

Preliminary Permit Comments

Briefing on comments for the draft Puget Sound
Nutrients General Permit



What to know

The preliminary permit does not represent the final structure or content

It is conceptual – being used for information gathering

Numerous ambiguities and inconsistencies

Not all direct dischargers will be required to apply for the permit

First permit requires low-cost control and process changes (optimization)

No caps – limits (Water Quality Based Effluent Limits or WQBEL) will be determined in the second permit

This is an informal comment period – no response to comments is required by Ecology

Additional Considerations (part of cover letter)

Science

Feasibility and affordability

Legal considerations

Bubble permitting and Water Quality Trading



Preliminary Permit Themes

Action Levels

Optimization

Planning

Monitoring and Reporting

Action Levels – AL_0 and AL_1

1. The calculation method is flawed. Assumes no variation in WWTP conditions over time and does not meet stated intent.
 - does not consider growth and assumes older data represents future conditions.
 - does not consider weather and climate conditions
2. Our comment requests descriptions for the methodologies used to calculate action level AL_0 for SP, BW, and WP be added to the permit as alternate methodologies* .
3. Triggers and tiered actions are ambiguous. Actions are triggered by “findings in annual report”. These findings have not been identified.

Optimization

Optimization is the near-term actions to reduce nutrients. Optimization is defined as three tiers of actions, scaling in complexity and linked to annual reporting:

- Tier 1: initial actions required in year 1 to reduce nutrients. Assumption is these are low cost, process changes only
- Tier 2: more progressive actions triggered if facility exceeds AL_0 after yearly compliance assessment. These actions are intended to be low cost but may require engineering reports
- Tier 3: triggered if facility exceeds AL_1 and would be more substantial treatment modifications (e.g., side stream treatment)

Optimization and Additional Actions

1. Need for clarity regarding timing, intent, and requirements
2. Compliance pathway is confusing: milestones need to be added along with time to avoid inconsistencies between tiers and to ensure facilities have time to implement one tier before being required to take the next tiered action*
3. Ecology is requiring annual optimization plans.
4. Tier 2 actions could require engineering reports (effort not considered)
 - There needs to be consistency with General Conditions in the NPDES permits
 - Significant planning and resources will be needed by both the permittee and ecology, making annual requirements questionable

WQBEL need to be established prior to enforcement of tier 3 actions: Tier 3 actions set a facility on a costly capital path without assurance on the end goal.

Planning

1. Nutrient Reduction Evaluation in year 3 (required)
 - planning level analysis of options, constraints, costs for 10 mg/L and 3/mg/L target. (i.e., largely addressed in recent WP, SP, and BW studies)
 2. Alternatively, Ecology is considering the following (voluntary):
 - Regional approach for Advanced and Emerging Technology Assessment
 - Regional Study for Nutrient Reduction Evaluation
- It is unclear how these two regional study approaches are different. We are asking for clarification.
 - Regional studies to “build on” the Bay Area assessments of technologies and includes reviewing Contaminants of Emerging Concern (CECs). We are asking that CECs be removed from the evaluation. There is no target for meeting any specific reductions of CECs and does not belong in the nutrient evaluation.

Monitoring and Reporting

Preservation, sampling, staffing and cost are factors in the new monitoring and reporting requirements.

1. Timing. This permit gives us 30 days from issuance to implement monitoring requirements. We are asking for 90 days.
2. Preservation time and sampling timeframe – we need 24hr preservation time allowance
3. Other allowances requested (mixing composites, fixed schedule, etc.).
4. Consistency with National Pollution Discharge Elimination (NPDES) requirements including what is monitored, methodology, detection limits, etc.

Questions?

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