

Safe Coast Seafoods WA, LLC.
117 Howerton Way SE
Ilwaco, WA 98624
Permit# WA0000361

JUN 10 2024
WATER QUALITY PROGRAM



To: Department of Ecology
Attention: Water Quality Program Permit Fee Unit
P.O. Box 47600
Olympia, WA 98504-7696

Appeal Notice:

Dear Department of Ecology,

We are writing in hopes of appealing to the department to forgive the remainder of our penalties and past due invoices and to assess our fee category to the prospective lowest that is required by WAC 173-224, because we are experiencing a financial hardship.

In 2021 permit # WA0000361 was transferred from Jessie's Ilwaco Fish Co. to Safe Coast Seafoods because no major changes were made to the building or equipment and the intention was to continue processing seafood.

However, Jessie's permit had an allowable limit and a DAF unit that was intended for 24hr continuous flow processing of surimi even though the business hadn't been doing that kind of processing for years before the transfer of the license. When the transfer was reviewed by the department, we may have been assessed at a lower limit and a lower cost based on the prospective trend of the previous data and the declining production and discharge amounts, but the department kept us in the highest discharge category.

After the permit transfer, we began to receive notices that our bacteria levels were exceeding the limit, and we didn't know why because we were using the DAF unit that we were required to have, and we weren't receiving any error or maintenance codes. We had to hire a professional consultant, for \$22,500, to find out what was wrong and help us fix it. The consultant informed us that the reason for our bacteria levels was because our DAF was designed for continuous flow processing, but we were only doing intermittent batch processing, and that the DAF created a perfect environment for the bacteria when the flow stopped, and it shut down. He also informed us that we could not make modifications to the DAF without permission from the Department of Ecology. At that point the department had already assessed penalties on us.

With the help of the consultant, we have since provided training to our employees, improved our corrective action response, begun the process of modifying our permit, and have a better understanding of our requirements as a permit holder. We continue to take steps to improve our systems.

Please consider forgiving the remainder of our penalty installment payments and our past due invoices. We have made a good faith effort to keep our account in good standing, but we are struggling. The seafood industry is not doing very well, and the lack of resources and viable markets have caused

our production outputs to decrease every year, but the cost of licenses, overhead, labor, and inflation just keeps going up.

Our current discharge data as well as the data going back to 2021 is showing that we did not have the discharge amounts that would have warranted placing us in the highest fee category. We believe we should be re-assessed at the 0-1,000gpd limit based on the data from 2023 that shows we had only 4 days exceeding the 1,000 limit range. We expect our numbers to continue in this range because we are also moving our shellfish processing to another facility. We have paid the department approximately \$137,000 in penalties and assessment fees since becoming a permit holder in 2021. We are asking the department to please assess us prospectively and consider the economic impact on us as a small discharger. RCW 90.48.465 (3).

Thank you,

Mandy Duval 6-3-24

Mandy Duval
Quality Assurance Manager
Safe Coast Seafoods
Mailing Address:
P.O. Box 800
Ilwaco, WA 98624
Phone: 707-218-1821