



**STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY**

PO Box 47600, Olympia, WA 98504-7600 • 360-407-6000

August 13, 2024

Terry Drochak
Washington State Department of Transportation
310 Maple Park Ave SE
Olympia, WA 98501-2348

Re: Administrative Order

Administrative Order Docket	#22962
Site Location	Statewide

Dear Terry Drochak:

The Department of Ecology (Ecology) has issued this Administrative Order (Order) requiring the Washington State Department of Transportation (WSDOT) to comply with:

- Chapter 90.48 Revised Code of Washington (RCW) – State of Washington Water Pollution Control Act.
- Chapter 173-200 WAC – Water Quality Standards for Groundwaters of the State of Washington.
- National Pollutant Discharge Elimination System (NPDES) Bridge and Ferry Terminal Washing General Permit (BWGP), Permit Number WAG994277.

This is an Order in accordance with RCW 90.48.030 and RCW 90.48.120(2). The RCW authorizes Ecology to Issue Administrative Orders to accomplish the purposes of Chapter 90.48 RCW.

Sincerely,

A handwritten signature in black ink that reads "Jeff Killelea". The signature is written in a cursive style with a large initial "J" and "K".

Jeff Killelea, Manager
Permit and Technical Services Section
Water Quality Program

Enclosure: Administrative Order Docket # 22962

By Certified Mail XXXX XXXX XXXX XXXX XXXX XX

cc: Foroozan Labib, Bridge and Ferry Washing General Permit Writer, Ecology
James Hovis, General Permit Writer, Ecology
Lucienne Banning, General Permit Unit Supervisor, Ecology
Gregor Myhr, Water Quality Manager, WSDOT

State of Washington
Department of Ecology

In the Matter of an Administrative Order Against
Washington Department of Transportation
Terry Drochak
Administrative Order Docket # 22962

To: Terry Drochak
Washington State Department of Transportation
310 Maple Park Ave SE
Olympia, WA 98501-2348

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RCW 90.48.030 provides that Ecology shall have the jurisdiction to control and prevent the pollution of waters of the State, RCW 90.48.035 empowers Ecology to engage in rulemaking to carry out the provisions of Chapter 90.48 RCW, and RCW 90.48.120(2) authorizes Ecology to issue administrative orders when necessary to accomplish the purposes of Chapter 90.48 RCW.

This is an Order in accordance with RCW 90.48.030 and RCW 90.48.120(2), to accomplish the purposes of Chapter 90.48 RCW.

1. Order to Comply

The Washington State Department of Transportation (WSDOT) has received coverage under the Bridge and Ferry Terminal Washing Permit (BWGP) No WAG994277, for bridge and ferry terminal washing across the state.

The hydro-demolition activities intend to maintain Washington State bridges by removing the first few inches of bridge platform and re-concrete the bridge platform, thus extending the lifespan of the bridge.

The discharge of hydro-demolition wastewater is subject to the conditions of the BWGP and the conditions contained in this Order. The Order establishes that WSDOT must take the following actions in addition to those found in the BWGP to remain in compliance with the Permit. Immediately upon receipt of this Order and continuously thereafter WSDOT must:

- Include information on all hydro-demolition activities, hydro-demolition system design and operation including the containment, collection, and treatment of wastewater generated during the activities on the [WSDOT Stormwater and Water Quality webpage](#)¹ as described in S8.D. Additional Activity Notification Requirements, of the BWGP.
- Use appropriate BMPs to entirely contain and capture all hydro-demolition wastewater onsite.
- Treat all wastewater prior to discharge offsite at a WSDOT owned property, that meets the requirements in Appendix B of the BWGP and this Order.
- Not discharge hydro-demolition wastewater to Surface Waters of the State.
- Sample treated wastewater at the required frequency for all pollutants in Table 1 and Table 2.

All discharges must be between the acceptable pH range and below the turbidity action level provided in Table 1. If the pH and turbidity of the treated wastewater is outside of the range of action levels listed in Table 1, the hydro-demolition wastewater must first meet the pH and turbidity effluent action levels listed in Table 1 *before* discharging.

If a discharge sample exceeds the Total Dissolved Solids (TDS) action level, then the permittee must:

- Conduct an inspection of the hydro-demolition wastewater treatment system as soon as possible after the availability of monitoring results.
- Identify and evaluate possible causes of the exceedance in the discharge.

¹ <https://wsdot.wa.gov/engineering-standards/environmental-guidance/stormwater-water-quality>

- Evaluate which improvements or changes to the treatment system are necessary to control TDS concentrations and implement these improvements or changes prior to the next discharge event.
- Summarize the inspection results, exceedance causes, corrective actions taken, and submit a copy of this report to Ecology at the same time as submitting the corresponding DMR.

For the purposes of this permit a **discharge event** is when a wastewater tanker truck discharges at a WSDOT owned property.

Table 1: Hydro-demolition Wastewater Effluent Action Levels

Parameter	Sampling Frequency	Sample Type	Action Level	Analytical Method
pH	Every Discharge	Grab	Minimum: 6.5 SU Maximum: 8.5 SU	SM4500-H ⁺ B
Turbidity	Every Discharge	Grab	25 NTU	SM2130 or EPA Method 180.1
Total Dissolved Solids	10% of Discharge Events	Grab	500 mg/L	SM2540-C

Table 2: Hydro-demolition Wastewater Monitor and Report Only

Parameter	Sampling Frequency	Sample Type	Action Level	Analytical Method
Total PAHs ²	10% of Discharge Events	Grab	Report Only	EPA Method 625.1
Sulfate	10% of Discharge Events	Grab	Report Only	EPA Method 300.0 or EPA Method 300.1
Chloride	10% of Discharge Events	Grab	Report Only	EPA Method 300.0 or EPA Method 300.1
Chromium, Total	10% of Discharge Events	Grab	Report Only	EPA Method 200.7 or EPA Method 200.8
Arsenic, Total	10% of Discharge Events	Grab	Report Only	EPA Method 200.7 or EPA Method 200.8
Selenium, Total	10% of Discharge Events	Grab	Report Only	EPA Method 200.7 or EPA Method 200.8

² Report the summation of the concentrations of the following compounds as "Total PAHs": acenaphthene, acenaphthylene, anthracene, benzo(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, benzo(ghi)perylene, benzo(k)fluoranthene, chrysene, dibenzo(a,h)anthracene, fluoranthene, fluorene, indeno(1,2,3-cd)pyrene, naphthalene, phenanthrene, and pyrene.

Reporting and Recordkeeping Requirements:

- a) Permittee must report results from sampling for the contaminants listed in Table 1 and Table 2 on the required Discharge Monitoring Report (DMR) and retain records according to Permit Conditions (S8 Reporting and Recordkeeping Requirements).
- b) If sampling is conducted more frequently than required by this Order, the results of this monitoring must be included in the calculation and reporting of the data that is submitted in the DMR.

Required BMPs:

- a) Treatment
 - i) Submit hydro-demolition and wastewater treatment system specifications and manual to Ecology prior to its use.
 - ii) Limit operation of the treatment system to trained and qualified personnel.
 - iii) The treatment system must use only Ecology-approved treatment chemicals (flocculants and coagulants) to treat any contaminated wastewater.
 - iv) Notify Ecology of any major changes in the treatment, with the exception of routine maintenance.
 - v) The wastewater containment and treatment system must have enough capacity to hold the contaminated wastewater until it has been tested to determine if the treated wastewater is within pH and turbidity action levels listed in Table 1.
 - vi) The permittee must transport all captured sediment or sludge from the treatment of the contaminated wastewater to an approved disposal facility based on the level of contamination (must keep receipts for at least 3 years).
- b) Disposal
 - i) The ground disposal of wastewater must not occur in areas where the depth to ground water is shallower than 10 feet at the time of disposal.
 - ii) The permittee may also discharge to sanitary sewer with the approval of the local sewer authority.
 - iii) The ground disposal of wastewater must not occur within 200 feet of the ordinary high-water mark of a surface water of the state; nor shall it constitute a functional equivalent of a point source discharge to surface waters of the state.

- iv) At the discharge location, permittees must maintain and repair all temporary and permanent erosion and sediment control BMPs as needed to assure continued performance of their intended function in accordance with BMP specifications.
- v) Follow all applicable BMPs listed in the BWGP.

If a modification of the Order is desired, the permittee must submit a written request to Ecology. If approved, Ecology will issue an amendment to this Order.

Ecology retains the right to make modifications to this Order through a supplemental Order, or amendment to this Order, if it appears necessary to further protect the public interest.

This Order does not exempt WSDOT from any BWGP requirements. This Order automatically terminates when the current BWGP expires.

2. 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.

3. Your Right to Appeal

You have a right to appeal this Order to the Pollution Control Hearings 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 43.21B0.001(2).

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

- File your appeal and a copy of this Order with the PCHB (see address below). Filing means actual receipt by the PCHB during regular business hours.
- Serve a copy of your appeal and this Order on Ecology by mail, in person or by email (see addresses below).
- You must also comply with other applicable requirements in Chapter 43.21B RCW and Chapter 371-08 WAC.

Filing with the PCHB

For the most current information regarding filing with the PCHB, visit: <https://elaho.wa.gov/> or call: 360-664-9160.

Service on Ecology

Street Addresses:

Department of Ecology
Attn: Appeals Processing Desk
300 Desmond Drive SE
Lacey, WA 98503

Mailing Addresses:

Department of Ecology
Attn: Appeals Processing Desk
PO Box 47608
Olympia, WA 98504-7608

E-Mail Address:

ecologyappeals@ecy.wa.gov

4. Contact Information

Please direct all questions about this Administrative Order to:

James Hovis
WA State Department of Ecology – Water Quality Program
P.O. Box 47696
Olympia, WA 98504-7696
Phone: 564-999-3244
Email: James.Hovis@ecy.wa.gov

5. More Information

- **Pollution Control Hearings Board Website:**
<https://www.eluho.wa.gov>
- **Chapter 43.21B RCW – Environmental and Land Use Hearings Office – Pollution Control Hearings Board:**
<https://app.leg.wa.gov/RCW/default.aspx?cite=43.21B>
- **Chapter 371-08 WAC – Practice and Procedure**
<https://app.leg.wa.gov/WAC/default.aspx?cite=371-08>
- **Chapter 34.05 RCW – Administrative Procedure Act**
<https://app.leg.wa.gov/RCW/default.aspx?cite=34.05>
- **Ecology's Laws, Rules, & Rulemaking Website**
<https://ecology.wa.gov/Footer/rulemaking>

6. Signature



Jeff Killelea, Manager
Permit and Technical Services Section
Water Quality Program

August 13, 2024

Date