



31627 1st Avenue South • P.O. Box 4249 • Federal Way, WA 98063-4249
253-941-1516 Federal Way • 253-927-2922 Tacoma • www.lakehaven.org

MEMORANDUM

DATE: August 15, 2025

TO: Department of Ecology

FROM: John Bowman, General Manager, Lakehaven Water and Sewer District

SUBJECT: Comments on Draft Puget Sound Nutrient General Permit

We are writing to express our concern about the proposed Total Inorganic Nitrogen (TIN) action level set forth in the draft Puget Sound Nutrient General Permit (PSNGP) for our Lakota Wastewater Treatment Plant (Lakota). The draft PSNGP sets the TIN action level for Lakota at 597,000 lb/yr. This action level was calculated from monthly grab samples obtained onsite between January of 2017 and October of 2020 according to Appendix E of the draft PSNGP Fact Sheet. Effluent nitrogen testing performed by Lakehaven between 2018 and 2021 shows that actual effluent TIN loading during this time period averaged 678,800 lb/yr, an effluent TIN loading approximately 14% above the action level in the draft PSNGP. This data was presented to Ecology in Lakehaven's Nitrogen Optimization Plan submitted on March 31, 2023. Table 3 from Attachment A of the Nitrogen Optimization Plan (shown below in Table 1) displays the average effluent TIN loading measured at both of our Wastewater Treatment Plants between 2018 and 2021.

Table 1: Effluent TIN Loading as Presented in Attachment A of the 2022 Nitrogen Optimization Plan

Table 3. Comparison of Actual Effluent TIN Loads and PSNGP TIN Action Levels for Lakota and Redondo WWTPs			
Year or parameter	Effluent TIN (lb/yr)		
	Lakota WWTP	Redondo WWTP	Combined/bubbled
2018	663,200	223,800	887,000
2019	630,800	232,300	863,100
2020	695,900	242,800	938,700
2021	725,200	248,600	973,800
Average, 2018 through 2021	678,800	236,900	915,700
Final PSNGP TIN action level	597,000	249,000	846,000

Subsequent sampling and testing performed since 2023 indicates that average effluent TIN loading at Lakota is even higher than the effluent TIN loading measured between 2018 and 2020. The average annual effluent TIN loading was measured at 720,921 lb/yr in 2023 and 742,139 lb/yr in 2024.

Therefore, the annual effluent TIN loading over the last 2 years has averaged 731,530 lb/yr, an effluent TIN loading approximately 23% higher than the draft PSNGP action level of 597,000 lb/yr. All effluent TIN loading data from 2023 and 2024 was submitted to Ecology and summarized in annual nitrogen effluent report submittals prepared by Rick Kelley from Brown and Caldwell.

We have concerns about our ability to remain in compliance with the PSNGP when we will be in exceedance of the action level by approximately 23% immediately upon issuance of the permit. A 23% reduction in Lakota's effluent TIN loading would necessitate the implementation of significant capital projects that would not only take five to ten years to construct but would also come at significant expense to our rate payers. If the TIN action level for Lakota were to be kept at 597,000 lb/yr and not modified to reflect actual effluent TIN loading, we would find ourselves in violation of the action level immediately upon issuance of the PSNGP with no ability to deliver the requisite capital projects in a timeframe that would avoid consequences for exceeding permit conditions.

We propose that Ecology revise Lakota's PSNGP effluent TIN action level from 597,000 lb/yr to 729,420 lb/yr and Lakehaven's bubbled action level commensurately from 846,000 lb/yr to 978,420 lb/yr. This proposed action level is the calculated average of annual effluent TIN data from 2021, 2023, and 2024 (see Table 2). It is our position that this proposed action level better represents actual TIN loading from Lakota and would therefore be more appropriate as the basis for capping TIN discharge to the Puget Sound.

Table 2: Proposed Lakota Effluent TIN Action Level

Year	Effluent TIN (lb/yr)
2021	725,200
2022	Insufficient Data
2023	720,921
2024	742,139
Proposed TIN Action Level (Average, 2021, 2023, and 2024)	729,420
Draft PSNGP TIN Action Level	597,000

Please let us know if you would like to meet with us to discuss this request or if supplemental information is required.

Respectfully,



John Bowman
General Manager