



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

Northwest Region Office
PO Box 330316, Shoreline, WA 98133-9716 • 206-594-0000

January 22, 2025

Steve Gemperle
National Food NW, LLC
728 134th St SW
Suite 103
Everett, WA 98204-5322

Re: **WARNING LETTER** for State Waste Discharge Permit Number ST0007332
National Food NW LLC

Dear Steve Gemperle:

This letter is to inform you that your facility is out of compliance with your industrial wastewater discharge permit. Violations are listed in Tables 1-3.

Table 1. Numeric Effluent Violations for Outfall #001 from December 2022-2024 (Permit Special Condition S1)

Date	Parameter	Measurement	Units	Limit	Limit Type
12/16/2022	BOD5	809	mg/L	750	Maximum Daily
12/22/2022	BOD5	3770	mg/L	750	Maximum Daily
7/20/2023	BOD5	> 786	mg/L	750	Maximum Daily
8/4/2023	pH	> 11.7	S.U.	10	Maximum Daily
9/14/2023	BOD5	782	mg/L	750	Maximum Daily
10/5/2023	BOD5	> 829	mg/L	750	Maximum Daily
11/16/2023	pH	10.2	S.U.	10	Maximum Daily
11/28/2023	pH	10.2	S.U.	10	Maximum Daily
8/8/2024	BOD5	> 973	mg/L	750	Maximum Daily

BOD5: 5-Day Biochemical Oxygen Demand

Table 2. Monitoring Violations from October 2022 until December 2024 (see Permit Special Conditions S2.A.)

Date	Monitoring Point	Parameter	Sampling Frequency	Violation
10/26/2022	001	pH	Continuous	Failed to Sample/ Analysis Not Conducted
5/30/2024	001	BOD5	Weekly	Laboratory Error
5/30/2024	001	TSS	Weekly	Laboratory Error
9/19/2024	001	TSS	Weekly	Laboratory Error
12/19/2024	001	BOD5	Weekly	Analysis Not Conducted

BOD5: 5-Day Biochemical Oxygen Demand; TSS: total suspended solids

Table 3. Discharge Monitoring Reports Submitted Late 2022-2024 (Permit Special Condition S3.A.)

Monitoring Period	Begin Date	End Date	Due Date	Date Submitted	Days Late
April 2022	4/1/2022	4/30/2022	5/28/2022	6/8/2022	11
August 2022	8/1/2022	8/31/2022	9/28/2022	10/2/2022	4
October 2022	10/1/2022	10/31/2022	11/28/2022	12/19/2022	21
July 2023	7/1/2023	7/31/2023	8/28/2023	8/30/2023	2
September 2023	9/1/2023	9/30/2023	10/28/2023	10/29/2023	1
February 2024	2/1/2024	2/29/2024	3/28/2024	4/10/2024	13

Non-compliance notifications are required by your permit. You have submitted a notice of non-compliance for the violations in **Tables 1-2** or have explained the cause of the violations in your monthly Discharge Monitoring Reports (DMRs). This part of your permit requirement has been fulfilled. However, it is confusing why the “greater than” sign (>) was reported prior to some values listed in **Table 1**. The “greater than” sign (>) is reserved for reporting values greater than the linear range of detection possible by laboratory analysis or field monitoring equipment. **Table 2** shows a pattern of monitoring violations due to laboratory errors. From this point forward, an electronic copy of the contract laboratory report should be attached to every DMR, including what is required in **permit section S3.A.6**.

The DMR is the principal tool used to evaluate compliance with permit requirements. The Department of Ecology places great importance on the timely submittal of complete and accurate DMRs. Your facility has a pattern of exceeding numeric effluent limits for BOD5 and pH (**Table 1**) and submitting DMRs past the due date (**Table 3**).

Ecology requests the following:

1. Identify the source(s) of high pH and BOD5, and propose a strategy to prevent future numeric effluent limit violations (Table 1).
2. Do not use the “greater than” sign (>) for reporting numeric effluent limit exceedance (Table 1).
3. Contract with a reliable laboratory for sample analysis (Table 2).
4. From this point forward, attach an electronic copy of the laboratory report to every DMR.

Failure to comply with the conditions of your permit may result in formal administrative enforcement action, including orders and penalties. Ecology’s enforcement authority for state waste discharge permits is governed by Chapter 173-216 of the Washington Administrative Code (WAC).

If you have any questions or concerns, please contact your permit manager Joey Jiang by email at joey.jiang@ecy.wa.gov or by phone at (206) 507-8283.

Sincerely,



Gretchen Onstad
Compliance Specialist
Water Quality Program

ecc: Permit and Reporting Information System (PARIS): National Food NW LLC, ST0007332
Monika Kannadaguli, Ecology
Joey Jiang, Ecology
Steve Gemperle, Manager, National Food NW LLC
Dwayne Paul, Plant Manager, National Food NW LLC
Mike Cain, National Food NW LLC
Shane Freeman, Pretreatment Technician, City of Marysville