



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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April 23, 2009

HAND DELIVERED

Jon Shannon
Director, San Juan County Public Works Department
915 Spring Street (P.O. Box 729)
Friday Harbor, WA 98250

Dear Mr. Shannon:

RE: San Juan Island Solid Waste Transfer Station located at 212 Sutton Road, Friday Harbor, WA 98250

Enclosed is Order number 6691 requiring you to apply for coverage under Ecology's National Pollution Discharge Elimination System (NPDES) Industrial Stormwater General Permit (ISWGP) for the site known as the San Juan Island Solid Waste Transfer Station. All correspondence relating to this document should be directed to Mark A. "Mak" Kaufman at Department of Ecology's Bellingham Field Office located at 1440 10th Street Suite 102, Bellingham, WA 98225. If you have any questions concerning the content of the document, please call Mak Kaufman, at (360) 715-5221.

Sincerely,

Richard Grout
Manager,
Bellingham Field Office

Enclosure

Revised March 2005



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

IN THE MATTER OF AN) ORDER No. 6691
ADMINISTRATIVE ORDER)
AGAINST:)
Jon Shannon)

To: Jon Shannon
Director, San Juan County Public Works Dept.
915 Spring Street (P.O. Box 729)
Friday Harbor, WA 98250

For the site located at:
212 Sutton Road, Friday Harbor, WA 98250 and known as the San Juan Island Solid Waste Transfer Station

This is an Administrative Order requiring San Juan County Public Works Department to comply with Washington State's Water Pollution Control Act (RCW 90.48) by taking certain actions which are described below. RCW 90.48.120 authorizes the Department of Ecology (Department) to issue Administrative Orders requiring compliance whenever it determines that a person has violated or is likely to violate any provision of RCW 90.48.

The Department's determination that a violation has occurred is based on the following facts:

Violation 1: Ecology conducted a compliance inspection of the San Juan Island Solid Waste Transfer Station on March 10, 2009. This inspection revealed :

- 1) Stormwater on-site was allowed to comingle with contaminants associated with the processing of solid waste in the area of the "tipping floor". The "tipping floor" is the area in which the public dump their solid waste prior to San Juan County Public Works Department staff pushing the waste into a container for shipment to a landfill in eastern Washington. This "tipping floor" has no roof that would effectively provide cover over this solid waste processing area. Ecology determines that stormwater that comingles with contaminated process water effectively becomes process water. Contaminated process water is not allowed to be discharged into waters of the state. This particular storm drainage system does not appear to discharge off-site into surface waters of the state. However; this inspection revealed that broken pipes in the storm drainage system allow the contaminated stormwater to come into contact with groundwater. This groundwater contamination constitutes violation of RCW 90.48.080. Due to this contamination of groundwater, Ecology also determines that the facility known as the San Juan Island Solid Waste Transfer Station is a Significant Contributor of Pollutants (SCOP) as described in NPDES Industrial Stormwater General Permit condition S1.E.

Violation 2: RCW 90.48.160 requires that businesses and others that discharge pollutants to waters of the state have coverage under Ecology's NPDES permit system. The San Juan Island Solid Waste Transfer Station does not have coverage under Ecology's NPDES Industrial Stormwater General Permit (ISWGP). This constitutes violation of RCW 90.48.160.

Corrective Action 1: For these reasons and in accordance with RCW 90.48, it is ordered that Jon Shannon, Director of San Juan County Public Works Department take the following actions. These actions are required at the location known as the San Juan Island Solid Waste Transfer Station located at 212 Sutton Road, Friday Harbor, WA 98250. Submit a full and complete application for coverage under Ecology's NPDES Industrial Stormwater General Permit within 30 days of receipt of this Order.

Failure to comply with this Order may result in the issuance of civil penalties or other actions, whether administrative or judicial, to enforce the terms of this Order.

You have a right to appeal this Order. To appeal this you must:

- File your appeal with the Pollution Control Hearings Board within 30 days of the "date of receipt" of this document. Filing means actual receipt by the Board during regular office hours.
- Serve your appeal on the Department of Ecology within 30 days of the "date of receipt" of this document. Service may be accomplished by any of the procedures identified in WAC 371-08-305(10). "Date of receipt" is defined at RCW 43.21B.001(2).

Be sure to do the following:

- Include a copy of this document that you are appealing with your Notice of Appeal.
- Serve and file your appeal in paper form; electronic copies are not accepted.

1. To file your appeal with the Pollution Control Hearings Board

Mail appeal to:

The Pollution Control Hearings Board
PO Box 40903
Olympia WA 98504-0903

OR

Deliver your appeal in person to:

The Pollution Control Hearings Board
4224 – 6th Ave SE Rowe Six, Bldg 2
Lacey WA 98503

2. To serve your appeal on the Department of Ecology

Mail appeal to:

The Department of Ecology
Appeals & Application for Relief
Coordinator
PO Box 47608
Olympia WA 98504-7608

OR

Deliver your appeal in person to:

The Department of Ecology
Appeals & Application for Relief Coordinator
300 Desmond Dr SE
Lacey WA 98503


3. And send a copy of your appeal to:

Mark A. "Mak" Kaufman
Department of Ecology
Bellingham Field Office
1440 10th Street, Suite 102
Bellingham, WA 98250

*For additional information visit the Environmental Hearings Office Website: <http://www.eho.wa.gov>
To find laws and agency rules visit the Washington State Legislature Website:
<http://www.leg.wa.gov/CodeReviser>*

Your appeal alone will not stay the effectiveness of this Order. Stay requests must be submitted in accordance with RCW 43.21B.320. These procedures are consistent with Ch. 43.21B RCW.

DATED this 23rd day of April, 2009 at Bellingham, WA

A handwritten signature in cursive script, appearing to read "Richard Grout", is written over a horizontal line.

Richard Grout,
Manager,
Bellingham Field Office

Revised April 2005 (Appeal lang. May 2007)