



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

PO Box 47775 • Olympia, Washington 98504-7775 • (360) 407-6300
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January 19, 2022

Mike Moss, Director
Cowlitz County Public Works Department
1600 South 13th Avenue
Kelso, WA 98626-2851
Williams.Ron@co.cowlitz.wa.us

Amended Order 2 Docket #	20980
Amended Order 1 Docket #	20192
Order Docket #	19524
Site Location	3434 South Silver Lake Road Castle Rock, WA 98611

Re: Amended Administrative Order

Dear Mike Moss:

The Department of Ecology (Ecology) has issued the enclosed amended Administrative Order (Order) requiring Cowlitz County Public Works Department to comply with:

- Chapter 90.48 Revised Code of Washington (RCW) – Water Pollution Control
- Chapter 173-216 Washington Administrative Code (WAC) – State Waste Discharge Permit Program
- State Waste Discharge Permit ST 6248

If you have questions please contact Marc Pacifico at marc.pacifico@ecy.wa.gov or (360) 522-6883.

Sincerely,

Andrew Kolosseus
Southwest Regional Section Manager
Water Quality Program

Enclosures: Amended Administrative Order Docket #20980

By Certified Mail 9489 0090 0027 6102 3091 53

cc: Duane Leaf, Three Rivers Regional Wastewater Authority leaf@trrwa.org
Bill Harris, Ecology
Marc Pacifico, Ecology
Derek Rockett, Ecology
Anna Wallace, Ecology
Michele Horn, Cowlitz Headquarters Landfill hornm@co.cowlitz.wa.us

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

IN THE MATTER OF AN) AMENDED ADMINISTRATIVE
ADMENDED ADMINISTRATIVE ORDER) ORDER 2 DOCKET #20980
AGAINST) AMENDED ADMINISTRATIVE
Cowlitz County Public Works Department) ORDER 1 DOCKET #20192
Mike Moss) ADMINISTRATIVE ORDER
) DOCKET #19524

To: Mike Moss, Director
Cowlitz County Public Works Department
1600 South 13th Avenue
Kelso, WA 98626-2851

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Amended Order 1 Docket #	20192
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Site Location	3434 S Silver Lake Road Castle Rock, WA 98611

The Department of Ecology (Ecology) has issued this amended Administrative Order (Order) Docket #20980 to amend Amended Order 1 Docket # 20192 dated July 20, 2021, and Order Docket #19524 dated December 15, 2020, issued to the Cowlitz County Public Works Department.

This Order describes the corrective actions required at the location known as Headquarters Landfill located at 3434 South Silver Lake Road, Castle Rock, Washington.

ADMINISTRATIVE ORDER AMENDMENTS

Order 19524 required:

If the Headquarters Landfill exceeds the permitted average monthly or maximum daily effluent five-day Biochemical Oxygen Demand (BOD₅) limit three (3) times during the next year, within sixty (60) days of the third (3rd) exceedance, submit an Engineering Report, that meets the requirements of Washington Administrative Code (WAC) 173-240 to Ecology for review, amendment, and approval. The Engineering Report will describe a leachate treatment system that will treat the discharge to comply with the effluent limits, and a schedule to complete its installation and to begin treating the discharge.

The condition was amended on July 20, 2021, as follows:

- The Engineering Report is due December 31, 2021, to be able to fully evaluate the applicable technologies.
- Due to uncertainties associated with the testing logistics, and analytical results, the County will set up a meeting with Ecology in quarter four (4) of 2021 (October-November) to discuss the progress, and visit the report deadline in relation to results of the tested technologies.

The condition is further amended as follows:

- The Engineering Report is due January 31, 2023, to be able to fully evaluate the applicable technologies.

No other condition or requirement of Amended Order 1 Docket # 20192, or Order Docket #19524 is hereby affected by this amendment.

ELIGIBILITY FOR PAPERWORK VIOLATION WAIVER AND OPPORTUNITY TO CORRECT

Under Revised Code of Washington (RCW) 34.05.110, small businesses are eligible for a waiver of a first-time paperwork violation and an opportunity to correct other violations. We have made no determination as to whether you meet the definition of a “small business” under this section. However, we have determined that the requirements of RCW 34.05.110 do not apply to the violation(s) due to a conflict with federal law or program requirements, including federal requirements that are a prescribed condition to the allocation of federal funds to the state.

FAILURE TO COMPLY WITH THIS ORDER

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

YOUR RIGHT TO APPEAL

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

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

- File your appeal and a copy of this Order with the PCHB (see addresses below). Filing means actual receipt by the PCHB during regular business hours.

- Serve a copy of your appeal and this Order on Ecology in paper form - by mail or in person. (See addresses below.) E-mail is not accepted.

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

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

ADDRESS AND LOCATION INFORMATION

Street Addresses	Mailing Addresses
Department of Ecology Attn: Appeals Processing Desk 300 Desmond Drive Southeast Lacey, WA 98503	Department of Ecology Attn: Appeals Processing Desk PO Box 47608 Olympia, WA 98504-7608
Pollution Control Hearings Board 1111 Israel Road Southwest, Suite301 Tumwater, WA 98501	Pollution Control Hearings Board PO Box 40903 Olympia, WA 98504-0903

CONTACT INFORMATION

Please direct all questions about this Order to:

Marc Pacifico
Department of Ecology
Southwest Regional Office
Water Quality Program
PO Box 47775
Olympia, WA 98504-7775

Phone: (360) 522-62283
email: marc.pacifico@ecy.wa.gov

MORE INFORMATION

- **Pollution Control Hearings Board Website**
<http://www.eluho.wa.gov/Board/PCHB>
- **Chapter 43.21B RCW - Environmental and Land Use Hearings Office – Pollution Control Hearings Board**
<http://app.leg.wa.gov/RCW/default.aspx?cite=43.21B>

- **Chapter 371-08 WAC – Practice and Procedure**
<http://app.leg.wa.gov/WAC/default.aspx?cite=371-08>
- **Chapter 34.05 RCW – Administrative Procedure Act**
<http://app.leg.wa.gov/RCW/default.aspx?cite=34.05>
- **Ecology's Laws, rules, & rulemaking website**
<https://ecology.wa.gov/About-us/How-we-operate/Laws-rules-rulemaking>

SIGNATURE



Andrew Kolosseus
Southwest Region Section Manager
Water Quality Program

January 19, 2022

Date

