

# Joseph Grogan

August 3, 2021

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

RE: Comments on Draft Puget Sound Nutrient General Permit

Dear Ms. Ott: Thank you for the opportunity to comment on the draft Puget Sound Nutrient General Permit. I offer the following comments:

The nutrient loading of small wastewater treatment facilities is a minor issue compared to the natural sources of nutrient inflow to Puget Sound. Addressing large treatment plants and natural sources of nitrogen in surface water runoff would be a more cost effective and efficient solution. The fact sheet states that the 30 "small" facilities collectively contribute less than 1% of the "cumulative domestic point source TIN load into Puget Sound. Although it does not state how minuscule the loading is in the overall picture.

Despite the Utilities Caucus concerns whether nutrient controls are an appropriate and cost-effective answer, Ecology is proposing a "General" Permit and requiring extensive planning to be completed by each wastewater treatment plant without consideration of size. Ecology is also requiring wastewater treatment plants to double their planning efforts in this draft by requiring submittals of multiple plans to meet two widely different scenarios at a considerable added expense. No explanation is given as to why a "small" facility is burdened with developing these studies other than on Page 48 it states: "Completion of a planning exercise during this first permit term is necessary to minimize the time required to ultimately achieve final numeric effluent limits once developed." As facility operators have pointed out repeatedly, going through planning exercises without knowing the "final numeric effluent limits" for which they should aim is a costly duplication of efforts. A goal of 3 mg/L (for instance) requires very different technology and site redevelopment than a target of 8 mg/L.

Page 61 notes that an economic analysis of the impact of the Draft Permit was not prepared because it was not required by State Law. Despite that fact, Ecology is very aware the permit requirements will have a significant economic impact on citizens and businesses. One would think that the State Department would want to understand and discuss the magnitude of the impacts on citizens and businesses. Yet Ecology is requiring each small facility complete an economic evaluation and environmental justice review. This should instead be done with a regional study. It would be much more cost effective, and develop more useful information.

The draft requires "small" facilities, regardless of size, to develop AKART studies by 2025. Given their small sizes, this would be considerable expense for little positive effect.

Page 23, Section 2 ♦ Requires Permittees to "document all adaptive management following initial implementation..." As the utilities caucus have repeatedly told Ecology, most if not all plants already do "adaptive management" ♦ they implement a process,

monitor the results, and change the process as needed. "all" would be a significant administrative burden, and would open agencies to lawsuits because they did not document some action.

Page 24, Item 3.b- "small" agencies do not have the resources to study ways to reduce TIN from multi-family and commercial buildings. This is a regional issue, not one for individual facilities. On Page 46 it states: "Ecology intends for the implemented optimization strategies to help each Permittee stay below their facility specific action level. This prevents additional nitrogen loading into Puget Sound during the period while Ecology completes modeling necessary to determine numeric WQBELs." As facilities must also plan for growth and changing circumstances to keep below their action levels, a building moratorium will also be necessary during this time.

Sincerely,

Joseph Grogan

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