



**STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY**

**Eastern Region Office**

4601 North Monroe St., Spokane, WA 99205-1265 • 509-329-3400

August 6, 2024

Michael Montemayor  
Environmental Supervisor  
Chemicon Materials Corporation  
9053 Graham Street  
Moses Lake, Washington 98837

RE: Warning Letter for State Waste Discharge Permit ST0005390 – Chemicon Materials Corporation

Dear Michael Montemayor:

Chemicon Materials Corporation (Chemicon) is out of compliance with State Waste Discharge Permit (Permit) ST0005390 that was issued March 5, 2015 and administratively extended as of the permit expiration date. Chemicon submitted discharge monitoring reports (DMRs) past the due date and failed to report the violations to Ecology. A detailed list of violations is at the end of this letter.

**1. Late Submittal of Discharge Monitoring Reports (DMRs)**

Section S3. – Reporting Requirements lists the requirements for submitting monitoring data. All DMR submittals are due by the 15<sup>th</sup> of the month following the monitoring period. Chemicon submitted six late quarterly DMRs in the past two years.

**2. Reporting Noncompliance**

Section S3.E – Reporting Permit Violations lists the actions that need to be taken when Chemicon violates or is unable to comply with any permit condition. S3.E.e, specifically states that Chemicon must report all permit violations which do not require immediate or 24-hour reporting at the time of DMR submittal. Submitting DMRs past the due date is a violation of the permit. Chemicon did not report their permit violations to Ecology.

Each late DMR submittal and each failure to notify Ecology constitutes a separate violation of the permit.

**Within 30 days from receipt of this warning letter, please provide the following to Ecology:**

1. Submit a written report explaining the cause of the violations identified in this letter.
2. Identify the steps taken to prevent future violations.

Send the report electronically to Rob Buchert, Senior Compliance Specialist at [rbuc461@ecy.wa.gov](mailto:rbuc461@ecy.wa.gov) or by mail at Water Quality Program, Department of Ecology, 4601 N. Monroe Street, Spokane, Washington 99205-1265.

This warning letter is to make you aware of the importance the Department of Ecology places on the legal implications of noncompliance with the limits, monitoring requirements, and terms and/or conditions established in Sprague's permit.

Continued noncompliance will result in formal enforcement action by Ecology. Formal enforcement action may include Notice of Violation, Administrative Order, and Penalties of up to \$10,000 per day per violation.

Please contact me at (509) 209-1586 or [rbuc461@ecy.wa.gov](mailto:rbuc461@ecy.wa.gov) if you have questions regarding this warning letter or Ecology's enforcement process.

Sincerely,



Rob Buchert  
Senior Compliance Specialist  
Water Quality Program  
Eastern Regional Office

RB:sj

cc. Celaine Luckey, Chemicon  
Anthony Carpenter, Chemicon  
Art Jenkins, PE, WQP Permit Management Unit Supervisor, Ecology Eastern Region  
Pat Hallinan, WQP Permit Development Unit Supervisor, Ecology Eastern Region

**Table 1: List of DMRs Submitted Late from January 1, 2023 to July 31, 2024**

1. 1 <sup>st</sup> Quarter 2023 DMR	Due 4/15/2024	Submitted 5/4/2023
2. 2 <sup>nd</sup> Quarter 2023 DMR	Due 7/15/2023	Submitted 8/7/2023
3. 3 <sup>rd</sup> Quarter 2023 DMR	Due 10/15/2023	Submitted 10/23/2023
4. 4 <sup>th</sup> Quarter 2023 DMR	Due 1/15/2023	Submitted 1/29/2023
5. 1 <sup>st</sup> Quarter 2024 DMR	Due 4/15/2024	Submitted 5/9/2024
6. 2 <sup>nd</sup> Quarter 2024 DMR	Due 7/15/2024	Submitted 8/5/2024