NPDES Compliance Inspection Report

Darigold – Issaquah
Spokane, Washington

Permit #: WAR000497

Inspection Date: January 24, 2022

Prepared by:

Raymond Andrews
U.S. Environmental Protection Agency, Region 10
Enforcement & Compliance Assurance Division
Water Enforcement & Field Branch
Field, Data & Drinking Water Enforcement Section

Signature/Date:

RAYMOND ANDREWS Digitally signed by RAYMOND ANDREWS
Date: 2022.04.20 08:51:12 -07'00'

Supervisor Signature/Date:

PETER CONTRERAS Digitally signed by PETER CONTRERAS
Date: 2022.04.20 11:31:10 -07'00'

Contents

(All details in this report were obtained through conversations with Mr. Chris Babcock, Environmental Manager, review of facility documents or observations made during the inspection.)

I. Facility Information

Facility Name:	Darigold – Issaquah
Facility Owner/Operator:	Darigold Inc.
Physical Address:	611 North Front Street Issaquah, Washington 98027 King County
Lat/Long:	47.53627, -112.03710
Mailing Address:	611 North Front Street Issaquah, Washington 98027
NAICS Codes:	311511 (Fluid Milk Manufacturing) 311512 (Creamery Butter Manufacturing) 311514 (Dry, Condensed, and Evaporated Dairy Product Manufacturing)
SIC Codes:	2021 (Creamery Butter Mfg) 2023 (Condensed & Evaporated Milk) 2026 (Fluid Milk Production)
Facility Contacts:	Chris Babcock Environmental Manager Office Phone: 509-854-4379 Email: chris.babcock@darigold.com
Permit Number:	WAR000497
Receiving Water:	City of Issaquah's Storm Sewer System → Issaquah Creek → Lake Sammamish

II. Inspection Information

Inspection Date:	January 24, 2022
Inspectors:	Raymond Andrews, Inspector EPA Region 10, ECAD /FDDWES Phone: 206-553-4252
Arrival Time:	9:30 AM
Departure Time:	4:00 PM

Weather:	Cloudy, 37°F
Purpose:	To determine facility compliance with the Washington Industrial Stormwater General Permit (ISGP) and the Clean Water Act.

III. Permit Information

Darigold – Issaquah is permitted under the Washington Industrial Stormwater General Permit (ISGP) for Stormwater Discharges Associated with Industrial Activities. The facility's current permit, NPDES permit # WAR000497, became effective on January 1, 2020, and will expire on December 31, 2024. Table 3 of the ISGP indicates the facility has additional industry specific sampling requirements as a business that operates under the "Food and Kindred Products" industry.

IV. Background

Darigold – Issaquah ("Facility"), located at 611 North Front Street, Issaquah, Washington is owned and operated by Darigold Inc.

The facility was last inspected by the Washington Department of Ecology (WDOE) on November 16, 2011.

The facility has never been inspected by the Environmental Protection Agency (EPA).

V. Inspection Chronology

This was an announced inspection. On January 10, 2022, I emailed Mr. Doug Pettinger, Senior Director of Environmental Compliance, and told him I would be conducting an industrial stormwater compliance inspection of the Darigold – Issaquah facility in Issaquah, Washington on January 24th. Mr. Pettinger contacted the facility to let them know to expect me.

I conducted an opening conference, which included an interview of Mr. Chris Babcock, Environmental Manager, followed by a records review, a site inspection, and a closing conference.

VI. Opening Conference

I arrived at the facility at 9:30 am. Upon arrival, I followed Darigold's COVID protocol which included electronically signing-in, filling out a COVID questionnaire, and having my temperature taken. Once cleared, I proceeded to the office.

I presented my credentials to Mr. Babcock and explained the purpose of the inspection was to determine compliance with the Washington Industrial Stormwater General Permit (ISGP) and the Clean Water Act (CWA).

The facility has been in operation at its current location since 1909. Darigold took over the operation in the 1960s. The facility has approximately 115-employees and operates 24-hours a day, 7-days a week.

The facility is a dairy milk processing center that produces butter, cottage cheese, sour cream, and yogurt. Facility operations involve transfer of milk and cream to the facility, processing of raw milk into finished products, and transfer of the finished products to customers or distribution centers.

The site is approximately 2.93-acres and is generally flat. Asphalt covers 1.63-acres (≈56%) of the site while 1.30-acres (≈44%) is covered by buildings.

According to usclimatedata.com, Issaquah, Washington, receives approximate average annual precipitation of 16.56 inches. November and December the wettest months with each having average annual precipitation of 2.30 inches, while August is the driest month with average precipitation of 0.59 inches.

The facility currently has one outfall, Outfall 3, located in the northeast corner of the site. The stormwater is collected in approximately 12 catch basins. The catch basins have internal filter socks to filter the stormwater and prevent debris from entering. The filter socks are changed in February and September. Three lift stations send stormwater to the facility's Enpurion ™ Stormwater Treatment System which is located in the northeast corner of the site. The discharge point and Outfall 3 are also located in the northeast corner.

Prior to 2015, the facility had five stormwater outfalls, #1A, #1B, #2, #3, and #4. Outfalls #1A, #1B, #2, and #4, directly discharged into the East Fork of Issaquah Creek. In 2015, the outfalls to Issaquah Creek were disconnected from the facility's stormwater system and all stormwater was re-routed to Outfall 3.

Darigold – Issaquah had an agreement with the Washington Department of Fish and Wildlife (WDFW) for use of Darigold's non-contact cooling water and wastewater at the Issaquah State Salmon Hatchery. The outfall to the hatchery is annotated on the west side of the site diagram map. According to documentation provided by the facility, the agreement was supposed to last for 15-years, from May 1, 1999, until April 30, 2014. WDFW had the option to renew the agreement for an additional 15 years at the end of the term and at the discretion of Darigold. I did not find a renewal contract in the documents provided by the facility. In a follow-up email, Mr. Babcock stated the Issaquah facility continues to send well water to the hatchery. There is no permit that covers the water transfer. Darigold has donated its water rights to the Washington State Trust Water Right Program.

All process activities are conducted indoors. No raw material or finished products are stored outside. The facility does store recyclables (primarily cardboard) and wood pallets outside.

Mr. Babcock stated, and the SWPPP, confirmed the North Lot of the site is used for forklift maintenance and tractor trailer storage. It is cleaned monthly by a contracted vacuum sweeper company.

VII. Laboratory Inspection

The facility has statewide benchmark monitoring requirements applicable to all facilities, as well as industry-specific benchmark monitoring requirements. The statewide benchmarks are pH, turbidity, oil sheen, total copper (Cu), and total zinc (Zn). The oil sheen parameter is observational only. The

industry-specific benchmarks for the facility's industry, Food and Kindred Products, are biological oxygen demand (BOD_5), nitrate + nitrite nitrogen (N), and total phosphorus (P).

Stormwater samples are collected by Mr. Babcock. Per Mr. Babcock, the facility does not conduct analysis of any parameters, which was confirmed by laboratory chain of custody documents. All parameters are analyzed by:

Analytical Resources, Inc.
4611 South 134th Place
Suite 100
Tukwila, Washington
(206) 695-6200

VIII. File Review

The Washington ISGP requires documentation be retained for a minimum of five years.

I reviewed the following records and documents:

- Most Recent NOI – dated April 22, 2019
- Permit Reissuance Letter – dated December 30, 2019
- Stormwater Pollution Prevention Plan (SWPPP) – last updated July 24, 2021
- Spill Prevention, Control, and Countermeasure (SPCC) Plan – dated February 28, 2018
- Monthly Facility Inspection Reports – January 2017 through December 2021
- Discharge Monitoring Reports (DMRs) – 1Q 2017 through 4Q 2021
- Chain of Custody Documents (CoCs) – 1Q 2017 through 4Q 2021
- Annual Employee Training Records – 2017 through 2021
- Annual Reports – 2017 – 2020

IX. Site Inspection

Attachment A contains an aerial map, provided by Google Maps, and a site diagram map provided by the facility.
Attachment B contains photos used in this inspection report and a complete photo log.

Following the records review, Mr. Babcock took me on a tour of the site. Since the scope of the inspection was the facility's industrial stormwater program, I said I would be focusing on those components.

We started the tour on the southwestern side of the site where I observed plastic bins of recyclable cardboard (**Photo 1**) under cover of an awning. The cardboard bins were next to a loading dock (**Photo 2**), which was no longer in service. The loading dock had an accumulation of trash and debris.

Near the loading dock, I observed a pile of sand and pallets of filled sandbags (**Photos 3 & 4**). Per Mr. Babcock, the sand and sandbags were pre-staged in the event the nearby East Fork of Issaquah Creek overflowed its banks. Directly adjacent to the sandbags was one of the facility's three lift

stations (**Photos 5 & 6**). In a follow-up email, Mr. Babcock said the sand and sandbags were provided by the City of Issaquah as a precautionary measure. The facility's environmental manager told Mr. Babcock Issaquah Creek has only overflowed its banks once in "the last few years."

We proceeded north. I observed a catch basin (**Photo 7**), CB12, which was one of 12 named catch basins located throughout the site. As stated in Section VI of this report, the facility has the filter socks changed in February and September. Based on my observations, the catch basin grates should be cleaned of debris more frequently.

We continued in the direction of the facility's filtration system located in the northeast corner of the site. As we walked, we came to the oil/water separator (**Photo 8**). The oil/water separator is annotated as "Grease Trap/CB9" on the site diagram map. Per Mr. Babcock, the oil/water separator is also cleaned out twice per year.

After the stormwater has passed through the oil/water separator, it flows to CB8. CB8 receives all stormwater flow from the site. Once the stormwater reaches CB8, it is pumped into the facility's Enpurion ™ Stormwater Treatment System (**Photos 9 & 10**).

After the stormwater has completed its course through the filtration system, a water sample can be collected from a stopcock at the lower corner of the system (**Photo 11**). Stormwater is discharged into a pipe in the ground (**Photo 12**). From the pipe, the stormwater discharges through Outfall #3 to the City of Issaquah's stormwater system which leads to Issaquah Creek, a tributary of Lake Sammamish.

Mr. Babcock stated that during times of excessive rainfall, stormwater will reach a level in CB8 where it enters an overflow pipe. At that point, stormwater will be flowing to both the facility's filtration system and a high flow bypass line. After treatment, the treated and untreated stormwater streams reconnect. At this point, the facility samples from a "stand pipe" which receives the co-mingled stormwater streams. The co-mingled stormwater then flows until it discharges from Outfall #3. The stand pipe was not observed at the time of the inspection.

X. Areas of Concern

At the time of inspection, I found the following areas of concern:

A. Stormwater Pollution Control Plan (SWPPP)

S3.B.4.b.i.6 of the ISGP states, in part, "Inspections and Recordkeeping: The SWPPP shall include documentation of procedures to ensure compliance with permit requirements for inspections and recordkeeping."

During my review of the SWPPP, I noted the document did not include a "documentation of procedures" to ensure compliance with permit inspection requirements. The SWPPP did not

include a narrative of the procedures for conducting routine facility inspections. Appendix E of the SWPPP does have a checklist for conducting routine inspections.

B. SWPPP Map

S3.B.1 of the ISGP states " the SWPPP shall contain a site map…the site map shall identify…b. The size of the property in acres…d. Direction of stormwater flow (use arrows)…k. Locations of all stormwater monitoring points…m. Locations of stormwater inlets and outfalls with a unique identification number for each sampling point and discharge point…o. Locations of fueling and vehicle maintenance areas…"

At the time of the inspection, I reviewed the facility site map. I had the following concerns about the map:

1. Size of the property in acres was missing.
2. The map appeared to have arrows showing direction of water flow between catch basins, but the arrows did not accurately indicate the flow of stormwater across the site.
3. The sampling point, located inside the stormwater treatment system building, was not annotated on the map.
4. Neither the sampling point nor the discharge point had "unique identification numbers".
5. The SWPPP indicates the facility uses the North Lot to conduct forklift maintenance. This activity is not annotated on the SWPPP map.

An additional concern is the map did not have a legend identifying the meanings of symbols on the map.

C. Laboratory Analysis

1. S4.B.7 of the ISGP states, "The Permittee can reduce monitoring to once a year for a period of three years (12 quarters) based on consistent attainment of benchmark values when…a. Eight consecutive quarterly samples demonstrate a reported value equal to or less than the benchmark value; or for pH, within the range of 5.0 – 9.0."

   S4.B.7.c of the ISGP states, "The annual sample must be taken during the 4th quarter. A facility may average the annual sample with any other samples taken over the course of the 4th quarter. The annual sample does not include the first fall storm event."

   At the time of the inspection, I reviewed facility DMRs from 1Q 2017 through 4Q 2021. The facility claimed "attainment" from 1Q 2019 through 2Q 2020. The facility reduced sampling to once per year due to consistent attainment of benchmark values as allowed by S4.B.7. of the ISGP.

   However, S4.B.7.c of the ISGP requires facilities under "attainment" sample once per year, specifically in the 4th quarter. The facility did not sample, or report sampling data, in the 4th quarter of 2019 as required.

2. S4.C of the ISGP states, "The Permittee shall ensure that analytical methods used to meet the sampling requirements in this permit conform to the latest revision of the Guidelines Establishing Test Procedures for the Analysis of Pollutants contained in 40 CFR § 136, unless specified otherwise in this permit."

40 CFR § 136, Table II shows that pH must be analyzed within 15-minutes of sample collection. Table II also shows that water samples must be preserved at a temperature of ≤6°C.

a. Per Mr. Babcock, the facility did not conduct in-house pH analysis. This was confirmed by a review of lab chain of custody documents that show the facility requested pH analysis. The pH hold time of 15-minutes cannot be met if the sample is sent to a contract laboratory.

b. At the time of the inspection, I reviewed laboratory chain of custody (COC) documents from 1Q 2017 through 4Q 2021. The COCs shows several quarterly water samples were above 6°C when received by the lab. The quarters and temperatures are shown in the table below.

	2017	2018	2019	2020	2021
1Q	-	-	-	-	11.1°
2Q	-	-	-	-	14.1°
3Q	-	12.2°	-	-	10.3°
4Q	-	9.6°	-	18.5°	11.9°

3. S5, Tables 2 and 3 of the ISGP indicates the analytical methods authorized for each benchmark parameter. The ISGP indicates the analytical method of SM 5210B for BOD_5, SM4500 NO3-E/F/H for the parameter nitrate + nitrate nitrogen (N), and EPA 356.1 for phosphorus (P).

   S5, Footnote a. of Table 2 and 3 of the ISGP states, "The Permittee shall ensure laboratory results comply with the quantitation level (QL) specified in the table. However, if an alternate method from 40 CFR Part 136 is sufficient to produce measurable results in the sample, the Permittee may use that method for analysis. If the Permittee uses an alternative method it must report the test method and QL on the discharge monitoring report. The permittee must also upload the QA/QC documentation from the lab on the QL development."

   At the time of inspection, I reviewed the facility SWPPP and laboratory documents and found the following concerns:

   a. The SWPPP indicates the lab may use analysis method EPA 405.1 or SM 5210B for BOD_5. The ISGP does not authorize the use of analysis method EPA 405.1 for this parameter.
   b. The SWPPP indicates the lab may use analysis method SM4500 NO3-E/F/H or analysis method EPA 353.1 for the parameter nitrate + nitrate nitrogen (N). However, the ISGP does not indicate analysis method 353.1 can be used.
   c. I did not see QA/QC documentation from the lab on QL development.

D. Monthly Inspection Reports

1. S7.A.1 of the ISGP states, "The Permittee shall conduct and document visual inspections of the site each month."

   At the time of the inspection, I requested to review monthly inspection reports from January 2017 through December 2021. There were seven monthly inspection reports that were not available. The missing reports were for the following months:

   - January 2017
   - May and September 2019
   - March, June, August, and September 2020

2. S7.C.1 of the ISGP states, in part, "The Permittee shall record the results of each inspection in an inspection report or checklist and keep the records on-site, as part of the SWPPP, for Ecology review. The Permittee shall ensure each inspection report documents the observations, verifications and assessments required in S7.B and includes:
   c. Statements that, in the judgment of 1) the person conducting the site inspection, and 2) the person described in Condition G2, the site is either in compliance or out of compliance with the terms and conditions of the SWPPP and this permit.
   e. Name, title, and signature of the person conducting site inspection; and the following statement: "I certify that this report is true, accurate, and complete, to the best of my knowledge and belief."
   f. Certification and signature of the person described in Condition G2.A, or a duly authorized representative of the facility…"

   During my review of the routine monthly inspection reports, I found the following concerns:

   a. The inspector did not sign the report in December 2019.
   b. The report certification did not indicate whether the facility was in compliance in the following monthly; April, July, September, November and December 2017, and January – March, May, and June 2018.
   c. The responsible person did not sign and certify the inspection reports on May 2017, October 2020, and April 2021.

E. Corrective Actions

S8.B of the ISGP states, in part, "Permittees that exceed any applicable benchmark value(s)…for any quarter during a calendar year shall complete a Level 1 Corrective Action for each parameter exceeded…"

S8.C of the ISGP states, in part, "Permittees that exceed an applicable benchmark value…(for a single parameter) for any two quarters during a calendar year shall complete a Level 2 Corrective Action…"

At the time of the inspection, I reviewed Discharge Monitoring Reports (DMR) from 1Q 2017 through 4Q 2021. The DMRs show the facility exceeded its benchmark for zinc in the 1st and 2nd quarters of 2021. Based on the exceedance of the zinc parameter in two quarters, the

facility should have completed Level 1 and a Level 2 Corrective Action Forms. The facility did not provide the completed Corrective Action Forms when requested.

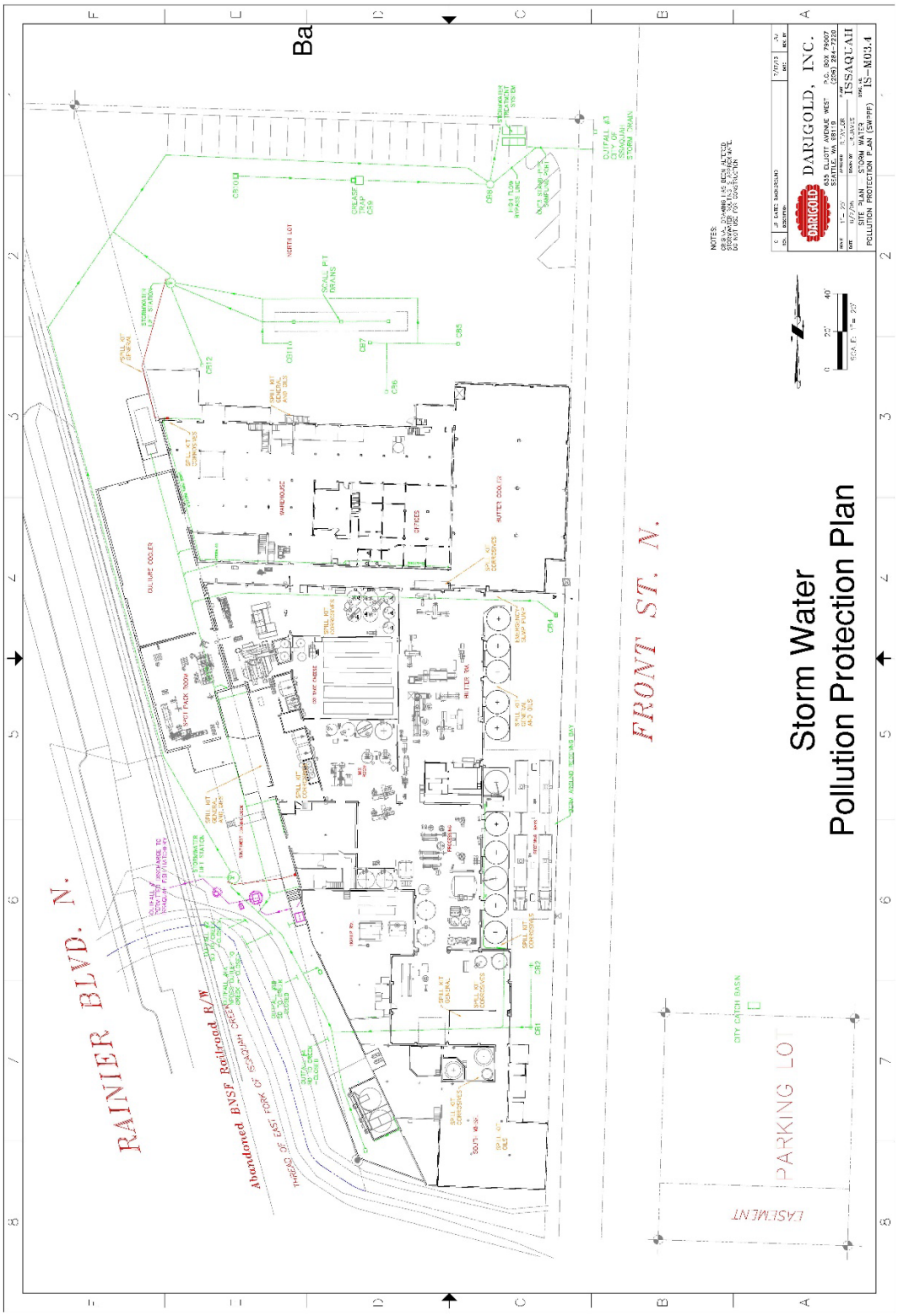
XI. Closing Conference

On January 24, 2022, I held a closing conference with Mr. Babcock. We discussed my observations, and I gave a brief overview of the post-inspection process. I thanked him for his time and assistance.

ATTACHMENT A

Aerial Image of Site Provided by Google

Site Diagram Provided by Facility



ATTACHMENT B

Inspection Photographs and Photograph Log

(Photographs taken by Ray Andrews on January 24, 2022, with a Panasonic DMC-FH25 camera)

Photo 1 / P1010198 – Recyclable Cardboard Bins

Photo 2 / P1010199 – Dock, Out of Service

Photo 3 / P1010201 – Sandbags and sand, close up

Photo 4 / P1010200 – Sandbags and Sand

Photo 5 / P1010202 – Lift Station, Southwest Side of Site

Photo 6 / P1010203 – Lift Station, facing west

Photo 7 / P1010204 – Catch Basin, CB12

Photo 8 / P1010205 – Oil/Water Separator

Photo 9 / P1010206 – Filtration System, west end

Photo 10 / P1010207 – Filtration System, south side

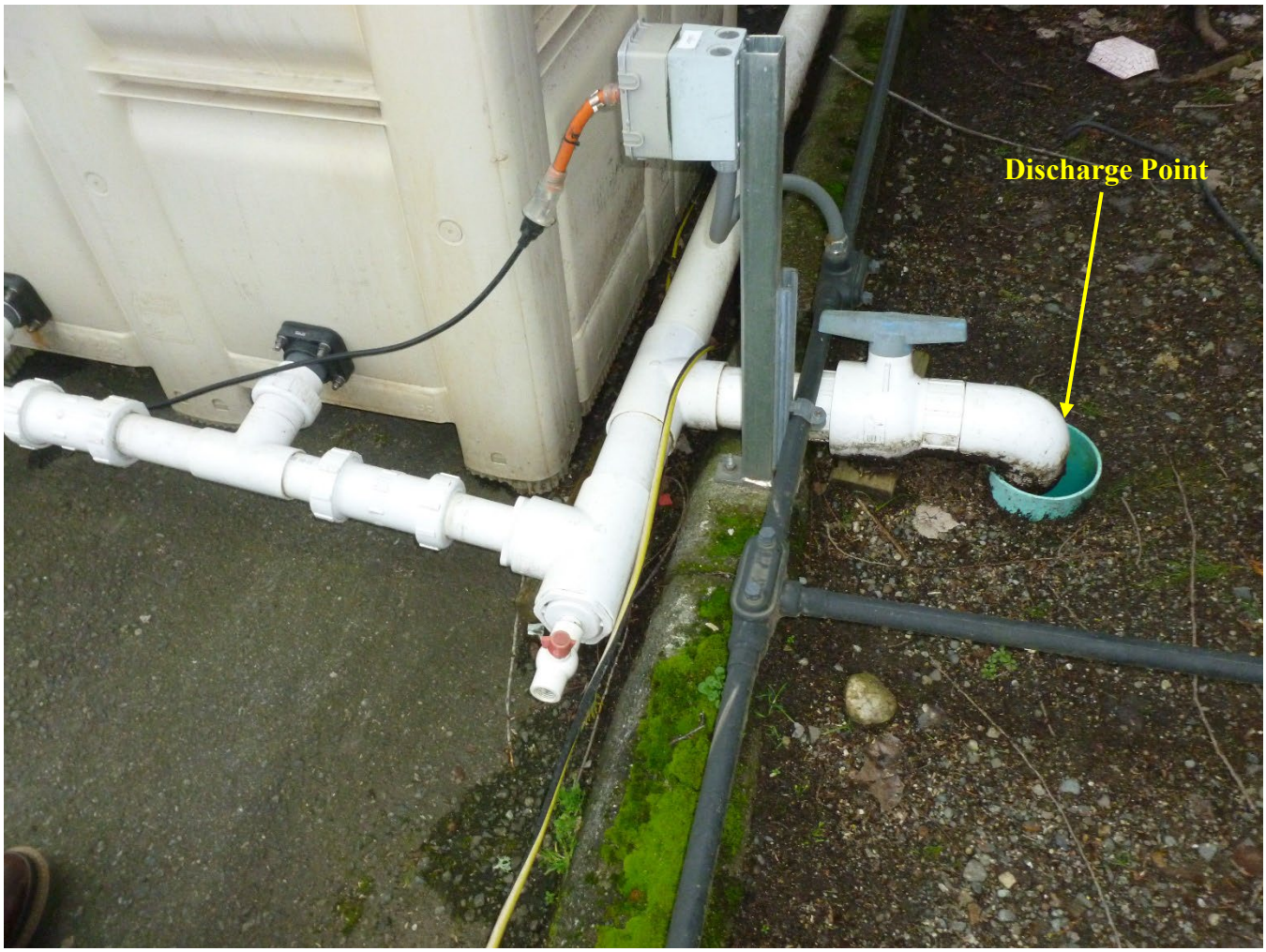


Photo 11 / P1010208 – Sampling/Discharge Point

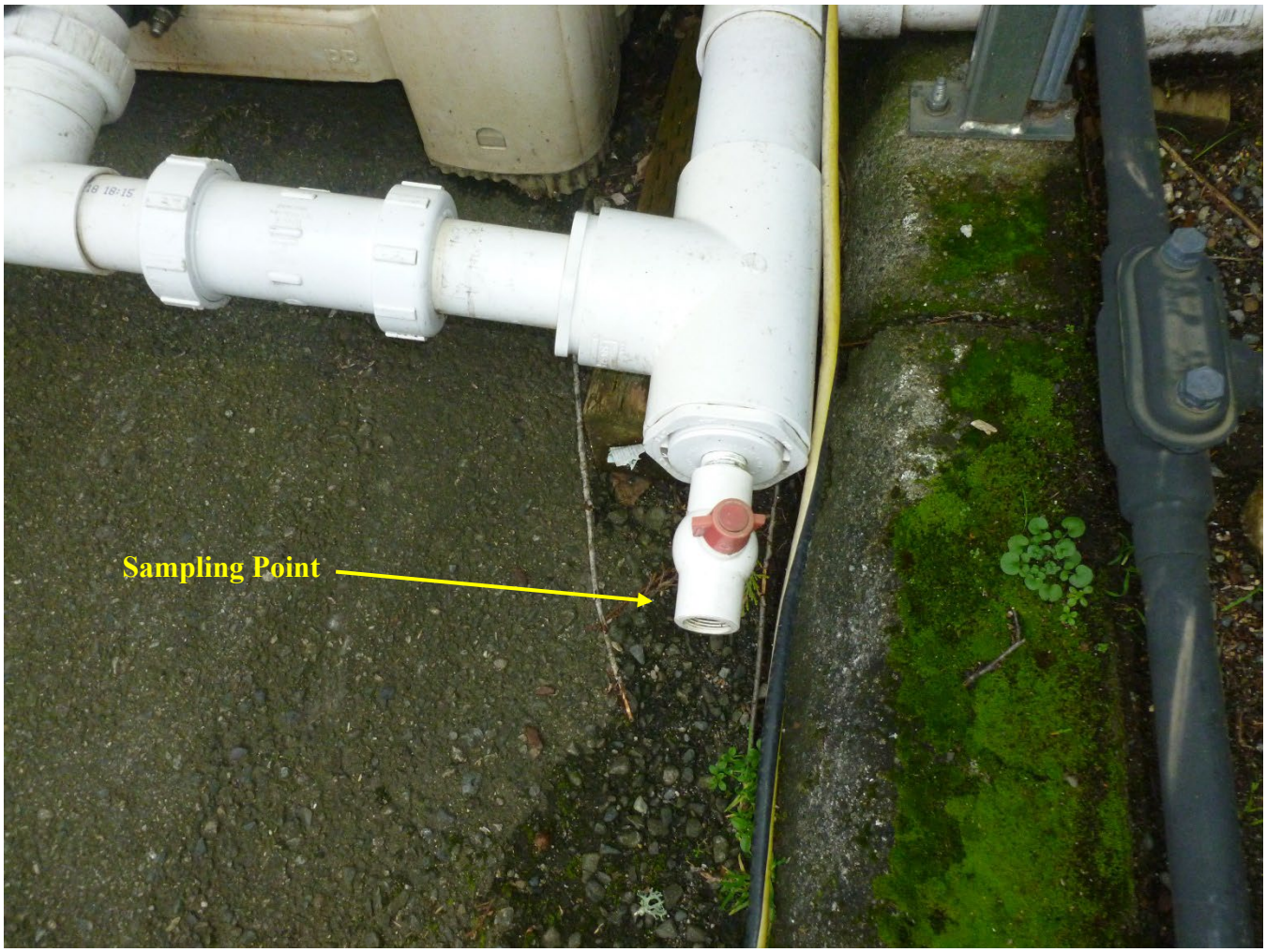


Photo 12 / P1010209 – Sampling Point

Complete list of photographs taken during the inspection:

- P1010198 – Recyclable Cardboard Bins
- P1010199 – Dock, Out of Service
- P1010200 – Sandbags and Sand
- P1010201 – Sandbags and Sand, close up
- P1010202 – Lift Station, Southwest Side of Site
- P1010203 – Lift Station, facing west
- P1010204 – Catch Basin, CB12
- P1010205 – Oil/Water Separator
- P1010206 – Filtration System, west end
- P1010207 – Filtration System, east end
- P1010208 – Sampling/Discharge Point
- P1010209 – Sampling Point
- P1010210 – Catch Basin, CB8