



## INDUSTRIAL WASTE PROGRAM

*Partnering with Industries  
to Prevent Pollution*

# FAQ: Fulfilling your permit requirements during the COVID-19 Pandemic

Effective: April 3, 2020/Updated January 4, 2021

The King County Industrial Waste Program (KCIW) would like to remind you of your responsibilities and requirements during this uncertain time. We have compiled a list of frequently asked questions from our customers below. This guidance applies to facilities with KCIW permits and reporting requirements.

In short, facilities continue to be responsible for all waste discharges leaving their facility or project sites. **As always, stopping, reducing, increasing or changing production requires notification to KCIW.**

KCIW recognizes that it may be challenging during the current circumstances, but you must continue to follow your industrial wastewater discharge permit or discharge authorization. Please contact your investigator, as required, if you plan to have a change in operations, treatment process, or discharge at your facility.

Thank you for your continued work to help protect our region's wastewater conveyance and treatment system, workers, and our local waterbodies.

### **Are KCIW staff working?**

Yes. At this time, KCIW staff are telecommuting and can be reached at their regular phone numbers and e-mail addresses. KCIW staff contact information can be found [here](#).

### **Will the pandemic delay the issuance of my new or renewed permit?**

We expect that all new permits will be issued within 60 days for non-categorical facilities and 90 days for categorical facilities, as usual. In some cases, there may be issues with the application or other difficulties outside of the control of KCIW that may delay issuance. Renewed facilities should expect to receive their permit before the expiration of their existing permit, provided that their application was submitted on time, complete, and the information requested by your investigator was provided in a timely manner.

### **Do I need to comply with discharge limitations at this time? What if I cannot meet the conditions of my permit or discharge authorization?**

Yes. If you are discharging to the sewer, you must continue to comply with your discharge limitations and fulfill any required monitoring. If this is not possible, you need to provide a thorough explanation of why you cannot meet the conditions of your permit or discharge authorization and submit a 14-day report. This form can be found [here](#).

The explanation you provide should detail any attempts to mitigate or find alternative solutions to meet any required obligations/conditions of your authorization. These explanations will help KCIW assess the need for and extent of enforcement decisions.

**Will you still enforce against my company if I cannot meet the conditions of my permit?**

KCIW has contacted the Washington State Department of Ecology (Ecology) to ask for guidance on enforcement. At this time, KCIW has received only general guidance from Ecology; therefore, KCIW is obligated to continue to follow our approved enforcement response plan.

**EPA issued a memo entitled “COVID-19 Implications for EPA’s Enforcement and Compliance Assurance Program.” Does this memo absolve my company from noncompliance?**

No. Your company must comply with the terms and conditions of your KCIW permit or discharge authorization. KCIW interprets the [memo](#) to be meant for when EPA is acting as the Approval Authority. In Washington state, Ecology acts as the Approval Authority for King County’s Industrial Waste Program.

**What should I do if my company is temporarily closed?**

If your site is temporarily closed, please notify your KCIW investigator as soon as possible. You are still obligated to continue to submit self-monitoring reports and indicate no discharge when appropriate. Self-monitoring reports and other required reports should be sent electronically to [info.kciw@kingcounty.gov](mailto:info.kciw@kingcounty.gov).

Some reports, like operations and maintenance manuals, may be able to have their deadlines extended by request. Please review your permit or discharge authorization and contact your KCIW investigator.

**What should I do if my site is open, but has decreased/limited manufacturing?**

You must still submit your required reports. Please be sure to include an explanation on your self-monitoring report if you have difficulties obtaining samples or getting samples results from a laboratory.

**What should I do if the authorized representative is unavailable to sign required reports?**

Please submit the report by its due date. As soon as possible, resubmit the report with the authorized representative signature.

**What happens if we miss sampling for a required parameter or cannot sample at all?**

If you miss a required parameter or an entire sampling event required in your permit or discharge authorization, please report this to KCIW using the self-reporting form. Self-reported violations are handled differently than if KCIW discovers the violations. If you self-report your noncompliance with sampling requirements, KCIW will likely require you to collect 3 times the number of samples you missed and report them in the next reporting period. If you do not report and we find the missed sample during an inspection, we will follow our enforcement procedures. You are required to self-report any deviations from your permit or discharge authorization if you are not able to fulfill any of the requirements.

**What should we do if the lab we use cannot process our samples?**

If your regular laboratory is closed or unable to process your samples, please contact other certified laboratories. Ecology maintains a list of certified laboratories [here](#).

It is a good idea to plan in advance and have a backup laboratory in mind. Please be cognizant of sample volumes, holding times, and required sample frequency if your contract lab is unavailable. For some facilities, you may be able to sample early in the reporting period. This may allow your company to remain in compliance.

Some laboratory parameters, like settleable solids, may be able to forego a contract lab. For example, an alternative to submitting settleable solids for testing at a contract lab is to test in the field using the procedures outlined in certain permits or discharge authorizations.

**I need a preoperative inspection to begin discharging from my facility or construction site. Can KCIW staff still perform inspections?**

Yes, KCIW staff can still perform in-person inspections. In some circumstances, we may perform virtual inspections via photographs or video conferencing and intend to use the technologies available to perform preoperative inspections for customers that need them.

**As a food manufacturer, what should I do if I need to drain my process or storage tanks because of product spoilage?**

If you need to drain your food-based process or storage tanks because of bad or spoiled product, you will need to contact your investigator and submit a one-time, non-routine surcharge discharge request to KCIW. You may be requested to sample and analyze for 5-day biochemical oxygen demand and total suspended solids and provide the results to KCIW. You must receive authorization from KCIW prior to batch discharging spoiled product. Your discharge may be subject to a high-strength surcharge treatment bill.

**Can we discharge tanks of chemical baths to the sanitary sewer?**

No. You cannot discharge tanks of chemical baths to the sanitary sewer unless otherwise permitted by KCIW. Your facility should consider hauling off chemical process materials to appropriate facilities, such as transportation, storage, and disposal facilities, before requesting a special discharge authorization to the sewer.