy.wa.gov) or by writing to the address listed below.

Water Quality Permit Coordinator  
Department of Ecology  
Southwest Regional Office  
PO Box 47775  
Olympia, WA 98504-7775

The primary author of this permit and fact sheet is Mohsen Kourehdar, P.E.

## APPENDIX B — 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.

Street Addresses	Mailing Addresses
<b>Department of Ecology</b> Attn: Appeals Processing Desk 300 Desmond Drive Southeast 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 Road Southwest, Suite 301 Tumwater, WA 98501	<b>Pollution Control Hearings Board</b> PO Box 40903 Olympia, WA 98504-0903

## APPENDIX C — GLOSSARY

**1-DMax or 1-day maximum temperature** – The highest water temperature reached on any given day. This measure can be obtained using calibrated maximum/minimum thermometers or continuous monitoring probes having sampling intervals of thirty minutes or less.

**7-DADMax or 7-day average of the daily maximum temperatures** – The arithmetic average of seven consecutive measures of daily maximum temperatures. The 7-DADMax for any individual day is calculated by averaging that day's daily maximum temperature with the daily maximum temperatures of the three days prior and the three days after that date.

**Acute toxicity** – The lethal effect of a compound on an organism that occurs in a short time period, usually 48 to 96 hours.

**AKART** – The acronym for “all known, available, and reasonable methods of prevention, control and treatment.” AKART is a technology-based approach to limiting pollutants from wastewater discharges, which requires an engineering judgment and an economic judgment. AKART must be applied to all wastes and contaminants prior to entry into waters of the state in accordance with RCW 90.48.010 and RCW 90.48.520, WAC 173-200-030(2)(c)(ii), and WAC 173-216-110(1)(a).

**Alternate point of compliance** – An alternative location in the groundwater from the point of compliance where compliance with the groundwater standards is measured. It may be established in the groundwater at locations some distance from the discharge source, up to, but not exceeding the property boundary and is determined on a site specific basis following an AKART analysis. An “early warning value” must be used when an alternate point is established. An alternate point of compliance must be determined and approved in accordance with WAC 173-200-060(2).

**Ambient water quality** – The existing environmental condition of the water in a receiving water body.

**Ammonia** – Ammonia is produced by the breakdown of nitrogenous materials in wastewater. Ammonia is toxic to aquatic organisms, exerts an oxygen demand, and contributes to eutrophication. It also increases the amount of chlorine needed to disinfect wastewater.

**Annual average design flow (AADF** – average of the daily flow volumes anticipated to occur over a calendar year.

**Average monthly (intermittent) discharge limit** – The average of the measured values obtained over a calendar months' time taking into account zero discharge days.

**Average monthly discharge limit** – The average of the measured values obtained over a calendar months' time.

**Background water quality** – The concentrations of chemical, physical, biological or radiological constituents or other characteristics in or of groundwater at a particular point in time upgradient of an activity that has not been affected by that activity, [WAC 173-200-020(3)]. Background water quality for any parameter is statistically defined as the 95 percent upper tolerance interval with a 95 percent confidence based on at least eight hydraulically upgradient water quality samples. The eight



*FACT SHEET FOR THE  
PORT OF OLYMPIA CASCADE POLE  
REMEDATION PROJECT  
NPDES PERMIT WA0040533*

samples are collected over a period of at least one year, with no more than one sample collected during any month in a single calendar year.

**Best management practices (BMPs)** – Schedules of activities, prohibitions of practices, maintenance procedures, and other physical, structural and/or managerial practices to prevent or reduce the pollution of waters of the state. BMPs include treatment systems, operating procedures, and practices to control: plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage. BMPs may be further categorized as operational, source control, erosion and sediment control, and treatment BMPs.

**BOD5** – Determining the five-day Biochemical Oxygen Demand of an effluent is an indirect way of measuring the quantity of organic material present in an effluent that is utilized by bacteria. The BOD5 is used in modeling to measure the reduction of dissolved oxygen in receiving waters after effluent is discharged. Stress caused by reduced dissolved oxygen levels makes organisms less competitive and less able to sustain their species in the aquatic environment. Although BOD<sub>5</sub> is not a specific compound, it is defined as a conventional pollutant under the federal Clean Water Act.

**Bypass** – The intentional diversion of waste streams from any portion of a treatment facility.

**Categorical pretreatment standards** – National pretreatment standards specifying quantities or concentrations of pollutants or pollutant properties, which may be discharged to a POTW by existing or new industrial users in specific industrial subcategories.

**Chlorine** – A chemical used to disinfect wastewaters of pathogens harmful to human health. It is also extremely toxic to aquatic life.

**Chronic toxicity** – The effect of a compound on an organism over a relatively long time, often 1/10 of an organism's lifespan or more. Chronic toxicity can measure survival, reproduction or growth rates, or other parameters to measure the toxic effects of a compound or combination of compounds.

**Clean water act (CWA)** – The federal Water Pollution Control Act enacted by Public Law 92-500, as amended by Public Laws 95-217, 95-576, 96-483, 97-117; USC 1251 et seq.

**Compliance inspection-without sampling** – A site visit for the purpose of determining the compliance of a facility with the terms and conditions of its permit or with applicable statutes and regulations.

**Compliance inspection-with sampling** – A site visit for the purpose of determining the compliance of a facility with the terms and conditions of its permit or with applicable statutes and regulations. In addition it includes as a minimum, sampling and analysis for all parameters with limits in the permit to ascertain compliance with those limits; and, for municipal facilities, sampling of influent to ascertain compliance with the 85 percent removal requirement. Ecology may conduct additional sampling.

**Composite sample** – A mixture of grab samples collected at the same sampling point at different times, formed either by continuous sampling or by mixing discrete samples. May be "time-composite" (collected at constant time intervals) or "flow-proportional" (collected either as a constant sample

*FACT SHEET FOR THE  
PORT OF OLYMPIA CASCADE POLE  
REMEDATION PROJECT  
NPDES PERMIT WA0040533*

volume at time intervals proportional to stream flow, or collected by increasing the volume of each aliquot as the flow increased while maintaining a constant time interval between the aliquots).

**Construction activity** – Clearing, grading, excavation, and any other activity, which disturbs the surface of the land. Such activities may include road building; construction of residential houses, office buildings, or industrial buildings; and demolition activity.

**Continuous monitoring** – Uninterrupted, unless otherwise noted in the permit.

**Critical condition** – The time during which the combination of receiving water and waste discharge conditions have the highest potential for causing toxicity in the receiving water environment. This situation usually occurs when the flow within a water body is low, thus, its ability to dilute effluent is reduced.

**Date of receipt** – This is defined in RCW 43.21B.001(2) as five business days after the date of mailing; or the date of actual receipt, when the actual receipt date can be proven by a preponderance of the evidence. The recipient's sworn affidavit or declaration indicating the date of receipt, which is unchallenged by the agency, constitutes sufficient evidence of actual receipt. The date of actual receipt, however, may not exceed forty-five days from the date of mailing.

**Detection limit** – The minimum concentration of a substance that can be measured and reported with 99 percent confidence that the pollutant concentration is above zero and is determined from analysis of a sample in a given matrix containing the pollutant.

**Dilution factor (DF)** – A measure of the amount of mixing of effluent and receiving water that occurs at the boundary of the mixing zone. Expressed as the inverse of the percent effluent fraction, for example, a dilution factor of 10 means the effluent comprises 10 percent by volume and the receiving water 90 percent.

**Distribution uniformity** – The uniformity of infiltration (or application in the case of sprinkle or trickle irrigation) throughout the field expressed as a percent relating to the average depth infiltrated in the lowest one-quarter of the area to the average depth of water infiltrated.

**Early warning value** – The concentration of a pollutant set in accordance with WAC 173-200-070 that is a percentage of an enforcement limit. It may be established in the effluent, groundwater, surface water, the vadose zone or within the treatment process. This value acts as a trigger to detect and respond to increasing contaminant concentrations prior to the degradation of a beneficial use.

**Enforcement limit** – The concentration assigned to a contaminant in the groundwater at the point of compliance for the purpose of regulation, [WAC 173-200-020(11)]. This limit assures that a groundwater criterion will not be exceeded and that background water quality will be protected.

**Engineering report** – A document that thoroughly examines the engineering and administrative aspects of a particular domestic or industrial wastewater facility. The report must contain the appropriate information required in WAC 173-240-060 or WAC 173-240-130.

FACT SHEET FOR THE  
PORT OF OLYMPIA CASCADE POLE  
REMEDATION PROJECT  
NPDES PERMIT WA0040533

**Enterococci** – A subgroup of fecal streptococci that includes *S. faecalis*, *S. faecium*, *S. gallinarum*, and *S. avium*. The enterococci are differentiated from other streptococci by their ability to grow in 6.5% sodium chloride, at pH 9.6, and at 10°C and 45°C.

***E. coli*** – A bacterium in the family Enterobacteriaceae named *Escherichia coli* and is a common inhabitant of the intestinal tract of warm-blooded animals, and its presence in water samples is an indication of fecal pollution and the possible presence of enteric pathogens.

**Fecal coliform bacteria** – Fecal coliform bacteria are used as indicators of pathogenic bacteria in the effluent that are harmful to humans. Pathogenic bacteria in wastewater discharges are controlled by disinfecting the wastewater. The presence of high numbers of fecal coliform bacteria in a water body can indicate the recent release of untreated wastewater and/or the presence of animal feces.

**Grab sample** – A single sample or measurement taken at a specific time or over as short a period of time as is feasible.

**Groundwater** – Water in a saturated zone or stratum beneath the surface of land or below a surface water body.

**Industrial user** – A discharger of wastewater to the sanitary sewer that is not sanitary wastewater or is not equivalent to sanitary wastewater in character.

**Industrial wastewater** – Water or liquid-carried waste from industrial or commercial processes, as distinct from domestic wastewater. These wastes may result from any process or activity of industry, manufacture, trade or business; from the development of any natural resource; or from animal operations such as feed lots, poultry houses, or dairies. The term includes contaminated stormwater and, also, leachate from solid waste facilities.

**Interference** – A discharge which, alone or in conjunction with a discharge or discharges from other sources, both:

- Inhibits or disrupts the POTW, its treatment processes or operations, or its sludge processes, use or disposal; and
- Therefore is a cause of a violation of any requirement of the POTW's NPDES permit (including an increase in the magnitude or duration of a violation) or of the prevention of sewage sludge use or disposal in compliance with the following statutory provisions and regulations or permits issued thereunder (or more stringent State or local regulations): Section 405 of the Clean Water Act, the Solid Waste Disposal Act (SWDA) (including title II, more commonly referred to as the Resource Conservation and Recovery Act (RCRA), and including State regulations contained in any State sludge management plan prepared pursuant to subtitle D of the SWDA), sludge regulations appearing in 40 CFR Part 507, the Clean Air Act, the Toxic Substances Control Act, and the Marine Protection, Research and Sanctuaries Act.

**Local limits** – Specific prohibitions or limits on pollutants or pollutant parameters developed by a POTW.

*FACT SHEET FOR THE  
PORT OF OLYMPIA CASCADE POLE  
REMEDATION PROJECT  
NPDES PERMIT WA0040533*

**Major facility** – A facility discharging to surface water with an EPA rating score of > 80 points based on such factors as flow volume, toxic pollutant potential, and public health impact.

**Maximum daily discharge limit** – The highest allowable daily discharge of a pollutant measured during a calendar day or any 24-hour period that reasonably represents the calendar day for purposes of sampling. The daily discharge is calculated as the average measurement of the pollutant over the day.

**Maximum day design flow (MDDF)** – The largest volume of flow anticipated to occur during a one-day period, expressed as a daily average.

**Maximum month design flow (MMDF)** – The largest volume of flow anticipated to occur during a continuous 30-day period, expressed as a daily average.

**Maximum week design flow (MWDF)** – The largest volume of flow anticipated to occur during a continuous 7-day period, expressed as a daily average.

**Method detection level (MDL)** – See Detection Limit.

**Minor facility** -- A facility discharging to surface water with an EPA rating score of < 80 points based on such factors as flow volume, toxic pollutant potential, and public health impact.

**Mixing zone** – An area that surrounds an effluent discharge within which water quality criteria may be exceeded. The permit specifies the area of the authorized mixing zone that Ecology defines following procedures outlined in state regulations (chapter 173-201A WAC).

**National pollutant discharge elimination system (NPDES)** – The NPDES (Section 402 of the Clean Water Act) is the federal wastewater permitting system for discharges to navigable waters of the United States. Many states, including the state of Washington, have been delegated the authority to issue these permits. NPDES permits issued by Washington State permit writers are joint NPDES/State permits issued under both state and federal laws.

**pH** – The pH of a liquid measures its acidity or alkalinity. It is the negative logarithm of the hydrogen ion concentration. A pH of 7 is defined as neutral and large variations above or below this value are considered harmful to most aquatic life.

**Pass-through** – A discharge which exits the POTW into waters of the State in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the POTW's NPDES permit (including an increase in the magnitude or duration of a violation), or which is a cause of a violation of State water quality standards.

**Peak hour design flow (PHDF)** – The largest volume of flow anticipated to occur during a one-hour period, expressed as a daily or hourly average.

**Peak instantaneous design flow (PIDF)** – The maximum anticipated instantaneous flow.

**Point of compliance** – The location in the groundwater where the enforcement limit must not be exceeded and a facility must comply with the Ground Water Quality Standards. Ecology determines

*FACT SHEET FOR THE  
PORT OF OLYMPIA CASCADE POLE  
REMEDATION PROJECT  
NPDES PERMIT WA0040533*

this limit on a site-specific basis. Ecology locates the point of compliance in the groundwater as near and directly downgradient from the pollutant source as technically, hydrogeologically, and geographically feasible, unless it approves an alternative point of compliance.

**Potential significant industrial user (PSIU)** – A potential significant industrial user is defined as an Industrial User that does not meet the criteria for a Significant Industrial User, but which discharges wastewater meeting one or more of the following criteria:

- a. Exceeds 0.5 percent of treatment plant design capacity criteria and discharges <25,000 gallons per day or;
- b. Is a member of a group of similar industrial users which, taken together, have the potential to cause pass through or interference at the POTW (e.g. facilities which develop photographic film or paper, and car washes).

Ecology may determine that a discharger initially classified as a potential significant industrial user should be managed as a significant industrial user.

**Quantitation level (QL)** – Also known as Minimum Level of Quantitation (ML) – The lowest level at which the entire analytical system must give a recognizable signal and acceptable calibration point for the analyte. It is equivalent to the concentration of the lowest calibration standard, assuming that the lab has used all method-specified sample weights, volumes, and cleanup procedures. The QL is calculated by multiplying the MDL by 3.18 and rounding the result to the number nearest to  $(1, 2, \text{ or } 5) \times 10^n$ , where n is an integer. (64 FR 30417).

ALSO GIVEN AS:

The smallest detectable concentration of analyte greater than the Detection Limit (DL) where the accuracy (precision & bias) achieves the objectives of the intended purpose. (Report of the Federal Advisory Committee on Detection and Quantitation Approaches and Uses in Clean Water Act Programs Submitted to the US Environmental Protection Agency December 2007).

**Reasonable potential** – A reasonable potential to cause a water quality violation, or loss of sensitive and/or important habitat.

**Responsible corporate officer** – A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision-making functions for the corporation, or the manager of one or more manufacturing, production, or operating facilities employing more than 250 persons or have gross annual sales or expenditures exceeding \$25 million (in second quarter 1980 dollars), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures (40 CFR 122.22).

**Sample Maximum** – No sample may exceed this value.

**Significant industrial user (SIU)** –

*FACT SHEET FOR THE  
PORT OF OLYMPIA CASCADE POLE  
REMEDATION PROJECT  
NPDES PERMIT WA0040533*

- 1) All industrial users subject to Categorical Pretreatment Standards under 40 CFR 403.6 and 40 CFR Chapter I, Subchapter N and;
- 2) Any other industrial user that: discharges an average of 25,000 gallons per day or more of process wastewater to the POTW (excluding sanitary, noncontact cooling, and boiler blow-down wastewater); contributes a process wastestream that makes up 5 percent or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant; or is designated as such by the Control Authority\* on the basis that the industrial user has a reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement [in accordance with 40 CFR 403.8(f)(6)].

Upon finding that the industrial user meeting the criteria in paragraph 2, above, has no reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement, the Control Authority\* may at any time, on its own initiative or in response to a petition received from an industrial user or POTW, and in accordance with 40 CFR 403.8(f)(6), determine that such industrial user is not a significant industrial user.

\*The term "Control Authority" refers to the Washington State Department of Ecology in the case of non-delegated POTWs or to the POTW in the case of delegated POTWs.

**Slug discharge** – Any discharge of a non-routine, episodic nature, including but not limited to an accidental spill or a non-customary batch discharge to the POTW. This may include any pollutant released at a flow rate that may cause interference or pass through with the POTW or in any way violate the permit conditions or the POTW's regulations and local limits.

**Soil scientist** – An individual who is registered as a Certified or Registered Professional Soil Scientist or as a Certified Professional Soil Specialist by the American Registry of Certified Professionals in Agronomy, Crops, and Soils or by the National Society of Consulting Scientists or who has the credentials for membership. Minimum requirements for eligibility are: possession of a baccalaureate, masters, or doctorate degree from a U.S. or Canadian institution with a minimum of 30 semester hours or 45 quarter hours professional core courses in agronomy, crops or soils, and have 5,3,or 1 years, respectively, of professional experience working in the area of agronomy, crops, or soils.

**Solid waste** – All putrescible and non-putrescible solid and semisolid wastes including, but not limited to, garbage, rubbish, ashes, industrial wastes, swill, sewage sludge, demolition and construction wastes, abandoned vehicles or parts thereof, contaminated soils and contaminated dredged material, and recyclable materials.

**Soluble BOD<sub>5</sub>** – Determining the soluble fraction of Biochemical Oxygen Demand of an effluent is an indirect way of measuring the quantity of soluble organic material present in an effluent that is utilized by bacteria. Although the soluble BOD<sub>5</sub> test is not specifically described in Standard Methods, filtering the raw sample through at least a 1.2 um filter prior to running the standard BOD<sub>5</sub> test is sufficient to remove the particulate organic fraction.

**State waters** – Lakes, rivers, ponds, streams, inland waters, underground waters, salt waters, and all other surface waters and watercourses within the jurisdiction of the state of Washington.

*FACT SHEET FOR THE  
PORT OF OLYMPIA CASCADE POLE  
REMEDATION PROJECT  
NPDES PERMIT WA0040533*

**Stormwater** – That portion of precipitation that does not naturally percolate into the ground or evaporate, but flows via overland flow, interflow, pipes, and other features of a stormwater drainage system into a defined surface water body, or a constructed infiltration facility.

**Technology-based effluent limit** – A permit limit based on the ability of a treatment method to reduce the pollutant.

**Total coliform bacteria** – A microbiological test, which detects and enumerates the total coliform group of bacteria in water samples.

**Total dissolved solids** – That portion of total solids in water or wastewater that passes through a specific filter.

**Total maximum daily load (TMDL)** – A determination of the amount of pollutant that a water body can receive and still meet water quality standards.

**Total suspended solids (TSS)** – Total suspended solids is the particulate material in an effluent. Large quantities of TSS discharged to a receiving water may result in solids accumulation. Apart from any toxic effects attributable to substances leached out by water, suspended solids may kill fish, shellfish, and other aquatic organisms by causing abrasive injuries and by clogging the gills and respiratory passages of various aquatic fauna. Indirectly, suspended solids can screen out light and can promote and maintain the development of noxious conditions through oxygen depletion.

**Upset** – An exceptional incident in which there is unintentional and temporary noncompliance with technology-based permit effluent limits because of factors beyond the reasonable control of the Permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, lack of preventative maintenance, or careless or improper operation.

**Water quality-based effluent limit** – A limit imposed on the concentration of an effluent parameter to prevent the concentration of that parameter from exceeding its water quality criterion after discharge into receiving waters.

**FACT SHEET FOR THE  
PORT OF OLYMPIA CASCADE POLE  
REMEDICATION PROJECT  
NPDES PERMIT WA0040533**

## APPENDIX D — TECHNICAL CALCULATIONS

### Pentachlorophenol Performance Based Calculation, Data DMRs 2018-2020

[illegible]



FACT SHEET FOR THE  
PORT OF OLYMPIA CASCADE POLE  
REMEDATION PROJECT  
NPDES PERMIT WA0040533

Several of the Excel® spreadsheet tools used to evaluate a discharger's ability to meet Washington State water quality standards can be found in the [PermitCalc workbook](https://ecology.wa.gov/Regulations-Permits/Guidance-technical-assistance/Water-quality-permits-guidance) on Ecology's webpage at: <https://ecology.wa.gov/Regulations-Permits/Guidance-technical-assistance/Water-quality-permits-guidance>.

#### Simple Mixing:

Ecology uses simple mixing calculations to assess the impacts of certain conservative pollutants, such as the expected increase in fecal coliform bacteria at the edge of the chronic mixing zone boundary. Simple mixing uses a mass balance approach to proportionally distribute a pollutant load from a discharge into the authorized mixing zone. The approach assumes no decay or generation of the pollutant of concern within the mixing zone. The predicted concentration at the edge of a mixing zone ( $C_{mz}$ ) is based on the following calculation:

$$C_{mz} = Ca + \frac{(Ce - Ca)}{DF}$$

where:  $Ce$  = Effluent Concentration  
 $Ca$  = Ambient Concentration  
 $DF$  = Dilution Factor

#### Reasonable Potential Analysis:

The spreadsheets Input 2 – Reasonable Potential, and LimitCalc in Ecology's PermitCalc Workbook determine reasonable potential (to violate the aquatic life and human health water quality standards) and calculate effluent limits. The process and formulas for determining reasonable potential and effluent limits in these spreadsheets are taken directly from the [Technical Support Document for Water Quality-based Toxics Control, \(EPA 505/2-90-001\)](#). The adjustment for autocorrelation is from EPA (1996a), and EPA (1996b).

#### Calculation of Water Quality-Based Effluent Limits:

Water quality-based effluent limits are calculated by the two-value wasteload allocation process as described on page 100 of the TSD (EPA, 1991) and shown below.

1. Calculate the acute wasteload allocation  $WLA_a$  by multiplying the acute criteria by the acute dilution factor and subtracting the background factor. Calculate the chronic wasteload allocation ( $WLA_c$ ) by multiplying the chronic criteria by the chronic dilution factor and subtracting the background factor.

$$WLA_a = (\text{acute criteria} \times DF_a) - [(\text{background conc.} \times (DF_a - 1))]$$
$$WLA_c = (\text{chronic criteria} \times DF_c) - [(\text{background conc.} \times (DF_c - 1))]$$

where:  $DF_a$  = Acute Dilution Factor  
 $DF_c$  = Chronic Dilution Factor

FACT SHEET FOR THE  
PORT OF OLYMPIA CASCADE POLE  
REMEDATION PROJECT  
NPDES PERMIT WA0040533

2. Calculate the long term averages (LTA<sub>a</sub> and LTA<sub>c</sub>) which will comply with the wasteload allocations WLA<sub>a</sub> and WLA<sub>c</sub>.

$$\text{LTA}_a = \text{WLA}_a \times e^{[0.5\sigma^2 - z\sigma]}$$

$$\text{where: } \sigma^2 = \ln[\text{CV}^2 + 1]$$

$$z = 2.326$$

CV = coefficient of variation = std.  
dev/mean

$$\text{LTA}_c = \text{WLA}_c \times e^{[0.5\sigma^2 - z\sigma]}$$

$$\text{where: } \sigma^2 = \ln[(\text{CV}^2 \div 4) + 1]$$

$$z = 2.326$$

3. Use the smallest LTA of the LTA<sub>a</sub> or LTA<sub>c</sub> to calculate the maximum daily effluent limit and the monthly average effluent limit.

*MDL=Maximum Daily Limit*

$$\text{MDL} = \text{LTA} \times e^{(z\sigma - 0.5\sigma^2)}$$

$$\text{where: } \sigma^2 = \ln[\text{CV}^2 + 1]$$

$$z = 2.326 \text{ (99th percentile occurrence)}$$

LTA = Limiting long term average

*AML = Average Monthly Limit*

$$\text{AML} = \text{LTA} \times e^{(z\sigma_n - 0.5\sigma_n^2)}$$

$$\text{where: } \sigma^2 = \ln[(\text{CV}^2 \div n) + 1]$$

n = number of samples/month

$$z = 1.645 \text{ (95th \% occurrence probability)}$$

LTA = Limiting long term average

## APPENDIX E — RESPONSE TO COMMENTS

The comments were received from the Port of Olympia (the Port). The following is the responses to comments to the draft permit.

### Draft Permit Comments

#### Comment 1:

“Casde Pole” should be corrected to “Cascade Pole” in the permit cover page.

#### Response 1:

The change made.

#### Comment 2:

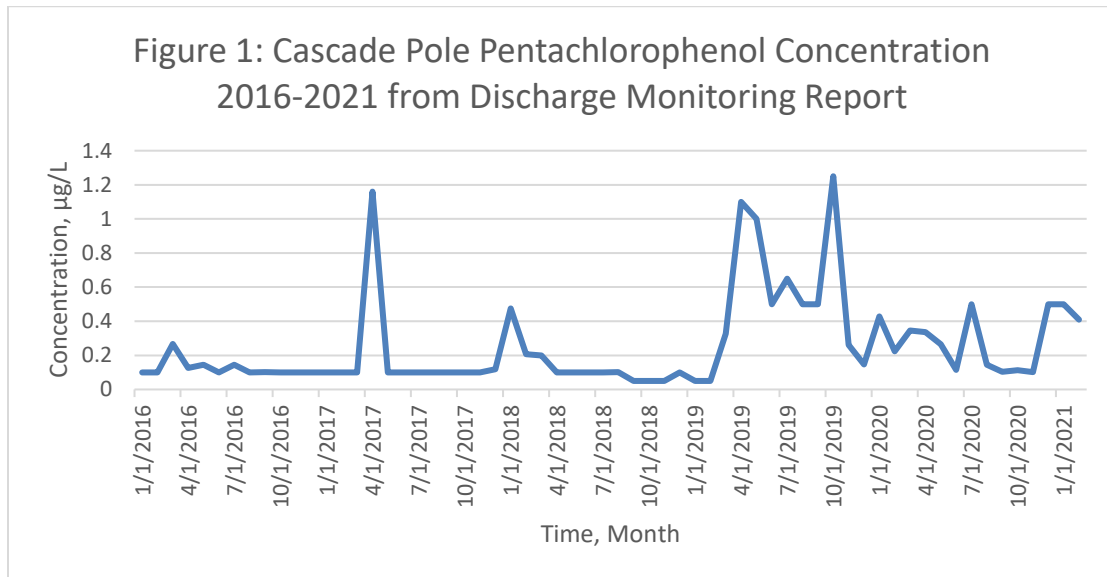
The proposed addition of an average monthly limit for Pentachlorophenol (PCP) is inappropriate given that this parameter is monitored only once per month. This permit condition would turn a potential single violation for a PCP daily maximum exceedance into two permit violations of daily maximum and monthly average. The average monthly limit for PCP should not added as a new permit requirement.

#### Response 2:

Ecology reviewed the PCP effluent data for 2016-2021 as shown in Figure 1. The data shows the all the effluent data are below 1.0 µg/L, (the monthly average of 1 µg/L), except three time in five years. And the three exceptions were non-detect at method detection levels. Therefore, the last five years PCP effluent data show almost 100 percent compliance with the 1 µg/L.

The Permittee should test the effluent in the beginning of the month and if the results exceeds the monthly average permit limit, test again. More tests the Permittee conducts, it would lower the monthly average.

The data for Figure 1 is in Appendix F, Table 1. All the values report as method detection levels in Table 1 are shown as half detection levels in Figure 1.



Comment 3:

The proposed monthly average of 1.0 µg/L and daily maximum of 2.3 µg/L for Pentachlorophenol (PCP) are faulty determination of technology-based limits. It is based on the narrow range of effluent data from 2018-2019. For example, in 2014, a measurement of 7.7 µg/L was made and as recently as October 2019, a value of 2.5 µg/L reported by the laboratory to matrix interference.

Response 3:

The technology based limits are calculated based on procedure outlined in EPA's Technical Support Document for Water Quality-Based Toxics Control EPA/505/2-90-001.

If the laboratory determines there was a matrix interference, the Port of Olympia should submit documentation with the discharge monitoring report to Ecology.

This existing groundwater treatment system is in operation since 2012, and the PCP influent concentration to the system has changed and declined in comparison with early years of operation (the groundwater pump and treat system is operating since 1993). Therefore, 2018-2019 effluent data are current representation of the groundwater PCP and the effluent data.

Comment 4:

The proposed permit limit is inconsistent with the Appendix F of the permit that a Method Detection Level (MDL) of 3.6 µg/L and a quantitation level of 10.8 µg/L for PCP. The Appendix F also states that if there is a matrix effects, the permittee must submit specific MDL and QL to Ecology with appropriate laboratory documentation. Ecology should wait until 2024, when the report appropriate laboratory documentation is submitted to Ecology. It is not appropriate for

*FACT SHEET FOR THE  
PORT OF OLYMPIA CASCADE POLE  
REMEDATION PROJECT  
NPDES PERMIT WA0040533*

Ecology to change the permit limit until 2024 when the effluent study is due. Ecology should review this 2024 report and make a final determination.

Response 4:

In 2010, Ecology required the testing for the Benzo(a)Pyrene and PCP in the effluent be conducted with Selected Ion Monitoring (SIM) method which is a more sensitive measurement method. This requirement was added to the permit. The MDL for this Method is 0.10 µg/L. Appendix F MDL for PCP testing is 3.6 µg/L which is 36 times higher (less sensitive) than 0.10 µg/L MDL SIM method. PCP's human health marine surface water quality criteria is 0.10 µg/L. Therefore, Ecology has required testing by SIM method to evaluate PCP discharge effluent concentrations.

The goal of the clean water is to minimize pollutant discharges to the extent practicable--as opposed to allowing the maximum tolerable level of pollutant discharge. Measuring with a more sensitive testing method allows the real effluent data. The data in Figure 1 shows that the effluent data in the last five years is closer to water quality human health criteria, therefore, testing with the SIM method is an appropriate method for this discharge.

Comment 5:

The laboratory has indicated that the presence of naphthalene in the effluent samples may be what is causing the need to often raise the reporting limits for PCP and other Polycyclic Aromatic Hydrocarbons (PAHs) and results in the inability to use Method 625 Selected Ion Monitoring (SIM) to achieve a quantitation level of 1.0 µg/L for PCP or 0.1 µg/L for benzo(a)pyrene. The typical notation from the laboratory is "Due to sample matrix interference some analytes could not be quantified using SIM."

Response 5:

The analysis of 2016-2021 (Figure 1) effluent data have not shown matrix effect due to presence of naphthalene, may be in one or two occasions during the last five years. The Port of Olympia has met the PCP permit limit consistently in the existing permit and will meet the permit limit in the current draft permit. Ecology is making this conclusion based on effluent data as shown in Figure 1 and Table 1. If there is any matrix effect on the future test results. The laboratory documentation should be submitted to Ecology with the DMR.

Comment 6:

Additionally, as listed in the draft Fact Sheet, the Acute and Chronic Marine Water Quality Criteria for PCP are 13 µg/L and 7.90 µg/L, respectively. Therefore, there is no applicable need from a water quality perspective to reduce the PCP maximum daily limit below the current limit of 6.5 µg/L.

Response 6:

Please see Ecology's response 4.

*FACT SHEET FOR THE  
PORT OF OLYMPIA CASCADE POLE  
REMEDATION PROJECT  
NPDES PERMIT WA0040533*

Comment 7:

The Draft Permit contains newly added testing parameters for total phenolic compounds, priority pollutant (PP) metals, PP volatile organic compounds, PP acid-extractable compounds, and PP base-neutral compounds, which are to be measured once per Permit cycle in 2024. Given that those pollutant parameters are not identified to be pollutants of concern at the Cascade Pole site and those parameters are not mentioned in the permit fact sheet. The Port requests that Ecology remove those parameters from the permit before finalizing.

Response 7:

The effluent should be characterized one time for these parameters in 2024 with the permit application for the permit renewal.

Comment 8:

The requirement for the flow calibration should be removed. As the flow meter will be calibrated per manufacturer recommendation.

Response 8:

This language of the “flow meter will be calibrated per manufacturer recommendation” was added to the permit.

Comment 9:

Condition S10 of the permit should be changed to Acute and Chronic Toxicity testing.

Response 9:

Permit changed.

Comment 10:

Condition S10.B.7 and B.8 should be removed from the permit, since there is no chlorination and de-chlorination in this permit.

Response 10:

These are boilerplate requirements in the permit. If there is no chlorination and de-chlorination in the treatment process, these requirements do not apply to this permit.

*FACT SHEET FOR THE  
PORT OF OLYMPIA CASCADE POLE  
REMEDICATION PROJECT  
NPDES PERMIT WA0040533*

Comment 11:

The added requirement S7 is reasonable, and the results of that assessment presented in that report should be reviewed and considered by Ecology before making any reduction to the PCP effluent limit or addition of a benzo(a)pyrene limit in the future permit cycle.

Response 11:

Please review the response 4 regarding PCP permit limit.

**Draft Fact Sheet Comments**

Comment 1:

The technology based limits for PCP for the monthly average of 1 µg/L and daily maximum of 2.3 µg/L for the PCP are not correctly calculated.

Response 1:

Please see the response 3.

Comment 2:

Page 14, Section III, K, the fact sheet should be corrected to be consistent with the permit.

Response 2:

The fact sheet was corrected.

FACT SHEET FOR THE  
PORT OF OLYMPIA CASCADE POLE  
REMEDICATION PROJECT  
NPDES PERMIT WA0040533

APPENDIX F — DISCHARGE MONITORING DATA 2016 - 2021

Table 1: The Discharge Monitoring Data 2016-2021

1/1/2016	0.1	1/1/2016
2/1/2016	0.1	2/1/2016
3/1/2016	0.266	3/1/2016
4/1/2016	0.127	4/1/2016
5/1/2016	0.144	5/1/2016
6/1/2016	0.1	6/1/2016
7/1/2016	0.144	7/1/2016
8/1/2016	0.1	8/1/2016
9/1/2016	0.101	9/1/2016
10/1/2016	0.1	10/1/2016
11/1/2016	0.1	11/1/2016
12/1/2016	0.1	12/1/2016
1/1/2017	0.1	1/1/2017
2/1/2017	0.1	2/1/2017
3/1/2017	0.1	3/1/2017
4/1/2017	1.16	4/1/2017
5/1/2017	0.1	5/1/2017
6/1/2017	0.1	6/1/2017
7/1/2017	0.1	7/1/2017
8/1/2017	0.1	8/1/2017
9/1/2017	0.1	9/1/2017
10/1/2017	0.1	10/1/2017
11/1/2017	0.1	11/1/2017
12/1/2017	0.118	12/1/2017
1/1/2018	0.476	1/1/2018
2/1/2018	0.206	2/1/2018
3/1/2018	0.2	3/1/2018
4/1/2018	0.1	4/1/2018
5/1/2018	0.1	5/1/2018
6/1/2018	0.1	6/1/2018
7/1/2018	0.1	7/1/2018
8/1/2018	0.102	8/1/2018
9/1/2018	0.05	9/1/2018
10/1/2018	0.05	10/1/2018
11/1/2018	0.05	11/1/2018
12/1/2018	0.1	12/1/2018
1/1/2019	0.05	1/1/2019



FACT SHEET FOR THE  
PORT OF OLYMPIA CASCADE POLE  
REMEDICATION PROJECT  
NPDES PERMIT WA0040533

2/1/2019	0.05	2/1/2019
3/1/2019	0.327	3/1/2019
4/1/2019	1.1	4/1/2019
5/1/2019	1	5/1/2019
6/1/2019	0.5	6/1/2019
7/1/2019	0.65	7/1/2019
8/1/2019	0.5	8/1/2019
9/1/2019	0.5	9/1/2019
10/1/2019	1.25	10/1/2019
11/1/2019	0.261	11/1/2019
12/1/2019	0.147	12/1/2019
1/1/2020	0.428	1/1/2020
2/1/2020	0.223	2/1/2020
3/1/2020	0.346	3/1/2020
4/1/2020	0.337	4/1/2020
5/1/2020	0.265	5/1/2020
6/1/2020	0.115	6/1/2020
7/1/2020	0.5	7/1/2020
8/1/2020	0.145	8/1/2020
9/1/2020	0.103	9/1/2020
10/1/2020	0.113	10/1/2020
11/1/2020	0.101	11/1/2020
12/1/2020	0.5	12/1/2020
1/1/2021	0.5	1/1/2021
2/1/2021	0.41	2/1/2021