

Residential, Commercial, Industrial, Municipal (RCIM) Work Group

Charge from Groundwater Management Area Advisory Committee

Working Group Members

Dan DeGroot, Chair (Yakima Dairy Federation), Dave Cole (Yakima Health District), Elizabeth Sanchey (Yakama Nation), Jan Whitefoot (Concerned Citizens of Yakama Reservation), John Van Wingerden (Port of Sunnyside), Stuart Turner (Turner & Co.), Tom Ring (Yakama Nation), Kathleen Rogers (Citizen Rep), Sanjay Barik (Ecology)

Meetings/Calls Dates

Meeting: November 14, 2016
Sunnyside School District Administration Building, 110 S. 6th Street, Conference Room 23,
Sunnyside, WA 98944
Call in: 509-574-2353 (pin 2353#)

Participants

Present: Dan DeGroot (Chair), Kathleen Rogers, Steve George, David Bowen, Jim Davenport and Bobbie Brady (Yakima County Support Staff). No one was present by phone.

Key Discussion Points

The meeting was called to order by Chair Dan DeGroot at 2:02 PM and everyone introduced themselves. David Bowen from the Department of Ecology was also in attendance to make a presentation on the commercial, industrial and municipal segment of this committee's work.

Department of Ecology Presentation: David provided three handouts – a Fact Sheet for the Port of Sunnyside permit, answers to the seven questions the group had formulated and three examples of NPDES permits – Port of Sunnyside, City of Grandview and the City of Granger.

Before continuing with David's presentation on the NPDES permits the group inquired about what other permits the Department of Ecology (Ecology) issues to commercial, industrial or municipal entities in an endeavor to ensure that they had explored all potential permittees. David explained that Ecology also issues discharge permits for construction and municipal storm water. He estimated that there were 500 of these in his region (Oregon to the Canadian border), 152 of which were individual. He also estimated that approximately 100 of those are in Yakima County; he did not know the exact number relevant to the GWMA but would find out. A member asked if fertilizer companies were permitted by Ecology. David said only if they are using water and discharging in a manner that impacts surface water. He added that Ecology may also be called upon in a case of toxic clean-up/removal. David was asked to find out how many cases of toxic clean-up/removal exist in the GWMA. Another member asked about dry cleaners or other manufacturing activity in towns. David responded and said that Ecology doesn't have any, but

that this might be permitted by the towns. He explained however that towns will contact Ecology if there is an issue that they might need to investigate. Another member asked if the City of Sunnyside has their own NPDES permit. David will check this and also generate a list of permittees in the GWMA for the group.

David continued his presentation explaining the handouts he had provided. The group had several questions. Dan wanted to know how long Ecology kept the discharge monitoring reports (15 years electronically), what audit processes were utilized (auditing occurs when they see trends or something looks out of the ordinary in order to better analyze the situation) and how many Notices of Violations, Administrative Orders or other enforcement actions had been issued in the GWMA in the last 15 years (David will provide this information). Upon inquiry David also explained that if the Port of Sunnyside received waste from someone that appeared to be out of order, Ecology would go with the Port to provide technical assistance to the waste provider in order to resolve the issue. At that point the group had no further questions about nitrate sources in the commercial, industrial or municipal sectors that Ecology could help with.

Onsite Sewage Systems: Dan handed out excerpts from a brochure that Lisa Freund, Chair of the EPO Working Group had provided. The brochure was produced by the Environmental Protection Agency (EPA) and covered the basics on care and maintenance for an onsite sewage system. The brochure is also available in Spanish. The group discussed the brochure noting those things they felt were lacking and/or confusing. The discussion moved towards how to create a mailing list of homeowners with onsite sewage systems in the GWMA. Ultimately the group decided that the brochure needed to be developed further and funded as a component of the group's recommendations to the GWAC rather than an educational component which would be pursued now. The group also discussed mailing the pamphlet annually and potentially participating in EPA's "Smart Septic" week.

Dan explained that Dave Cole was compiling a list of suggested solutions for onsite sewage systems but was not able to attend the meeting. Dave had mentioned a Craft 3 program which he was investigating further. Dan understood that Craft 3 was a low interest loan program available if the Department of Health required an onsite sewage system to be upgraded and/or replaced because it failed. It had been used primarily on the west side of the mountains in those areas where oyster beds were at risk. These loans were made through funding from the Department of Ecology to the Department of Health.

The group discussed other possible solutions including a statutory requirement for a landowner to pump their system, requiring inspections of existing onsite sewage systems, moving towards centralized systems where clusters of perhaps 10 or more systems exist, requiring homeowners to install enhanced systems prior to sale, inserting into the building code that onsite sewage systems include applicable upgrades, and proceeding with an educational program while providing funding to dig deeper wells for people who need them (this would help solve the nitrate issues sooner as septic upgrades are expensive and it will take longer to see improvements from this source). The group also discussed the merits of an aquifer protection taxing district. The district would not be regulatory in nature and the group could suggest tasks to be performed that would exempt homeowners from paying the tax. Jim Davenport pointed out that the taxing district would require a vote of the people but whether it succeeded or failed a great deal of educational

information would be made available to the residents located in the GWMA. The district could fund the projects and educational component mentioned above and the group could consider including mitigation on abandoned wells in this program as well. The group would need to come up with a list of projects, estimate their costs and calculate a per acre tax based on those costs. In order to help the group analyze what an aquifer protection district could do, Jim Davenport volunteered to write up a potential plan and provide it to the group for their consideration. Dan will create time on the next RCIM agenda for the group to discuss Jim's proposal.

The group also agreed that funding should be pursued from the Legislature and other sources and noted that it would be important to discuss affordability and costs attributable to each solution before it was presented to the GWAC. Jim Davenport mentioned a concern that Ecology doesn't want any new wells and wasn't sure the GWAC could recommend decommissioning an at-risk well while drilling for a new one under the proposed Yakima County Water Resource System. A member asked Jim to research this and find out if it would be feasible if the GWMA recommended it.

Finally, the group had a brief discussion about abandoned wells. Jim pointed out that a special joint working group meeting was scheduled for Monday, December 5, 1:00-3:00 PM at the Department of Ecology to discuss this issue and that everyone would be encouraged to come with their ideas on how best to approach this issue. Immunity and cost assistance were two solutions that had already been suggested.

The group decided to cancel its December meeting and meet again on January 9, 2017. The meeting was adjourned at 3:56 PM.

Resources Requested

Recommendations for GWAC

Deliverables/Products Status

Proposed Next Steps

David Bowen will research and provide the following information to the group:

- The number of discharge permits for construction and municipal storm water relevant to the GWMA.
- The number of cases of toxic clean-up/removal that exist in the GWMA.
- Whether the City of Sunnyside has their own NPDES permit.
- Generate a list of NPDES permittees in the GWMA.
- Ascertain how many Notices of Violations, Administrative Orders or other enforcement actions have been issued in the GWMA in the last 15 years.
- Find out what the Port of Sunnyside does with the solids they remove during processing.

Jim Davenport will research the ability to decommission and drill new wells (if the GWAC recommended it) under the proposed Yakima County Water Resource System.