April 24, 2018

Mr. Scott Erwin, Plant Manager
Stericycle, Inc.
830 Westlake Avenue
Morton, WA 98356

Re: Administrative Order
Notice of Penalty

<table>
<thead>
<tr>
<th>Administrative Order Docket #</th>
<th>15702</th>
</tr>
</thead>
<tbody>
<tr>
<td>Notice of Penalty Docket #</td>
<td>15703</td>
</tr>
<tr>
<td>Site Location</td>
<td>830 Westlake Avenue, Morton, Washington</td>
</tr>
<tr>
<td>Penalty Amount</td>
<td>$72,00.00</td>
</tr>
<tr>
<td>Due Date</td>
<td>Within 30 days after receiving this Administrative Order and Notice of Penalty.</td>
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Dear Mr. Erwin:

The Department of Ecology (Ecology) has issued the enclosed Administrative Order Docket # 15702 and Notice of Penalty Docket # 15703 to Stericycle, Inc. for violating provisions of:

Chapter 90.48.080 Revised Code of Washington (RCW) - Discharge of polluting matter in waters prohibited.

Chapter 173-216 Washington Administrative Code (WAC) - State waste discharge permit program.

State Waste Discharge Permit ST 6209.

Please read the following enclosures:

**Administrative Order:** Provides a description of the required corrective actions and options for responding to the Order.

**Notice of Penalty:** Describes the violation(s) and the options for responding to the penalty.
Ecology issues news releases for all major penalties and enforcement actions, including this one. A copy was sent to you by e-mail with the opportunity to review it for factual errors.

If you have questions please contact Marc Pacifico at mpac461@ecy.wa.gov or (360) 407-6282.

Sincerely,

[Signature]

Heather R. Bartlett
Water Quality Program Manager

Enclosures: Administrative Order Docket #15702
Notice of Penalty Docket #15703

By certified mail: 91 7199 9991 7037 7474 5411

cc: Anders Pollman, City of Morton
    Pat Bailey, Ecology
    Al Bolinger, Ecology
    Dave Knight, Ecology
    Don Reif, Ecology
    Fiscal-Penalty Desk, Ecology
STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

IN THE MATTER OF AN
ADMINISTRATIVE ORDER
AGAINST
Stericycle, Inc.
Scott Erwin

) )
) )
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) )

To: Mr. Scott Erwin
Plant Manager
Stericycle, Inc.
830 Westlake Avenue
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The Department of Ecology (Ecology) has issued this Administrative Order (Order) requiring Stericycle, Inc. to comply with:

- Chapter 90.48.080 Revised Code of Washington (RCW) - Discharge of Polluting Matter in Waters Prohibited
- Chapter 173-216 Washington Administrative Code (WAC) - State Waste Discharge Permit Program
- State Waste Discharge Permit ST 6209

Chapter 90.48.120(2) of the RCW gives Ecology the authority to issue Administrative Orders requiring compliance whenever it determines that a person has violated Chapter 90.48 RCW.

DETERRMINATION OF VIOLATION(s) AND ORDER TO COMPLY

Ecology’s determination that violations have occurred is based on the violations listed below:

Stericycle, Inc. is a facility that treats medical waste. Stericycle, Inc.’s operations generate wastewater that it is permitted to be discharged to the city of Morton Wastewater Treatment Plant subject to the limits, terms, and conditions established under Ecology State Waste Discharge Permit ST 6209.

Permit Condition S1.B sets forth the maximum daily effluent limits that Stericycle, Inc.’s wastewater discharges must meet for discharge to the city of Morton Wastewater
Treatment Plant. Between March 1, 2017; and December 31, 2017; Stericycle, Inc. exceeded those effluent limits as follows:

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Permit Condition S3.E.2.b.4 requires the Permittee to report the following within twenty-four (24) hours: “Any violation of a maximum daily or instantaneous maximum discharge limit for any of the pollutants in Section S1.A of this permit.” Stericycle, Inc. only complied with this reporting requirement for the March 2017 Mercury violation.

Permit Condition S5.B.3 prohibits: “Any pollutant [including Oxygen-Demanding Pollutants (BOD5, etc.), released in a discharge at a flow rate and/or pollutant concentration that will cause interference with the Publicly Owned Treatment Works (POTW)].” Stericycle, Inc.’s October 2017 Biochemical Oxygen Demand (BOD) violation caused the city of Morton’s Wastewater Treatment Plant to exceed its effluent limits for Total Suspended Solids (TSS) in October 2017.

**Corrective Actions Required:**

For these reasons and in accordance with RCW 90.48.120(2) it is ordered that Stericycle, Inc. take the following actions. These actions are required at the location known as Stericycle, Inc. located at 830 Westlake Avenue, Morton, Washington.

- Within thirty (30) days of receipt of this Order, hire an independent third party engineering firm to audit and evaluate the wastewater pretreatment system, and recommend any repairs or upgrades necessary to consistently meet the terms, limits, and conditions of State Waste Discharge Permit ST 6209. The audit and recommendations must be approved by a Professional Engineer who is licensed in the state of Washington.
Within sixty (60) days of receipt of this Order, provide Ecology with a copy of the audit and the repairs or upgrades identified to consistently meet the terms, limits, and conditions of State Waste Discharge Permit ST 6209. Include a schedule to complete the recommended repairs or upgrades no later than ninety (90) days after receipt of this Order.

Submit the results of the audit and recommendations for review and approval by Certified Mail with Return Receipt to:

Marc Pacifico
Department of Ecology
Southwest Regional Office
Water Quality Program
P.O. Box 47775
Olympia, WA 98504-7775

Within ninety (90) days of receipt of Ecology’s approval, consistently meet all the terms, limits, and conditions of State Waste Discharge Permit ST 6209.

ELIGIBILITY FOR PAPERWORK VIOLATION WAIVER AND OPPORTUNITY TO CORRECT

Under RCW 34.05.110, small businesses are eligible for a waiver of a first-time paperwork violation and an opportunity to correct other violations. We have made no determination as to whether you meet the definition of a “small business” under this section. However, we have determined that the requirements of RCW 34.05.110 do not apply to the violation(s) due to a conflict with federal law or program requirements, including federal requirements that are a prescribed condition to the allocation of federal funds to the state.

FAILURE TO COMPLY WITH THIS ORDER

Failure to comply with this Order may result in the issuance of civil penalties or other actions, whether administrative or judicial, to enforce the terms of this Order.

YOUR RIGHT TO APPEAL

You have a right to appeal this Order to the Pollution Control Hearing Board (PCHB) within thirty (30) days of the date of receipt of this Order. The appeal process is governed by Chapter 43.21B RCW and Chapter 371-08 WAC. “Date of receipt” is defined in RCW 43.21B.001(2).

To appeal you must do both of the following within 30 days of the date of receipt of this Order:

- File your appeal and a copy of this Order with the PCHB (see addresses below). Filing means actual receipt by the PCHB during regular business hours.
Serve a copy of your appeal and this Order on Ecology in paper form - by mail or in person. (See addresses below.) E-mail is not accepted.

You must also comply with other applicable requirements in Chapter 43.21B RCW and Chapter 371-08 WAC.

Your appeal alone will not stay the effectiveness of this Order. Stay requests must be submitted in accordance with RCW 43.21B.320.

ADDRESS AND LOCATION INFORMATION

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CONTACT INFORMATION

Please direct all questions about this Order to:

Marc Pacifico
Department of Ecology
Southwest Regional Office
Water Quality Program
P.O. Box 47775
Olympia, WA 98504-7775

Phone: 360-407-6282
Email: marc.pacifico@ecy.wa.gov

MORE INFORMATION

- **Pollution Control Hearings Board**
  http://www.eluho.wa.gov/Board/PCHB

- **Chapter 43.21B RCW - Environmental and Land Use Hearings Office – Pollution Control Hearings Board**
  http://app.leg.wa.gov/RCW/default.aspx?cite=43.21B
• Chapter 371-08 WAC – Practice and Procedure

• Chapter 34.05 RCW – Administrative Procedure Act
  http://app.leg.wa.gov/RCW/default.aspx?cite=34.05

• Ecology's Laws, rules, & rulemaking website
  https://ecology.wa.gov/About-us/How-we-operate/Laws-rules-rulemaking

SIGNATURE

Heather R. Bartlett
Water Quality Program Manager
Department of Ecology

4/23/18  Date
STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

IN THE MATTER OF PENALTY  
ASSESSMENT AGAINST  
Stericycle, Inc.  
Scott Erwin  

) NOTICE OF PENALTY  
) INCURRED AND DUE  
) PENALTY DOCKET #15703  

To:  Mr. Scott Erwin  
Plant Manager  
Stericycle, Inc.  
830 Westlake Avenue  
Morton, WA  98356

Notice of Penalty Docket # | 15703
---|---
Site Location | 830 Westlake Avenue  
Morton, Washington
Penalty Amount | $72,000
Due Date | Within thirty (30) days after receiving this Notice of Penalty.

The Department of Ecology (Ecology) has assessed a penalty against Stericycle, Inc. in the amount of $72,000 for violating provisions of:

- Chapter 90.48.080 Revised Code of Washington (RCW) - Discharge of Polluting Matter in Waters Prohibited
- Chapter 173-216 Washington Administrative Code (WAC) - State Waste Discharge Permit Program
- State Waste Discharge Permit ST 6209

Ecology has authority to issue this penalty under RCW 90.48.144 and is basing the penalties on the violations listed in this notice.

**DETERMINATION OF VIOLATION(S)**

Ecology’s determination that violations have occurred is based on the violations listed below:

Stericycle, Inc. is a facility that treats medical waste. Stericycle, Inc.’s operations generate wastewater that it is permitted to be discharged to the city of Morton Wastewater Treatment Plant subject to the limits, terms, and conditions established under Ecology State Waste Discharge Permit ST 6209.
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FAILURE TO COMPLY WITH THIS NOTICE OF PENALTY

Continued failure to correct the violations listed in this Notice of Penalty may result in additional, escalated penalties.

OPTIONS FOR RESPONDING TO A NOTICE OF PENALTY

Option 1: Pay the penalty within thirty (30) days after receiving the Notice of Penalty.

Make your payment payable to the Department of Ecology. Please include the penalty docket number on your payment.

Mail payment to:
Department of Ecology
Cashiering Unit
P.O. Box 47611
Olympia, WA 98504-7611

Note: Ecology may take legal action to collect the penalty if you have not paid thirty (30) days after receiving the Notice of Penalty, and have not appealed.

Option 2: Appeal to the Pollution Control Hearings Board (PCHB) and serve Ecology within thirty (30) days after the date of receipt of the Notice of Penalty.

The appeal process is governed by Chapter 43.21B RCW and Chapter 371-08 WAC. “Date of receipt” is defined in RCW 43.21B.001(2).

To appeal you must do both of the following within thirty (30) days after the date of receipt of this Notice of Penalty:

• File your appeal and a copy of this Notice of Penalty with the PCHB during regular business hours.

• Serve a copy of your appeal and this Notice of Penalty on Ecology in paper form, by mail or in person. E-mail is not accepted.

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Heather R. Bartlett
Water Quality Program Manager
Department of Ecology

4/23/18
Date
Stericycle medical waste facility fined for polluted wastewater

MORTON — Over a 10-month stretch in 2017, Stericycle Inc. repeatedly discharged polluted wastewater from its medical waste processing plant in Morton. The wastewater disrupted the city’s treatment plant and threatened aquatic life in the Tilton River.

The Washington Department of Ecology has fined Stericycle $72,000 for not properly treating its wastewater, and for not notifying the city or Ecology within 24 hours of its violations.

Stericycle receives medical waste from Washington, Oregon, and Idaho. It is required (by an Ecology permit) to limit conventional pollutants like pH, oil and grease, solids, and any material that consumes oxygen in the water.

One of Stericycle’s polluted discharges overwhelmed Morton’s treatment plant and caused the plant to violate its own water quality permit. Another discharge included excessive mercury, which can cause death or disease to living organisms. And, in nine cases, the company exceeded the limits set to protect oxygen in water; fish and other aquatic animals need the dissolved oxygen to live.

“All companies are expected to carefully manage their facilities so discharges do not cause harmful pollution. When Stericycle sent polluted wastewater to Morton’s treatment plant, it disrupted city operations,” said Heather Bartlett, who manages Ecology’s water quality program. “We expect Stericycle to promptly make the necessary changes to its treatment system to protect their workers, Morton’s facility, and waters downstream.”

In addition to the penalty, Ecology has ordered Stericycle to hire outside experts to assess the company’s treatment system within 30 days, and propose corrective action to Ecology within 60 days. The company must complete all corrective action within 90 days.

[Quote from Stericycle if they choose to provide one.]

Stericycle has 30 days to appeal this penalty to the Washington State Pollution Control Hearings Board. Water pollution fines are placed in the state’s Coastal Protection Fund that provides grants to local and tribal governments for water quality improvement projects.

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