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STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

BY: _____
[Signature]

IN THE MATTER OF AN)
ADMINISTRATIVE ORDER) ADMINISTRATIVE ORDER
AGAINST) DOCKET #14221
City of Stevenson)
The Honorable Frank Cox)

To: The Honorable Frank Cox
Mayor of Stevenson
P.O. Box 371
Stevenson, WA 98648

Order Docket #	14221
Site Location	City of Stevenson Wastewater Treatment Plant 686 Southwest Rock Creek Drive Stevenson, WA 98648

The Department of Ecology (Ecology) has issued this Administrative Order (Order) requiring the city of Stevenson to comply with:

- Chapter 90.48 Revised Code of Washington (RCW) – Water Pollution Control
- National Pollutant Discharge Elimination System (NPDES) Permit Number WA002062

Ecology has the authority to issue this Order under RCW 90.48.120(1).

FACTS

The city of Stevenson (City) owns a wastewater treatment plant that discharges treated wastewater to the Columbia River under NPDES Permit No. WA002062 issued by Ecology. Since January 2012, influent wastewater at the wastewater treatment plant has at times exceeded the Plant's design capacity. In 2015, influent wastewater exceeded the Plant's design capacity every month over a five (5)-month period (July through November). The City again exceeded its design capacity in 2016, over a six (6)-month period (June through November). Permit effluent violations occurred several times during this period and are likely the result of facility overloading.

On April 2, 2017, Ecology issued the city of Stevenson a Notice of Violation #14032 (NOV) for the following permit violations:

1. Between January 2012 and December 2016, the City exceeded its design criteria for five (5)-Day Biochemical Oxygen Demand (BOD5) or Total Suspended Solids (TSS) on twenty-one (21) occasions.
2. Between September 2015 and September 2016, the City exceeded effluent limits for TSS or Fecal Coliform on five (5) occasions.
3. The City has not submitted a Plan for Maintaining Adequate Capacity, a requirement given exceedances of the design capacity.

On April 25, 2017, the City responded to the NOV, submitting a one (1) page schedule of actions the City will take to achieve compliance with its NPDES permit, including:

- Limit New Industrial Connections
- Promote Source Control
- Explore Funding Opportunities
- Require Industrial Pretreatment
- Modify Wastewater Treatment Plant Operations
- Update Wastewater Rates
- Complete General Sewer Plan Update
- Design Wastewater Treatment Plant Improvements
- Construct Wastewater Treatment Plant Improvements

ORDER TO COMPLY

For these reasons, and in accordance with RCW 90.48.120(1), it is ordered that the city of Stevenson take the following actions.

Immediately upon receipt of this Order, the city of Stevenson must:

1. Implement the actions described in the City's April 25, 2017, response to Notice of Violation #14032.
2. Develop a Plan for Maintaining Wastewater Treatment Capacity.
 - a. By July 31, 2017, the City must submit to Ecology a Draft Plan for Maintaining Capacity at its wastewater treatment plant, per NPDES Permit Section S4.b. If the City submits a Draft General Sewer Plan to meet this requirement, the Plan

must be prepared under the direction of a qualified engineer licensed in the state of Washington; and the Plan must contain the elements outlined in Washington Administrative Code (WAC) 173-240-050 and -060, unless Ecology approves a more limited submittal.

- b. By November 31, 2017, or within 60 days of receiving the Ecology's comments on the Draft Plan, whichever date is later, the City must submit to Ecology, a Final Plan for Maintaining Capacity at its wastewater treatment plant.
 - c. Within ninety (90) days of Ecology's approval of the City's Plan, the City must adopt it by resolution or ordinance as appropriate.
3. Update the City's Municipal Code as needed to implement Source Control.
- a. By December 31, 2017, the City must submit to Ecology any proposed changes to its Municipal Code needed to implement the City's Plan for Maintaining Capacity or to Implement NPDES Permit Section S8.
 - b. By April 30, 2018, the City must adopt updates to the City's Municipal Code needed to implement the City's Plan for Maintaining Capacity or to implement NPDES Permit Section S8.
 - c. By June 30, 2018, the City must submit to Ecology an updated Industrial User Survey per NPDES Permit Section S8.2.
4. Continue to operate the plant based upon the existing Operations and Maintenance Manual, unless Ecology approves changes to that Manual. The City will submit any proposed changes to Operation and Maintenance practices to Ecology for review and approval as an Operations and Maintenance Plan Amendment, as required by the City's NPDES permit, sixty (60) days prior to proposed implementation.
5. Monitor final wastewater effluent for Ammonia weekly [twenty-four (24)-Hour Composite Sample] and submit sampling results to Ecology with the City's monthly Discharge Monitoring Report (DMR).
6. Submit to Ecology quarterly progress reports regarding the implementation of this Order on the following schedule:

<u>Implementation Period</u>	<u>Report Due</u>
January 1st to March 31st	April 15th
April 1st to June 30th	July 15th
July 1st to September 30th	October 15th
October 1st to December 31st	January 15th

The first progress report is due on July 15, 2017, for the period of April 1, to June 30, 2017.

ELIGIBILITY FOR PAPERWORK VIOLATION WAIVER AND OPPORTUNITY TO CORRECT

Under RCW 34.05.110, small businesses are eligible for a waiver of a first-time paperwork violation and an opportunity to correct other violations. We have made no determination as to whether you meet the definition of a "small business" under this section. However, we have determined that the requirements of RCW 34.05.110 do not apply to the violation(s) due to a conflict with federal law or program requirements, including federal requirements that are a prescribed condition to the allocation of federal funds to the state.

FAILURE TO COMPLY WITH 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.

YOUR RIGHT TO APPEAL

You have a right to appeal this Order to the Pollution Control Hearing Board (PCHB) within thirty (30) days of the date of receipt of this Order. The appeal process is governed by Chapter 43.21B RCW and Chapter 371-08 WAC. "Date of receipt" is defined in RCW 43.21B.001(2).

To appeal you must do both of the following within thirty (30) days of the date of receipt of this Order:

- File your appeal and a copy of this Order with the PCHB (see addresses below). Filing means actual receipt by the PCHB during regular business hours.
- Serve a copy of your appeal and this Order on Ecology in paper form - by mail or in person. (See addresses below.) E-mail is not accepted.

You must also comply with other applicable requirements in Chapter 43.21B RCW and Chapter 371-08 WAC.

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

ADDRESS AND LOCATION INFORMATION

Street Addresses	Mailing Addresses
<p>Department of Ecology Attn: Appeals Processing Desk 300 Desmond Drive Southeast Lacey, Washington 98503</p> <p>Pollution Control Hearings Board 1111 Israel Road Southwest, Suite 301 Tumwater, Washington 98501</p>	<p>Department of Ecology Attn: Appeals Processing Desk P.O. Box 47608 Olympia, Washington 98504-7608</p> <p>Pollution Control Hearings Board P.O. Box 40903 Olympia, Washington 98504-0903</p>

CONTACT INFORMATION

Please direct all questions about this Order to:

Patricia Bailey
Department of Ecology
Southwest Regional Office
Water Quality Program
P.O. Box 47775
Olympia, WA 98504-7775

Phone: 360-407-6281
Email: patricia.bailey@ecy.wa.gov

MORE INFORMATION

- **Pollution Control Hearings Board Website**
www.eho.wa.gov/Boards_PCHB.aspx
- **Chapter 43.21B RCW - Environmental and Land Use Hearings Office – Pollution Control Hearings Board**
<http://app.leg.wa.gov/RCW/default.aspx?cite=43.21B>
- **Chapter 371-08 WAC – Practice And Procedure**
<http://app.leg.wa.gov/WAC/default.aspx?cite=371-08>
- **Chapter 34.05 RCW – Administrative Procedure Act**
<http://app.leg.wa.gov/RCW/default.aspx?cite=34.05>
- **Laws:** www.ecy.wa.gov/laws-rules/ecyrcw.html
- **Rules:** www.ecy.wa.gov/laws-rules/ecywac.html

SIGNATURE



Richard Doenges
Southwest Regional Manager
Water Quality Program

6/30/17

Date