



King County

Department of Natural Resources and Parks

Wastewater Treatment Division

King Street Center, KSC-NR-5501
201 South Jackson Street
Seattle, WA 98104-3855

June 30, 2021

Kyle Dorsey, State Biosolids Coordinator
Emily Kijowski, Biosolids Technical Specialist
Washington State Department of Ecology
PO Box 47600
Olympia, WA 98504-7600
Kyle.Dorsey@ecy.wa.gov
Emily.Kijowski@ecy.wa.gov

VIA ELECTRONIC MAIL

RE: Comments on Draft General Permit for Biosolids Management

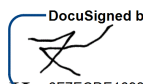
Dear Mr. Dorsey and Ms. Kijowski:

Thank you for the opportunity to comment on the Washington State Department of Ecology's (Ecology) draft General Permit for Biosolids Management (general permit). We appreciate your work to streamline requirements and reduce regulatory burden for some facilities in our state.

King County's Wastewater Treatment Division (WTD) serves about 1.8 million people within a 424 square mile service area. In 2020, our three regional treatment plants and two smaller treatment plants together produced 117,092 wet tons of biosolids that were land applied to forests and farms in Washington as a beneficial soil amendment. As one of the largest wastewater treatment utilities in the state, changes to the general permit have potential to significantly impact our 1.8 million wastewater ratepayers and the agriculture and forestry customers that beneficially use 100 percent of WTD's biosolids.

Thank you again. If you have any questions please contact Resource Recovery Research and Policy Project Manager Erika Kinno at erika.kinno@kingcounty.gov or 206-477-0942.

Sincerely,

DocuSigned by:

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Kamron Gurol
Division Director

Enclosure

cc: Rebecca Singer, Resource Recovery (RR) Section Manager, Wastewater Treatment Division (WTD), Department of Natural Resources and Parks (DNRP)
Erika Kinno, Research and Policy PPM, RR, WTD, DNRP
Diane McElhany, Manager, King County Environmental Lab
Erin McCabe, Laboratory Project Manager, King County Environmental Lab

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Specific Comments on draft General Permit for Biosolids Management

We offer comments on four areas: 1) changes to permit structure; 2) requirements for sampling, analysis, and process monitoring; 3) second-generation biosolids products definition; and 4) biosolids and environmental justice.

Changes to Permit Structure

WTD supports Ecology's changes to the structure of this general permit, and specifically separating out "Baseline" category facilities to streamline and reduce the reporting requirements for these facilities. WTD agrees with Ecology that this will reduce the administrative burden for some facilities to apply for coverage under the general permit without compromising any environmental protection. WTD also appreciates the benefit of the resulting reduced administrative burden to Ecology, which should speed the process of granting approval and allow ECY to focus on the permit reviews that need the most attention.

Under this proposal, WTD's Carnation and Vashon are now recategorized as "Baseline" facilities. WTD supports this changed designation. Both facilities send their biosolids to WTD's South Treatment Plant for further treatment, meeting the requirement for Baseline classification. Clearly, South Treatment Plant's categorization as an "Active Management Facility" allows for ample regulation and reporting of those biosolids under the general permit. This change is practical without compromising any of the rigor of the permit process.

Requirements for Sampling, Analysis, and Process Monitoring

More specifics are needed in two permit sections related to sampling, analysis, and process monitoring (Sections 3.4.6 and 4.4.6). Section 3.4.6 states that 40 CFR 136 methods are approved for use. However, 40 CFR 136 primarily lists methods for effluent testing, not biosolids. Having a specific list of methods included in this permit will avoid confusion about which methods are allowed for biosolids testing. The 2015 permit included a table of "Analysis Methods, Preservation and Holding Times." It would be helpful to add a similar, updated table to this permit, as well. The updated table should note the changes to approved methods listed for Total Phosphorus since 2015. Please see enclosure for a proposed table to add.

Sections 3.4.2 and 4.4.2 regarding lab accreditation requirements should also be more specific. The permit includes general language noting the requirement to be analyzed by a lab properly accredited in the appropriate matrix. It would be more effective and helpful if this were more specific as follows:

- Labs must be accredited by the Ecology Lab Accreditation program; and
- Permit should list type of accreditation required for each matrix being tested (Biosolids/Soil = Solids and Chemical Materials Accreditation; Surface/Groundwater = Non-Potable Water Accreditation).

Second-generation biosolids products definition

The permit is clear that second-generation exceptional quality biosolids products are not regulated under the general permit. However, a more thorough and careful definition of "second-

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generation exceptional quality biosolids products” would be helpful, particularly clarifying where the point of compliance occurs for these products.

Biosolids and positive outcomes on environmental justice

King County shares Ecology’s commitment to environmental justice. King County also agrees that there are many positive outcomes from beneficial use of biosolids, including building organic matter in soils and providing a comprehensive suite of micro- and macro-nutrients that crops need at a relatively low cost. For this reason, at the request of priority communities in underserved areas of King County, WTD has partnered with community gardens to provide donations of biosolids compost. We wish to underscore Ecology’s commitment, as stated in the Fact Sheet on the general permit, to examining biosolids and environmental justice comprehensively, including opportunities for positive outcomes.