

# Fact Sheet for State Waste Discharge Permit ST0007332

National Food NW, LLC

Date of Public Notice: February 21, 2023

Permit Effective Date: July 1, 2023

## Purpose of this fact sheet

This fact sheet explains and documents the decisions the Department of Ecology (Ecology) made in drafting the proposed State Waste Discharge permit for National Food NW, LLC that will allow discharge of wastewater to City of Marysville sanitary sewer system.

State law requires any commercial or industrial facility to obtain a permit before discharging waste or chemicals to municipal sanitary sewer collection and treatment systems.

Ecology makes the draft permit and fact sheet available for public review and comment at least 30 days before it issues the final permit to the facility operator. Copies of the fact sheet and draft permit for National Food NW, LLC State Waste Discharge permit ST007332, were available for public review and comment from February 21, 2023 until the close of business March 23, 2023. For more details on preparing and filing comments about these documents, please see **Appendix A - Public Involvement Information**.

National Food NW, LLC reviewed the draft permit and fact sheet for factual accuracy. Ecology corrected any errors or omissions about the facility's location, history, product type, production rate, or discharges prior to publishing this draft fact sheet for public notice.

After the public comment period closes, Ecology will summarize substantive comments and our responses to them. Ecology will include our summary and responses to comments to this fact sheet as **Appendix A - Response to Comments**, and publish it when we issue the final State Waste Discharge 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

National Food NW, LLC facility is located between the City of Arlington and the City of Marysville, and is engaged in the production of eggs and the preparation of eggs for marketing. National Food NW, LLC discharges wastewater resulting from egg processing to the City of Marysville sanitary sewer system. The discharger is classified as a non-categorical significant industrial user. There is no change in the effluent limits for the new permit.

## Table of Contents

	<b>Purpose of this fact sheet .....</b>	<b>1</b>
	<b>Summary .....</b>	<b>1</b>
<b>I.</b>	<b><i>Introduction .....</i></b>	<b>4</b>
<b>II.</b>	<b><i>Background Information .....</i></b>	<b>4</b>
	<b>Permit Status .....</b>	<b>5</b>
	<b>Inspection Status .....</b>	<b>5</b>
<b>A.</b>	<b>Facility description .....</b>	<b>6</b>
	Ownership History .....	6
	Industrial process(es) .....	6
	Wastewater pretreatment .....	9
<b>D.</b>	<b>Summary of compliance with previous permit issued .....</b>	<b>9</b>
<b>E.</b>	<b>State environmental policy act (SEPA) compliance .....</b>	<b>11</b>
<b>III.</b>	<b><i>Proposed Permit Limits .....</i></b>	<b>11</b>
<b>A.</b>	<b>Technology-based on Effluent limits .....</b>	<b>12</b>
<b>B.</b>	<b>Effluent limits based on local limits .....</b>	<b>12</b>
<b>IV.</b>	<b><i>Monitoring Requirements .....</i></b>	<b>13</b>
<b>A.</b>	<b>Lab accreditation .....</b>	<b>13</b>
<b>B.</b>	<b>Wastewater monitoring .....</b>	<b>13</b>
<b>V.</b>	<b><i>Other Permit Conditions .....</i></b>	<b>14</b>
<b>A.</b>	<b>Reporting and recordkeeping .....</b>	<b>14</b>
<b>B.</b>	<b>Operations and maintenance .....</b>	<b>14</b>
<b>C.</b>	<b>Prohibited discharges .....</b>	<b>14</b>
<b>D.</b>	<b>Dilution prohibited .....</b>	<b>14</b>
<b>F.</b>	<b>Non routine and unanticipated wastewater .....</b>	<b>14</b>
<b>H.</b>	<b>Slug discharge plan .....</b>	<b>15</b>
<b>J.</b>	<b>General conditions .....</b>	<b>15</b>
<b>VI.</b>	<b><i>Public Notification of Noncompliance .....</i></b>	<b>15</b>
<b>VII.</b>	<b><i>Permit Issuance Procedures .....</i></b>	<b>15</b>
<b>A.</b>	<b>Permit modifications .....</b>	<b>15</b>
<b>B.</b>	<b>Proposed permit issuance .....</b>	<b>15</b>

<b><i>VIII. References for Text and Appendices .....</i></b>	<b><i>16</i></b>
<b><i>Appendix A - Public Involvement Information .....</i></b>	<b><i>17</i></b>
<b><i>Appendix B - Your Right to Appeal .....</i></b>	<b><i>18</i></b>
<b><i>Appendix C - Glossary .....</i></b>	<b><i>19</i></b>
<b><i>Appendix D - Response to Comments .....</i></b>	<b><i>22</i></b>

## List of Tables

Table 1 - Facility Information .....	4
Table 2: Violations.....	9
Table 3: Limits Based on Local Limits.....	13

## List of Figures

Figure 1 – Facility Location Map .....	6
--	---

## I. Introduction

The legislature defined Ecology's authority and obligations for the wastewater discharge permit program in the Water Pollution Control law, chapter 90.48 RCW (Revised Code of Washington).

Ecology adopted rules describing how it exercises its authority:

- State waste discharge program (chapter 173-216 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 a State Waste Discharge permit before discharging wastewater to state waters. This rule includes commercial or industrial discharges to sewerage systems operated by municipalities or public entities which discharge into public waters of the state. They also help define the basis for limits on each discharge and for other performance requirements imposed by the permit.

Under the State Waste Discharge permit program and in response to a complete and accepted permit application, Ecology generally prepares a draft permit and accompanying fact sheet, and makes it available for public review before final issuance. If the volume of the discharge has not changed or if the characteristics of the discharge have not changed Ecology may choose not to issue a public notice. When Ecology publishes an announcement (public notice); it tells people where they can read the draft permit, and where to send their comments, during a period of 30 days. (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 State Waste Discharge permit in response to comment(s). Ecology will summarize the responses to comments and any changes to the permit in **Appendix D**.

## II. Background Information

**Table 1 - Facility Information**

Applicant	National Food NW, LLC
Facility Name and Address	National Food Breaking Plant 16900 51 <sup>st</sup> Avenue NE Arlington, WA 98223
Contact at Facility	Name: Dwayne Paul Telephone: 425-407-6216
Responsible Official	Name: Dwayne Paul Title: Site Manager Address: 728 134 <sup>th</sup> St SW, Suite 103 Everett WA, 98204-5322 Telephone: 209-535-1167

Industrial User Type	Significant Industrial User
Industry Type	Processing of Chicken Eggs
Type of Treatment by Industry	Chemically aided settling, pH adjustment
Fee Category	Food Processing <ul style="list-style-type: none"><li>• 50,000 -&lt; 100,000 gpd</li></ul>
SIC Codes	0252 (chicken eggs)
NAIC Codes	1123 (chicken egg production)
Facility Location (NAD83/WGS84 reference datum)	Latitude: 48.1489 degrees North Longitude: 122.1621 degrees West
Treatment Plant Receiving Discharge	City of Marysville Wastewater Treatment Plant NPDES Permit Number WA0022497
Discharge Location (NAD83/WGS84 reference datum)	Steamboat Slough Latitude: 48.0355 degrees North Longitude: 122.1722 degrees West Port Gardner Bay Latitude: 47.9694 degrees North Longitude: 122.2466 degrees West

### Permit Status

Issuance Date of Previous Permit: September 27, 2016

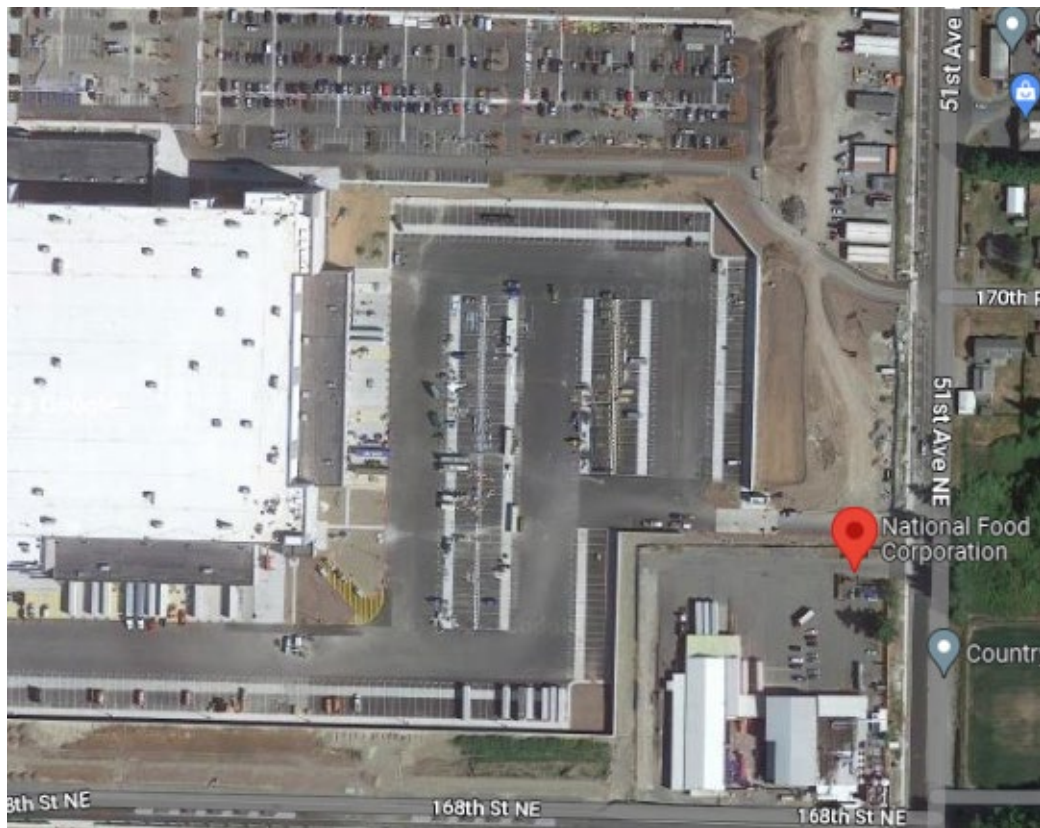
Application for Permit Renewal Submittal Date: September 28, 2021

Date of Ecology Acceptance of Application: September 29, 2021

### Inspection Status

Date of Last Inspection: March 3, 2021

**Figure 1 – Facility Location Map**



An ariel view of National Food NW, LLC. Source: Google Map

## **A. Facility description**

### **Ownership History**

On September 1st, 2021 National Food Corp was sold to a new owner, and name was changed to National Food NW LLC. On September 28<sup>th</sup>, 2021, permit application was submitted by the National Food NW LLC.

### **Industrial process(s)**

#### **Whole Egg Plant**

National Food NW, LLC operates an egg processing plant located north of Marysville, Washington, very close to the boundary between the cities of Marysville, Washington, and Arlington, Washington. The treated process wastewater generated by the plant is discharged to the City of Marysville wastewater treatment plant. The proposed permit places conditions on the discharge of egg processing and associated cleanup water from the egg processing plant.

A single egg processing line is operated in the plant. The shell egg line has a capacity of 300 cartons per hour. An egg processing line with a capacity of 140 cartons per hour was formerly located in the plant but was dismantled during the term of the previous permit. National Food NW, LLC now uses the floor space formerly occupied by the 140-carton per hour line for cold storage of eggs. The 300-carton per hour processing line (including the associated flats washers) typically discharges approximately 2200 gallons per day of wastewater.

The main sources of wastewater in the shell egg plant are:

- *Flat Washing:* Plastic flats are washed in machines with a capacity of 60 gallons each, using water and a detergent product called Quorum Yellow 2. The flat washers are run 15 hours per operating day. The water in each washer is changed approximately once every four hours. There are four such flat washers in the 300-gallon carton per hour line. The total discharge from flat-washing operations is approximately 1800 gallons per day (including overflow and washdown discharges).
- *Shell Egg Washing:* Shell eggs (unbroken eggs) are washed with a product called Super Clean Shell which contains sodium hydroxide, trisodium-tripolyphosphate, poly-oxamer, sodium chloride, and water. Employees drain the shell egg washers at noon and at the end of every working day. In addition, the egg shell washers continuously overflow to prevent rapid buildup of dirt particles. The shell egg washer overflow and drain down discharge to the sanitary sewer comprises approximately 4200 gallons per day.
- *Broken Eggs and Floor Washings:* The company has adopted the best management practice of picking eggs off the floor or machinery shortly after they are accidentally broken, or inadvertently spilled in the operations. In addition, National Food NW, LLC staff hose down the floor and equipment only after the main part of the broken eggs has been picked up. Grated trenches are located on the floors in the processing areas. Wastewater and broken egg material, which reach the trenches, are screened prior to discharge from the trenches to the sumps. Employees place eggs with broken shells in five-gallon buckets, stir the waste, and then transfer the contents to 55-gallon drums. This inedible (not for human consumption) liquid is later screened to remove shells and is shipped in tank trucks to pet food manufacturers. Eggs with broken shells, but which still have the membranes intact, are sent to the breaking room as they are still classified as edible product. Floor cleanup in the shell egg plant requires approximately 200 gallons per day of wastewater.

### **Egg Breaking Plant**

The average discharge of wastewater from the breaking plant, including the associated packaging operation, is approximately 30,000 gallons per day. The main sources of waste water in the egg breaking plant are:

- *Egg Washing Machine in the Transfer Room:* These washers function in a similar manner to the egg washers in the whole egg washing plant, as described in the previous section. The

facility uses Microclean, which includes iodine and phosphoric acid as ingredients, to wash the shells. The flow from the egg washing machines associated with the egg breaking plant are included in the flow values given above in the description of the egg washing machines for the whole egg portion of the plant.

- *Breaking Machine:* Cleaned eggs are next sent through the breaking machine. Egg liquids occasionally spill to the floor from the breaking machines and transfer facilities. The company policy requires staff to clean up any such spillage prior to hosing down of the floor. The total flow related to the breaking machine overflow, washdown, and inedible egg handling is approximately 13,000 gallons per day.
- *Storage Tank Washdown:* The facility uses approximately 1000 gallons per day for washdown of the storage tanks associated with the breaking plant.
- *Pasteurizer Washdown:* Clean-in-Place (CIP) procedures are used for washdown of the pasteurizer. These operations, including chasing water, generate approximately 4000 gallons of wastewater per day. Chasing water associated with the pasteurizer cleaning operations is of sufficiently high strength to require it to be routed to the pretreatment system. National Food NW, LLC has determined that the CIP water (exclusive of the chasing water) associated with pasteurizer cleaning is low strength. A phosphate-free sodium hydroxide solution is used as the CIP solution. The CIP water associated with the pasteurizer, formerly sent through the pretreatment system, now bypasses the pretreatment system. Wastewater associated with raw product line CIP and pasteurized product line CIP bypasses the pretreatment system.
- *Packaging Plant:* The plant generates approximately 7500 gallons per day from washing down the packaging plant associated with the breaking line. It uses approximately 250 gallons per day of sanitizer to wash down the packaging plant.
- *Freezer Defrost:* Freezer defrosting operations result in generation of approximately 100 gallons per day of wastewater.

#### **Fate of Solid Waste Byproducts**

The company transfers shells from the egg breaking operation into a room outside the breaking room and augers them into a centrifuge. The high solids fraction separated by the centrifuge is added to the inedible egg liquids for use in pet food. The egg shell removed from the centrifuge is incorporated into the chicken manure as a source of calcium.

#### **Use of Disinfectants**

Disinfectants used on-site include hypochlorite, hydrogen peroxide, and quaternary ammonia. These disinfectants appear to be used in sufficiently limited amounts that they are unlikely to cause adverse effects at the POTW. The City of Marysville has reported some excess chlorine demand attributable to ammonia. There is no evidence at this time that quaternary ammonia compounds are responsible for this effect.



### **Manholes, Sumps, and Sampling Sites**

The plant directs effluent from the shell egg and breaking plant operations to the pretreatment system located outside of the building. However, clean-in-place (CIP) water bypasses the pretreatment system. National Food NW, LLC now samples the discharge at the manhole on the corner of the pretreatment system slab, which is downstream of the point where it discharges the CIP water.

The permit requires that National Food NW, LLC conducts flow-proportional sampling for 5-day Biochemical Oxygen Demand (BOD<sub>5</sub>) and Total Suspended Solid (TSS).

### **Wastewater pretreatment**

The main components of the wastewater pretreatment works include a 20,000-gallon holding tank and two each mixing/settling tanks, which operate on a batch basis. The plant also employs a rectangular tank to dewater sludge. Following dewatering, it directs sludge to a frame dewatering system.

The plant no longer uses a tank originally designed as an aeration (or potentially ozonation) polishing tank.

Currently CIP water used in the pasteurization plant is no longer sent through the pretreatment system. The company has reported that this wastewater had a negligible BOD component. The facility does sample CIP water after it is mixed with pretreated wastewater and measures the BOD<sub>5</sub>.

## **B. Summary of compliance with previous permit issued**

The previous permit placed effluent limits on BOD<sub>5</sub>, TSS, and pH.

National Food, NW LLC has mostly complied with the effluent limits and permit conditions during the last permit cycle with the exceptions listed below. During the last permit cycle, there are 15 violations for BOD<sub>5</sub>, 5 violations for TSS, and 3 violations for pH. Ecology issued 5 warning letters from 2016 to 2022. Ecology assessed compliance based on its review of the facility's discharge monitoring reports (DMRs) and during inspections.

The following table summarizes the violations that occurred during the permit term.

**Table 2: Violations**

Begin Date	Parameter	Statistical Base	Units	Value	Limit Min/Max	Violation
1/26/2022	BOD <sub>5</sub>	Single Sample	Milligrams/L (mg/L)	1298	750	Numeric effluent violation

Begin Date	Parameter	Statistical Base	Units	Value	Limit Min/Max	Violation
1/19/2022	BOD <sub>5</sub>	Single Sample	Milligrams/L (mg/L)	3350	750	Numeric effluent violation
1/12/2022	Total Suspended Solids (TSS)	Single Sample	Milligrams/L (mg/L)	1470	750	Numeric effluent violation
1/12/2022	BOD <sub>5</sub>	Single Sample	Milligrams/L (mg/L)	2590	750	Numeric effluent violation
1/5/2022	BOD <sub>5</sub>	Single Sample	Milligrams/L (mg/L)	1660	750	Numeric effluent violation
10/14/2021	Total suspended Solids (TSS)	Single Sample	Milligrams/L (mg/L)	2520	750	Numeric effluent violation
10/14/2021	BOD <sub>5</sub>	Single Sample	Milligrams/L (mg/L)	2250	750	Numeric effluent violation
7/15/2021	BOD <sub>5</sub>	Single Sample	Milligrams/L (mg/L)	900	750	Numeric effluent violation
6/24/2021	BOD <sub>5</sub>	Single Sample	Milligrams/L (mg/L)	844	750	Numeric effluent violation
8/1/2020	BOD <sub>5</sub>	Single Sample	Milligrams/L (mg/L)	N/A	750	Analysis not conducted
10/1/2018	BOD <sub>5</sub>	Single Sample	Milligrams/L (mg/L)	1053.6	750	Numeric effluent violation
10/1/2018	Total suspended Solids (TSS)	Single Sample	Milligrams/L (mg/L)	2331	750	Numeric effluent violation

Begin Date	Parameter	Statistical Base	Units	Value	Limit Min/Max	Violation
9/1/2018	BOD <sub>5</sub>	Single Sample	Milligrams/L (mg/L)	781.5	750	Numeric effluent violation
9/1/2018	BOD <sub>5</sub>	Single Sample	Milligrams/L (mg/L)	808.1	750	Numeric effluent violation
5/1/2018	BOD <sub>5</sub>	Single Sample	Milligrams/L (mg/L)	808.1	750	Numeric effluent violation
4/5/2018	Total suspended Solids (TSS)	Single Sample	Milligrams/L (mg/L)	1840	750	Numeric effluent violation

### C. 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. National Food NW, LLC is an existing discharger, with an existing discharge.

## III. Proposed Permit Limits

State regulations require that Ecology base limits in a State Waste Discharge permit on the:

- Technology and treatment methods available to treat specific pollutants (technology-based). Technology-based limits are set by the EPA and published as a regulation (40 CFR 400 - 471), or Ecology develops limits on a case-by-case basis (40 CFR 125.3, and RCW 90.48). Dischargers must treat wastewater using all known, available, reasonable methods of prevention, control, and treatment (AKART).
- Effects of the pollutants on the publicly-owned treatment works (POTW). Wastewater must not interfere with the operation of the POTW. Ecology considers local limits in developing permit limits.
- Applicable requirements of other local, state and federal laws.

Ecology applies the most stringent of these limits to each parameter of concern and further describes the proposed limits below.

The limits in this permit reflect information received in the application and from supporting reports (engineering, hydrogeology, monitoring, 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 not controllable at the source, and are not listed in regulation.

Ecology does not usually develop permit limits for pollutants not reported in the permit application but may be present in the discharge. The permit does not authorize the 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. Until Ecology modifies the permit to reflect additional discharge of pollutants, a permitted facility could be violating its permit.

## **A. Technology-based on Effluent limits**

Waste discharge permits issued by Ecology specify conditions requiring all available and reasonable methods of prevention, control, and treatment (AKART) of discharges to waters of the state (RCW 90.48).

The state waste discharge permit regulations include restrictions and prohibitions to protect publicly-owned sewerage systems. A facility may not discharge any wastewater having a pH less than 5.0 or greater than 11.0 or having any other corrosive property capable of causing damage or hazard to structures, equipment, or personnel unless the:

- System is specifically designed to accommodate such discharge.
- Discharge is authorized by a permit (WAC 173-216-060).

Federal regulations (40 CFR 403.5b) also prohibits the discharge of pollutants which will cause corrosive structural damage to the POTW, but in no case discharges with pH lower than 5.0, unless the collection and treatment system is designed to accommodate such discharges. These rules do not apply to privately owned sewerage systems however Ecology has applied the pH prohibition to this facility using best professional judgment.

## **B. Effluent limits based on local limits**

To protect City of Marysville POTW from pass-through, interference, concentrations of toxic chemicals that would impair beneficial or designated uses of sludge, or potentially hazardous exposure levels, Ecology believes it is necessary to impose limits for certain parameters. Ecology based these limits on local limits established by the City of Marysville and codified in ordinance (Ord. 2072 § 2.4, 1996). Ecology's pretreatment program delegation agreement with EPA includes language in which Ecology agreed to enforce limits

adopted by non-delegated programs (local limits). Applicable limits for this discharge include the following:

**Table 3: Limits Based on Local Limits**

Parameter	Maximum Daily
Flow (gpd)	99,000
BOD <sub>5</sub> (mg/L)	750
TSS (mg/L)	750
pH	Not outside the range of 5.5 standard unit to 10.0 standard unit

As the industrial discharge from National Food, NW LLC is not expected to contain environmentally significant concentrations of metals or cyanide, no limitations or monitoring requirements are proposed to be placed in the proposed permit for metals or cyanide.

## **IV. Monitoring Requirements**

Ecology requires monitoring, recording, and reporting (WAC 173-216-110) to verify that the treatment process functions 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. 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).

### **B. Wastewater monitoring**

Ecology details the proposed monitoring schedule under Special Condition S2. 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.

## **V. Other Permit Conditions**

### **A. Reporting and recordkeeping**

Ecology based Special Condition S3 on its authority to specify any appropriate reporting and recordkeeping requirements to prevent and control waste discharges [WAC 173-216-110 and CFR 403.12 (e),(g), and (h)].

### **B. Operations and maintenance**

Ecology requires dischargers to take all reasonable steps to properly operate and maintain their wastewater treatment system in accordance with state regulations (WAC 173-240-080 and WAC 173-216-110).

### **C. Prohibited discharges**

Ecology prohibits certain pollutants from being discharged to the POTW. These include substances which cause pass-through or interference, pollutants which may cause damage to the POTW or harm to the POTW workers (chapter 173-216 WAC) and the discharge of designated dangerous wastes not authorized by this permit (chapter 173-303 WAC).

### **D. Dilution prohibited**

Ecology prohibits the facility from diluting its effluent as a partial or complete substitute for adequate treatment to achieve compliance with permit limits.

### **E. Non routine and unanticipated wastewater**

Occasionally, this facility may generate wastewater not characterized in the permit application because it is not a routine discharge and the facility did not anticipate it 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 water.
- Require the facility to treat the wastewater.
- Require the facility to reuse the wastewater.

## **F. Slug discharge plan**

Ecology determined that National Food NW, LLC has the potential for a batch discharge or a spill that could adversely affect the treatment plant, therefore the proposed permit requires a slug discharge control plan [(40 CFR 403.8 (f)(I) (iii)(B)(6) and (f) (2)(vi)].

## **G. General conditions**

Ecology bases the standardized general conditions on state law and regulations. They are included in all state waste discharge permits issued by Ecology.

# **VI. Public Notification of Noncompliance**

Ecology may annually publish a list of all industrial users in significant noncompliance with Pretreatment Standards or Requirements during any of the previous four quarters in a local newspaper. Accordingly, this permit Special Condition informs the Facility that noncompliance with this permit may result in publication of the noncompliance.

# **VII. Permit Issuance Procedures**

## **A. Permit modifications**

Ecology may modify this permit to impose or change the numerical limits, if necessary to comply with changes in the pretreatment requirements, conditions in local sewer ordinances, or based on new information from sources such as inspections and effluent monitoring. It may also modify this permit to comply with new or amended state or federal regulations.

## **B. Proposed permit issuance**

This proposed permit meets all statutory requirements for authorizing a wastewater discharge, including those limits and conditions believed necessary to control toxics. Ecology proposes that the permit be issued for five years.

## VIII. References for Text and Appendices

Washington State Department of Ecology.

[Laws, Rules & Rulemaking](https://ecology.wa.gov/About-us/How-we-operate/rulemaking) (https://ecology.wa.gov/About-us/How-we-operate/rulemaking)

[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)

[Permit Writer's Manual](https://apps.ecology.wa.gov/publications/documents/92109.pdf), July 2018. Publication Number 92-109  
(https://apps.ecology.wa.gov/publications/documents/92109.pdf)

Focus Sheet on [Developing a Solid Waste Control Plan](https://apps.ecology.wa.gov/publications/SummaryPages/0710024.html) for Industrial Wastewater Discharge Permittees, February 2007 (Revised 2019). Publication Number 07-10-024.  
(https://apps.ecology.wa.gov/publications/SummaryPages/0710024.html)

Permit Application submitted by National Food, NW LLC on September 28, 2021.



## **Appendix A - Public Involvement Information**

Ecology proposes to reissue a permit to National Food NW, LLC. 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 Draft on February 21, 2023 in the Everett Herald to inform the public and to invite comment on the proposed draft State Waste Discharge permit and fact sheet.

The notice:

- Tells where copies of the draft Permit and Fact Sheet are available for public evaluation (the closest Regional or Field Office and 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 state waste discharge permit.
- Explains the next step(s) in the permitting process.

Ecology has published a document entitled [Frequently Asked Questions about Effective Public Commenting](https://apps.ecology.wa.gov/publications/documents/0307023.pdf), available at <https://apps.ecology.wa.gov/publications/documents/0307023.pdf>.

You may obtain further information from Ecology by telephone, 206-594-0167, or by writing to the address listed below.

Water Quality Permit Coordinator  
Department of Ecology  
Northwest Regional Office  
PO Box 330316  
Shoreline, WA 98133-9716

The primary author of this permit and fact sheet is Joey Jiang.

## 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.

### ADDRESS AND LOCATION INFORMATION

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

## Appendix C - Glossary

**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 520, WAC 173-200-030(2)(c)(ii), and WAC 173-216-110(1)(a).

**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.

**BOD<sub>5</sub>** - 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 BOD<sub>5</sub> 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.

**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.

**Detection limit** - The minimum concentration of a substance that can be measured and reported with 99 percent confidence that the pollutant concentration is distinguishable from method blanks results as determined by the procedure given in 40 CFR part 136, Appendix B.

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

**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.

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

**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 the maximum discharge of a pollutant measured during a calendar day.

**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.

**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 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.

**Quantitation level (QL)** – also known as Minimum Level (ML) – The term “minimum level” refers to either the sample concentration equivalent to the lowest calibration point in a method or a multiple of the method detection (DL), whichever is higher. Minimum levels may be obtained in several ways: They may be published in a method; they may be based on the lowest acceptable calibration point used by a laboratory; or they may be calculated by multiplying the DL in a method, or the DL determined by a laboratory, by a factor of 3. For the purposes of NPDES compliance monitoring, EPA considers the following terms to be synonymous: “quantitation limit,” “reporting limit,” and “minimum level”.

**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.

**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.

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

**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.

**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.

## **Appendix D - Response to Comments**

There were no comments received during the public notice period.