Ecology penalties total $629,740 in the third quarter of 2009

Local News

Posted by: David Haviland

Posted on : October 29, 2009 at 5:24 am

The Washington Department of Ecology (Ecology) issued $629,740 in penalties of $1,000 or more in the third quarter months (July, Aug. and Sept.) of 2009.

Ecology issues individual news releases for penalties of $10,000 or greater, and links to the news release are included in the table. A particular penalty may be fully satisfied at this time or in the process of an appeal or settlement discussions.

Ecology works with thousands of business and individuals to ensure compliance with laws written to protect Washington’s air, land and water resources. Penalties are issued in cases where non-compliance continues after Ecology has provided technical assistance or warnings, or for particularly serious violations.

The money owed from penalties may be reduced from the issued amount due to a ruling by the Pollution Control Hearings Board or a negotiated settlement. Ecology doesn’t benefit from penalty payments. The final penalty amount owed and collected is deposited in special accounts that pay for:

Environmental restoration and enhancement projects.
Research and development.
Permitting and regulatory programs.
Education and assistance.

The most common accounts receiving collected penalties are:

Coastal Protection (RCW 90.48.400 and RCW 90.48.390)
Vessel Response (RCW 90.56.335)
Underground Storage Tank (RCW 90.76.100)
Air Pollution Control (RCW 70.94.015)
Biosolids (RCW 70.95J.025)
State Toxics Control (RCW 70.105D.070)
Oil Spill Prevention (RCW 90.56.510)
Reclamation (RCW 18.104.155 and RCW 89.16.020)
Electronic Recycling (RCW 70.95N.130)

County of Violation

City of Violation

Date Issued

Penalty Recipient

Description of Violation

Amount

Media Contact

Clark

Vancouver

7/6/09

Berry Plastics Holding Corp.

Failed to file quarterly discharge monitoring reports as required by law. The reports are necessary to ensure stormwater discharges from the site meet water quality standards.

$2,000

Kim Schmanke, 360-407-6239

Clark

Vancouver

4/23/09 (From 2nd quarter.)

Salmon Creek Wastewater Treatment Plant

This facility failed to conduct required quarterly monitoring since 2005.

$2,000

Kim Schmanke, 360-407-6239

Grant

Moses Lake

9/3/09

Palmer, Craig & Todd

Agricultural burning without a permit when permits had been obtained in the past for the same exact location.

$2,090

Jani Gilbert,

509-329-3495

Grant

Warden

7/23/09

Central WA Excavation

Central Washington Excavation burned a portion of a house in Warden, violating the regulation against burning prohibited materials.

$3,000

Jani Gilbert,

509-329-3495

Grays Harbor

Hoquiam

9/17/09

Smith Creek Birdwatchers Association

An excavator conducting unpermitted work in a wetland spilled 90 gallons of hydraulic oil. The spill wasn’t cleaned up or reported as required by state law.

$2,000

Kim Schmanke, 360-407-6239

Grays Harbor

Elma

7/16/2009

Elma Rock N Redi Mix, LLC, (formerly Wildcat Enterprises)

Multiple violations of its sand and gravel permit, including the failure to monitor process water and stormwater discharges for staying within acceptable pollution limits and reporting those results to Ecology as required.

$9,000

Kim Schmanke, 360-407-6239

Skagit

Sedro Woolley

9/22/09

Skagit Hill Recycling Inc.

Accepted and stored non-inert waste in the excavated portion of an inactive gravel mine, with no measures taken to protect groundwater quality. See Ecology’s news release.

$46,000

Larry Altose,

425-649-7009

King

Seattle

8/27/09

Salmon Bay Sand & Gravel Co.

Spilled sand and gravel from shore-side bunkers into the Lake Washington Ship Canal violated other permit conditions and failed to respond to an earlier Notice of Violation. See Ecology’s news release.

$12,000

Larry Altose,

425-649-7009

King

Seattle

7/17/09

Fog Tite, Inc.

Discharged industrial wastewater into a storm drain and failed to properly monitor industrial

stormwater into city storm drains. See Ecology’s news release.

$18,000

Larry Altose,

425-649-7009

King

Kent

7/23/09

Burlington Environmental LLC Kent, Tacoma

The state’s largest dangerous waste processor will pay $58,000 and fund two years of audits to support major environmental and safety reforms at Tacoma and Kent facilities under a settlement agreement with Ecology. See Ecology’s news release.

$288,000

Larry Altose,

425-649-7009

Kittitas

Easton

7/9/09

Nathan Weis; Easton Ridge Land Co. LLC.

Used waste oil to ignite several burn piles, violating outdoor burning regulations.

$2,500

Joye Redfield-Wilder, 509-575-2610

Lewis

Toledo

8/14/09

Robert Thompson

The site’s operator failed to reapply for sand and gravel permit coverage when it restarted mining operations, even after several notifications by Ecology. The permit sets pollution limits on water discharged from the operation.

$1,000

Kim Schmanke, 360-407-6239

Lincoln

Odessa

9/2/09

Cenex Harrington

Delivered petroleum to an underground storage tank without a valid permit.

$1,000

Jani Gilbert,

509-329-3495

Lincoln

Ritzville

7/16/09

Mike Kuest

Michael A. Kuest illegally burned a field in grass seed production.

$3,400

Jani Gilbert,

509-329-3495

Pierce

Tacoma

7/10/09

John J. Hauff, Jr.

Discharged oil in the Hylebos Waterway from a partially demolished, submerged vessel.

$1,750

Kim Schmanke, 360-407-6239

Pierce

Tacoma

7/14/09

Manke Lumber Co.

Ongoing problems following its industrial stormwater permit requirements, and non-compliance with an Ecology order to correct stormwater pollution problems.

$69,000

Kim Schmanke, 360-407-6239

Skagit

Mount Vernon

8/25/09

Galen Johnson doing business as Hillside Enterprises LLC

Took inadequate erosion-prevention measures and failed to conduct inspections required by water quality permit at Hillside Motel construction site, 23002 Bonnie View Road. Stormwater flows to wetlands that drain Carpenter Creek.

$1,000

Katie Skipper, 360-715-5205

Skagit

Sedro Woolley

9/22/09

Skagit Hill Recycling Inc.

Accepted and stored non-inert waste in the excavated portion of an inactive gravel mine, with no measures taken to protect groundwater quality. See Ecology’s news release.

$46,000

Larry Altose,

425-649-7009

Skagit

8/14/09

Olmstead Transportation Co.

Overfilled a fuel tank and spilled diesel fuel to Maddox Creek and Big Ditch. Failed to report the spill, which covered more than nine stream miles from Mount Vernon to Skagit Bay. See Ecology’s news release.

$14,500

Larry Altose,

425-649-7009

Snohomish

Woodinville

7/23/09

Wellington Hills Business Campus

Discharged muddy stormwater to county storm drains, which flow to Little Bear Creek. The project lacked erosion and soil-control best management practices. See Ecology’s news release.

$62,000

Larry Altose,

425-649-7009

Spokane

Deer Park

7/15/09

Big D Septic

Dumped septic sludge on the company’s property, violating the state’s biosolids management regulations. Big D does not have a permit to apply septic sludge to the land as agricultural fertilizer. See Ecology News Release.

$2,500

Jani Gilbert,

509-329-3495

Thurston

Tumwater

9/30/2009

AmCor Packaging

Failure to apply for the necessary industrial stormwater permit from Ecology.

$2,000

Kim Schmanke, 360-407-6239

Walla Walla

Walla Walla

7/8/09

Cliffstar Corporation

Discharged a large, concentrated load of high strength wastewater to the city of Walla Walla's sanitary sewer without prior approval.

$3,000

Jani Gilbert,

509-329-3495

Whatcom

Bellingham

9/10/09

Greenbriar Construction Corp.,

Discharged muddy stormwater and operated without a construction stormwater permit at Emerald Cottages project on Telegraph Rd. See Ecology’s news release.

$36,000

Larry Altose,

425-649-7009

For more detail about Ecology’s enforcement policy and actions, please see the 2007 Enforcement Report at www.ecy.wa.gov/pubs/0801015.pdf