

ADDENDUM TO THE FACT SHEET
FOR NATIONAL POLLUTANT DISCHARGE
ELIMINATION SYSTEM (NPDES) AND RECLAIMED
WATER PERMIT NO. WA0037061

I. GENERAL INFORMATION

Facility: LOTT Clean Water Alliance
500 Adams Street Northeast
Olympia, WA 98501-6911

II. APPLICATION REVIEW

LOTT Clean Water Alliance submitted an application to Ecology on March 1, 2010, and July 30, 2010, for permit reissuance, and Ecology accepted it on August 4, 2010. Ecology has sufficiently reviewed the application, discharge monitoring reports, and other facility information in enough detail to ensure that:

- LOTT Clean Water Alliance has complied with all of the terms, conditions, requirements and schedules of compliance of the expired permit.
- Ecology has up-to date information on the waste treatment practices and the nature, content, volume, and frequency of its discharge and reclaimed water produced.
- The discharge meets applicable effluent and reclaimed water standards and limits, water quality standards, reclaimed water production, and other legally applicable requirements.

III. PERMIT REAUTHORIZATION

When Ecology reauthorizes a discharge permit that includes a reclaimed water component, Ecology essentially reissues the permit with the existing limits, terms and conditions. Alternatively, when Ecology renews a permit it re-evaluates the impact of the discharge on the receiving water and reclaimed water impacts which may lead to changes in the limits, terms and conditions of the permit.

This fact sheet addendum accompanies the permit, which Ecology proposes to reauthorize for the beneficial use of reclaimed water and discharge of wastewater to Budd Inlet, South Puget Sound. The previous fact sheet explains the basis for the discharge and reclaimed water limitations and conditions of the reauthorized permit and remains as part of the administrative record.

Ecology determined it does not need to change the existing permit requirements, including discharge and reclaimed water limits and monitoring, to protect the receiving

water quality or reclaimed water use impacts. The previous fact sheet addressed conditions and issues at the facility at the time when Ecology issued the previous permit in 2005. Since the issuance of the current permit, Ecology has not received any additional information which indicates that environmental impacts from the discharge of wastewater or beneficial use of reclaimed water warrant a complete renewal of the permit. The reauthorized permit is similar to the previous permit issued on September 1, 2005, with minor revisions (for example, Section S3 has been updated).

Ecology reviewed inspections and assessed compliance of the LOTT Clean Water Alliance discharge with the terms and conditions in the previous permit and determined that it should not rank the facility as a high priority for permit renewal. Ecology assigns a high priority for permit renewals in situations where water quality would benefit from a more stringent permit during the next five-year cycle.

The permit reauthorization process, along with the renewal of high priority permits, allows Ecology to reissue permits in a timely manner and minimize the number of active permits that have passed their expiration dates. For permit reissuance planning purposes, Ecology follows a system of ranking that considers the benefit gained by renewing a permit rather than reauthorizing a permit during its annual permit planning process. Ecology assesses each permit that is expiring and due for reissuance and compares it with other permits due for reissuance. Ecology notifies the public and seeks input after it has tentatively established the initial draft ranking of the permits it plans to renew and those it plans to reauthorize. Ecology considers all relevant comments and suggestions before it makes a final decision.

Ecology carried over the discharge limits and conditions in effect at the time of expiration of the previous permit to this reauthorized permit. Ecology only changed the submittal dates for reports from those in the previous permit. Ecology removed the completed report requirements that do not require additional or continued assessment. It adjusted the dates for the other standard compliance and submittal requirements that it carried over from the past permit into this reauthorized permit. Ecology considered these reports necessary in the previous permit and no information has come forward to cause it to reconsider.

Ecology must public notice the availability of the draft reauthorized permit at least 30 days before it reissues the permit [Washington Administrative Code (WAC) 173-220-050]. Ecology invites you to review and comment on its decision to reauthorize the permit (see Appendix A-Public Involvement for more detail on the Public Notice procedures).

After the public comment period has closed, Ecology will prepare a response to comments document that it will attach to this fact sheet addendum. The response to comments will include the resultant changes to the permit and either address each comment individually or summarize the substantive comments and respond. Ecology

sends a copy of the response to comments to all parties who submitted comments. Ecology will include the response to comments in this fact sheet addendum.

IV. RECOMMENDATION FOR PERMIT ISSUANCE

Ecology proposes to reissue this permit for five years.

APPENDIX A--PUBLIC INVOLVEMENT INFORMATION

Ecology proposes to reissue a permit to LOTT Clean Water Alliance. The permit includes wastewater discharge and reclaimed water limits and other conditions. This fact sheet addendum describes the facility and Ecology's reasons for reauthorizing the permit conditions.

Ecology placed a Public Notice of Application on June 4, 2009; June 12, 2009; June 16, 2010; and June 23, 2010, in the *Olympian* to inform the public about the submitted application and to invite comment on the reissuance of this permit.

Ecology will place a Public Notice of Draft on June 7, 2011, in the *Olympian* to inform the public and to invite comment on the proposed draft National Pollutant Discharge Elimination System and Reclaimed Water permit and fact sheet addendum.

The Notice –

- Tells where copies of the draft Permit and Fact Sheet are available for public evaluation (a local public library, the closest Regional or Field Office, posted on our website.).
- Offers to provide the documents in an alternate format to accommodate special needs.
- Urges people to submit their comments, in writing, before the end of the Comment Period
- Tells how to request a public hearing of comments about the proposed NPDES and Reclaimed Water Permit.
- Explains the next step(s) in the permitting process.

Ecology has published a document entitled **Frequently Asked Questions about Effective Public Commenting** which is available on our website at <http://www.ecy.wa.gov/biblio/0307023.html>.

You may obtain further information from Ecology by telephone, 360-407-6279, by e-mail, carey.cholski@ecy.wa.gov, or by writing to the permit writer at the address listed below.

Water Quality Permit Coordinator
Department of Ecology
Southwest Regional Office
P.O. Box 47775
Olympia, WA 98504-7775

The primary author of this permit and fact sheet is Carey Cholski.

APPENDIX B - RESPONSE TO COMMENTS

The following comments were received during the Public Notice of Permit held for NPDES permit WA0037061. The public notice lasted from June 7, 2011, through July 8, 2011. A Public hearing was not held.

Below is a listing of the comments received. Some comments have been summarized for brevity. Each comment is followed by the corresponding response, permit change (or lack of change), and the Ecology justification of the change (or lack of change).

Comments by Lionel Klikoff, PhD, Sediment Quality Supervisor, Aquatics Resources Division of Department of Natural Resources. Mr. Klikoff submitted a combined comment letter on both this permit and Reclaimed Water Permit ST 6206. Most of the comments are applicable to this permit and are summarized below.

Comment 1:

Overall these are well crafted permits that adhere to Ecology guidelines and policies for wastewater permits. The overall plan for the LOTT Alliance is to be highly commended. Use of reclaimed water in carefully controlled ways is to be encouraged. Advances in the treatment of wastewater to produce highly treated reclaimed water have lead to the adoption of the use of reclaimed water in many areas of the world. Not only can effective use of reclaimed water restore water resources but adoption of the use of reclaimed water will lead to significant reductions in the discharge of pollutants.

Response 1:

Ecology concurs with comment and no change in the permit is needed.

Comment 2:

The discharge limits ought to reflect acceptable loadings into Budd Inlet. It is unclear from the Fact Sheet when the TMDL for the Deschutes/Capital Lake/Budd Inlet TMDL will be completed. Quite clearly the loadings derived from the TMDL ought to drive the permit limits for the Budd Inlet Treatment Facility. Almost 20 years ago one of the water quality priorities was to coordinate the permitting process with TMDL development. The Puget Sound ecosystems will continue to fail until loadings are well understood and loading sources are appropriately limited in permits. It is acknowledged in the Fact Sheet that effective handling of solids at Budd Inlet Treatment Facility (BITF) is uncertain.

Response 2:

Once the TMDL is complete, it is likely limits in the NPDES permit will be modified and the TMDL will drive the new permit limits. NPDES permits are issued on a five year

schedule. Unfortunately the TMDL was not complete prior to the permit expiring and needing to be renewed. At present, wasteload allocations for the TMDL are planned to be determined over the next year. The final Water Quality Improvement Report is planned to be submitted to EPA in January 2013. The permit will be modified once the wasteload allocations are final.

Comment 3:

The permit limits for the BITF are based upon modeling for dissolved oxygen levels. Although the modeling process was subject to considerable discussion, it is not apparent that monitoring directed toward validation of the model is part of the permit. Given the absence of a TMDL it would be appropriate to require validation of the model in the summer and winter to assure that the limits in the permit are appropriate with a permit reopener if the data indicate that refinement of the model is necessary.

Response 3:

The present permit limits are performance limits based on past performance of the facility. Modeling being completed by the TMDL will eventually determine the limits. The permit will likely be reopened once the TMDL is complete.

Comment 4:

It is unclear whether the Combined Sewer Outfall issues have been fully resolved. The Fact Sheet ought to discuss those issues.

Response 4:

LOTT has had two CSO overflows in the last 20 years. That meets the EPA goal of no more than one overflow per year.

Comment 5:

Similarly it is unclear from the Fact Sheet whether the Infiltration and Inflow issues for the collection system have been resolved.

Response 5:

It is unlikely the Infiltration and Inflow issues will ever be fully resolved. LOTT has been and will have to continue to examine the collection system for sources of infiltration and inflow and to repair the collection system as necessary. LOTT is on a schedule to examine all of their collection basins. This will likely be an ongoing maintenance item LOTT will have to stay on top of, as it is for almost all cities in western Washington.

Comment 6:

Is a separate stormwater permit issued for these facilities? If not, then appropriate stormwater limits and best management practices ought to be included in the permit.

Response 6:

Wastewater treatment plants that need stormwater permit coverage are covered by a general permit for stormwater.

Comment 7:

Although the current permit processes allow for mixing zones for Persistent Bioaccumulative Toxic Compounds, the Department of Ecology as part of loading evaluations ought to evaluate these compounds and their persistent toxicity.

Response 7:

Comment noted and will be considered when the permit is next reissued. The present permit was developed based on policies and procedures as determined by the rules and laws that apply. As stated in your first comment, the permit meets all required standards.

Comment 8:

Monitoring of the sediment at the outfall ought to be included as part of the permit conditions.

Response 8:

Sediment monitoring at the outfall was considered when the permit was last written. Past data does not indicate a problem. It was determined that sediment sampling would be unlikely to detect contamination due to the outfall, given the characteristics of LOTT's discharge. Another consideration was that contamination, if it existed, could be due to nearby clean-up sites. While information related to other sites may be of interest, it would not provide value in regulating the discharge from LOTT.

Comment 9:

Timeliness: a) The delay in issuing a renewal permit for a facility as large and complex as the LOTT facility is difficult to understand. b) It is unclear from the Fact Sheet how many times the facility was inspected during the last permit cycle; only one is noted. c) As discussed, the TMDL process does not seem to be linked with the issuance of these permits.

Response 9:

The LOTT permit was not determined to be a high priority since we are still waiting on the outcome of the TMDL. No substantial changes are planned for the permit until the TMDL is complete. The TMDL process is independent of the permit five year renewal cycle. The Fact Sheet typically only lists the most recent inspection.

Comment 10:

The requirement for dioxin testing is noted with approval.

Response 10:

No response necessary.

Comment 11:

Ecology ought to require sediment analyses. At the minimum the sediment ought to be characterized at the beginning and end of the permit cycle for a large facility like this.

Response 11:

See response #8.

Comment 12:

Coordination of the characterization of the benthic community with sediment characterization would be an important addition to the permit.

Response 12:

Characterization of the benthic community is sometimes done as follow-up testing if a sediment characterization determines issues. Since sediment characterization was not deemed to be necessary for this permit cycle, then benthic community characterization will also not be done.

Comments by the Permittee, LOTT Clean Water Alliance (Karla Fowler, LOTT Community Relations and Environmental Policy Director)

Comment 13:

LOTT notes that sections S8, S9, and 810 were not mentioned specifically as being modified or changed in the addendum but have been removed in their entirety from this draft permit.

Response 13:

The sections removed were not mentioned specifically, but the addendum did state: “Ecology removed the completed report requirements that do not require additional or continued assessment.” The removed sections required such items as a mixing zone study to be completed. The study was completed as required during the last permit term and there is no need to repeat the study. Requirements that had been completed or had run their course were removed.

Comment 14:

Section S2.A, Page 10, Monitoring Schedule Table. Category item Receiving Water and Effluent Study should be removed from the table. This requirement was removed from this draft permit. (The table instructs “As specified in Permit Condition S10.” Permit condition S10 in this draft permit is COMBINED SEWER OVERFLOWS.) The Acute Toxicity Testing and Chronic Toxicity Testing items in this table reference sections S11 and S12 respectively. These need to be corrected to reference sections S8 and S9.

Response 14:

Changes made as suggested.

Comment 15:

Section S3.E.1, Page 15, Reporting Permit Violations, “The Permittee must report any failure of the disinfection system, any collection system overflows, or any plant bypass discharging to a waterbody used as a source of drinking water immediately to the Department of Ecology and the Department of Health, Drinking Water Program...” LOTT requests that a reference list of waterbodies that constitute a source of drinking water be provided to ensure this knowledge is disseminated to the appropriate collection crews and staff.

Response 15:

LOTT should direct this request to the state Department of Health for assistance, as DOH regulates drinking water uses. No changes were made.

Comment 16:

Section S3.E.2.b, Page 15, references S.4.B. “Bypass Procedures” — it should reference S.5.F. Bypass Procedures,

Response 16:

Changes made as suggested.

Comment 17:

Section S4.B, Page 17, Plans for Maintaining Adequate Capacity, "...The Permittee shall submit to Ecology the annual assessment, the Capital Improvement Plan (CIP), in accordance with the requirements set forth in the 1998 LOTT Wastewater Resource Management Plan. The CIP shall include an annual capacity assessment, a plan and a schedule for continuing to maintain system capacity at the facilities sufficient to achieve the effluent limitations, reclaimed water standards, and other conditions of this permit...". In recent years, LOTT has produced the annual capacity assessments separately from, and in advance of, the Capital Improvements Plan (CIP), because data from the assessments is needed in order to develop the CIP. To accurately reflect that process, LOTT suggests some minor rewording, as follows:

...The Permittee shall submit to Ecology annual capacity assessment reports and Capital Improvements Plans (CIP), in accordance with the requirements set forth in the 1998 LOTT Wastewater Resource Management Plan. The CIP shall include a schedule for continuing to maintain system capacity at the facilities sufficient to achieve the effluent limitations, reclaimed water standards, and other conditions of this permit...

Response 17:

Changes made as suggested.

Comment 18:

Section S10.D, Page 32, Combined Sewer Overflow Report. The end of the second sentence states ... (as listed in S11B.1 to 9) — this should be changed to "(as listed in S10.B.1 to 9)".

Response 18:

Changes made as suggested.

Comment 19:

Section R1, Pages 35 and 36, Reclaimed Water Limitations: Outfall #005, Distribution System - the minimum daily Chlorine Residual limitation is 0.5 mg/L. Footnote g specifies "A chlorine residual of at least 0.5 mg/L shall be maintained in the reclaimed water during conveyance to the use area, or the storage pond if reclaimed water is not directly piped to the use area." LOTT currently has a waiver of this limitation from Ecology and Health for this facility, "as long as a detectable amount of chlorine residual is maintained." The waiver does not specify an end date, nor does this draft permit address or acknowledge the waiver. LOTT requests the permit limitation and footnote be

changed to “a detectable amount of chlorine residual is maintained in the reclaimed water during conveyance to the use area or the storage pond if reclaimed water is not directly piped to the use area.”

Response 19:

The limit was waived, and the changes were therefore made as suggested.

Comment 20:

Section R2.A, Page 37, Class A Reclaimed Water Monitoring, Filter Effluent turbidity is required to be monitored continuously in the table. Note c specifies this requirement and that turbidity “shall also be read and recorded every four hours.” LOTT notes that is an unnecessary redundancy and requests that note C be changed to read “Effluent turbidity analysis must be performed by a continuous recording turbidimeter. The Permittee must report the maximum value that exceeds five minutes. “Continuous means uninterrupted except for brief periods of time for calibration, for power failure, or for unanticipated equipment repair or maintenance. The Permittee must sample every four hours when continuous monitoring is not possible.”

Response 20:

In footnote c on page 36, a second sentence was added that states “When continuous monitoring is used, excursions of the sample maximum that last less than 5 minutes are not considered permit violations, as long as the excursion is not greater than 10 times the sample maximum and the excursions in any 24-hour period do not exceed 30 minutes total.” In footnote c on page 37, changes were made as suggested, other than it was added that daily average and maximum values must be reported.

Comment 21:

Section R3, Page 37, References back to Special Condition S3. LOTT currently reports Class A Reclaimed Water ‘spills’ in excess of 500 gallons to Ecology on the SWRO spill line. This requirement has been verbal and there is no mention of a reclaimed water spill reporting requirement in this draft permit nor the Martin Way Reclaimed Water Plant draft permit. LOTT would appreciate clarification of this requirement with regard to reclaimed water.

Response 21:

Anytime water, even highly treated reclaimed water, ends up someplace it was not planned, intended or permitted to be, it should be reported as a spill. The permit does not make exceptions to notification requirements for spills of reclaimed water, and that is as intended. Please continue to report such spills as you have been. No changes were made to the permit.