



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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May 21, 2018

Todd Banks
President
Kenmore Air Harbor
PO Box 82064
Kenmore, WA 98028-0064

**Re: Dangerous Waste Compliance Inspection on April 25, 2018 at Kenmore Air Harbor
RCRA Site ID: WAD002799187**

Dear Mr. Banks:

Ecology's Hazardous Waste and Toxics Reduction Program recently conducted a Dangerous Waste compliance inspection at your facility. The Dangerous Waste Regulations¹ establish a safe and responsible system to manage dangerous waste.

Pursuant to the Pollution Control Hearings Board (PCHB) Settlement Agreement for Case No. 17-070, Ecology agreed to hold \$5,000 of the total penalty amount in abeyance for two years from the effective settlement agreement date, on the condition that Kenmore Air Harbor stayed in compliance with the Dangerous Waste Regulations. Ecology's most recent dangerous waste compliance evaluation inspection, conducted on April 25, 2018 identified the following violations:

1. *WAC 173-303-200(1)(d)*: Failure to label or mark containers with the words "Hazardous Waste" or "Dangerous Waste" and with a label or sign that identifies the major risk(s) of the waste.
2. *WAC 173-303-515(6)(a)(i)*: Open containers of used oil.
3. *WAC 173-303-515(6) and by reference 40 CFR Part 279.22(c)(1)*: Failure to label or mark containers of used oil as "used oil".
4. *WAC 173-303-630(5)(a)*: Open containers of dangerous waste.
5. *WAC 173-303-170(2) and by reference 200(1)(b)*: Dangerous waste was not accumulated in a container.
6. *WAC 173-303-170(2) and by reference 060(5) and 220(1)*: A Dangerous Waste Annual Report was not submitted to Ecology according to the instructions on the form.

¹ Authority: WAC 173-303 and RCW 70.105.080



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7. *WAC 173-303-200(1)(e) and by reference 340(1)*: Internal communications, fire protection, or spill control equipment in dangerous waste accumulation areas was not provided, maintained, or tested.

Therefore, in accordance with Section II.B.2 of the Settlement Agreement, Ecology is assessing a \$5,000 penalty for these findings.

Please make your payment payable to the *Department of Ecology*. Please include Penalty Docket No. 14169 on your payment as reference.

Mail payment to:

Department of Ecology
Cashiering Unit
PO Box 47611
Olympia, WA 98504-7611

Note: Ecology may take legal action to collect the penalty if you have not paid 30 days after receiving this letter.

Please contact Katy Gibbs at (425) 649-7038 or kgib461@ecy.wa.gov if you have questions or require clarification of any items in this letter.

Sincerely,



Raman Iyer
Section Manager
Hazardous Waste and Toxics Reduction Program

By certified mail: 9171 9690 0935 0169 7336 00

ecc: Ecology Penalty Desk
Linda Riedel, Program Administrative Assistant
Sharon Aboe, NWRO Section Administrative Assistant