

Lakehaven Water and Sewer District



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March 12, 2021

Eleanor Ott, PSNGP Permit Writer
Department of Ecology
Water Quality Program
PO Box 47600
Olympia, WA 98504-7600

RE: Puget Sound Nutrient General Permit Comments

Dear Ms. Ott:

Thank you for the opportunity to provide comments on the proposed Puget Sound Nitrogen General Permit (GP) related to waste load allocation for point source discharges in the State of Washington, with the goal being to achieve higher water quality standards for dissolved oxygen in Puget Sound. The ability to interact and enjoy the bounty of our natural resources requires good water quality achieved by reducing nitrogen inputs to these waters. Regulators, over recent decades, have placed increased scrutiny on nutrient pollution in watersheds throughout the United States. Though nutrients like nitrogen and phosphorous are naturally occurring and necessary to sustain healthy aquatic, estuarine, and marine ecosystems, the District realizes that in overabundance, they can interfere with that health by impairing biodiversity.

Lakehaven Water and Sewer District recognizes Ecology's responsibility to maintain compliance with water quality standards and to address dissolved oxygen (DO) impairment in Puget Sound. The District, however, is concerned about the impacts of implementing new regulatory requirements on the current timeline. Lakehaven supports the timelines proposed by the utility caucus which provide more time for informative science and for fully exploring the effectiveness and costs of nutrient removal technologies.

As Ecology has noted, each facility is a unique combination of treatment processes, and each utility is a unique combination of financial circumstances. Therefore, it may not be possible to try and define a universal financial reference point for all utilities. Puget Sound wastewater utilities are all responsible for a variety of financial drivers, such as compliance requirements, as well as sustaining the asset value of the collection systems, treatment facilities, biosolids management programs etc., and consequently all have different financial circumstances, user charge structures, and financing plans.

We also support other potential compliance options such as bubble permits or a regional water quality trading program, especially for utilities such as ours, who have multiple facilities each with its own unique nutrient discharge.

SUMMARY RESPONSE:

Puget Sound Nutrient General Permit Comments:

Page 1 Section II.A: Describing the Puget Sound Dischargers as contributors does not provide a strong case for limiting the permit to only Puget Sound Dischargers.

Page 7 Section III.A and B: The sections does not provide a magnitude of the how much WWTPs contribute to low DO or how often, only that nutrients from plants have a reasonable potential to effect DO. The sections appear to be missing information on how the proposed load triggers will impact DO during the term of the permit. The sections do identify that more science is needed to establish WQBELs.

Page 8, 9 & 10 Section III.C: Using the highest confidence level is preferable, however it is still based on the assumptions that the plants, going forward, will behave in a manner similar to how it performed during the period that the historic data set was recorded, which may or may not be the case. Plant efficiencies relative to nitrogen can change depending on how a plant targets other permit requirements. While historic data is a good starting point, new data should be collected before limits are established.

Page 11 Section E: As it appears, utilities with multiple plants would be required to experiment with optimization on nitrogen reduction at each plant at the same time. Given limited staffing resources, we would suggest allowing for staggered optimization timeframes between plants or combining limits while performing optimization at a single plant.

Page 11 Section III.E Table 4: For municipalities owning two treatment plants, which discharge to the same basin of the Puget Sound, does DOE consider the bubble general permit?

Page 14 Section IV.A, last paragraph, first sentence: Reference to Tables 1-3 should be Tables 5-7.

Page 19 Section V.A, 1st paragraph, last sentence: Is the Monitoring and Reporting preliminary draft referring to section IV or is it referring to separate document? Same question in the 4th paragraph

Page 19 Section V.C: Moving to Planning Requirements if AL₁ is exceeded in the first permit cycle is not practical before nitrogen targets are known.

Page 23 Section V.D. Nutrient Plan Components, c.ii: It appears impractical to assume plants not designed for nitrogen reduction to reach and remain below 10 mg even with all optimization strategies in use. It may be better to target a percent reduction from initial level or levels after the baseline year.

Page 23 Section V.D. Nutrient Optimization Plan Components, c.ii.2: For treatment plants that don't have the nutrient removal capability (processed designed for BOD and TSS removal only) and currently maintain TIN loadings below ALo, does para 2 mean to evaluate Tier 1 actions listed above?

Page 24 Section V.D, Nutrient Optimization Plan Components, f.iii: If after the first year, there is no additional Tier 1 actions applicable to the plant and the plant loading is still below the ALO, can the plant not do anything until the loading exceed AL1?

Page 24 Section V.E, 1st paragraph, 2nd sentence: Replace "compliance" with "compliant" or "in compliance".

Page 24 Section V.E, 4th paragraph, 1st sentence: Replace "continuing" with "continues" or "is continuing".

Page 25 Section VI.A 2nd paragraph, 1st sentence: What are the planned incentives?

Page 25 Section VI.B, 2nd paragraph, 1st sentence: Is the Action Level preliminary draft referring to section III or is it referring to separate document?

Page 25 Section VI.B, 2nd paragraph, 1st sentence: Where is the document, "Action Level preliminary draft document"?

Page 25 Section VI.B 3rd paragraph 2nd bullet: Can we use the flow, loading, and demographic projection in our current comprehensive plan, or must we redo the projection?

Page 26 Section VI.B 3rd paragraph, last bullet: Rate setting is the purview of the local Board or Council of the utilities. Providing an "example rate structure" should not be a requirement of the General Permit.

Page 26, Section VI.B. 3rd paragraph, line 1: Please define "recently completed" and give a cutline date of the planning documents that can be used to satisfy some the evaluation requirements.

Page 27 Section VI.C 1 bullets 1 and 2: As the scope, budget, and schedule of the regional study are not clear, can the permittee wait until the above information is available to make the decision whether to participate in the regional study and thus set the deadline to submit the nutrient reduction report?

Sincerely,



John Barton
Wastewater Operations Manager

c: John Bowman, General Manager