



King County

Wastewater Treatment Division

Industrial Waste Program

Department of Natural Resources and Parks

201 South Jackson Street, Mail Stop KSC-NR-5513
Seattle, WA 98104-3855

206-477-5300 Fax 206-263-3001

TTY Relay: 711

February 27, 2023

SENT VIA EMAIL ONLY
ELECTRONIC READ RECEIPT REQUESTED

Meredith Holzemer
Mill Creek Residential Trust
1417 116th Avenue, Suite 208
Bellevue, WA 98004
mholzemer@mcrtrust.com

Issuance of new Wastewater Discharge Authorization No. 4613-01 to Mill Creek Residential Trust - Modera International District Construction Project

Dear Ms. Meredith Holzemer:

The King County Industrial Waste Program (KCIW) has reviewed your application to discharge construction wastewater to the sanitary sewer system from the Mill Creek Residential Trust - Modera International District Construction Project construction project located at 1032 S. Jackson Street, Seattle, Washington, and has issued the enclosed Major Discharge Authorization.

This discharge authorization permits your sites to discharge limited amounts of construction wastewater into King County's sanitary sewer system in accordance with the effluent limitations and other requirements and conditions set forth in the document and the regulations outlined in King County Code 28.84.060 (enclosed). As long as you maintain compliance with regulations and do not change the nature and volume of your discharge, KCIW will not require you to apply for an industrial wastewater discharge permit, a type of approval that would result in additional requirements, oversight, and increased fees.

If you propose to increase the volume of your discharge or change the type or quantities of substances discharged, you must contact KCIW at least 60 days before making these changes.

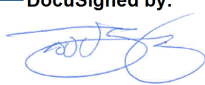
King County Code 28.84 authorizes a fee for each Major Discharge Authorization issued by the King County Department of Natural Resources and Parks. The current fee for issuance of a new Major Discharge Authorization is \$3000. King County will send you an invoice for this amount.

Meredith Holzemer
February 27, 2023
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If you have any questions about this discharge authorization or your wastewater discharge, please call me at 206-477-5426 or email me at todd.gowing@kingcounty.gov. To learn more about King County's industrial wastewater regulations, visit our program's website at: www.kingcounty.gov/industrialwaste.

Thanks in advance for supporting our mission to protect workers, the local and regional sanitary sewer system, our treatment plant infrastructure, and the environment.

Sincerely,

DocuSigned by:

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Todd Gowing
Compliance Investigator

Enclosures

e-cc: Angelique Hockett, Seattle Public Utilities, angelique.hockett@seattle.gov
Bill Degroot, Mill Creek Residential, bdegroot@mertrust.com



King County

MAJOR DISCHARGE AUTHORIZATION

King County Industrial Waste Program
201 S. Jackson Street, Suite 513
Seattle, WA 98104-3855

NUMBER 4613-01

for

Mill Creek Residential Trust - Modera International District Construction Project

Site address: 1032 S. Jackson Street
Seattle, Washington

Mailing address: 1417 116th Avenue, Suite 208
Bellevue, WA 98004

Phone: 425-739-7678
Emergency (24-hour) phone: 425-864-4368

Industry type: Construction Dewatering
Discharge to: West Point

*Note: This authorization is valid only for the specific discharges shown below:

Discharge process: Wastewater generated by Construction Dewatering operation
Pretreatment process: Gravity Separation

Maximum discharge volume: 331,200 gallons per day
Maximum discharge rate: 230 gallons per minute

Effective date: November 1, 2023
Expiration date: October 31, 2025

DESCRIPTION OF SAMPLE SITES AND DISCHARGE VOLUMES

Sample Site No.	Description	Maximum Daily Discharge Volume (gpd)	Maximum Discharge Rate (gpm)
IW1591A	Sample tap at end of treatment	331,200	230

Permission is hereby granted to discharge industrial wastewater from the above-identified site into the King County sewer system in accordance with the effluent limitations and monitoring requirements set forth in this authorization.

If the industrial user wishes to continue to discharge after the expiration date, an application must be filed for re-issuance of this discharge authorization at least 90 days prior to the expiration date. For information concerning this King County Discharge Authorization, please call Industrial Waste Compliance Investigator Todd Gowing at 206-477-5426.

24-HOUR EMERGENCY NOTIFICATION

West Point Treatment Plant: 206-263-3801
Washington State Department of Ecology: 260-594-0000

I. SPECIAL CONDITIONS

- A. For batch sedimentation discharges a minimum 60-minute quiescent settling time must be maintained prior to any discharges. During this settling time, no discharges to or from the sedimentation tank can occur.
- B. No later than December 15, 2023, the permittee must submit a list of Mill Creek Residential Trust - Modera International District Construction Project and contractor personnel responsible for dewatering activities, including operation and maintenance of the wastewater treatment system and monitoring of the discharge to the sanitary sewer. The list shall include the site contacts' name, title, company, and phone numbers (office and cell).
- C. Discharge to the sanitary sewer shall not begin until KCIW has conducted a preoperative inspection of the pretreatment facilities and has sent written notification to the permittee that discharges may begin.
- D. All persons responsible for monitoring the discharge to the sanitary sewer shall review a copy of this authorization.
- E. A copy of this authorization shall be on site at all times for review and reference.
- F. This authorization grants the discharge of limited amounts of wastewater from the following waste streams:
 - 1. Contaminated stormwater runoff
 - 2. Temporary Groundwater Dewatering Discharge
 - 3. Equipment Cleaning/Wheel wash water

Wastes or contaminants from sources other than permitted herein shall not be discharged to the sanitary sewer without prior approval from KCIW.

- G. The discharge shall not cause hydraulic overloading conditions of the sewerage conveyance system. During periods of peak hydraulic loading KCIW and Seattle Public Utilities representatives reserve the authority to request that discharge to the sewer be stopped.
- H. This discharge authorization is being issued with the understanding that no known soil or groundwater contamination is present on site. The authorization holder is responsible for contacting KCIW should site conditions indicate potential for contamination.
- I. All wastewater shall be collected and treated in accordance with treatment methods approved by KCIW. Wastewater shall not bypass treatment systems. Modifications to wastewater treatment systems shall not occur without prior approval from KCIW.

- J. Totalizing and non-resettable flow meters must be installed on all permitted discharge pipes to the sewer.
- K. An accessible sampling spigot must be installed on the discharge pipe from the last treatment unit of the wastewater treatment system. The sample site shall be representative of all industrial waste streams discharged to the sewer from this site. Each sample site shall be accessible to KCIW representatives when discharge to the sewer is occurring.
- L. The contractor shall implement erosion control best management practices to minimize the amount of solids discharged to the sanitary sewer system. As a minimum precaution, the wastewater must be pumped to an appropriately sized settling tank(s) prior to entering the sewer system.
- M. The permittee shall properly operate and maintain all wastewater treatment units to ensure compliance with established discharge limits. Solids accumulation in tanks used for solids settling shall not exceed 25% of the tank's working hydraulic capacity. Each tank's working hydraulic capacity is based on the water column height as measured from the bottom of the tank to either the invert elevation of the tank's outlet pipe (gravity discharges) or discharge pump intake (pumped discharges).
- N. Results of all required self-monitoring sampling must be recorded daily. Recorded information for each discharge site must include:
 - 1. Sample date
 - 2. Sample time
 - 3. Sample results
 - 4. Operator name
 - 5. Comments (if applicable)

These records shall be maintained on site and shall be available for review by KCIW personnel during normal business hours.

- O. The permittee must establish a sewer account with Seattle Public Utilities and provide necessary reports to ensure accurate assessment of sewer charges for all construction dewatering discharge sites associated with this project.

II. SELF-MONITORING REQUIREMENTS

A. The following self-monitoring requirements shall be met for this discharge authorization:

Sample Site No.	Parameter	Sample Type	Frequency
IW1591A	Discharge Rate	Meter Reading	Daily
	pH, Field	Grab (field)	Daily
	Flow Rate	Meter Reading	Daily
	Settleable Solids, Volumetric	Grab	Daily
	Total Monthly Flow	Meter Reading	Monthly
	Discharge Rate Daily Max	Meter Reading	Monthly
	Hem (oil, total)	3 Grabs	Monthly
IW1591A	Hydrogen sulfide	Meter reading	Only if Operating Criteria for rotten egg odor are exceeded
	Explosivity	Meter reading	Only if Operating Criteria for visible sheen or odor of solvents/gasoline are exceeded

B. The settleable solids field test by Imhoff cone must be performed as follows:

1. Fill Imhoff cone to one-liter mark with well-mixed sample
2. Allow 45 minutes to settle
3. Gently stir sides of cone with a rod or by spinning; settle 15 minutes longer
4. Record volume of settleable matter in the cone as ml/L

C. The three nonpolar fats, oils, and grease (FOG) grab samples shall be of equal volume, collected at least five minutes apart, and analyzed separately. When using U.S. Environmental Protection Agency approved protocols specified in 40 CFR Part 136, the individual grab samples may be composited (at the laboratory) prior to analysis. The result of the composite sample or the average of the concentrations of the three grab samples may be reported as total FOG unless the value is 100 mg/L or greater, in which case the concentration of nonpolar FOG must be reported.

D. If a violation of any discharge limits or operating criteria is detected in monitoring, you shall notify KCIW immediately upon receipt of analytical data.

E. A self-monitoring report shall be filed with KCIW no later than the 15th day of the time period following the sample collection (e.g., the 15th day of the following month for

monthly, weekly, daily samples; the 15th day of the following quarter for quarterly samples). If no discharge takes place during any monitoring period, it shall be noted on the report.

- F. All self-monitoring data submitted to KCIW, which required a laboratory analysis, must have been performed by a laboratory accredited by the Washington State Department of Ecology for each parameter tested, using procedures approved by 40 CFR 136. This does not apply to field measurements performed by the industrial user such as pH, temperature, flow, atmospheric hydrogen sulfide, total dissolved sulfides, total settleable solids by Imhoff cone, or process control information.
- G. All sampling data collected by the permittee, at the point of compliance, and analyzed using procedures approved by 40 CFR 136, or approved alternatives, shall be submitted to KCIW whether required as part of this authorization or done voluntarily by the permittee.
- H. Self-monitoring reports shall be signed by an authorized representative of the industrial user. The authorized representative of the industrial user is defined as:
 - 1. The president, secretary, treasurer, or a vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation
 - 2. The manager of one or more manufacturing, production, or operating facilities, but only if the manager:
 - a. Is authorized to make management decisions that govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiate and direct other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations
 - b. Can ensure that the necessary systems are established or actions taken to gather complete and accurate information for control mechanism requirements and knowledgeable of King County reporting requirements
 - c. Has been assigned or delegated the authority to sign documents, in accordance with corporate procedures
 - 3. A general partner or proprietor if the industrial user is a partnership or proprietorship, respectively
 - 4. A director or highest official appointed or designated to oversee the operation and performance of the industry if the industrial user is a government agency
 - 5. The individuals described in one through four above may designate an authorized representative if:
 - a. The authorization is submitted to King County in writing.

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- b. The authorization specifies the individual or position responsible for the overall operation of the facility from which the discharge originates or having overall responsibility for environmental matters for the company or agency.

III. GENERAL DISCHARGE LIMITATIONS

A. Operating Criteria

There shall be no odor of solvents, gasoline, or hydrogen sulfide (rotten egg odor), oil sheen, unusual color, or unusual turbidity. You must collect additional monitoring samples in accordance with Part A of the Self-Monitoring Requirements if you observe any of the preceding conditions. If any of the discharge limits are exceeded, you must stop discharging and notify KCIW at 206-477-5300. You may resume discharging when you have verified a return to compliance with the discharge limitations. Any additional monitoring samples collected in accordance with Part A of the Self-Monitoring Requirements must be submitted to King County on your self-monitoring report. Failure to collect additional samples in accordance with Part A will result in a violation of your permit conditions and result in potential enforcement action.

B. Corrosive Substances

Limits

Instantaneous minimum: pH 5.0 (s.u.)

Daily minimum: pH 5.5 (s.u.)

Maximum: pH 12.0 (s.u.)

s.u. = standard units

The instantaneous minimum pH limit is violated whenever any single grab sample or any instantaneous recording is less than pH 5.0.

The daily minimum pH limit is violated whenever any continuous recording of 15 minutes or longer remains below pH 5.5 or when each pH value of four consecutive grab samples collected at 15-minute intervals or longer within a 24-hour period remains below pH 5.5.

Discharges of caustic solutions greater than pH 12.0 are prohibited unless King County provides prior written authorization. For these situations, the authorized caustic solution discharges above pH 12.0 must be less than pH 12.5 and must not contain an equivalent weight of sodium hydroxide (NaOH) that exceeds a daily loading rate of 21 pounds/day. The authorized discharge of caustic solutions greater than pH 12.0 shall be subject to special conditions to protect worker safety and the POTW.

C. Fats, Oils, and Grease

FOG Accumulations and Obstructions

Discharges of FOG shall not result in significant accumulations which, either alone or in combination with other wastes, are capable of obstructing flow or interfering with the operations or performance of the POTW.

Nonpolar FOG (mineral/petroleum origin)

Nonpolar FOG limit: 100 mg/L

The limit for nonpolar FOG is violated when either:

- the arithmetic mean of the concentration from the individual analyses of three grab samples, taken no more frequently than 5-minute intervals, exceeds the limitation, or
- the concentration of a single composite sample of three grab samples, taken no more frequently than 5-minute intervals, exceeds the limitation.

Industrial users that violate the nonpolar FOG limit may be required to complete, for King County review and approval, a FOG control plan.

Polar FOG (Animal and Vegetable Origin)

Industrial users that have the potential to discharge polar FOG shall minimize free-floating polar FOG. Industrial users must minimize the use of emulsifying agents, such as cleaners or detergents, to only the quantity needed to maintain industrial activities at their facility and to not impact the POTW.

Industrial users may not add emulsifying agents prior to or within FOG-removal devices, exclusively for the purposes of emulsifying free-floating FOG.

Industrial users that discharge free-floating polar FOG will be required to complete, for King County review and approval, a FOG control plan.

King County has the authority to include aqueous concentration-based discharge limits for polar FOG or total FOG (i.e., the sum of polar and nonpolar FOG) in permits and discharge authorizations issued to industrial users that primarily discharge FOG of animal or vegetable origin. The concentration-based limits shall be based on what can be achieved through implementation of a treatment technology that the Wastewater Treatment Division Director determines represents all known, available, and reasonable methods of prevention, control, and treatment.

D. Flammable or Explosive Materials

No person shall discharge any pollutant, as defined in 40 CFR 403.5, that creates a fire or explosion hazard in any sewer or treatment works, including, but not limited to, waste streams with a closed cup flashpoint of less than 140° Fahrenheit or 60° Centigrade using the test methods specified in 40 CFR 261.21.

At no time shall two successive readings on an explosion hazard meter, at the point of discharge into the system (or at any point in the system), be more than 5% nor any single reading be more than 10% of the lower explosive limit (LEL) of the meter.

Pollutants subject to this prohibition include, but are not limited to, gasoline, kerosene, naphtha, benzene, toluene, xylene, ethers, alcohols, ketones, aldehydes, peroxides,

chlorates, perchlorates, bromates, carbides, hydrides, and sulfides, and any other substances that King County, the fire department, Washington State, or the U.S. Environmental Protection Agency has notified the user are a fire hazard or a hazard to the system.

E. Heavy Metals/Cyanide

The industrial user shall not discharge wastes, which exceed the following limitations:

Heavy Metals & Cyanide	Instantaneous Maximum ppm (mg/L)¹	Daily Average ppm (mg/L)²
Arsenic	4.0	1.0
Cadmium	0.6	0.5
Chromium	5.0	2.75
Copper	8.0	3.0
Lead	4.0	2.0
Mercury	0.2	0.1
Nickel	5.0	2.5
Silver	3.0	1.0
Zinc	10.0	5.0
Cyanide	3.0	2.0

¹The instantaneous maximum is violated whenever the concentration of any sample, including a grab within a series used to calculate daily average concentrations, exceeds the limitation.

²The daily average limit is violated: a) for a continuous flow system when a composite sample consisting of four or more consecutive samples collected during a 24-hour period over intervals of 15 minutes or greater exceeds the limitation, or b) for a batch system when any sample exceeds the limitation. A composite sample is defined as at least four grab samples of equal volume taken throughout the processing day from a well-mixed final effluent chamber, and analyzed as a single sample.

F. High Temperature

The industrial user shall not discharge material with a temperature in excess of 65° C or 150° F.

G. Hydrogen Sulfide

The following are atmospheric hydrogen sulfide limits as measured at a monitoring location designated by King County:

- Short-Term Limit: 15.0 parts per million volume (ppmv) as a 15-minute average
- 8-Hour Limit: 10.0 ppmv as an 8-hour average
- Weekly Limit: 3.0 ppmv as a 7-day average

More stringent weekly atmospheric hydrogen sulfide limits may be developed and imposed on a case-by-case basis depending on nuisance conditions or risks to workers and sewer infrastructure.

Aqueous soluble sulfide limits may be established on a case-by-case basis depending on the volume of discharge and conditions in the receiving sewer, including oxygen content, pH, and existing sulfide concentrations.

H. Organic Compounds

No person shall discharge any organic pollutants that result in the presence of toxic gases, vapors, or fumes within a public or private sewer or treatment works in a quantity that may cause acute worker health and safety problems. Organic pollutants subject to this restriction include, but are not limited to, the following:

- Any organic compound listed in the “Total Toxic Organics (TTO)” definition provided in 40 CFR Section 433.11(e) and 40 CFR Section 413.02(i)
- Acetone, 2-butanone (MEK), 4-methyl-2-pentanone (MIBK), xylenes

Industrial users are required to implement source control strategies and best management practices to minimize the concentration of any of the aforementioned organic pollutants.

I. Settleable Solids

Settleable solids concentrations: 7.0 mL/L

IV. GENERAL CONDITIONS

- A. All requirements of King County Code pertaining to the discharge of wastes into the municipal sewer system are hereby made a condition of this discharge authorization.
- B. All pretreatment systems used to bring the permittee's discharge into compliance with King County's discharge limitations and all compliance monitoring equipment shall be maintained continuously in satisfactory and effective operations by the permittee at the permittee's expense, and shall be subject to periodic inspections by authorized KCIW personnel. These systems shall be attended at all times during discharge to the King County sewerage system. In the event that such equipment fails, the permittee must notify KCIW immediately and take spill prevention precautions.
- C. The industrial discharger shall implement measures to prevent accidental spills or discharges of prohibited substances to the municipal sewer system. Such measures include, but are not limited to, secondary containment of chemicals and wastes, elimination of connections to the municipal sewer system, and spill response equipment.
- D. Any facility changes, which will result in a change in the character or volume of the pollutants discharged to the municipal sewer system, must be reported to your KCIW representative. Any changes that will cause the violation of the effluent limitations specified herein will not be allowed.
- E. In the event the permittee is unable to comply with any of the conditions of this discharge authorization because of breakdown of equipment or facilities, an accident caused by human error, negligence, or any other cause, such as an act of nature the company shall:
 - 1. Take immediate action to stop, contain, and clean up the unauthorized discharges and correct the problem.
 - 2. Immediately notify KCIW and, if after 5 p.m. weekdays and on weekends, call the emergency King County treatment plant phone number on Page 1 so steps can be taken to prevent damage to the sewer system
 - 3. For discharge violations, collect a sample and submit new data to KCIW within 14 days of becoming aware of the violation.
 - 4. Submit a written report within 14 days of the event (*14-Day Report*) describing the breakdown, the actual quantity and quality of resulting waste discharged, corrective action taken, and the steps taken to prevent recurrence.
- F. Compliance with these requirements does not relieve the permittee from responsibility to maintain continuous compliance with the conditions of the discharge authorization or the resulting liability for failure to comply.
- G. The permittee shall, at all reasonable times, allow authorized representatives of KCIW to enter that portion of the premises where an effluent source or disposal system is located or in which any records are required to be kept under the terms and conditions of this authorization.
- H. Nothing in this discharge authorization shall be construed as excusing the permittee from compliance with any applicable federal, state, or local statutes, ordinances, or regulations

King County Major Discharge Authorization Number 4613-01

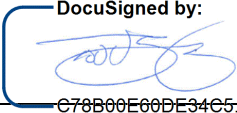
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including discharge into waters of the state. Any such discharge is subject to regulation and enforcement action by the Washington State Department of Ecology.

- I. This discharge authorization does not authorize discharge after its expiration date. If the permittee wishes to continue to discharge after the expiration date, an application must be filed for reissuance of this discharge authorization at least 90 days prior to the expiration date. If the permittee submits its reapplication in the time specified herein, the permittee shall be deemed to have an effective wastewater discharge authorization until KCIW issues or denies the new wastewater discharge authorization. If the permittee fails to file its reapplication in the time period specified herein, the permittee will be deemed to be discharging without authorization.

Compliance Investigator:  Date: 2/27/2023

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Todd Gowing