

INSPECTION REPORT

Inspection Entry Date/Time	01/28/2025 9:16 AM (PT)	Announced: Yes	
Inspection Exit Date/Time	01/28/2025 1:10 PM (PT)	Access: Granted	
Weather	55°F, Sunny		
Media	Water		
Statute(s)/Program(s)	Clean Water Act, NPDES, WWTP		
Type of Inspection	Compliance Evaluation Inspection		
Permittee Name	Lummi Indian Business Council		
Facility Name	Gooseberry Point WWTP		
Facility Physical Address	2156 Lummi View Drive		
City, State, Zip Code	Bellingham, Washington 98226		
County	Whatcom		
Facility GPS Coordinates	48.72023, -122.65417		
FRS ID	110013724942		
Permit Number	WA0025666		
SIC	4952 (Sewerage Systems)		
Lead Inspector:			
RAYMOND ANDREWS		Digitally signed by RAYMOND ANDREWS Date: 2025.02.25 14:03:26 -08'00'	
Raymond Andrews	EPA Region 10	andrews.raymond@epa.gov	(206) 553-4252
Supervisor Review:			
Contreras, Peter		Digitally signed by Contreras, Peter Date: 2025.02.25 15:20:47 -08'00'	
Peter Contreras	EPA Region 10	contreras.peter@epa.gov	(206) 553-6708

SECTION I – Opening Conference

EPA REGION 10 Lead Inspector, Raymond Andrews, arrived at the Gooseberry Point WWTP (“Facility”), located at 2156 Lummi View Drive, Bellingham, Washington, at 9:16 AM (PT) on 01/28/2025 for an announced inspection. I presented my credentials to Daniel Jeffries, Lead Operator, and informed him I was there to conduct an inspection to determine the facility’s compliance with the Clean Water Act (CWA) and its National Pollutant Discharge Elimination System (NPDES) permit, permit # WA0025666. This report is based on information supplied by Mr. Jeffries, my direct observations, and records and reports maintained by the permittee. In addition, information gathered prior to or after the Inspection from a review of EPA, State, and/or public records may be included in this report.

This is the second of three inspections I conducted on Lummi Tribal wastewater treatment facilities. The Gooseberry Point Wastewater Treatment Plant’s permit became effective on December 1, 2011, and expired on November 30, 2016. The facility’s permit has been administratively extended since its expiration.

The Gooseberry Point WWTP maintains the tribal laboratory that conducts the in-house analysis for specific parameters for all three facilities.

Attendees

Organization	Attendee Name	Title	Present in Opening Conf.	Present in Closing Conf.
EPA Region 10	Raymond Andrews	Lead Inspector	Yes	Yes
Lummi Tribal Sewer and Water District	Daniel Jeffries	Lead Operator	Yes	Yes

Facility Information

Responsible Official?	Jim Heigzman, District Manager, jimh@ltswd.com
How many employees does the facility have?	The Lummi Sewer and Water District (“District”) shares three employees between its three facilities. Of the District’s three employees, two hold level one certifications and the third is in training.
What is the facility’s operation schedule?	There is an operator on site six hours per day Monday through Friday, and an hour per day on the weekends with a person on-call for holidays.
What is the facility’s service population?	The facility services approximately 3,000 residents.
What is the facility’s design capacity and average daily flow?	The facility has a design capacity of 0.375 million gallons per day (mgd), and an average daily flow of 0.300 mgd.
What is the facility’s primary flow measuring device?	The facility uses two Magmeters to measure flow, one at the influent and one at the effluent.
How often is the flow measuring device calibrated?	The manufacturer specifications state the magmeters do not require calibration.
What is the facility’s receiving water?	The facility discharges directly into Puget Sound.
How many outfalls does the facility have?	The facility has a single outfall.

How often is the outfall inspected?	The outfall is not visually inspected because the outfall pipe is under water and extends approximately 100 yards into the Sound.
Where do you sample influent? Effluent?	The influent is sampled prior to the headworks. The effluent is sampled after UV disinfection at the last point before the effluent leaves the facility.
Are water samples analyzed in-house or sent out to a contract laboratory?	The facility analyzes total suspended solids (TSS), biological oxygen demand (BOD), fecal coliform, dissolved oxygen (DO), pH, and temperature in-house. A contract laboratory analyzes water samples for total Kjeldahl nitrogen (TKN), ammonia and total nitrate + nitrites (N+N).
Laboratory contact information.	Edge Analytical 805 Orchard Drive Suite 4 Bellingham, Washington 98225 (360) 715-1212
How are biosolids managed?	Biosolids are processed through a digester and are then picked up by a 3rd party contractor and disposed of on an as-needed basis.
Does the facility have a failure alarm? How is an alarm addressed?	The facility uses a supervisory control and data acquisition (SCADA) system to monitor the facility. If the system detects a failure, it sends an automated alarm message to the on-call operator.
Does the facility have back-up power?	The entire facility is on back-up power. The back-up power automatically activates if the system detects a loss of main power.
What is the facility's overflow/emergency capacity?	The facility does not have an emergency or overflow capacity.
Are there any industrial users?	The facility does not have any industrial users.
Are there shared or contributing jurisdictions?	There are no shared jurisdictions.
Does the facility accept waste from septage haulers?	The facility does not accept waste from septage haulers.
Has the facility had any bypasses or hydraulic overloads in the past 5-years?	In 2021, there was an overflow in the UV chamber. The wastewater was pumped out into the Puget Sound and EPA was notified.
Has the facility been renovated or upgraded in the last 5-years?	In 2021, the facility added a digester, additional primary and secondary clarifiers, a rotary screen for solids, and a grit classifier to the headwork.
Are there any plans to renovate or upgrade the facility?	Currently, the District has no plans to upgrade the system.

SECTION II – Observations

There were no observations made of operations that were an Area of Concern.

SECTION III – Records Review

Records may not be in sequential order.

Record: Other - Operations and Maintenance Plan		AOC: Yes
Ref #: RA1-RR-005	Reviewed By: Raymond Andrews	Reviewed Date: 01/28/2025
At the time of the inspection, I requested to review the facility's Operations & Maintenance (O&M) Plan. The facility did not have an O&M Plan.		
Record: Other - EPA's Integrated Compliance Information System (ICIS) Database		AOC: Yes
Ref #: RA1-RR-004	Reviewed By: Raymond Andrews	Reviewed Date: 02/13/2025
Post inspection, I reviewed information submitted by the facility to EPA's Integrated Compliance Information System (ICIS) Database for the time period from February 2020 through January 2025. I found the facility was late in submitting DMR data and exceeded effluent limitations 455 times over a nine-month period. Tables showing the late DMR data and effluent exceedances are included in Appendix 2. Data in ICIS shows the facility was under an Administrative Compliance Order (ACO) which was initiated in 2002 and closed in 2022; however, ICIS also indicated EPA never received the facility's Annual Reports for 2020 and 2021 or the construction compliance schedule required by the ACO. Since the ACO has been closed, I do not consider these as areas of concern.		
Record: DMR Reports		AOC: No
Ref #: RA1-RR-003	Reviewed By: Raymond Andrews	Reviewed Date: 02/13/2025
Post inspection, I reviewed facility Discharge Monitoring Reports (DMRs) from January 2022 through December 2024. I did not note any areas of concern.		
Record: Other - Emergency Response and Public Notification Plan		AOC: Yes
Ref #: RA1-RR-002	Reviewed By: Raymond Andrews	Reviewed Date: 01/28/2025
At the time of inspection, I reviewed the facility's Emergency Response and Public Notification Plan (ERP). The Gooseberry Point facility uses the same ERP plan as the Sandy Point facility, which I inspected first. After my inspection of the Sandy Point facility, the contacts were updated. However, the other areas of concern were still present. The plan was undated, and it did not explain how notification of the public would be carried out. The Plan did not explain how emergency operations would be carried out.		
Record: Other - Quality Assurance Plan		AOC: Yes
Ref #: RA1-RR-001	Reviewed By: Raymond Andrews	Reviewed Date: 01/28/2025
At the time of the inspection, I reviewed the Quality Assurance Plan (QAP), dated March 7, 2016. The QAP needs an update. There is no indication the QAP was reviewed annually. The QAP was not prepared in the required format. The QAP did not contain the minimum requirements, i.e., it was missing:		
• Details on the number of samples, type of sample containers, preservation of samples, holding times, analytical methods, analytical detection and quantitation limits for each target compound, type and number of quality assurance field samples, precision and accuracy requirements, sample preparation requirements, sample shipping methods, and laboratory data delivery requirements. • Map(s) indicating the location of each sampling point. • Qualification and training of personnel. • Name(s), address(es) and telephone number(s) of the laboratories used by the Permittee.		

SECTION IV – Sampling Activity

No sampling was conducted.

SECTION V – Areas of Concern

Areas of Concern may not be in sequential order.

The presentation of Areas of Concern does not constitute a formal compliance determination or violation.

AOC Reference #: RA1-RR-004	Records Review: Other - EPA's Integrated Compliance Information System (ICIS) Database
Permit Requirement Part I.B.1 of the Permit states, in part, "The permittee must limit and monitor discharges from outfall 001 as specified in Table 1...The permittee must comply with the effluent limits in the tables at all times..."	
AOC: The facility exceeded effluent limitations 455 times over a nine-month period. The effluent exceedances are list in a table in Appendix 2.	
AOC Reference #: RA1-RR-004	Records Review: Other - EPA's Integrated Compliance Information System (ICIS) Database
Permit Requirement Part III.B of the Permit states, in part, "The Permittee must summarize monitoring results each month on the Discharge Monitoring Report (DMR) form..."	
AOC: The facility was late in submitting DMR data. The late data is in a table in Appendix 2.	
AOC Reference #: RA1-RR-002	Records Review: Other - Emergency Response and Public Notification Plan
Permit Requirement Part II.E.1.c of the Permit states, at a minimum, the ERPN must, in part, "Ensure immediate notification to the public..."	
AOC: The Emergency Response and Public Notification (ERPN) plan did not explain how notification of the public would be carried out.	
AOC Reference #: RA1-RR-002	Records Review: Other - Emergency Response and Public Notification Plan
Permit Requirement Part II.E.1.e of the Permit states, at a minimum, the ERPN must, "Provide emergency operations."	
AOC: The Plan did not explain how emergency operations would be carried out.	
AOC Reference #: RA1-RR-001	Records Review: Other - Quality Assurance Plan
Permit Requirement Part II.C of the Permit states, in part, "The Permittee must also certify to EPA that the QAP is being implemented and is reviewed with staff annually. Annual reviews will be registered with EPA by submittal of the staff attendance sheet used for the review sessions, along with a cover letter confirming the QAP review and identifying the enclosed attendance record. The annual QAP review letter and attendance sheet must be submitted with the January DMR of each subsequent year."	
AOC: There was no documentation the QAP was reviewed annually.	

AOC Reference #: RA1-RR-001	Records Review: Other - Quality Assurance Plan
Permit Requirement Part II.C.6 of the Permit states, "Throughout all sample collection and analysis activities, the Permittee must use the EPA-approved QA/QC and chain-of-custody procedures described in the most recent versions of Requirements for Quality Assurance Project Plans (EPA/QA/R-5) and Guidance for Quality Assurance Project Plans (EPA/QA/G-5). The QAP must be prepared in the format that is specified in these documents."	
AOC: The QAP was not prepared per the reference documents "Requirements for Quality Assurance Project Plans (EPA/QA/R-5)" and "Guidance for Quality Assurance Project Plans (EPA/QA/G-5)".	
AOC Reference #: RA1-RR-001	Records Review: Other - Quality Assurance Plan
Permit Requirement Part II.C.7 of the Permit states, "At a minimum, the QAP must include the following: a) Details on the number of samples, type of sample containers, preservation of samples, holding times, analytical methods, analytical detection and quantitation limits for each target compound, type and number of quality assurance field samples, precision and accuracy requirements, sample preparation requirements, sample shipping methods, and laboratory data delivery requirements. b) Map(s) indicating the location of each sampling point. c) Qualification and training of personnel. d) Name(s), address(es) and telephone number(s) of the laboratories used by or proposed to be used by the Permittee."	
AOC: The QAP was missing all elements required in Part II.C.7 of the Permit.	
AOC Reference #: RA1-RR-005	Records Review: Other - Operations and Maintenance Plan
Permit Requirement Part II.B of the permit states, in part, "...by 180 days after the effective date of this permit, the Permittee must provide written notice to EPA that an operations and maintenance plan for the wastewater treatment facility has been developed and implemented. The plan must be kept up to date as changes occur in operation and maintenance of the wastewater treatment facility. The plan must be retained on site and made available upon request to EPA."	
AOC: The facility did not have an O&M Plan.	

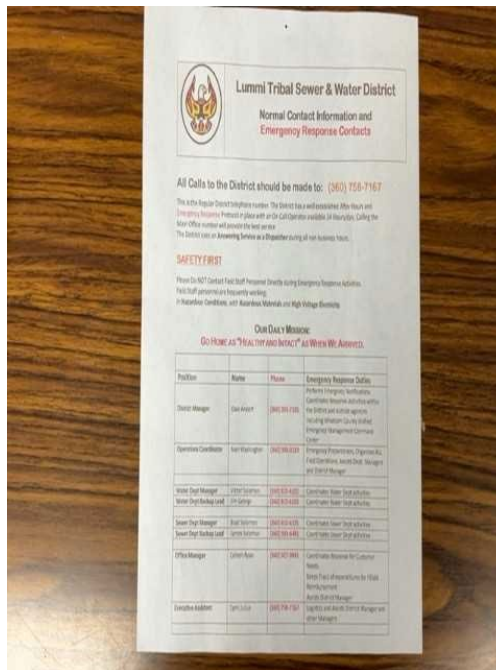
SECTION VI – Closing Conference

I held a closing conference with Mr. Jeffries 1:10 PM (PT) on 01/28/2025 for the inspection. During the closing conference, I discussed the observations and Areas of Concern identified during the inspection. Observations and Areas of Concern have not yet been evaluated for a formal compliance determination.

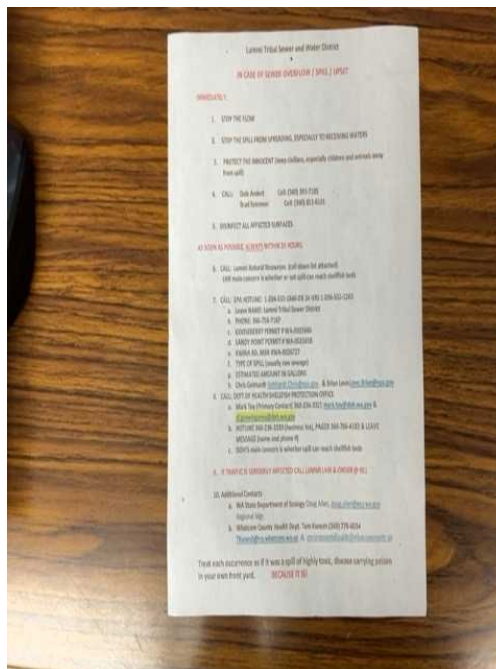
SECTION VII – List of Appendices

1. Photo Log
2. Document Log

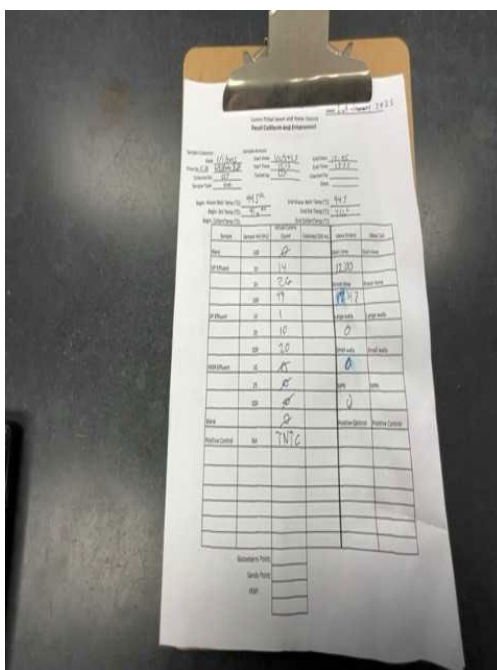
APPENDIX 1: Photo Log



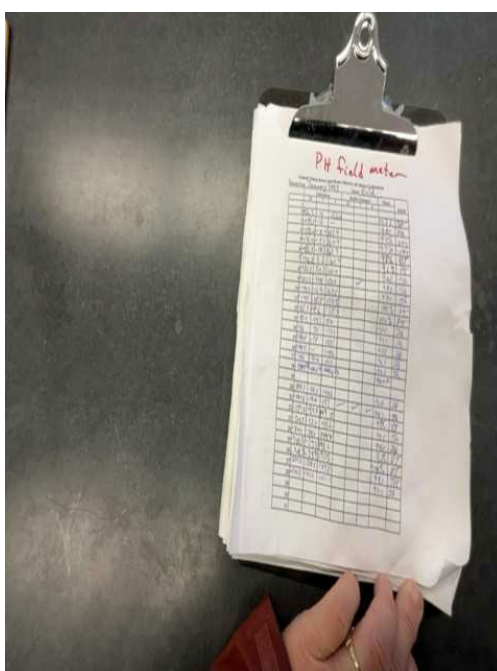
Emergency Response and Public Notification Plan			IMG-2025012810220422478403.jpg
01/28/2025 10:22 AM	No CBI	No PII	Photographer: Raymond Andrews
48.73446708, -122.64995295			
Page 1 of ERPN Plan			



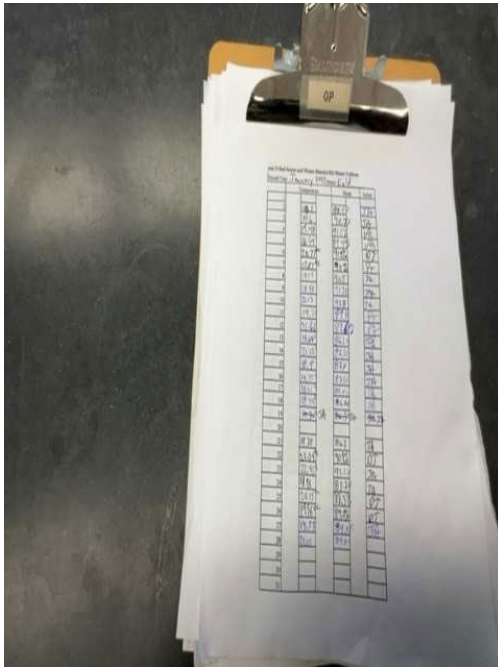
Emergency Response and Public Notification Plan			IMG-20250128102223222374002.jpg
01/28/2025 10:22 AM	No CBI	No PII	Photographer: Raymond Andrews
48.73481651, -122.64983842			
Page 2 of ERPN Plan			



Fecal coliform Bench sheet			IMG-2025012811013213258999.jpg
01/28/2025 11:01 AM	No CBI	No PII	Photographer: Raymond Andrews
48.72017288, -122.65440978			



PH Bench Sheet			IMG-2025012811015915964625.jpg
01/28/2025 11:01 AM	No CBI	No PII	Photographer: Raymond Andrews
48.72017288, -122.65440978			



DO and Temp Bench Sheet			IMG-2025012811021021056172.jpg
01/28/2025 11:02 AM	No CBI	No PII	Photographer: Raymond Andrews
48.72017288, -122.65440978			



Influent Auto Sampler			IMG-20250128110639639109207.jpg
01/28/2025 11:06 AM	No CBI	No PII	Photographer: Raymond Andrews
48.72020074, -122.65444511			
The influent sampler takes flow proportional samples. Note: The back-up thermometer is to the left of the collection jar.			



Influent Entry Point			IMG-2025012811072772792174.jpg
01/28/2025 11:07 AM	No CBI	No PII	Photographer: Raymond Andrews
48.72018713, -122.65449924			
Influent enters plant though the three pipes.			



Influent headworks screens			IMG-20250128110834834117198.jpg
01/28/2025 11:08 AM	No CBI	No PII	Photographer: Raymond Andrews
48.72029661, -122.65473908			



Two Primary Clarifiers			IMG-202501281111251125102954.jpg
01/28/2025 11:11 AM	No CBI	No PII	Photographer: Raymond Andrews
48.72017425, -122.65447494			
The clarifier on the left is not currently in operation because the capacity is not needed.			



Stabilization Basin			IMG-20250128111304134127078.jpg
01/28/2025 11:13 AM	No CBI	No PII	Photographer: Raymond Andrews
48.7201118, -122.65502426			



Third Secondary Clarifier			IMG-202501281116581658119208.jpg
01/28/2025 11:16 AM	No CBI	No PII	Photographer: Raymond Andrews
48.71990485, -122.65523274			
The third secondary clarifier is a new upgrade. All three clarifiers may be used if the additional capacity is needed.			



UV Disinfection Chamber			IMG-202501281118491849119591.jpg
01/28/2025 11:18 AM	No CBI	No PII	Photographer: Raymond Andrews
48.72018986, -122.65448633			



Effluent Auto Sampler			IMG-20250128112105215119225.jpg
01/28/2025 11:21 AM	No CBI	No PII	Photographer: Raymond Andrews
48.72002605, -122.65563574			
The effluent sampler and takes flow proportional samples. Note: The back-up thermometer is to the left of the collection jar.			

APPENDIX 2: Areas of Concern Tables

Effluent Exceedances

Month	Parameter	DMR Value	Permit Limit	Unit	Limit Type	# Violations
Feb 2023	TSS	32	30	mg/L	Mo Avg	28
Feb 2023	Solids, susp % rmv	76	85	%	Mo Av Mn	28
Mar 2023	Solids, susp % rmv	71	85	%	Mo Av Mn	31
Aug 2023	BOD, 5-day, % rmv	81	85	%	Mo Av Mn	31
Oct 2023	BOD, 5-day, % rmv	80	85	%	Mo Av Mn	31
Oct 2023	Solids, susp % rmv	81	85	%	Mo Av Mn	31
Dec 2023	BOD, 5-day, % rmv	79	85	%	Mo Av Mn	31
Dec 2023	Solids, susp % rmv	82	85	%	Mo Av Mn	31
Jan 2024	BOD, 5-day, 20°C	95	94	lb/d	Mo Avg	31
Jan 2024	BOD, 5-day, % rmv	70	85	%	Mo Av Mn	31
Jan 2024	Solids, susp % rmv	48	85	%	Mo Av Mn	31
Feb 2024	BOD, 5-day, % rmv	77	85	%	Mo Av Mn	29
Feb 2024	Solids, susp % rmv	76	85	%	Mo Av Mn	29
May 2024	Solids, susp % rmv	79	85	%	Mo Av Mn	31
Oct 2024	BOD, 5-day, % rmv	84	85	%	Mo Av Mn	31

Late DMR Parameters

Monitoring Period End Date	DMR Due Date	Parameter	DMR Value Received Date
December 31, 2021	January 10, 2022	Temp, water °C	January 17, 2022
May 31, 2021	June 10, 2021	Oil & Grease	June 16, 2021
November 30, 2020	December 10, 2020	Oil & Grease	December 15, 2020
August 31, 2020	September 10, 2020	Oxygen, dissolved	October 16, 2020
August 31, 2020	September 10, 2020	Oil & Grease	October 16, 2020
August 31, 2020	September 10, 2020	Solids, total dissolved	October 16, 2020