

Meeting Summary: April 15, 2020

This meeting was held by webinar.

A list of acronyms used is provided at the end of the meeting summary.

ATTENDEES

Advisory Committee members in attendance, and the organizations and interest groups they represent:

Judi Gladstone (WASWD), small-medium treatment plants; **Joseph Grogan** (Coupeville), small treatment plants; **Patrick Kongsli** (Pierce County), all treatment plant sizes; **Eleanor Ott** (Ecology), state agencies; **Mindy Roberts** (WEC), environmental groups; **Mark Sadler** (Everett), large treatment plants; **Rebecca Singer** (King Co), large treatment plants; **Valerie Smith** (Dept of Commerce), state agencies; **Wendy Steffensen** (LOTT), medium treatment plants; **Dan Thompson** (Tacoma), large treatment plants; **Pete Tjemsland** (Sequim), small treatment plants; **Bruce Wishart** (Puget Soundkeeper), environmental groups; and **Jenny Wu** (USEPA), federal agencies.

Advisory Committee alternates in attendance, and the organizations they represent:

Abby Barnes (WDNR), **Jeff Clarke** (WASWD), **Lisa Dennis-Perez** (LOTT), and **John Rabenow** (Everett).

Ecology's AC support staff in attendance:

Karen Dinicola (facilitator), **Kelly Ferron** (coordinator)

Advisory Committee member not in attendance:

Chip Anderson (Lummi Tribe Sewer District)

Other parties in attendance are listed at the end of this document.

Purpose of this committee

To advise Ecology in drafting general permit requirements for domestic wastewater treatment plants discharging directly to Puget Sound that will lead towards reducing nutrient loads.

Ecology's Water Quality Program Manager welcomed AC

Vincent McGowan thanked AC members for committing to this process to help solve the problem of how best to cap nutrient loading from treatment plants to make progress toward our shared goal of clean water. There are many possible approaches and Ecology welcomes AC direction on which concepts to focus on in issuing a general permit for these plants. Vince encouraged AC members to think in the long term and set us up for success in future permits. He answered questions from AC members and others about the process, timeline, and sideboards:

Q: What is Ecology's timeline for issuing the general permit?

A: Our website shows the timeline Ecology proposed pre-Covid; we have already made some adjustments to this schedule in response to the concerns expressed by treatment plant operators and are open to making more changes under these new and unexpected circumstances. We do need to make progress toward providing solutions a PSNGP can offer.

Q: Are individual permits expiring this fall likely to be put on hold?

A: Ecology is coordinating internally, but the timing for reissuing individual permits is being considered on a case-by-case basis. Plant operators should work with their permit managers and discuss other potential drivers for their reissuance timelines.

Q: What is the role of the committee?

A: *Ecology could go several directions with this permit. The committee is starting the important process of advising Ecology on what concepts and approaches to include in a PSNGP in a way that sets us up for success in reducing nutrient discharges in future permits while also accommodating the expected growth in our region.*

Q: Is nutrient reduction targeting more than nitrogen?

A: *This will be addressed later in the committee process, but the initial focus is on TIN.*

Q: What is the geographic area to be covered?

A: *The PSNGP will cover all treatment plants with direct discharges to Puget Sound, plus a handful that discharge to rivers downstream from monitoring locations.*

Q: Will the AC meetings be recorded?

A: *No, the AC meetings are not being recorded. The public may listen in, and all of the meeting materials (including the PowerPoint and summary) will be available to the public.*

Q: Did any of the AC members need to drop off due to the Covid situation?

A: *None that we know of.*

PSNGP AC members introduced themselves

All of the AC members have important experience to bring to the table. They represent a broad range of relevant disciplines and expertise for the discussions we will have. And they all enjoy being in, on, and around Puget Sound. Many are beach walkers, hikers, and kayakers; several are fishermen, boaters, and other types of water people.

PSNGP AC selected our chair

Rebecca Singer was confirmed as the chair of the AC. The main roles of the chair are to lead the meeting discussions and even more importantly to serve as spokesperson for the entire group. For future meetings, Rebecca will work with Ecology's permit writer and facilitator to plan agendas that allow for deep, robust discussion of the topics we need to address. Rebecca plans to reach out to all AC members.

PSNGP AC members discussed process and timeline for making recommendations

The roles and responsibilities of committee members and Ecology staff were described and discussed at the March 4 webinar, when our schedule anticipated this first meeting happening just a couple of weeks later. AC members requested that the facilitator compile a brief document summarizing roles and responsibilities of AC members and chair, and our overall process. This "charter light" document should clearly outline how the committee makes decisions (i.e., consensus versus majority agreements, and documentation of disagreements and concerns) and what it means for the committee to make a decision/recommendation. [The document is included as an attachment to this meeting summary.]

The main purpose of AC meeting summaries is to allow AC members and other interested parties to track the areas of emerging agreement and areas of continuing concern as we work toward making final recommendations to Ecology. AC members generally agreed that review and acceptance of meeting summaries between meetings will help facilitate a smoother process than spending time doing this at the beginning of each meeting. The process is summarized in the "charter light" document.

Most AC members are concerned about the keeping to the originally planned schedule for the AC to make our recommendations – and our inability to meet in person. The original schedule included four six-hour meetings which may not be realistic to conduct via online meetings or allow the kind of in-depth discussions needed to make progress and for permittees to understand implications of the AC recommendations on their operations. AC members, particularly those representing treatment plants, are also concerned about having sufficient time to reach out to constituents and provide feedback needed to make final recommendations. Input is needed from as many treatment plants as possible, particularly to address concerns about “one-size-fits-all” approaches. Treatment plant representatives are stretched particularly thin with current staffing restrictions.

AC members are all committed to protecting Puget Sound and improving water quality conditions. We will focus on delivering a high quality set of recommendations for developing a PSNGP. Ecology staff are working to determine the best available platform to support AC discussions, and ideally to allow members to see each other on video for as long as we are not able to meet in person. Ecology will propose a revised schedule in advance of the next AC meeting and will continue to adjust the AC approach and timeline as the stay-at-home order remains in place to continue to make progress toward timely issuance of a PSNGP.

AC members introduced to cap calculation approaches and optimization concepts

In convening the AC, one purpose of today’s meeting was to begin laying a common foundation of knowledge and understanding of key concepts the committee will discuss in future meetings.

A main benefit of the proposed general permit include foreseen flexibility to allow nutrient trading in addition to allowing load allocations to entities with more than one treatment plant. The general permit is somewhat constrained by the three commitments that Ecology made in 2019 to Northwest Environmental Advocates in response to Ecology’s denial of the AKART rulemaking petition. These commitments were to:

1. Set nutrient loading limits at current levels from all permitted dischargers in Puget Sound and its key tributaries to prevent increases in loading that would continue to contribute to Puget Sound's impaired status.
2. Require permittees to initiate planning efforts to evaluate different effluent nutrient reduction targets.
3. For treatment plants that already use a nutrient removal process, require reissued discharge permits to reflect the treatment efficiency of the existing plant by implementing numeric effluent limits used as design parameters in facility specific engineering reports.

Ecology’s permit writer, Eleanor Ott, described a case study example with three different approaches and outlined these key questions about cap development to address in future AC discussions:

1. What averaging period (e.g., week, month, seasonal, annual) is most appropriate for a cap on nutrient loads?
2. How many years of effluent data should be used to establish a TIN load cap?
3. Should the calculation method be the same for those facilities with discernable near field impacts as well as for those that have far field impacts?
4. Should the same method be used to calculate representative loads for all facilities? What are ways to eliminate the issue associated with data sets that are not normally distributed?

5. How can facilities who have nutrient removal technology avoid being penalized for their proactive efforts when they are subject to the same cap requirements?
6. What are options to balance GMA requirements and the need to cap current nutrient loads?

Ecology will share these three important documents with supplemental information: (1) [Annual Nutrient Permit Limits Memo for Chesapeake Bay](#), USEPA; (2) [Nutrient Monitoring and Maximum Annual Load Memo](#), VDEQ; (3) [Bootstrapping Calculation Spreadsheet](#).

AC members' questions about the approaches included:

Q: Which approach results in higher or lower limits?

A: *We will talk about these differences at the next meeting, and look at the range of results with an example data set. Selecting the highest load from the data set results in the highest limit; however, that approach is not necessarily justifiable.*

Q: Are the limits set for the Suquamish WWTP achievable? How and why?

A: *Yes, Kitsap believes the treatment plant will not have trouble meeting the cap. This is in part because little growth is expected in this service area.*

Q: Are the data sets available?

A: *The DMR-submitted flow and ammonia data from January 2016 through October 2019 used for the loading calculations are available for the Suquamish WWTP example. [However, to complete Eleanor's answer during the discussion: nitrate-nitrite concentration data not submitted with the DMRs were provided voluntarily by the facility.]*

Q: Can the TAP-E approach be used?

A: *We will discuss this approach at the next meeting.*

Eleanor explained that optimization plans for this permit cycle will be facility specific, and will not require significant capital improvement. The purpose of optimization is adaptive management. Optimization should help facilities stay below the cap and continue reducing nutrient loads to the maximum extent practicable. Ecology will be asking facilities to identify in their plans what improvements are possible in addition to describing what is not possible without major capital investment.

Agenda topics not discussed

The AC Q&A about cap calculation options was affected briefly audio problems and was cut short. The AC did not have a chance to ask questions about optimization concepts. The public did not have a chance to ask questions; however, all questions submitted via the webinar chat feature were collected and summarized in a separate document.

Summary of Action Items for Ecology staff

- Summarize roles, responsibilities, process
- Plan to utilize an alternate platform for future online AC meetings; include video capability
- Develop a revised schedule for AC consideration; add at least one more meeting
- Post meeting materials for public availability
- Share a summary of the questions and comments that were submitted via chat
- Ensure ample time for public participation at future meetings

Summary of Action Items for AC members

- Review this meeting summary and provide timely feedback for its approval by email
- Review supplemental materials to be provided after the meeting and come prepared to discuss cap and optimization concepts; materials will be posted [here](#).
- Continue planning among yourselves and with our facilitator to begin gathering feedback from constituents between our March and June meetings
- Contact the chair and facilitator with questions, concerns, and/or suggestions about process.

Upcoming meetings

Advisory committee meetings are scheduled on Wednesday, May 13; Wednesday, June 10; and Thursday, July 16. At the May 13 meeting we will go deeper in to cap calculation options, tee up optimization concepts for future discussion, and check in on our process.

List of acronyms used in this meeting summary

PSNGP AC – Puget Sound Nutrient General Permit Advisory Committee

LOTT – LOTT Clean Water Alliance (a wastewater utility in Olympia, serving the urbanized areas of Lacey, Olympia, and Tumwater in Thurston County)

Q&A – Question and answer

TAP-E – Technology Assessment Protocol – Ecology

TIN – Total inorganic nitrogen

VDEQ – Virginia Department of Environmental Quality

WASWD – Washington Association of Sewer and Water Districts

WDNR – Washington Department of Natural Resources

WEC – Washington Environmental Council

USEPA – U.S. Environmental Protection Agency

Other parties registered for the webinar, and the organizations they represent:

Anna Bachmann (Puget Soundkeeper), Ron Basinger (Sumner), Nina Bell (Northwest Environmental Advocates), Jim Bolger (King Co), Victoria Boschmans (Hazen and Sawyer), Gil Bridges (Mukilteo Water and Wastewater District), Katherine Brooks (Pierce Co), David Clark (HDR), Elizabeth Clark (King Co Conservation District), Tom Coleman (RH2 Engineering), John Conway (King Co), Lisa Dally Wilson (Dally Environmental), Bill Davis (Bremerton), Gary Duranceau (Mt. Vernon), Caitlin Dwyer (Lake Stevens Sewer District), Heather Earnheart (Alderwood Water and Wastewater District), Kirk Elliott (Tacoma), John Ewell (Lynwood), Jason Flowers (Murray Smith), Mark Gazdik (Hach Company), David Giglio (Ecology), Corrin Hamburg (Anacortes), Josiah Hartom (Alderwood Water and Wastewater District), Chanele Holbrook (Ecology), Richard Hoover (Bellingham), Michael Isensee (WSDA Dairy Nutrient Management), Eron Jacobson (King Co), Adam Jennings (Hach Company), Kelly Jonnes (unknown), Richard Kelly (Brown and Caldwell), John Kercher (Pierce Co), Dainis Kleinbergs (Ecology), Jacque Klug (King Co), Robert Knapp (Jamestown S’Kallam Tribe), Tom Knuckey (Bremerton), Jeff Lafer (King Co), Tonya Lane (Ecology), Jeff Langhelm (Gig Harbor), Ned Lever (Bremerton), Michael Lewis (Hach Company), Lincoln Loehr (consultant to Everett), Andy Logan (Hach Company), Dan Mahlum (RH2 Engineering), Paul Marrinan (Puyallup), Kirsten McDade (RE Sources for Sustainable Communities), Vincent McGowan (Ecology), Amanda McInnis (HDR), Shawn McCone (Ecology), Cassandra Moore (Pierce Co), Jason Myers (The Freshwater Trust), Doug Navetski (King Co), Dave Peeler (DERT), Teresa Peterson (Tacoma), John Phillips

Puget Sound Nutrient General Permit Advisory Committee (PSNGP AC)

(Parametrix), Bruce Poulin (Amaresco), Darlene Schanfald (Olympic Environmental Consultants), David Schmidtz (Phillips 66, Ferndale Refinery), G. Paul Schuitt (Hach Company), Judith Scott (Tacoma), Don Seeberger (Coalition for Clean Water), Michael Shaw (Pierce Co), Chris Sheridan (Kitsap Co), Heather Stephens (Stantec), Tom Swartout (Parametrix), Mark Toy (WA Dept of Health), David Tucker (Kitsap Co), James Tupper (Tupper Mack Wells), Stella Vakarcs (Kitsap Co), Erik Van Doren (Ecology), Jane Vandenberg (Pierce Co), Scott Weirich (Parametrix), P Wendling (Bellingham), Phil Williams (Edmonds), David Wilson (Jacobs), Michael Wolanek (Arlington), Melissa Wu (Jacobs), Gregory Zentner (Ecology), and Miaomiao Zhang (Murray Smith).