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Adam Krantz

August 27, 2025

Jeremy Reiman

Department of Ecology, Water Quality Department

PO Box 47600

Olympia, WA 98504-7600

Submitted electronically via: <https://wq.ecology.commentinput.com>

Re: NACWA Comments on the Department of Ecology's Draft Puget Sound Nutrient Reduction Plan

Dear Mr. Reiman:

The National Association of Clean Water Agencies (NACWA) appreciates the opportunity to provide comments on the Department of Ecology's (hereinafter Ecology) draft Puget Sound Nutrient Reduction Plan proposed earlier this year. NACWA represents the interests of more than 360 public clean water utilities across the nation, including 11 utilities in Washington State. Several NACWA members in Washington discharge to the Puget Sound, including the City of Tacoma and King County, and will be directly impacted by Ecology's Nutrient Reduction Plan.

NACWA's member utilities are vital institutions in their communities that every day treat millions of gallons of wastewater, manage stormwater and invest in innovative projects that go above and beyond Clean Water Act requirements to improve water quality for the protection of public health and the environment. NACWA supports the comments filed by its Washington public utility members regarding the draft plan.

As a preliminary matter, NACWA is concerned that Ecology has provided insufficient time to adequately comment on the draft Nutrient Reduction Plan. The available public comment period (less than 60 days) is not enough to review more than 2,000 pages of highly technical content and gather feedback on such a complex issue from stakeholders.

The overall goal of Ecology's draft Nutrient Reduction Plan, while admirable, is monumental and also likely unachievable – to reduce nutrients discharged to Puget Sound to levels that would result in meeting water quality standards for dissolved oxygen by 2050. To accomplish this, the draft Nutrient Reduction Plan sets stringent numeric nitrogen reduction "targets" for municipal clean water utilities that discharge directly into Puget Sound as well as tributaries or watersheds that drain into the Sound.

NACWA has consistently raised concerns with the Salish Sea Model and that Ecology continues to rely on flawed nutrient reduction modeling that

erroneously suggest two-thirds of the nutrient pollution in the Puget Sound comes from domestic wastewater utilities discharging directly into Puget Sound or its watershed. These models are very problematic and concerning because they do not sufficiently take into account other sources of nutrient impairment impacting dissolved oxygen such as climate change, atmospheric deposition, ocean currents, and nonpoint source pollution. Simply ratcheting up nutrient controls on municipal point sources based on these models will impose unsustainable costs on the impacted utilities and their ratepayers – many of whom are already facing significant affordability challenges – without any assurance the water quality goals of the draft Nutrient Reduction Plan will be achieved.

Ecology has indicated its intent to develop and adopt water quality-based effluent limits (WQBELs) by 2031 and to begin enforcing those limits through the National Pollutant Discharge Elimination System (NPDES) permitting process. However, this timeline will likely not provide enough time for utilities to install the necessary treatment to meet compliance obligations. To meet any nutrient reduction targets, public clean water utilities will be required to install costly biological nutrient removal (BNR) systems, which are not only very costly and will require significant changes to existing utility capital investment programs, but which also come with a series of constraints and tradeoffs. For instance, impacted utilities may have site limitations at their existing wastewater treatment plants that limit their ability to install these large treatment systems. BNR systems also consume significant amounts of electricity and can frustrate ongoing efforts by utilities to work towards net zero energy goals and reduce greenhouse gas emissions.

The draft Nutrient Reduction Plan acknowledges the increased costs that it would have on communities, noting that it will require “significant investment” and that “implementing the technologies at [wastewater treatment plants] necessary to meet the marine point source nitrogen targets will come at a significant financial cost to most communities.” But Ecology drastically underestimates the costs that these requirements will impose and does not account for the soaring infrastructure costs clean water utilities are facing today. NACWA's members that would be impacted by the draft plan estimate that capital infrastructure upgrades to meet the proposed effluent limits will likely be upwards of \$10 to \$20 billion or more and could cause customer bills to skyrocket by \$400 more a month.

The costs associated with the draft Nutrient Reduction Plan are staggering. Not only will these costs divert resources away from other critical infrastructure projects that would result in greater environmental and human health benefits, but they will also result in thousands of dollars per year in economic burden being placed on individual households, many of whom can least afford to pay for such unjustified mandates.

These additional costs are particularly troubling given that they will be imposed on top of existing regulatory requirements that are already hitting the public's wallets through increased utility rates, including those related to replacing lead service lines, elimination of combined sewer overflows, addressing emerging contaminants such as PFAS and 6-PPD, and others. It is critical that, before moving forward, Ecology do a more rigorous analysis with more significant stakeholder input of the costs that the draft plan will impose on communities as compared to the net environmental benefit.

NACWA and its members recognize that efforts to improve dissolved oxygen in Puget Sound are needed, but these efforts must be developed and implemented using a transparent process with collaboration between the regulator and the regulated community, with science that is vetted, accurate, and sound, and with timelines and expectations that are clear, incremental and achievable. NACWA believes the process related to development the draft Nutrient Reduction Plan has not met these requirements and accordingly urges Ecology not to finalize the plan at this time but instead to re-engage with the impacted stakeholders – especially the clean water utilities – to determine an appropriate path forward.

NACWA is appreciative of the opportunity to file these comments. If you have questions or would like to discuss them further, please do not hesitate to contact me at eremmel@nacwa.org or 202-533-1839.

Sincerely,

A handwritten signature in black ink, appearing to read "Emily Remmel". The signature is fluid and cursive, with a large loop at the end.

Emily Remmel
Senior Director of Regulatory Affairs