



REGION 10

SEATTLE, WA 98101

RETURN RECEIPT REQUESTED

Mr. Craig Chisam
Hatchery Manager
Entiat National Fish Hatchery
6970 Fish Hatchery Drive
Entiat, Washington 98822

Re: **NOTICE OF VIOLATION**
Entiat National Fish Hatchery
NPDES Permit Number WAG130002

Dear Mr. Chisam:

The U.S. Environmental Protection Agency (EPA) appreciates your time and cooperation during EPA's July 19, 2023, Clean Water Act (CWA) inspection of the Entiat National Fish Hatchery ("Facility"). EPA inspected the Facility and reviewed administrative files to assess the Facility's compliance with the requirements of the CWA and the National Pollutant Discharge Elimination System (NPDES) general permit WAG130000 ("Permit") for federal aquaculture facilities and aquaculture facilities located in Indian Country.

The Entiat National Fish Hatchery is permitted to discharge under Permit WAG130002. This permit was originally issued in 2009 and most recently reissued on July 1, 2024. WAG130002 is set to expire on February 28, 2029.

The purpose of this letter is to notify you of violations EPA has identified following the inspection and file review.

1. Part IV.B.1 of the General Aquaculture Permit describes hatchery effluent monitoring requirements. Table 3 of that section outlines that sampling must be collected using composite sampling methods. Furthermore, Table 3 goes on to state that both the influent and effluent analysis of net TSS "must consist of four or more discrete samples taken at one-half hour intervals or greater over a 24-hour period."

At the time of the inspection the Facility was taking three samples at 0.5-hour intervals for influent composite sampling in the aeration chamber instead of four samples. The inspector informed Mr. Chisam and Mr. Hansen of the required four or more discrete samples for influent composite samples for net TSS analysis at the time of the inspection. During that conversation the facility staff indicated they would start collecting four samples during the next monthly monitoring event.

2. Part IV.G.5 of the General Aquaculture Permit describes the Facility's Best Management Practices (BMP) Plan's operational requirements.

During the inspector's review of the Facility's BMP plan after the inspection, the following items were identified and require additional attention.

- 1.) Additional detail is needed to describe fish grading, harvesting, egg taking and other activities within ponds or raceways and how the discharge of accumulated solids and blood wastes are minimized, as described in Part IV.G.5.e.3 of the Permit.
 - 2.) Additional detail is needed to describe if any non-chlorinated disinfectants are used in the rearing and holding unit water or in hauling trucks, as described in Part IV.G.5.e.5.
3. Parts IV.F.d.,1-5 of the General Aquaculture Permit describes Quality Assurance Plan (QAP) content requirements such as sampling procedures, including sample shipping methods and the "name, address and telephone number of the laboratory used by or proposed to be used by the Permittee."

During the post-inspection file review of the Facility's QAP, the inspector noted the sampling analyses procedures described in the Facility's QAP needed to be updated to reflect the current lab used to analyze samples which was Eurofins in Tacoma, Washington.

4. Part III.A of the General Aquaculture Permit describes the requirement for a timely and complete Notice of Intent (NOI) to be submitted to EPA Region 10.

Upon deeper review of the Facility's NOI post-inspection, the inspector noted that the Facility did not list Virkon® aquatic disinfectant as a disinfectant or chemical used in the "Chemical Usage" section of the NOI; however, Virkon® was reported as a chemical used in the Facility's 2020, 2021 and 2022 annual reports of operations.

5. Part V.G of the General Aquaculture Permit describes that annual report of operations "must include the information specified in Appendix E." Appendix E is the "Annual Report of Operations" form containing the section to summarize a Facility's aquaculture drug and chemical usage.

Post-inspection the inspector discovered that in the Facility's chemical and drug usage section of the 2020, 2021 and 2022 annual reports, specific dates or at least date ranges or maximum concentrations for the iodine and Virkon® were not reported.

6. Part VI.C of the General Aquaculture Permit describes the requirements of reporting monitoring results requiring that Permittees "must summarize monthly monitoring results on the DMR."

Included in this section of the General Aquaculture Permit, Part IV.C.a states that "all permittees that have off-line settling basins that discharge directly to surface waters must conduct surface water monitoring quarterly for ammonia, pH, and temperature..."; Table 7 of this part illustrates ammonia as nitrogen.

The November 2022 DMR for Outfall 001 had “B - Below Detection Limit/No Detection” selected as a No Discharge (NODI) Code value and aligned with “Not Detected” results from the laboratory report for net TSS and net settleable solids. For the purposes of reporting on a DMR for a single sample, if a value is less than the Method Detection Limit (MDL), the Facility must report “less than [numeric value of the MDL].”

The DMR for quarterly surface water monitoring period ending on June 30, 2023 for Outfall 002 had a pH range input of 7.74 – 7.77 that could not be corroborated with pH log sheets submitted by the Facility.

Entiat National Fish Hatchery is requested to respond, in writing, to the findings stated above **within 45 days of receipt of this letter**. Your response should include the causes of the violations and the measures taken to address the current violations and prevent future violations. The request for information in this letter is made under the authority of Section 308 of the CWA, 33 U.S.C. § 1318. In accordance with the provisions of 40 C.F.R. § 2.203(b), you may assert a business confidentiality claim covering part or all the information submitted by clearly identifying it as “confidential.” If no such claim accompanies the information when it is received by the EPA, it may be made available to the public without further notice.

Please send your response letter via email to:

Wesley Simmons
Compliance Officer
U.S. Environmental Protection Agency
simmons.wesley@epa.gov

Although our goal is to ensure NPDES facilities and projects comply fully with their permits, the ultimate responsibility rests with the permittee. I strongly encourage you to continue your efforts to maintain full knowledge of permit requirements, other appropriate statutes and to respond appropriately to ensure compliance. Notwithstanding your response to this letter, EPA retains all rights to pursue enforcement actions to address these and any other violations.

If you have any questions concerning this matter, please do not hesitate to contact Wesley Simmons, of my staff, at simmons.wesley@epa.gov or (206) 553-6066.

Sincerely,

PETER
CONTRERAS

 Digitally signed by PETER
CONTRERAS
Date: 2024.09.20 14:29:50 -07'00'

For Jeff KenKnight, Manager
Water Enforcement and Field Branch
Enforcement and Compliance Assurance Division

cc: Mr. Brock Everts, Assistant Hatchery Manager Leader