



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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December 22, 2021

Ms. Ellen Stewart
Interim Deputy Director
Seattle Public Utilities
700 5th Ave Ste 4900
Seattle, WA 98124-4018

Re: City of Seattle's S4.F Notification (WAR04-4504):
Sewage discharge to Puget Sound

Dear Ms. Stewart,

I am responding to the S4.F notification listed above that the City of Seattle (City) submitted to Ecology under the Phase I Western Washington Municipal Stormwater National Pollutant Discharge Elimination System (NPDES) Permit (Permit). The letter was dated December 15, 2021 and submitted electronically to me via email on December 17, 2021. The hard copy was sent by postal mail to the Ecology Northwest Regional Office.

On December 3, 2021, SPU became aware of a broken side sewer at a residential property that was discharging into the City MS4 with an outfall to Puget Sound. The City reported the incident to Ecology, and it was identified that this residence had a previous side sewer break in February 2021, reported under ERTS 703796, which I confirmed to be fully resolved and repaired. This new incident is on a different section of the side sewer. On December 4, 2021 the City took water quality samples in the marine waters adjacent to the outfall which returned with Enterococcus levels above State Water Quality Standards for marine waters. The City posted no-contact signage near the outfall, notified the local Public Health Department and WA State Agency for Shellfish Protection, and notified me that the City would submit an S4.F.1 letter.

In the S4.F.1. letter, the City reports they are unable to access the impacted public catch basin due to its location on a steep slope with high landslide risk. Crews are continuing to work to clear the landslide area to access the catch basin and set up a bypass, and that Seattle Department of Transportation (SDOT) concrete blocks are in place to help stabilize the slope, which also help to divert a portion of the sewage overflow away from the MS4 asset. Additionally, the City issued an enforcement notice to the homeowner to have the repairs completed by December 22, 2021.

I contacted Mrs. Ivancevich via email to clarify whether the sewage discharge from the house was being fully diverted away from the MS4, and whether the homeowner would meet the City's prescribed deadline. Mrs. Ivancevich responded that the City's geotechnical experts were advising the City to not move the SDOT blocks during the rainy season due to risk of causing a landslide. The SDOT blocks and narrow roads made accessing the catch basin with large equipment, such as a vactor truck, infeasible. As such, there has not been a bypass put in place and some portion of the household sewage continues to connect to the public stormwater system. The City sent a compliance inspector and a geotechnical engineer to the residence on 12/16/21. The homeowner would not meet the 12/22/21 comply-by deadline, however, the City had sent a compliance inspector and a geotechnical engineer to the residence on 12/16/21 and discussed the various compliance and geotechnical issues at hand with the owner. The owner has met with several contractors to evaluate three possible options for correcting the break and eliminating the discharge. The City will be sending the owner a new notification with a new date for compliance, after which the City will likely issue daily penalties for violations, unless the homeowner makes additional efforts to reduce flows to the system, such as acquiring a Honey Bucket port-o-john.

Ecology sees this situation akin to discovering an illicit connection from a private system to the City MS4. Per S5.C.9.d.iv(d) of the Permit, a Permittee is compliant when: *Upon confirmation of an illicit connection, use enforcement authority in a documented effort to eliminate the illicit connection within 6 months. All known illicit connections to the MS4 shall be eliminated.* As such, Ecology requires that no later than June 3, 2022 (6 months from the date of discovery) the City will report to Ecology that either the homeowner has completed the repairs and the discharge has been eliminated, or, that the discharge has not been eliminated and document the steps the City has taken to address the issue. If the discharge has not been eliminated, Ecology will review the documented work conducted by the City and determine whether an Adaptive Management Plan is required at that time.

If you or your staff have any questions, please contact me at (425) 429-4571 or by email at ccro461@ecy.wa.gov.

Sincerely,



Colleen Griffith
Municipal Stormwater Permit Implementation Planner

cc: Ben Marré, SPU
Kevin Burrell, SPU
Erik Lust, SPU
Alexander Mockos, SPU
Theresa Wagner, Seattle Law Department
Permit File