



REGION 10
SEATTLE, WA 98101

RETURN RECEIPT REQUESTED

The Honorable Gerald Lewis
Chairman
Confederated Tribes and Bands of the Yakama Nation
401 Fort Road
P.O. Box 151
Toppenish, Washington 98948

Re: **RESOLVED AREAS OF NON-COMPLIANCE**
Klickitat Salmon Hatchery
NPDES Permit Number WAG130021

Dear Chairman Lewis:

The U.S. Environmental Protection Agency (EPA) appreciates your staff's time and cooperation during the EPA's April 15, 2022, Clean Water Act (CWA) inspection of the Klickitat Salmon Hatchery ("Facility"). The 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) for Federal Aquaculture Facilities and Aquaculture Facilities Located in Indian Country, general permit number WAG130000 ("Permit").

The Klickitat Salmon Hatchery is permitted to discharge under Permit # WAG130021, which became effective on August 1, 2016. The expiration date of the permit was July 31, 2021 and has been administratively extended.

The purpose of this letter is to notify you of areas of non-compliance EPA identified following the inspection and file review and the corrective actions the Facility took to resolve those areas of non-compliance.

1. EPA reviewed Discharge Monitoring Report data from the EPA's Integrated Compliance Information System database from November 2018 through September 2023 and identified one effluent limit exceedance shown below.

Month	Pollutant	Reported	Limit	Unit	Limit Type
May 2022	Settleable Solids	1.2	1.0	mg/L	Daily Maximum

EPA reached out to the Facility on September 12, 2023, to inquire about this exceedance. The Facility responded on September 13, 2023, stating the exceedance was caused by the sample including surface water from Pond 25's outfall. Pond 25 is fed by the Klickitat River which can have extended periods, starting in the spring, of high glacial muddy runoff from Mt. Adams ("Pahto", Yakama Nation's mountain name) due to warmer weather and retreating snow line.

2. Part VI.B of the Permit states, in part, "The Permittee must conduct monitoring according to test procedures approved under 40 CFR 136..."

40 CFR Part 136, Table II indicates the preservation temperature of samples to be analyzed for total suspended solids (TSS) is $\leq 6^{\circ}\text{C}$.

After review of laboratory chain-of-custody (COC) documents from April 2019 through March 2022, EPA identified three instances of sample preservation temperature above the minimum preservation temperature: May 16, 2019 (7°C), November 6, 2020 (7°C) and June 15, 2021 (8°C).

EPA reached out to the Facility on September 12, 2023, to inquire about this sample preservation temperature exceedance. The Facility responded on September 13, 2023, stating the Facility must send samples off on the day they are collected. Samples are packed into a small cooler with ice packs. Transit time is just under two hours from the Klickitat Hatchery to the lab in Union Gap, Washington, which may not be long enough for samples to cool down. The Facility has since ensured samples arrive at proper temperature by using ice in addition to cold packs in the cooler.

If you have any questions or concerns, please do not hesitate to contact Vanessa Oquendo, of my staff, at oquendo.vanessa@epa.gov or (206) 553-0201.

Sincerely,

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

cc: Ms. Elizabeth Sanchez
Environmental Manager, Yakama Nation

Mr. Jason Rau
Klickitat Complex Manager, Yakama Nation

Mr. Joe Blodgett

Yakama/Klickitat Fisheries Project Program Manager, Yakama Nation

Mr. Phil Rigdon

Department of Natural Resources Superintendent, Yakama Nation

Mr. Lucas DuSablon

Tribal Liaison, U.S. Environmental Protection Agency, Region 10