



December 22, 2023

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**RE: United States of America and State of Washington v. City of Seattle
(Civil Action No. 2:13-cv-678, DOJ case number 90-5-1-1-10066)
Q3 2021 – Q4 2022 Stipulated Penalties**

Per Section X. Stipulated Penalties of the subject Consent Decree, the U.S. Environmental Protection Agency (EPA) and Washington State Department of Ecology (Ecology) have jointly reviewed City of Seattle compliance for the period July 1, 2021, through December 31, 2022, and have issued a demand letter for payment of stipulated penalties. The penalties total \$102,500 and require payments totaling \$51,250 to the United States Department of Justice (DOJ) and \$51,250 to Ecology. Please note that the demand letter incorrectly listed the payments as \$51,750 to each agency. The penalties are summarized by incident in the following table.

Date of Incident	Total Penalty	Description of Incident
11/13/2022	\$7,500	Dry weather overflow of 81,159 gallons into Lake Union Ship Canal due to a series of mechanical failures on a bypass pump system at the Ship Canal Water Quality Project. After the primary pump failed, two back up pumps also failed. This caused a high flow pump to turn on which discharges directly to the CSO Outfall.
7/16/2021	\$2,500	60 gallons to a building due to roots blocking the system.
7/31/2021	\$2,500	4,900 gallons into a stormwater detention basin due to grease blocking the system.
9/18/2021	\$2,500	An unknown volume to a building due to roots blocking the system.
9/26/2021	\$2,500	1,000 gallons to a building due to concrete and asphalt debris blocking the system.

Date of Incident	Total Penalty	Description of Incident
10/18/2021	\$2,500	An unknown volume to Puget Sound due to a structural failure of a drainpipe.
10/28/2021	\$2,500	1,300 gallons to Lake Union due to FOG blocking the system.
10/28/2021	\$2,500	An unknown volume to a building due to capacity issues.
11/4/2021	\$2,500	2,400 gallons to Puget Sound due to a blockage caused by construction.
11/6/2021	\$2,500	An unknown volume overflowed due to debris blocking the system.
11/11/2021	\$2,500	An unknown volume to a building due to roots blocking the system.
11/20/2021	\$2,500	6,000 gallons to ground due to roots blocking the system.
12/02/2021	\$2,500	1,200 gallons to ground due to roots blocking the system.
12/31/2021	\$2,500	9,000 gallons to the Duwamish West Waterway due to debris blocking the system.
1/02/2022	\$2,500	1,600 gallons to Puget Sound due to pump station capacity.
1/02/2022	\$2,500	100,000 gallons to the Duwamish River due to pump station capacity.
1/02/2022	\$2,500	An unknown volume to a building due to roots blocking the system.
1/02/2022	\$2,500	An unknown volume to a building due to roots blocking the system.
1/04/2022	\$2,500	5,000 gallons to Puget Sound due to construction debris blocking the system.
1/06/2022	\$2,500	100,000 gallons to Lake Washington due to a maintenance error at a CSO control structure.
1/06/2022	\$2,500	161,441 gallons to the King County International Airport drainage system due to pump station capacity.
1/07/2022	\$2,500	An unknown volume to a building due to debris blocking the system.
2/24/2022	\$2,500	1,000 gallons to Puget Sound due to debris blocking the system.
2/28/2022	\$2,500	125,200 gallons to the King County International Airport drainage system due to pump station capacity.
2/28/2022	\$2,500	48,000 gallons to Longview Creek due to structural failure in the collection system.
2/28/2022	\$2,500	400 gallons to a building due to debris blocking the system.
3/27/2022	\$2,500	5,400 gallons to the Duwamish River due to roots blocking the system.
4/11/2022	\$2,500	11,142 gallons to ground due to construction activities damaging a force main.
4/18/2022	\$2,500	1,000 gallons to a building due to roots blocking the system.
5/10/2022	\$2,500	10,000 gallons to Lake Union due to a blockage from construction debris.
5/22/2022	\$2,500	3,000 gallons to a building due to a structural failure of the collection system.
6/15/2022	\$2,500	4,000 gallons to a building due to a structural failure of the collection system.
6/29/2022	\$2,500	200 gallons to a building due to FOG blocking the system.
6/30/2022	\$2,500	200 gallons to ground due to a failed bypass pump that was being used during a sewer repair.
10/28/2022	\$2,500	212,000 gallons to the Lake Union Ship Canal due to a series of mechanical failures on the bypass pump system at the Ship Canal Water Quality Project.
10/31/2022	\$2,500	121,650 gallons to Lake Washington due to construction debris blocking the system.
11/02/2022	\$2,500	200 gallons to a building due to a structural failure of the collection system.
12/01/2022	\$2,500	53,400 gallons to ground due to debris blocking the system.
12/24/2022	\$2,500	55,676 gallons to the Duwamish River due to pump station capacity.



Enclosed are copies of the FedWire Electronic Funds Transfer (EFT) authorization form and the EFT transaction record for the \$51,250 owed to DOJ.

If you have any questions regarding this letter, please contact SPU's Wastewater Regulatory Compliance Manager Melissa Ivancevich at (206) 496-9933 or Melissa.Ivancevich@seattle.gov.

Sincerely,



Ellen Stewart
Deputy Director
Drainage and Wastewater Line of Business

Enclosures: Copy of the FedWire Electronic Funds Transfer (EFT) authorization form
Copy of the EFT transaction record

cc: Rachel McCrea, Washington State Department of Ecology
Shawn McKone, Washington State Department of Ecology
Sean Wilson, Washington State Department of Ecology
Greg Lipnickey, Washington State Department of Ecology
Ron Lavigne, Washington State Office of the Attorney General
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