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Department of Ecology News Release - May 08, 2007

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Ecology fines Darigold Inc. \$95,000

BELLINGHAM – The Washington Department of Ecology (Ecology) has fined Darigold, Inc. \$95,000 for repeatedly violating water-quality permit requirements and failing to meet operations, maintenance and spill notification requirements.

Located on Depot Road in Lynden, Darigold, previously known as Westfarm Foods, operates a powdered milk production plant. This facility discharges to the city of Lynden's wastewater treatment plant and to the Nooksack River.

Darigold failed to follow proper operating, maintenance and notification procedures during a February 2007 milk spill that discharged polluted water to the city of Lynden. The spill caused the wastewater treatment plant to malfunction, resulting in the release of polluted, mostly untreated sewage to the Nooksack River.

Darigold also violated its water-quality permit six times between August and October 2006 by discharging water containing suspended solids. This limit was placed on Darigold's discharges to ensure that the Lynden sewage treatment plant is able to effectively treat domestic wastewater from the city of Lynden. An excess of suspended solids can overload the treatment plant and send partially untreated sewage into the river.

In addition, in November 2006, Darigold discharged water with a temperature of 100 degrees directly into the Nooksack River. This put at risk the fish and freshwater organisms that need cool water to survive.

"Darigold has a history of permit violations. The facility's water-quality permit is designed to protect the Nooksack River," stated Kevin Fitzpatrick, Ecology's regional water quality manager. "By violating conditions of its permit, Darigold puts at risk the health of the Nooksack, local salmon populations and the many economic interests dependent on the river."

The Nooksack River provides habitat for several fish species, including ten native salmonids. Chum and chinook salmon use the river for spawning. These and other species also use the Nooksack as a corridor to prime spawning habitats upstream.

"Darigold takes these violations very seriously," stated Darigold's Senior Vice President and General Counsel, Steve Rowe. "We have just received the penalty and are currently reviewing the details. Darigold is committed to working closely with Ecology to clearly outline procedures that will protect the Nooksack River and prevent any future permit violations."

Darigold may appeal this fine to Ecology or the Washington State Pollution Control Hearings Board within 30 days.

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Media contact:

Shannon Sullivan, Public Information Officer, 360-738-6247, ssul461@ecy.wa.gov

