

USEPA Region 10

EPA Region 10 appreciates Ecology's efforts to share information and receive feedback during permit development, including through discussions in the Puget Sound Nutrient General Permit Advisory Committee and the Puget Sound Nutrient Forum. Below are EPA Region 10's comments:

1. General Comment. EPA strongly supports State efforts to reduce excess nutrients and protect and restore their waters. The development and issuance of a Puget Sound Nutrient General Permit is an important first step for wastewater treatment facilities to not increase nutrient loading in the Puget Sound in the short term and to evaluate technologies and operations for reducing nutrient loading in the near future. Assigning different permit conditions to "dominant" and "smallest" loaders are a reasonable way to distinguish requirements for large and small nutrient dischargers.

The proposed permit also includes non-numeric limits citing 40 CFR 122.44(k)(3)), which is reasonable given the reasons described in the Fact Sheet. EPA believes, however, that by the second permit's reissuance, the permit must include numeric nutrient limits since the Salish Sea Model scenario runs will be complete, and there will be sufficient data from wastewater treatment plants' AKART analyses and monitoring to assess reasonable potential and include water quality-based numeric nutrient effluent limits where needed.

2. Anti-backsliding and interaction between existing individual permits with nutrient limits. Please clarify how anti-backsliding will be considered for facilities with existing individual permits that have numeric nutrient limits or different monitoring parameters or frequencies than in the proposed nutrient general permit.

3. Total Nitrogen versus Total Inorganic Nitrogen. Please clarify why total inorganic nitrogen is being used rather than total nitrogen in the permit.

4. AKART. Please describe why 3 mg/L was selected for facility planning.