



STORMWATER COMPLIANCE INSPECTION REPORT

State of Washington Department of Ecology

Section A: General Data

Inspection Date(s): 5/3/2021	Ecology Inspector(s): Stephanie Barney, Maria Zeman	Inspection Type: Announced Inspection
Permittee Name: Martin Penhallegon, P&G East LLC Permittee Mailing Address: 11255 Kirkland Way, Ste 300		NPDES Permit #: WAR306901
City: Kirkland State: WA Zip: 98033		Permit Type: Construction Other:
Discharges to: <i>(Please check all that apply)</i> <input checked="" type="checkbox"/> Surface Water <input checked="" type="checkbox"/> Ground Water		County: Snohomish
Receiving waters: Streams 1, 2, and 3 and wetland west of the landfill		
Weather at time of inspection: Sunny and dry		

Section B: Facility Data

Water Quality Name and Location of Site Inspected: Bakerview Everett 4308 108 th Street SE Everett WA 98033	GPS Lat: Long:	Entry Time: 11:00 AM Exit Time: 1:00 PM
On-Site Representative Name: Jay Pullen Title: Junior Engineer Phone: 425-827-2014 Email: jayp@paceengrs.com	Additional Participants: Tim O'Conner Clay Grace Megan Engebretson Rob	

Section C: Summary of Findings/Comments

BACKGROUND

Washington's Construction Stormwater General Permit (CSWGP) covers the Bakerview Everett project. This National Pollutant Discharge Elimination System (NPDES) and a State Waste Discharge permit allows for the discharge of stormwater from construction activities.

INSPECTION/OBSERVATIONS

The Bakerview Everett development will convert a portion of an existing, closed landfill to a residential subdivision. Site plans call for removal and relocation of landfill material from areas slated for residential development. This will redefine the landfill boundaries.

Samples taken within the former landfill footprint showed contamination from past landfill activities. Ecology's Northwest Regional Office (NWRO) issued Administrative Order No. 18193 (Order), establishing indicator levels for contaminants identified in samples from the landfill footprint.

The Order requires the permittee use approved stormwater treatment prior to discharging contaminated dewatering water or contaminated stormwater to the receiving waters. The permittee must sample stormwater discharges after treatment but prior to discharge to determine compliance with the indicator levels. The permittee must submit the sampling data on the Discharge Monitoring Report (DMR). The permittee identified the receiving waters as:

- Stream 1 (new stream C alignment in SWPPP)
- Stream 2 (Stream B and E in SWPPP)
- Stream 3 (Site discharge location in SWPPP)
- Wetland to the west of the landfill

Earthwork started in April. We observed excavators removing landfill materials from areas known as "the wedge".

Uncovered stockpiles of landfill material meeting the cleanup levels sat next to the site's detention pond, with the footprint of the new landfill boundary. The permittee screens the excavated material for compliance with the site's Interim Action Soil Clean Up Levels. The Model Toxics Control Act (MTCA) establishes the cleanup levels. An Interim Action Clean Up Plan and Landfill Closure Plan applies to management of former landfill materials. The permittee works with Ecology's Solid Waste Program and Snohomish County's Health District to comply with the plans.

We observed a stockpile of soil covered with plastic sheeting. Initial screening indicated asbestos contamination. The permittee must remove soils that do not meet the Interim Action Soil Clean Up Levels.

The permittee will inspect 108th Street for sediment track out. When necessary, the permittee will sweep the street remove track out from ingress and egress of the site.

The detention pond, located within the footprint of the former landfill, functions as a temporary sediment pond during construction. The pond remains unlined through this phase of construction. The permittee directs all stormwater generated on-site to their detention pond, including stormwater exposed to the landfill material stockpiles. Stormwater contained within the detention pond infiltrates into the landfill.

The permittee must project the wetland west of the landfill during construction. Drainage from this wetland creates Stream 1. This stream is southwest of the former landfill, running through an on-site borrow area for structural fill. Stream 1 is tributary to Stream 2. Stream 2 exists entirely outside of the area of disturbance.

Stream 3 runs underground through an existing ravine and daylights as a seep at the toe of the slope in the northeast corner of the site. The permittee has not constructed the detention pond's outlet, or outfall to Stream 3.

For this reason, the permittee has not set up the stormwater treatment system as in the Order. The permittee intends to infiltrate 100% of their contaminated stormwater by routing it to the pond. This is probable given the sandy soils at the site. Thus, any discharges of contaminated stormwater occur as groundwater infiltration. Due to on-site stormwater management, they have not discharged any contaminated stormwater to surface water.

The CESCL inspects the stream on the north property line. All April inspection reports state the stream dries up before reaching the outfall location in the northeast corner of the site.

We observed exposed soils on both sides of Stream 1, but clear water in the channel. Jay Pullen, the site's Certified Erosion and Sediment Control Lead (CESCL), samples Stream 1 before leaving the wetland and again at the project limits before Stream 1 runs down a steep ravine toward Stream 2.

Site plans call for realignment of Stream 1. The permittee will route Stream 1 through a temporary diversion pipe during new stream construction. The CESCL may discontinue sampling of the Stream 1 upon completion of the temporary diversion. The CESCL must evaluate all potential stormwater discharges from the construction of the new stream channel. The permittee must sample all stormwater discharges at the location where stormwater enters surface waters.

Operators had not recently worked the exposed soils in the on-site borrow area south of the wetland west of the landfill, in the immediate area of Stream 1. They made no attempts to stabilize the soils after the initial clearing. Unstabilized soils exposed to rainfall may cause turbidity in receiving waters.

The site maintains a spill kit at the staging area near monitoring well 1. Operators have easy access to the spill response materials.

Section D: Compliance/Recommendations

Note: See Corrections Required Form: No

The permittee must treat stormwater as required by the Order when discharging contaminated stormwater to surface water. The treatment system must be functional if the permittee constructs the pond's outlet and outfall before lining the pond and capping the former landfill materials. The permittee must diligently monitor the pond's capacity. The permittee must anticipate overflow and install the treatment system before discharging stormwater from the pond.

The permittee must stabilize exposed and unworked soils by application of effective BMPs that prevent erosion.

The permittee must not allow soils to remain exposed and unworked for more than 7 days during the dry season (May 1 – September 30) and 2 days during the wet season (October 1 – April 30).

The permittee must revise the SWPPP to include Element 13. The permittee must evaluate all BMPs for consistency with the 2019 Stormwater Management Manual for Western Washington (SWMMWW) and make revisions if necessary. The revised SWPPP, dated April 23, 2021 does not include Element 13. It states the preparer used Volume II of the 2005 Stormwater Management Manual for Western Washington (SWMMWW). In Condition S9.C of the CSWGP requires the permittee use BMPs consistent with the most current approved SWMMWW at the time of permit issuance. Ecology issued renewed CSWGP coverage to the permittee on November 15, 2020. The 2019 manuals became applicable to all CSWGP permittees with the reissued permit. Click this link for the 2019 SWMMWW: <https://apps.ecology.wa.gov/publications/documents/1910021.pdf>

Noncompliance with the limits, monitoring requirements, terms and/or conditions established in your permit may result in formal enforcement action by the Department.

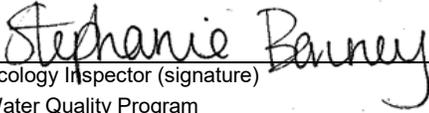
	<p>5/20/2021</p>	<p>Samples Taken?</p>	<p>No</p>
<p>Ecology Inspector (signature) Water Quality Program Bellingham Field Office 913 Squalicum Way, Unit 101 Bellingham, WA 98225 BFO Tel: 360-255-4400</p>	<p>Date</p>	<p>Photos Taken?</p>	<p>Yes</p>
		<p>DMR Submittal Violations</p>	<input type="checkbox"/>

Photo Addendum

Water Quality Name: Bakerview Everett

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Figure 1 Description: Recycled concrete aggregate used to stabilize on-site road. This material may cause elevated levels of pH in stormwater runoff.



Figure 2 Description: Excavated areas of the "wedge". Stockpiles of landfill materials (darker in color) remove from the wedge in the background.

All photos obtained during this inspection are available upon request and are representative of site conditions.

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Figure 3 Description: Wetland west of the landfill, headwaters of Stream 1.



Figure 4 Description: Stream 1, exposed soils on both banks.

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Figure 5 Description: Overall silt fence remained in good condition; however, this section needs repair.



Figure 6 Description: Stream 1 discharge from limits of disturbance down a steep ravine. Stream 1 is tributary to Stream 2. The permittee must sample stormwater discharges occurring here until they achieve permanent stabilization, as required in S4.C.3.a.

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Figure 7 Description: Stream 1 leaving construction site and entering steep ravine.



Figure 8 Description: Exposed and unworked soils without stabilization BMPs for more than 7 days as required in S9.D.5.d.

Photo Addendum

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Figure 9 Description: Wood mulch stabilizing exposed soils.



Figure 10 Description: The CESCL must evaluate sediment accumulation along silt fence. Maintain the silt fence as required in BMP C233. Remove sediment deposits when the deposit reaches approximately one-third the height of the silt fence, or install a second silt fence. Stabilize exposed and unworked soils as required in Condition S9.D.5.d.

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Figure 11 Description: On-going removal of landfill materials from the “wedge”.



Figure 12 Description: Stockpile covered with plastic. Initial screened suggested asbestos contamination.

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Figure 13 Description: Spill kit located next to Monitoring Well 1.



Figure 14 Description: Slight track out on to 108th Street. Maintain the construction entrance as required in BMP C105. Clean 108th Street thoroughly at the end of each day or more frequently as necessary, as required in Condition S9.D.2.d.