



STATE OF WASHINGTON  
**DEPARTMENT OF ECOLOGY**

Southwest Region Office

PO Box 47775, Olympia, WA 98504-7775 • 360-407-6300

November 10, 2022

Brad Barton  
Miles Sand and Gravel  
400 Valley Avenue NE  
Puyallup, WA 98372-2516

**Re: Miles Sand & Gravel Shelton Pit– Sand & Gravel General Permit No. – WAG501203 Compliance Inspection**

Dear Brad Barton:

The Department of Ecology (Ecology) conducted a compliance inspection of Miles Sand & Gravel Shelton Pit (Facility) on November 3, 2022. Enclosed is a copy of the Inspection Report, Corrections Required, and Photograph Log for your records. The following findings are provided to assist the facility in maintaining compliance with the Sand and Gravel General Permit.

**Findings**

The Department of Ecology has received Discharge Monitoring Reports (DMRs) since at least April 2021 with “No Discharge” reported for monitoring point G001 for entire quarters or portions of each quarter. Ken Todd explained that deep mud is preventing sampling from the infiltration pond at G001. The term “No Discharge” should only be used when there is no discharge of any stormwater/ wastewater/ pollutant during the entire month or quarter of the monitoring period. The term “Analysis Not Complete/ Not Conducted/Not Reported” is used when a sample is not collected or the sample was not analyzed for the parameter, with a description of why the analysis was not conducted.

Monitoring points G002 and G003 were inspected and found to have no stormwater or stormwater conveyance from mining related activities. A modification to the monitoring plan is required to provide representative sampling.

The batch plant area was inspected and found to have pH exceedances in pooling water on the bare ground beyond the cement containment. The lined containment lacks bermed edges and cement casting by-product extends onto the bare ground. The pH treatment system was disabled during the inspection and untreated process water was pumped to the oil/water separator and then pumped to monitoring point G001. The bypass of concrete batch plant process water treatment observed during the inspection is a violation of Special Condition S.3.E. Doug explained there have been issues with the pH treatment system keeping up with the process water volume which has resulted in process water overflowing the lined containment. The pH treatment pump was re-engaged and the bypass pump removed by the end of the inspection.

**A Corrections Required notice is attached to this report. Please comply with the Corrections Required within 15 days.**

**The following permit sections are provided for guidance:**

**Water Management- (Permit Condition S.3.E, Page 14):**

1. Any ditch, channel, or other Best Management Practices (BMPs) used for routing water must be designed, constructed, and maintained to contain all flows except when:
  - a. Designed to infiltrate *Type 1 stormwater*.
  - b. Precipitation exceeds the *design storm (10-year, 24-hour event)*.
2. Lined *Impoundment* Required

This permit prohibits the direct discharge of process water from Concrete Batch Plants (NAICS 327320) and Asphalt Batch Plants (NAICS 324121), including any wastewater from truck wash-out areas, except to a lined impoundment. The lined impoundment must have adequate structural load-bearing design to support any mechanical method used for sludge removal and must be maintained to prevent any *discharge to groundwater*. After treatment, the Permittee may discharge wastewater subject to the limits set forth in Conditions [S2](#) and other parts of this section ([S3](#)). At a minimum, the lined impoundment must meet one of the following design standards.

The Liner must be constructed of:

- a. Synthetic or flexible membrane material, not less than 30 mils thick (40 mils for new installations after the effective date of this permit), that must not react with the discharge.
  - b. Concrete with a minimum thickness of 6 inches.
  - c. Asphalt with a minimum thickness of 6 inches.
  - d. Steel-walled containment tank.
  - e. Any other functionally equivalent impoundment, structure, or technique that is based on standard engineering practices, and approved by Ecology to meet the intent of this section.
3. Impoundment Capacity

Any impoundment must have adequate capacity to provide treatment for water quality and flow control of wastewater. The design storm for calculating the size required for the impoundment is the 10-year, 24-hour precipitation event.

4. The Permittee must inspect the structural integrity of a lined impoundment whenever sludge removal occurs and, before refilling, make any repairs necessary to ensure that the lined impoundment functions to prevent discharges as intended. Continuous removal systems must draw down the impoundment periodically for inspection.

5. Mined Pit Pond

Discharges to a mined pit pond are not required to comply with TSS and turbidity limits prior to final reclamation. When reclamation is complete, discharges to the pond must not cause or contribute to a violation of surface water quality standards ([Chapter 173-201A WAC](#)).

6. The Permittee must not discharge Type 3 stormwater from an asphalt plant, concrete batch plant, asphalt release agent application area, or concrete truck washout area into a pit or excavation that penetrates the water table.

**Source Control Best Management Practices (BMPs) – (permit condition S.8.E, page 27 of the permit):**

The Stormwater Pollution Prevention Plan (SWPPP) must include the following source control BMPs in order to achieve All Known Available Reasonable Methods of Prevention, Control, and Treatment and compliance with the stormwater discharge limits in [S2](#) and [S3](#). The Permittee may omit individual BMPs if site conditions render the BMP unnecessary, infeasible, or if the Permittee provides alternative and equally effective BMPs. The Permittee must note the rationale for omission or substitution in the SWPPP. The Permittee must:

Store unhardened concrete, **any type of concrete solids** (does not include fully cured or recycled concrete), returned asphalt, and cold mix asphalt on a bermed impervious surface. This includes comeback concrete, ecology blocks, septic tanks, jersey barriers, and other cast concrete products. Treat all stormwater that contacts these materials in a lined impoundment. Discharge of this water is subject to the effluent limitations in [S2](#) and must not cause a violation of water quality standards.

The Permittee must use **source control BMPs** in the following areas and during the following activities as necessary to control pollutants:

- a. Fueling at Dedicated Stations
- b. Mobile Fueling
- c. Loading and Unloading Areas
- d. Storage of Liquid in Permanent Above-ground Tanks
- e. Dust Control
- f. High Use Parking Areas
- g. Storage or Transfer of Solid Raw Materials, By-Products, or Finished Products**

(See Volume IV in the SWMMWW/Chapter 8 in the SWMMEW for specific BMPs)

**Discharges to Groundwater Monitoring Requirement - (Permit Condition S.4.B, page 17):**

1. The Permittee must monitor all discharges of process water, mine dewatering water, Type 2 stormwater, and Type 3 stormwater to groundwater per [S2](#).
2. The Permittee is required to representatively sample discharges to ground. Representative sampling may include sampling groundwater quality from monitoring wells in accordance with an Ecology-approved groundwater impact study based on [Ecology Publication 96-02 \(Implementation Guidance for the Groundwater Quality Standards\)](#).

**Monitoring Plan- (Permit Condition S.7.A, page 24):**

The monitoring plan must at a minimum:

1. Identify all the industrial activities at the site. Include the NAICS / Ecology codes associated with each monitoring point.
2. Include all of the applicable parameters and monitoring frequencies identified in this permit as monitoring requirements.
3. The plan must identify enough monitoring points to provide representative sampling of all *point source* discharges to surface water or groundwater.

4. List the standard procedures used at the facility for collecting samples for analysis. The Stormwater Sampling Manual: A guide for the Industrial Stormwater General Permit (Ecology Publication 15-03-044) may be used as guidance.
5. List the non-compliance notification procedures and contact numbers.

**Reporting Permit Violations- (Permit Condition S.10.E, Page 33):**

In the event the Permittee is unable to comply with any of the permit terms, conditions, or discharge limits, due to any cause, the Permittee must:

1. Immediately take action to stop, contain, and cleanup unauthorized discharges or otherwise stop the violation, correct the problem and, if applicable, repeat sampling and analysis of any violation immediately.
2. Notify the appropriate Ecology Regional Sand and Gravel Permit Manager by phone or in person within 24 hours of when the Permittee becomes aware of the circumstances.
3. Submit a detailed written report to Ecology within 30 days (5 days for upsets, spills, bypasses, and any noncompliance which may endanger health or the environment) unless requested earlier by Ecology. **The report must describe the nature of the violation, corrective action taken and/or planned, steps to be taken to prevent a recurrence, results of the re-sampling, results of the SMP review (per [S5.C.1](#)) and any other pertinent information. The Permittee may not substitute data from re-sampling for ongoing permit monitoring required under Special Condition [S2](#), [S3](#) and [S4](#). Permittees must report re-sampling data per [S10.C](#).**

Compliance with this condition does not relieve the Permittee from responsibility to maintain continuous compliance with the terms and conditions of this permit or the resulting liability for failure to comply.

Violations of the Permit are subject to formal enforcement, which may include monetary penalties. If you have any questions or comments regarding this report or compliance with the permit, please contact me at [eli.newby@ecy.wa.gov](mailto:eli.newby@ecy.wa.gov) or at (360) 763-2633.

Sincerely,



Eli Newby  
Sand and Gravel General Permit Manager  
Southwest Region Office  
Water Quality Program

Enclosures: Water Quality Inspection Report, WAG501203  
2022-11-03 Photograph Log, Corrections Required

cc: Ken Todd, Miles Site Contact  
Ryan Ransavage, Miles Site Contact



## Water Quality Program Corrections Required

<b>Construction Stormwater General Permit (CSGP)</b> <input type="checkbox"/>	<b>Industrial Stormwater General Permit (ISGP)</b> <input type="checkbox"/>	<b>Sand and Gravel (S&amp;G) General Permit</b> <input checked="" type="checkbox"/>	<b>Boatyard (BY) General Permit</b> <input type="checkbox"/>
Site name: Miles Sand & Gravel Shelton Pit		Mailing address - <i>(if different than site address)</i> Miles Sand & Gravel Company, 400 Valley Ave NE	
Site address: 3100 West Franklin Street		City, State, Zip: Puyallup, WA 98372-2516	
City, State, Zip: Shelton, WA 98584-0995		Phone: (253) 833-3705	
Site contact: Ryan Ransavage		Permit #: WAG501203	
Ecology inspector(s): Eli Newby		Inspection date: 11/3/2022	
Inspector phone: (360) 763-2633	FAX:	E-mail: elne461@ecy.wa.gov	
Notice of Penalty issued <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Field Citation #	Latitude and longitude: 47.20983, -123.1338	

The Department of Ecology (Ecology) is responsible for overseeing environmental laws that protect human health and the environment in Washington. Ecology observed violations of Chapter 90.48 of the Revised Code of Washington (RCW), Chapter 173-226 of the Washington Administrative Code (WAC), Waste Discharge General Permit Program during this site visit. Violations observed are checked below.

Violation No.	Violation	Reason	Permit Condition
<input type="checkbox"/> 1	RCW 90.48.160	Operating or discharging without a permit (all)	Does not apply.
<input type="checkbox"/> 2	RCW 90.48.080	Polluting waters of the state (all)	
<input type="checkbox"/> 3	RCW 90.48.080	Polluting impaired waters, discharge exceeds 303(d) limit (CSGP, ISGP, BY)	
<input type="checkbox"/> 4	WAC 173-201A or WAC 173-200	Violating Water Quality Standards <i>(List specific standard violated.)</i> (all)	
<input type="checkbox"/> 5	RCW 90.48.090	Denial or withdrawal of access, <b>permitted sites only</b> (all)	
<input checked="" type="checkbox"/> 6	RCW 90.48.080, WAC 173-226-070	Process water discharge without treatment in lined impoundment (S&G)	<b>S.3</b>
<input type="checkbox"/> 7	RCW 90.48.080, WAC 173-226-070	Failure to clean up oil spills or repair leaking equipment (all)	
<input checked="" type="checkbox"/> 8	RCW 90.48.080, WAC 173-226-070	Cover or containment not provided for chemical or petroleum products (all)	<b>S.8</b>
<input type="checkbox"/> 9	RCW 90.48.080, WAC 173-226-070	Corrective Action not taken (ISGP, BY)	
<input type="checkbox"/> 10	RCW 90.48.080, WAC 173-226-070	No Stormwater Pollution Prevention Plan (SWPPP) (all)	
<input type="checkbox"/> 11	RCW 90.48.080, WAC 173-226-070	SWPPP does not meet permit requirements (all)	
<input checked="" type="checkbox"/> 12	RCW 90.48.080, WAC 173-226-070	<input checked="" type="checkbox"/> Not <u>maintaining</u> best management practices (BMPs) (all) <input checked="" type="checkbox"/> Not <u>implementing</u> BMPs (all) <input type="checkbox"/> Failure to modify SWPPP per permit or Dept. of Ecology Notice (all)	<b>S.8</b>
<input type="checkbox"/> 13	RCW 90.48.080, WAC 173-226-070	<input type="checkbox"/> BMPs not <u>maintained</u> per permit or Dept. of Ecology Notice (all) <input type="checkbox"/> BMPs not <u>implemented</u> per permit or Dept. of Ecology Notice (all)	
<input type="checkbox"/> 14	RCW 90.48.080, WAC 173-226-070	<input type="checkbox"/> Inspections not completed as required by permit (all) <input type="checkbox"/> Inspections do not comply with permit requirements (all)	
<input checked="" type="checkbox"/> 15	RCW 90.48.080, WAC 173-226-090	<input checked="" type="checkbox"/> Monitoring not conducted as required by permit (all) <input checked="" type="checkbox"/> Sampling does not comply with permit requirements (all)	<b>S.7, S.4</b>
<input type="checkbox"/> 16	RCW 90.48.080, WAC 173-226-070	<input type="checkbox"/> Not keeping site log book (CSGP) <input type="checkbox"/> Not keeping inspection reports or checklists (all)	
<input type="checkbox"/> 17	RCW 90.48.080, WAC 173-226-090	<input type="checkbox"/> Did not telephone report turbidity greater than 250 NTU (CSGP) <input type="checkbox"/> Discharge Monitoring Reports, or other Permit required documents not available (all) <input type="checkbox"/> Failure to notify Dept. of Ecology of noncompliance with permit requirement (all)	
<input type="checkbox"/> 18			

Violation No.	Observation(s) and action(s) required to achieve compliance. (see permit conditions)	Complete or Submit Date
6,	Submit a Violation Report that addresses the treatment bypass and untreated discharge of process water from Concrete Batch Plant activities. Detail how compliance with Water Management permit conditions for the lined containment and treatment system is maintained.	Within 15 days of receiving this report
8, 12	Implement source control and treatment BMPs to provide All Known, Available, and Reasonable methods of prevention, control, and Treatment for compliance with state water standards. Establish secondary containment for all chemicals stored on site. Improve lined containment for the cement casting area.	Within 15 days of receiving this report
15	Submit a modified Site Management Plan, Site Map, Monitoring Plan, and corrected Discharge Monitoring Reports dating back to April 2021. Establish representative sampling. Improve sampling access for monitoring G001.	Within 15 days of receiving this report

**Instructions:**

- These corrective action requirements are not an enforcement order and are **not appealable**.
- If a penalty accompanies these corrective action requirements, **the penalty is appealable**.
- **Appeal directions are on the back of the penalty.**
- Failure to comply with these corrective action requirements may result in enforcement action.

1. To comply with the water quality regulations, complete the actions identified in the table above.
2. If you have questions, contact Eli Newby Ecology inspector, at 360-763-2633
3. To request an extension, **send a written request** to the Ecology inspector by 9/16/22

Ecology will notify you if an extension is granted. Please include all of the following:

- Reason extension is needed.
- Steps already taken.
- Description of work that remains to be completed.
- Anticipated completion date.

**Send required document(s) to the appropriate Ecology office:**

Bellingham Field Office  
 913 Squalicum Way, Suite 101  
 Bellingham, WA 98225-2078  
 (360) 255-4400

Vancouver Field Office  
 12121 NE 99<sup>th</sup> St, Suite 2100  
 Vancouver, WA 98682-2346  
 (360) 690-7171

Central Regional Office  
 1250 West Alder Street  
 Union Gap, WA 98903-0009  
 (509) 575-2490

Northwest Regional Office  
 PO Box 330316  
 Shoreline, WA 98133-9716  
 (206) 594-0000

Southwest Regional Office  
 PO Box 47775  
 Olympia, WA 98504-7775  
 (360) 407-6300

Eastern Regional Office  
 4601 N Monroe  
 Spokane, WA 99205-1295  
 (509) 329-3400



Ecology Inspector (signature): \_\_\_\_\_ Date: 11/4/2022

Owner/Operator (signature): \_\_\_\_\_ Date: \_\_\_\_\_

Owner/Operator (print name): \_\_\_\_\_ Date: \_\_\_\_\_

*If you need this publication in an alternate format, call the Water Quality Program at 360-407-6722. Persons with hearing loss call 711 for the Washington Relay Service. Persons with a speech disability call 877-833-6341*