

# Washington Department of Ecology Puget Sound Nutrient General Permit (PSNGP) Advisory Committee (AC)

## Meeting #9 Summary: July 26, 2021

The meeting was held virtually.

### ATTENDEES

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

**Patrick Kongsli** (Pierce County/PNCWA), all treatment plant sizes; **Eleanor Ott** (Ecology), state agencies; **Mindy Roberts** (WEC), PSNGP AC environmental groups caucus lead; **John Rabenow** (Everett), large treatment plants; **Rebecca Singer** (King Co), large treatment plants, PSNGP AC Chair, and PSNGP AC local utility caucus lead; **Valerie Smith** (Dept of Commerce), PSNGP AC state agencies caucus lead; **Wendy Steffensen** (LOTT), treatment plant with nutrient removal; **Dan Thompson** (Tacoma), large treatment plants; **Alyssa Barton** (for Bruce Wishart, Puget Soundkeeper), environmental groups; **Jenny Wu** (USEPA), PSNGP federal agencies caucus lead.

Advisory Committee members not in attendance:

**Jeff Clarke** (WASWD), small-medium treatment plants; **Joseph Grogan** (Coupeville), small treatment plants; **Chip Anderson** (Lummi Tribe Sewer District), tribal facilities; **Pete Tjemsland** (Sequim), small treatment plants.

Advisory Committee alternates in attendance, and the AC member each is designated to represent:

**Abby Barnes** (Valerie Smith), **Lisa Dennis-Perez** (Wendy Steffensen)

Advisory Committee alternates not in attendance:

**Judi Gladstone** (Jeff Clarke), **Teresa Peterson** (Dan Thompson).

Ecology's AC support staff in attendance:

**Rian Sallee** (meeting facilitator)

The list of other individuals that registered for the webinar begins on p. 4 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 goals for the first PSNGP***

*The first permit should stop the water quality problem from getting worse and require plants to take meaningful steps towards making future reductions that meet water quality standards. At the same time, the PSNGP needs to somehow accommodate approved capacity commitments identified in comprehensive and general sewer plans to support smart growth. Additional goals include flexibility for communities to collectively address nutrients and consistent monitoring requirements for all permittees\* \* \* \* \**

### **Formal draft permit language discussion**

The AC discussed the formal draft permit that is currently out of public comment. Ecology held two workshops and formal hearings for oral testimony prior to today's meeting. Ecology is seeking written comments on the draft permit until 11:59 PM on August 16<sup>th</sup>. All comments received from the formal hearing and those submitted in writing will receive a response in the formal response to comments which will be appended to the fact sheet once Ecology makes a decision to issue the permit later this fall.

## Q&A/discussion

- EPA asked how the individual and general permits will work together and how to avoid duplication of requirements.
  - Both individual and general permits are enforceable, standalone permits. There's a provision to allow monitoring from the GP to satisfy individual permit monitoring if sampling schedules align. For individual permits with numeric limits, the GP will not supersede those limits so requirements are in addition to the individual permit conditions. Ecology will modify existing IPs as necessary to avoid duplicative monitoring and reporting. For permits that are administratively extended, Ecology will streamline the individual permit at the time of reissuance.
- A utility caucus representative asked why annual and seasonal reductions are part of the planning requirement.
  - Ecology has not yet established a critical season through modeling. Annual and seasonal reductions have been evaluated in modeling scenarios to date. Additional modeling, which will be scoped with the Puget Sound Nutrient Forum, will be used to establish numeric effluent limits and identify the timeframe for when the limits apply.
- A utility caucus representative asked why Ecology's thinking about AKART has evolved.
  - Secondary standards (WAC 173-221) for municipal treatment plants do not include technology based limits (TBELs) for nitrogen or phosphorus. AKART allows the state to be more stringent than the secondary standards. Also, nutrient removal technologies are more prevalent today than when the regulation was codified and are more affordable. Given the scale of DO impairments due to excess nutrients, Ecology must begin to reconsider how AKART is applied to municipal WWTPs.
- A utility caucus representative indicated that the reduced monitoring frequencies in the formal draft are appreciated. They also questioned if there's a way to reduce the administrative burden on facilities that are meeting their action level and effluent targets. Meeting the goals of the permit should be sufficient especially given duplicative reporting between the IPs and the PSNGP.
  - Permit writer indicated this would be a useful comment and to please make sure it gets included with the comment letter.
- A utility caucus representative asked why numeric effluent limits are infeasible during this permit cycle.
  - Permit writer explained narrative approach is the best strategy for this first permit cycle given the additional modeling work necessary to derive numeric effluent limits.
- Several members asked about Ecology's intention for septage management in this permit. Specifically, a question was asked if Ecology has plans to regionalize septage management.
  - The permit is silent on the issue of septage. Nothing in the permit requires or allows local jurisdictions to miss other regulatory obligations or end agreements to provide services to other entities. Plants should have discussions with their septage clients to help manage the inflow as part of optimization, and report on this in their optimization reports.
- A utility caucus representative asked about optimization reports when there's a bubbled action level and whether one report could satisfy the submittal requirement for all plants included in the bubble.
  - Permit writer indicated that as written, permit requires separate submittals for all plants but to please include a comment that addresses the single submittal approach.
- A utility caucus representative asked about monitoring on a rotational basis and whether that was necessary when their sampling design already supports taking representative samples. Their recommendation was not to be too granular about when samples get taken.
  - Permit manager said that emphasis is on taking representative samples and to please include a comment related to the suggested change.

## **Review of possible funding strategies**

Update on the status of \$9M in state funding from Jeff Nejedly: Ecology received this funding from 2021 Legislative session to support operational efficiencies and planning during the first permit cycle. Ecology is moving forward with plans to distribute the funds somewhat following stormwater grant guidelines to make the application easy. Ecology is looking for feedback on draft funding guidance that will be out for comment in early August through the end of the month. There will be no match requirement for these funds. Permittees should expect to see a base grant in the guidance plus additional allocation of funds based off of population, economic status and facility age which corresponds to the legislature's proviso language. The guidance also includes a proposal for a regional study.

Meeting ended early at 2:30.

### **Other individuals that registered for the meeting:**

In attendance: David Clark, James Tupper, Dave Peeler, Carl Schroder, Nathan Lubliner, David Dunn, Jeff Nejedly