



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

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January 11, 2016

Mr. Jeff Kerwin  
Industrial Wastewater Pretreatment Program  
City of Everett  
3200 Cedar Street  
Everett, WA 98201

Dear Mr. Kerwin:

Re: **Approval of Draft Enforcement Response Plan**  
**Approval of Draft Industrial User Survey Procedures**

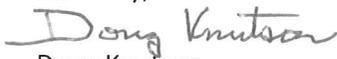
- **Approval of draft Enforcement Response Plan** The Department of Ecology has reviewed, and hereby approves the draft City of Everett Enforcement Response Plan you submitted on to the Department of Ecology on October 10, 2015. Normally, a revision to an enforcement response plan is considered to be a substantial program modification. We discussed during the December 22, 2015 Pretreatment Compliance Inspection the fact that certain provisions of 40 CFR Part 403 (e.g., increase in stringency, modifications necessary to comply with changes in provisions of 40 CFR Part 403.18) may provide for exemption from designation of your revised enforcement response plan as a substantial program modification. However, the Department of Ecology and the City of Everett agreed at the time of the inspection that it would be prudent to treat the update of the Enforcement Response Plan as if it were a substantial program modification. Based on this determination, the next step in finalizing the adoption of the Enforcement Response Plan, is to public notice the plan in a local newspaper of general circulation. As city council action is not normally required for adoption of such a plan, the next step after public notice (and any necessary public hearing) is to obtain the City of Everett Public Works Director's signature indicating that the City of Everett has adopted the revised *Enforcement Response Plan*. Once you have obtained the Director's signature, please forward to the Department of Ecology a copy of the public notice (and notice of public hearing (if such a hearing was conducted)), and a copy of the Enforcement Response Plan with the Directors signature indicating that the plan has been adopted.
- **Approval of Industrial User Survey Procedures:** The Department of Ecology has reviewed and hereby approves of the draft Industrial User Survey Procedures (*Locating and Identifying Significant Industrial Users – Updating Industrial/Commercial/Non-Domestic User Database*) which you submitted to the Department of Ecology on October 10, 2015. A modification of industrial user survey procedures is under provisions of 40 CFR Part 403.18, not normally



considered to be a substantive program modification. Therefore, a public notice and any related public hearing is not necessary. Furthermore, this letter of approval, and the Director of Public Work's formal adoption are the last formal actions necessary to complete the adoption. However, once the Director of Public Works has formally adopted the Industrial User Survey Procedures, please send a copy of the Industrial User Survey Procedures to the Department of Ecology for its records.

Please feel free to contact me a [dknu461@ecy.wa.gov](mailto:dknu461@ecy.wa.gov) or (425) 649-7025, should you have any questions regarding this letter of approval.

Sincerely,



Doug Knutson

Pretreatment Engineer

Central Files: City of Everett POTW (WA24490, WQ 3.10)