

**From:** [Vincent, Angela \(ECY\)](#)  
**To:** [Maureen Meehan](#)  
**Cc:** [Raso, Gabe \(ECY\)](#); [Reed-Harmon, George](#)  
**Subject:** Response to S4F for paint spill discharge to Fennel Creek  
**Date:** Tuesday, March 18, 2025 1:45:47 PM

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Dear Maureen,

I am responding to the S4.F notification dated January 27, 2025, that Pierce County submitted to the Department of Ecology (Ecology) under the County's NPDES Phase I Municipal Stormwater Permit (Permit). This notification is for 1-2 gallons of latex paint that spilled near the ditch line at Sumner Buckley Highway E & 214<sup>th</sup> Avenue E. The County reported that this paint flowed into Fennel Creek.

Pierce County Public Works Maintenance and Operations (M&O) staff reported this spill to Ecology on December 17, 2024. This incident was recorded in our Environmental Report Tracking System (ERTS) as ERTS number 735768. As reported in your letter, your M&O "response team took immediate action and cleaned all hard surfaces and shoulders affected by the spill." George Reed-Harmon emailed me on March 13, 2025 with the following additional information:

Follow-up inspections for PC staff include:

12/17/24 – Initial spill response from M&O and IDDE and cleanup.

12/18/24 – IDDE field inspection – No paint residue or effects on species observed at the spill location. Staff also walked Sumner Buckley Hwy E and 214<sup>th</sup> Ave E, upstream and downstream, to make observations.

12/19/24 – Environmental Biologist field inspection: "the spills is above natural anadromous fish barriers (Victor Falls) and as of today, I saw no remnant white coloration both at the location or downstream at the next crossing."

1/2/25 – IDDE field inspection – No paint residue or effects on species observed at the spill location. Staff also walked Sumner Buckley Hwy E and 214<sup>th</sup> Ave E, upstream and downstream, to make observations.

M&O staff did a great job cleaning up the paint, and their response time was immediate. IDDE determined that our response was complete after additional field inspections, and paint residue was not observed.

Section S4.F.1 of your Permit says,

A Permittee shall notify Ecology in writing within 30 days of becoming aware, based on credible site-specific information that a discharge from the MS4 owned or operated by the Permittee is causing or contributing to a known or likely violation of water quality standards in the receiving water.

We received this S4.F notification on February 27, 2025 in the WQWebPortal. In this case, we received your notification after the Permit-required 30 days. Permittees are required to submit a G20 Notice of Noncompliance for late notifications. Overall, however, the County appears to have responded effectively with clean-up of this paint spill, as required by your Permit.

Ecology has determined that an adaptive management response under Permit condition

S4.F.3 is not necessary for this notification because the Permit's Stormwater Management Program (SWMP) requirements are designed to address and eliminate illicit discharges into the MS4. This is Permit condition S5.C.9. This determination does not affect any obligation you may have under other laws, regulations, or permits. If you or your staff have questions, please contact me by phone at (360) 628-4734 or email at [angela.vincent@ecy.wa.gov](mailto:angela.vincent@ecy.wa.gov).

Sincerely,

Angela Vincent  
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SWRO Water Quality Program  
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