

# **Appendix E-1 - Ecology Responses to Comments for Spokane County Regional Water Reclamation Facility (SCRWRF) Permit WA0093317 and Fact Sheet**

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The legal notice that informed the public that a draft permit and fact sheet were available for review was published in the Spokesman Review on March 18, 2022. Ecology hosted two identical online workshops, each immediately followed by a public hearing, on April 19 and 26, 2022. Ecology received comments on the draft documents during the 45-day public comment period. No comments were provided during the public hearings. Below are a summary of the commenters, the comments, and Ecology's responses. A copy of all comment documents are available upon request.

The comments received were reviewed and evaluated by Washington State Department of Ecology. Comments were categorized into 15 areas for response, though many comments touched on aspects of more than one comment category.

The comment categories include:

1. **Mixing Zone Flows**
2. **PCBs**
3. **PCB Monitoring Frequency**
4. **Reopener**
5. **Spokane River Regional Toxics Taskforce**
6. **PFAS Monitoring**
7. **Limits**
8. **Monitoring**
9. **WET Testing**
10. **Pretreatment Monitoring**
11. **Typos and Formatting**
12. **Receiving Water Study**
13. **Clarifications**
14. **Dissolved Oxygen TMDL**
15. **Variance**

**Figure 1: Comment Summary Table**

Affiliation	Commenter Name	Topics where comments were assigned	Associated Comment numbers
<b>Individual</b>			
	Wendy	Reopener	I-5-1
		Spokane River Regional Toxics Taskforce	I-5-2
		PFAS Monitoring	I-5-3
	Susan Amstadter	Reopener	I-1-1
		Spokane River Regional Toxics Taskforce	I-1-2
		PFAS Monitoring	I-1-3
	Kirsten Angell	Reopener	I-10-1
		Spokane River Regional Toxics Taskforce	I-10-2
		PFAS Monitoring	I-10-3
	Carla Brooks	Reopener	I-23-1
		Spokane River Regional Toxics Taskforce	I-23-2
		PFAS Monitoring	I-23-3
	Deanna Camp	Reopener	I-4-1
		Spokane River Regional Toxics Taskforce	I-4-2
		PFAS Monitoring	I-4-3
	Barry Chapman	Reopener	I-9-1
		Spokane River Regional Toxics Taskforce	I-9-2
		PFAS Monitoring	I-9-3
	Amy Compestine	Reopener	I-16-1
		Spokane River Regional Toxics Taskforce	I-16-2
		PFAS Monitoring	I-16-3
	James Cronin	Reopener	I-2-1
		Spokane River Regional Toxics Taskforce	I-2-2
		PFAS Monitoring	I-2-3
	James Cronin	Reopener	I-21-1
		Spokane River Regional Toxics Taskforce	I-21-2
		PFAS Monitoring	I-21-3
	Bridget Curran	Reopener	I-11-1
		Spokane River Regional Toxics Taskforce	I-11-2
		PFAS Monitoring	I-11-3
	Marc Fryt	Reopener	I-6-1
		Spokane River Regional Toxics Taskforce	I-6-2
		PFAS Monitoring	I-6-3
	Hollis Higgins	Reopener	I-22-1

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		Spokane River Regional Toxics Taskforce	I-22-2
		PFAS Monitoring	I-22-3
	Paulette Hines	Reopener	I-3-1
		Spokane River Regional Toxics Taskforce	I-3-2
		PFAS Monitoring	I-3-3
	Claudia Hume	Reopener	I-13-1
		Spokane River Regional Toxics Taskforce	I-13-2
		PFAS Monitoring	I-13-3
	Jonathan Keeve	Reopener	I-19-1
		Spokane River Regional Toxics Taskforce	I-19-2
		PFAS Monitoring	I-19-3
	Sheri Lattimore	Reopener	I-17-1
		Spokane River Regional Toxics Taskforce	I-17-2
		PFAS Monitoring	I-17-3
	Charlie Martin	Reopener	I-20-1
		Spokane River Regional Toxics Taskforce	I-20-2
		PFAS Monitoring	I-20-3
	John McKee	Reopener	I-15-1
		Spokane River Regional Toxics Taskforce	I-15-2
		PFAS Monitoring	I-15-3
	Alex Richardson	Reopener	I-8-1
		Spokane River Regional Toxics Taskforce	I-8-2
		PFAS Monitoring	I-8-3
	Gary Rogers	Reopener	I-18-1
		Spokane River Regional Toxics Taskforce	I-18-2
		PFAS Monitoring	I-18-3
	Debbie Stempf	Reopener	I-14-1
		Spokane River Regional Toxics Taskforce	I-14-2
		PFAS Monitoring	I-14-3
	C. G. Sweeney	Reopener	I-12-1
		PFAS Monitoring	I-12-2
	James Tuck	Reopener	I-7-1
		Spokane River Regional Toxics Taskforce	I-7-2
		PFAS Monitoring	I-7-3
<b>Agency</b>			
Environmental Protection Agency	Susan Poulson	Mixing Zone Flows	A-1-1
		PCBs	A-1-2

		PCB Monitoring Frequency	A-1-3
<b>Organization</b>			
Spokane Riverkeeper/Sierra Club	Jerry White, Jr	PCB Monitoring Frequency	O-1-2
		Reopener	O-1-6
		Spokane River Regional Toxics Taskforce	O-1-5
		PFAS Monitoring	O-1-7
		Limits	O-1-1
		Monitoring	O-1-3 , O-1-8
		Receiving Water Study	O-1-9
		Variance	O-1-4
<b>Tribal Government</b>			
Spokane Tribe of Indians	Chad McCrea	PCB Monitoring Frequency	T-1-1
		Reopener	T-1-2
<b>Permit Applicant</b>			
Spokane County Public Works	Robert Lindsay	Mixing Zone Flows	PA-1-23
		Spokane River Regional Toxics Taskforce	PA-1-15
		Limits	PA-1-2 , PA-1-3 , PA-1-4 , PA-1-28
		Monitoring	PA-1-5 , PA-1-6 , PA-1-7 , PA-1-8
		WET Testing	PA-1-9
		Pretreatment Monitoring	PA-1-10
		Typos and Formatting	PA-1-11 , PA-1-12 , PA-1-13 , PA-1-16 , PA-1-24 , PA-1-25 , PA-1-26 , PA-1-30 , PA-1-31 , PA-1-32
		Receiving Water Study	PA-1-14
		Clarifications	PA-1-17 , PA-1-18 , PA-1-19 , PA-1-20 , PA-1-21 , PA-1-22 , PA-1-29
		Dissolved Oxygen TMDL	PA-1-27
		Variance	PA-1-1

## Comments and Responses

Comments and Responses are grouped together and organized by topic. Under each topic heading you can see all the comments Washington State Department of Ecology received for that topic followed by Washington State Department of Ecology's response to the comments under that topic. Where an individual response is required, the individual response specifies the comment number to which the response applies.

### Comments on Mixing Zone Flows

**Summarized Commenters:** Environmental Protection Agency, Spokane County Public Works

#### **Commenter: Susan Poulosom - Comment A-1-1**

Fact Sheet Critical Discharge Conditions In the discussion of critical discharge conditions on Pages 28 and 29, the fact sheet explains that Ecology estimated the 7Q10 flow rate as 773 CFS, based on a study from the 1990s with an additional 200 CFS to account for additional flow mandated by the 2009 Federal Energy Regulatory Commission license for the Post Falls Dam. Table D-2 on Page 72 shows that the 30Q5 flow rate is 1082.2 CFS, which is 1.4 times the estimated 7Q10, and the harmonic mean flow rate is 2,319 CFS, which is 3 times the 7Q10. These estimates of the 30Q5 and harmonic mean as multiples of the 7Q10 are consistent with the discussion on Pages 88 and 89 of the EPA's Technical Support Document for Water Quality-based Toxics Control. These estimates are acceptable, however, as explained below, Ecology may want to consider alternatives that do not require estimation.

The definition of the term "critical condition" in WAC 173-201A-020 states that "For steady-state discharges to riverine systems the critical condition may be assumed to be equal to the 7Q10 flow event unless determined otherwise by the department" (emphasis added). This gives Ecology the flexibility to use critical low flows other than the 7Q10. The fact sheet explains, on Pages 28 and 29, that Ecology's permit writers' manual recommends using at least ten years of data to calculate the seven-day-average ten-year return period (7Q10) low river flow. In this case, only four water years of recent stream flow data (2018 - 2021) are available from USGS's operation of the Greene Street gauge (station # 12422000), with two years of additional data collected by Spokane Community College.

EPA guidance states that the 4B3 biologically based flow rate may be used in lieu of the 7Q10, and the 4B3 can be calculated using less data than the 7Q10. The four water years of available data should be adequate to calculate a 4B3 flow rate for the Greene Street gauge. With a short period of record, it is important to ensure that low flow conditions were observed. The annual mean flow rate for water year 2021 at USGS station number 12422500 (Spokane River at Spokane, WA) was the lowest since 2001, thus, using the recent Greene Street flow data will capture low-flow conditions. Thus, Ecology should consider using a 4B3 flow rate calculated from recent flow data measured at the Greene Street gauge as the critical condition, instead of the estimated 7Q10. Since the 4B3 flow rate is similar in magnitude to the 7Q10, if Ecology chooses to calculate a 4B3 flow rate for the Greene Street gauge, Ecology could estimate a 30Q5 flow rate by multiplying the 4B3 flow rate by a factor of 1.4.

Table 15 states that the 30Q5 flow rate was estimated as 3 times the estimated 7Q10 flow rate. However, as shown in Table D-2 on Page 72, the 30Q5 flow rate was actually estimated as 1.4 times the 7Q10 flow rate.

The listed flow rate of 2,319 CFS in Table 15 (three times the 7Q10) is actually the estimated harmonic mean flow rate. Table 15 should be corrected to state that the harmonic mean flow rate is listed.

Since the harmonic mean flow rate does not have an associated return period (e.g., 10 years for the 7Q10), a harmonic mean stream flow rate can be calculated from any number of stream flow measurements (although a larger sample size will reduce uncertainty). As explained above, 2021 was a low flow year, thus, Ecology should consider calculating a harmonic mean flow rate directly from recent flow data measured at the Greene Street gauge instead of estimating the harmonic mean flow rate.

### **Commenter: Robert Lindsay - Comment PA-1-23**

Draft Fact Sheet Page 29, 3. Ecology must consider critical discharge conditions, fourth paragraph

- Use of the new critical flow of 773 cfs is stated to be conservative and “Ecology expects that a higher critical flow will result when there is enough data....” We agree and offered in Attachment C of the NPDES permit renewal application a critical flow of “at least 800 cfs.”
- The use of the conservative critical flow results in unnecessarily restrictive effluent limits.
- Additionally, since the permit renewal application was submitted, the summer 2021 river flows were measured. Similar to previous years since the FERC relicensing, minimum discharge at USGS gage near Post Falls in the end of August was reduced to 500 cfs (7-day average low flow). The corresponding 7-day average low flow at USGS gage 12422000 above Greene Street was 829 cfs (data are provisional).
- The consistent relationship between low flow discharges near Post Falls and above Greene Street represent the new low flow conditions at the SCRWRf outfall. The Draft Permit should be revised to use a receiving water critical flow of at least 800 cfs.

### **Ecology’s Response to Mixing Zone Flows**

Thank you for your comments. Ecology calculated flows that are protective until there is enough verified, reliable data collected from the USGS gauge to calculate either the 7Q10 or 4B3 flow rate for use in the reasonable potential calculations. Ecology reviewed the data available at the Green Street Gauge 12422000. There are only four years of data collected by the USGS and one year of that data is provisional. USGS recommends against using provisional data in the Surface Water Toolbox Model.

There are a couple of additional years of data collected by the students at the local community college. Ecology is unable to use this data for permit calculations as it was not collected under an approved quality assurance project plan.

Ecology did not make any change to the Fact Sheet or the Permit.

## **Comments on PCB Monitoring Methods**

**Summarized Commenters:** Environmental Protection Agency

### **Commenter: Susan Poulosom - Comment A-1-2**

Total PCB Analytical Methods. The discussion of total PCB analytical methods beginning on Pages 49 and 50 of the fact sheet should include EPA Method 1628. This is a PCB congener method which was published in July 2021, and which has undergone multi-laboratory validation, although it has not yet been approved under 40 CFR Part 136 for use in NPDES permit compliance monitoring.

### **Ecology's Response to PCB Monitoring Methods**

Thank you for your comment. Ecology has added EPA Method 1628 to the list of PCB analytical methods in the Fact Sheet Section IV.D Total PCB analytical methods and Table 29.

## **Comments on PCB Monitoring Frequency**

**Summarized Commenters:** Environmental Protection Agency, Spokane Tribe of Indians, Spokane Tribe of Indians, Spokane Riverkeeper/Sierra Club

### **Commenter: Susan Poulosom - Comment A-1-3**

In Table 14, the draft permit requires effluent monitoring for PCBs using method 1668 at a frequency of once per year. This contrasts with the draft permit for the Liberty Lake Sewer and Water District, which is a smaller facility and requires effluent monitoring for PCBs using method 1668 twice per year (see the Liberty Lake Sewer and Water District permit at Table 10). Sampling twice per year would result in 10 samples being collected over the 5-year permit term. The EPA's Technical Support Document for Water Quality-based Toxics Control indicates, on Page 53, that 10 data points is the minimum necessary to calculate a standard deviation or mean of effluent data with sufficient confidence. Ecology should require effluent monitoring for PCBs using method 1668 at least as frequently as required in the Liberty Lake Sewer and Water District permit.

### **Commenter: Jerry White, Jr - Comment O-1-2**

The draft is written to sample for PCB in Waste Water Influent twice a year. We ask that this occur at a frequency of once per month.

### **Commenter: Chad McCrea - Comment T-1-1**

The Tribe recognizes the current loophole in the enforcement of PCB water quality standards eloquently described by Justice Gonzalez dissenting in Puget Sound Keeper v. Dep't of Ecology, et al., 191 Wn.2d 631, 646-653 (2018). This as interpreted by Ecology requires that enforcement monitoring for PCBs only be conducted with a method that cannot detect down to the water quality standards for PCBs, method 608. PCBs are currently an unenforceable limit in Ecology's view.

With that said, it is critically important that Ecology revise these draft permits to include appropriate monitoring for PCBs utilizing Method 1668 or an equal and similar method for all monitoring purposes, most importantly the FINAL EFFLUENT. This is an appropriate use of Method 1668. *Nw. Pulp & Paper Ass'n v. Dep't of Ecology*, No. 55164-1-II, 2021 Wash. App. LEXIS 2970, at \*7–8 (Ct. App. Dec. 14, 2021).

It is important that all discharges, including the final effluent from these facilities, into the Spokane River be monitored at the very least on a quarterly basis for PCBs appropriately for three important reasons.

First, the PCB TMDL will be completed by the EPA and will include appropriate Waste Load Allocations (WLA) for PCBs. The data EPA uses to develop the WLAs should be the best quality possible to increase the PCB TMDL's effectiveness. Requiring the entities that discharge toxic pollution into the Spokane River to monitor their effluent at all discharge points will help gather the most relevant and current data and will in turn make the PCB TMDL more accurate.

Second, apart from the numeric limits for PCBs, Ecology has narrative limits that must be monitored which Method 1668 can assist with. The following applies to all NPDES permits.

(b) Human health protection. The following provisions apply to the human health criteria in Table 240. All waters shall maintain a level of water quality when entering downstream waters that provides for the attainment and maintenance of the water quality standards of those downstream waters, including the waters of another state. The human health criteria in the tables were calculated using a fish consumption rate of 175 g/day. Criteria for carcinogenic substances were calculated using a cancer risk level equal to one-in-one-million, or as otherwise specified in this chapter. The human health criteria calculations and variables include chronic durations of exposure up to seventy years. All human health criteria for metals are for total metal concentrations, unless otherwise noted. Dischargers have the obligation to reduce toxics in discharges through the use of AKART.

WAC 173-201A-240(b) (emphasis added). Here, the Tribe is a downstream state (with a PCB water column standard of 1.3 pg/L) and Method 1668 monitoring of effluent can help provide data on whether this standard can be attained and maintained under the permit conditions.

Third, 40 C.F.R. Section 122.4(d) requires that: "No permit may be issued: (d) When the imposition of conditions cannot ensure compliance with the applicable water quality requirements of all affected States." Again, the Tribe is an "affected" State for purposes of the Clean Water Act and requiring Method 1668 for final effluent monitoring will allow the Tribe and the EPA to better monitor the effectiveness of the permit conditions.

## **Ecology's Response to PCB Monitoring Frequency**

Thank you for your comments. Ecology has updated the permit S2, Tables 5 and 6 to require EPA Method 1668c for quarterly monitoring of the influent and effluent.

## Comments on Reopener

**Summarized Commenters:** Susan Amstadter, James Cronin, Paulette Hines, Deanna Camp, Wendy, Marc Fryt, James Tuck, Alex Richardson, Barry Chapman, Kirsten Angell, Bridget Curran, C. G. Sweeney, Claudia Hume, Debbie Stempf, Spokane Tribe of Indians, John McKee, Spokane Riverkeeper/Sierra Club, Amy Compestone, Sheri Lattimore, Gary Rogers, Jonathan Keeve, Charlie Martin, James Cronin, Hollis Higgins, Carla Brooks

### **Commenter: Wendy - Comment I-5-1**

Every one of these permits needs to have a "reopener clause" or definite language that will trigger an absolute reopener when the state standard for PCBs is revised to 7 pg/L and/or the PCB TMDL is approved in 2024 and requires a Waste Load Allocation (limit) for the facilities in question.

### **Commenter: Susan Amstadter - Comment I-1-1**

Every one of these permits needs to have a "reopener clause" or definite language that will trigger an absolute reopener when the state standard for PCBs is revised to 7 pg/L and/or the PCB TMDL is approved in 2024 and requires a Waste Load Allocation (limit) for the facilities in question.

### **Commenter: Kirsten Angell - Comment I-10-1**

Every one of these permits needs to have a "reopener clause" or definite language that will trigger an absolute reopener when the state standard for PCBs is revised to 7 pg/L and/or the PCB TMDL is approved in 2024 and requires a Waste Load Allocation (limit) for the facilities in question.

### **Commenter: Carla Brooks - Comment I-23-1**

Every one of these permits needs to have a "reopener clause" or definite language that will trigger an absolute reopener when the state standard for PCBs is revised to 7 pg/L and/or the PCB TMDL is approved in 2024 and requires a Waste Load Allocation (limit) for the facilities in question.

### **Commenter: Deanna Camp - Comment I-4-1**

Every one of these permits needs to have a "reopener clause" or definite language that will trigger an absolute reopener when the state standard for PCBs is revised to 7 pg/L and/or the PCB TMDL is approved in 2024 and requires a Waste Load Allocation (limit) for the facilities in question.

### **Commenter: Barry Chapman - Comment I-9-1**

1. This permit should include a "reopener clause" or definite language that will trigger an absolute reopener when the state standard for PCBs is revised to 7 pg/L and/or the PCB TMDL is approved in 2024 and requires a Waste Load Allocation (limit) for the facility in question.

**Commenter: Amy Compestine - Comment I-16-1**

1. Every one of these permits needs to have a "reopener clause" or definite language that will trigger an absolute reopener when the state standard for PCBs is revised to 7 pg/L and/or the PCB TMDL is approved in 2024 and requires a Waste Load Allocation (limit) for the facilities in question.

**Commenter: James Cronin - Comment I-2-1**

Every one of these permits needs to have a "reopener clause" or definite language that will trigger an absolute reopener when the state standard for PCBs is revised to 7 pg/L and/or the PCB TMDL is approved in 2024 and requires a Waste Load Allocation (limit) for the facilities in question.

**Commenter: James Cronin - Comment I-21-1**

Every one of these permits needs to have a "reopener clause" or definite language that will trigger an absolute reopener when the state standard for PCBs is revised to 7 pg/L and/or the PCB TMDL is approved in 2024 and requires a Waste Load Allocation (limit) for the facilities in question.

**Commenter: Bridget Curran - Comment I-11-1**

Every one of these permits needs to have a "reopener clause" or definite language that will trigger an absolute reopener when the state standard for PCBs is revised to 7 pg/L and/or the PCB TMDL is approved in 2024 and requires a Waste Load Allocation (limit) for the facilities in question.

**Commenter: Marc Fryt - Comment I-6-1**

Every one of these permits needs to have a "reopener clause" or definite language that will trigger an absolute reopener when the state standard for PCBs is revised to 7 pg/L and/or the PCB TMDL is approved in 2024 and requires a Waste Load Allocation (limit) for the facilities in question.

**Commenter: Hollis Higgins - Comment I-22-1**

Every one of these permits needs to have a "reopener clause" or definite language that will trigger an absolute reopener when the state standard for PCBs is revised to 7 pg/L and/or the PCB TMDL is approved in 2024 and requires a Waste Load Allocation (limit) for the facilities in question.

**Commenter: Paulette Hines - Comment I-3-1**

Every one of these permits needs to have a "reopener clause" or definite language that will trigger an absolute reopener when the state standard for PCBs is revised to 7 pg/L and/or the PCB TMDL is approved in 2024 and requires a Waste Load Allocation (limit) for the facilities in question.

**Commenter: Claudia Hume - Comment I-13-1**

1. Every one of these permits needs to have a "reopener clause" or definite language that will trigger an absolute reopener when the state standard for PCBs is revised to 7 pg/L and/or the PCB TMDL is approved in 2024 and requires a Waste Load Allocation (limit) for the facilities in question.

**Commenter: Jonathan Keeve - Comment I-19-1**

1. Every one of these permits needs to have a "reopener clause" or definite language that will trigger an absolute reopener when the state standard for PCBs is revised to 7 pg/L and/or the PCB TMDL is approved in 2024 and requires a Waste Load Allocation (limit) for the facilities in question.

**Commenter: Sheri Lattimore - Comment I-17-1**

Every one of these permits needs to have a "reopener clause" or definite language that will trigger an absolute reopener when the state standard for PCBs is revised to 7 pg/L and/or the PCB TMDL is approved in 2024 and requires a Waste Load Allocation (limit) for the facilities in question.

**Commenter: Charlie Martin - Comment I-20-1**

1. Every one of these permits needs to have a "reopener clause" or definite language that will trigger an absolute reopener when the state standard for PCBs is revised to 7 pg/L and/or the PCB TMDL is approved in 2024 and requires a Waste Load Allocation (limit) for the facilities in question.

**Commenter: John McKee - Comment I-15-1**

Every one of these permits needs to have a "reopener clause" or definite language that will trigger an absolute reopener when the state standard for PCBs is revised to 7 pg/L and/or the PCB TMDL is approved in 2024 and requires a Waste Load Allocation (limit) for the facilities in question.

**Commenter: Alex Richardson - Comment I-8-1**

Every one of these permits needs to have a "reopener clause" or definite language that will trigger an absolute reopener when the state standard for PCBs is revised to 7 pg/L and/or the PCB TMDL is approved in 2024 and requires a Waste Load Allocation (limit) for the facilities in question.

**Commenter: Gary Rogers- Comment I-18-1**

Each of these permits needs to have a "reopener clause" or definite language that will trigger an absolute reopening if/when the State standard for PCBs is revised to 7 pg/L and/or the PCB TMDL is approved in 2024 and requires a Waste Load Allocation (limit) for the facilities in question.

**Commenter: Debbie Stempf - Comment I-14-1**

1. Every one of these permits needs to have a "reopener clause" or definite language that will trigger an absolute reopener when the state standard for PCBs is revised to 7 pg/L and/or the PCB TMDL is approved in 2024 and requires a Waste Load Allocation (limit) for the facilities in question.

**Commenter: C. G. Sweeney - Comment I-12-1**

Given the urgency of protecting the Spokane River with enforced clean water standards, each permit granted should include a reopener clause, or similar language, to guarantee compliance when the state standard for PCBs is revised to Fed Standard of 7 pg/L and/or if the PCB TMDL is approved in 2024. Also require a Waste Load Allocation (limit) for the facilities in question.

**Commenter: James Tuck - Comment I-7-1**

1. Every one of these permits needs to have a "reopener clause" or definite language that will trigger an absolute reopener when the state standard for PCBs is revised to 7 pg/L and/or the PCB TMDL is approved in 2024 and requires a Waste Load Allocation (limit) for the facilities in question.

**Commenter: Jerry White, Jr - Comment O-1-6**

NPDES Permit must have automatic and specific re-opener clauses:

Spokane County, Fact Sheet, In the proposed Permit Limits, Section III C, Page 25 states that:

General condition G3 of the permit allows Ecology to modify, revoke, reissue or terminate a permit under certain conditions. One of the conditions includes the promulgation of new or amended standards or regulations having a direct bearing upon permit conditions or requiring permit revision.

When EPA finalizes its new rule, Ecology will evaluate the impact to the permit resulting from any changes to the criteria. Ecology will then take appropriate actions, which could include modifying the current permit or including new requirements in the next permit issuance.

We ask that specific requirements be created inside the permit that directly and affirmatively states that upon adoption of the federally promulgated Human Health Criteria of 7 pg/L, the NPDES Permits for both Liberty Lake Sewer and Water as well as Spokane Co Public Works will be reopened, and the new standard will be written into the permits in all pertinent and applicable places. We would ask that this be written as a re-opener clause that automatically reopens the NPDES permits to:

1. Conform to the federal or State promulgation of a new Human Health Criteria and Water Quality Criteria for any number of parameters to include PCBs.
2. To the development of a new Total Maximum Daily Load for PCBs and the attendant Waste Load Allocations for permitted PCB pollution.
3. The federal or State promulgation of a new Aquatic Life Criteria for toxics

**Commenter: Chad McCrea - Comment T-1-2**

This permit should account for the uncertainty presented by developing permits when the very standards used to develop the permits are subject to two separate lawsuits and an EPA administrative process, along with the development of a PCB TMDL. The permits should include an automatic reopener to address any discrepancies that arise if the water quality standards change during the term of these permits and when WLAs are finalized.

## **Ecology's Response to Reopener**

Thank you for your comments. General Condition G3 allows Ecology to modify a permit for changes in water quality criteria or the development of a TMDL. Ecology has modified the language in permit condition G3 to state that Ecology will reopen the discharge permits when EPA finalizes a change to the Human Health Criteria. For the TMDL and Aquatic Life Criteria, Ecology will evaluate the situation and consider the timing for those actions. Ecology may reopen the permits during the current 5-year cycle or include the new requirements in the next permit cycle, depending on when the action occurs with respect to the permit cycle.

## **Comments on Spokane River Regional Toxics Taskforce**

**Summarized Commenters:** Susan Amstadter, James Cronin, Paulette Hines, Deanna Camp, Wendy, Marc Fryt, James Tuck, Alex Richardson, Barry Chapman, Kirsten Angell, Bridget Curran, Claudia Hume, Debbie Stempf, John McKee, Spokane County Public Works, Spokane Riverkeeper/Sierra Club, Amy Compestine, Sheri Lattimore, Gary Rogers, Jonathan Keeve, Charlie Martin, James Cronin, Hollis Higgins, Carla Brooks

### **Commenter: Wendy - Comment I-5-2**

End the mandatory participation of these pollution dischargers in the Spokane River Regional Toxics Task Force as it is no longer a community-based process.

### **Commenter: Susan Amstadter- Comment I-1-2**

End the mandatory participation of these pollution dischargers in the Spokane River Regional Toxics Task Force as it is no longer a community-based process.

### **Commenter: Kirsten Angell - Comment I-10-2**

End the mandatory participation of these pollution dischargers in the Spokane River Regional Toxics Task Force as it is no longer a community-based process.

### **Commenter: Carla Brooks - Comment I-23-2**

End the mandatory participation of these pollution dischargers in the Spokane River Regional Toxics Task Force as it is no longer a community-based process.

### **Commenter: Deanna Camp - Comment I-4-2**

End the mandatory participation of these pollution dischargers in the Spokane River Regional Toxics Task Force as it is no longer a community-based process.

### **Commenter: Barry Chapman - Comment I-9-2**

2. End the mandatory participation of this pollution discharger in the Spokane River Regional Toxics Task Force as it is no longer a community-based process.

**Commenter: Amy Compestine - Comment I-16-2**

2. End the mandatory participation of these pollution dischargers in the Spokane River Regional Toxics Task Force as it is no longer a community-based process.

**Commenter: James Cronin - Comment I-2-2**

End the mandatory participation of these pollution dischargers in the Spokane River Regional Toxics Task Force as it is no longer a community-based process.

**Commenter: James Cronin - Comment I-21-2**

End the mandatory participation of these pollution dischargers in the Spokane River Regional Toxics Task Force as it is no longer a community-based process.

**Commenter: Bridget Curran - Comment I-11-2**

End the mandatory participation of these pollution dischargers in the Spokane River Regional Toxics Task Force as it is no longer a community-based process.

**Commenter: Marc Fryt - Comment I-6-2**

End the mandatory participation of these pollution dischargers in the Spokane River Regional Toxics Task Force as it is no longer a community-based process.

**Commenter: Hollis Higgins - Comment I-22-2**

End the mandatory participation of these pollution dischargers in the Spokane River Regional Toxics Task Force as it is no longer a community-based process.

**Commenter: Paulette Hines - Comment I-3-2**

End the mandatory participation of these pollution dischargers in the Spokane River Regional Toxics Task Force as it is no longer a community-based process.

**Commenter: Claudia Hume - Comment I-13-2**

2. End the mandatory participation of these pollution dischargers in the Spokane River Regional Toxics Task Force as it is no longer a community-based process.

**Commenter: Jonathan Keeve - Comment I-19-2**

2. End the mandatory participation of these pollution dischargers in the Spokane River Regional Toxics Task Force as it is no longer a community-based process.

**Commenter: Sheri Lattimore - Comment I-17-2**

End the mandatory participation of these pollution dischargers in the Spokane River Regional Toxics Task Force as it is no longer a community-based process.

**Commenter: Charlie Martin - Comment I-20-2**

2. End the mandatory participation of these pollution dischargers in the Spokane River Regional Toxics Task Force as it is no longer a community-based process.

**Commenter: John McKee - Comment I-15-2**

End the mandatory participation of these pollution dischargers in the Spokane River Regional Toxics Task Force as it is no longer a community-based process.

**Commenter: Alex Richardson - Comment I-8-2**

End the mandatory participation of these pollution dischargers in the Spokane River Regional Toxics Task Force as it is no longer a community-based process.

**Commenter: Gary Rogers - Comment I-18-2**

Please, end the mandatory participation of these pollution dischargers in the Spokane River Regional Toxics Task Force as it is no longer a community-based process.

**Commenter: Debbie Stempf - Comment I-14-2**

2. End the mandatory participation of these pollution dischargers in the Spokane River Regional Toxics Task Force as it is no longer a community-based process.

**Commenter: James Tuck - Comment I-7-2**

End the mandatory participation of these pollution dischargers in the Spokane River Regional Toxics Task Force as it is no longer a community-based process.

**Commenter: Robert Lindsay - Comment PA-1-15**

Page 54, S16.B, Community Based Toxics Reduction

Spokane County supports the concept of Community Based Toxics Reduction, but not via the Spokane River Regional Toxics Task Force (Task Force). The Task Force was proposed and developed by local NPDES permittees to conduct a voluntary alternative to a traditional TMDL process to identify and reduce sources of PCBs in the Spokane River. Now that the EPA has committed to develop a TMDL for PCBs in the Spokane River, the fundamental purpose for voluntarily participating in the Task Force has been eliminated. Nevertheless, the Task Force has performed excellent technical work in documenting the fate and transport of PCBs in the watershed and Spokane County sees value in continuing the process.

Spokane County recommends Ecology lead a coordinated multi-agency effort to re-engage tribes, NGOs and other stakeholders to identify sources of PCBs and other toxics in the watershed. But, this process should not be imposed in this NPDES Permit. Federal or state funding of projects to reduce toxics in the watershed could be an open process via grants to various qualified organizations to conduct projects as appropriate rather than imposing these costs on Spokane County and other permittees. If Ecology believes that a watershed-based approach is necessary for the River, it is unreasonable to impose all of that burden on Spokane County and the other dischargers – especially when this Permit already contains significant requirements and corresponding costs.

**Commenter: Jerry White, Jr - Comment O-1-5**

Cut the SRRTTF requirement:

Omit the requirement to take part in the Spokane River Regional Toxics Task Force. The SRRTTF should be dissolved.

**Ecology’s Response to Spokane River Regional Toxics Taskforce**

Thank you for your comments. We believe the current situation is an opportunity for Ecology to work towards a more inclusive organization and advisory process. Ecology has also found that SRRTTF activities contributed to a better understanding of PCBs in the Spokane River and the collaborative actions of SRRTTF members were responsible for reducing sources of PCBs to the river.

Ecology modified Section S16. B of the permit to require participation in the Spokane River Regional Toxics Task Force pending the formation of an Ecology-approved citizen advisory organization. This will provide permittees with the ability to work collaboratively on BMPs while Ecology initiates the process to create a more inclusive advisory group.

**Comments on PFAS Monitoring**

**Summarized Commenters:** Susan Amstadter, James Cronin, Paulette Hines, Deanna Camp, Wendy, Marc Fryt, James Tuck, Alex Richardson, Barry Chapman, Kirsten Angell, Bridget Curran, C. G. Sweeney, Claudia Hume, Debbie Stempf, John McKee, Spokane Riverkeeper/Sierra Club, Amy Compestine, Sheri Lattimore, Gary Rogers, Jonathan Keeve, Charlie Martin, James Cronin, Hollis Higgins, Carla Brooks

**Commenter: Wendy - Comment I-5-3**

Please test for PFAS toxics in the pollution effluent coming out of the WWTP.

**Commenter: Susan Amstadter - Comment I-1-3**

Please test for PFAS toxics in the pollution effluent coming out of the WWTP.

**Commenter: Kirsten Angell - Comment I-10-3**

Please test for PFAS toxics in the pollution effluent coming out of the WWTP.

**Commenter: Carla Brooks - Comment I-23-3**

Please test for PFAS toxics in the pollution effluent coming out of the WWTP.

**Commenter: Deanna Camp - Comment I-4-3**

Please test for PFAS toxics in the pollution effluent coming out of the WWTP.

**Commenter: Barry Chapman - Comment I-9-3**

3. Include language that insures testing for PFAS toxics in the pollution effluent coming out of the discharge pipe(s) of this facility.

**Commenter: Amy Compestine - Comment I-16-3**

3. Please test for PFAS toxics in the pollution effluent coming out of the WWTP.

**Commenter: James Cronin - Comment I-2-3**

Please test for PFAS toxics in the pollution effluent coming out of the WWTP.

**Commenter: James Cronin - Comment I-21-3**

Please test for PFAS toxics in the pollution effluent coming out of the WWTP.

**Commenter: Bridget Curran - Comment I-11-3**

Please test for PFAS toxics in the pollution effluent coming out of the WWTP.

**Commenter: Marc Fryt - Comment I-6-3**

Please test for PFAS toxics in the pollution effluent coming out of the WWTP.

**Commenter: Hollis Higgins - Comment I-22-3**

Please test for PFAS toxics in the pollution effluent coming out of the WWTP.

**Commenter: Paulette Hines - Comment I-3-3**

Please test for PFAS toxics in the pollution effluent coming out of the WWTP.

**Commenter: Claudia Hume - Comment I-13-3**

3. Please test for PFAS toxics in the pollution effluent coming out of the WWTP.

**Commenter: Jonathan Keeve - Comment I-19-3**

3. Please test for PFAS toxics in the pollution effluent coming out of the WWTP.

**Commenter: Sheri Lattimore - Comment I-17-3**

Please test for PFAS toxics in the pollution effluent coming out of the WWTP.

**Commenter: Charlie Martin - Comment I-20-3**

3. Please test for PFAS toxics in the pollution effluent coming out of the WWTP.

**Commenter: John McKee - Comment I-15-3**

Please test for PFAS toxics in the pollution effluent coming out of the WWTP.

**Commenter: Alex Richardson - Comment I-8-3**

Please test for PFAS toxics in the pollution effluent coming out of the WWTP.

**Commenter: Gary Rogers - Comment I-18-3**

Additionally, please test for PFAS toxins in the pollution effluent coming out of the WWTP.

**Commenter: Debbie Stempf - Comment I-14-3**

3 \_ Please test for PFAS toxics in the pollution effluent coming out of the WWTP

**Commenter: C. G. Sweeney - Comment I-12-2**

In each case for each discharger listed above, a test for PFAS toxics in the pollution effluent should also be included.

**Commenter: James Tuck - Comment I-7-3**

Please test for PFAS toxics in the pollution effluent coming out of the WWTP.

**Commenter: Jerry White, Jr - Comment O-1-7**

Please add PFAS to the list of Persistent Bioaccumulative Toxins (PBT) and require monitoring and reporting to the public:

Perfluorinated chemicals are finally being recognized as a persistent and present danger to our communities and our waters and their ecosystems. Additionally, they are being identified in wastewater treatment systems, biosolids, sewers, and stormwater systems.

The CWA states clearly that it aims to prevent, reduce, and eliminate pollution in the nation's water in order “to restore and maintain the chemical, physical, and biological integrity of the Nation’s waters,” and to achieve “wherever attainable, an interim goal of water quality which provides for the protection and propagation of fish, shellfish, and wildlife and provides for recreation in and on the water. 33 §U.S.C. 1251(a) and (a)(2)”

We can find no reference in the draft permits to the potential discharge of, or pollutants called per-and polyfluoroalkyl substances. We ask that Ecology incorporate testing/monitoring for per-and polyfluoroalkyl substances - PFAS, a group of chemicals commonly known to be in wastewater and now commonly found in human blood and tissue. PFAS should be incorporated into the Toxics Management Plans, data from sampling the influent, effluent, and receiving waters should be collected and BMPs should be developed over the cycle of this permit. Further, these aspects of the permit should be folded into the Toxics Reduction Strategies.

As per the CWA and EPA guidance, the permits should address all pollutants known to threaten our waters and their ecological integrity. Therefore, the permit should require that IEPs WWTP test for PFAS.

Please see EPA statements on their future ambitions and strategic directions with regards to finding and preventing PFAS from entering our ground and surface waters. Monitoring of receiving waters should be included in this permit as well as monitoring of CSOs, Biosolids, pretreatment influents, and wastewater effluent.

## **Ecology’s Response to PFAS Monitoring**

Thank you for your comments. While PFAS is of concern in the Spokane area, the primary PFAS impacts are associated with groundwater and drinking water contamination in the area near Fairchild AFB, west of the Spokane aquifer and river. In 2016 Ecology conducted a statewide study that provides data about Spokane River water, fish and wastewater treatment plant effluent. Compared to other waterbodies, the Spokane River has some of the lowest concentrations of PFAS in the state. The concentrations of PFAS in fish are below DOH's level of concern for high fish consumers. PFAS concentrations in effluent are in the median range compared to other wastewater treatment plants.

We currently do not have federal criteria for regulating PFAS discharges under the Clean Water Act. However, the Department of Health recently passed regulations that establish monitoring and State Action Levels for PFAS in public water systems. Should PFAS be discovered in Spokane public water systems, the public water system operators are required to report, investigate the cause of contamination, and take action.

Ecology did not require PFAS (and related chemicals) monitoring in this permit. However, because PFAS in Spokane drinking water supplies would be a source to wastewater treatment plants, we will track the situation and evaluate next steps should PFAS be discovered in the Spokane public water systems or EPA issues a drinking water standard for PFAS.

## Comments on Limits

**Summarized Commenters:** Spokane County Public Works, Spokane Riverkeeper/Sierra Club

### **Commenter: Robert Lindsay - Comment PA-1-4**

Ammonia limits for average month and maximum day: The SCRWRF consistently treats ammonia to a low level making the average month and maximum day effluent limits added to this Draft Permit inappropriate and unreasonable. The reasonable potential calculation in the Draft Fact Sheet uses a higher effluent ammonia concentration than what typically occurs in the effluent. Using a 95th percentile effluent concentration or even a 99th percentile concentration returns no reasonable potential and no limits are required. The average month and maximum day effluent limits for ammonia should be deleted from the Draft Permit.

Page 8, Table 2: Total Ammonia (As NH<sub>3</sub>-N)

- The proposed ammonia average month and maximum day effluent limits are not appropriate and should be deleted.
- The SCRWRF has consistently removed ammonia from its effluent. From the September 2015 through August 2020 effluent data that the County used to develop the permit renewal application, the 95th percentile concentration was 1 mg/L and the 99th percent was 2.5 mg/L. Updating the RPA calculator on page 74 of the Draft Fact Sheet with either of these effluent concentration results in no reasonable potential to violate the water quality standard and no effluent limits are need.
- Further, Attachment G to the SCRWRF NPDES permit renewal application described using effluent and receiving water data that there is no reasonable potential for exceedances of ammonia toxicity and that daily or monthly limits are not needed.

### **Ecology's Response to Comment PA-1-4**

Thank you for your comment. Ecology included permit limits for average and maximum ammonia in the previous permit. Additionally, the alternative seasonal wasteload was based maximum month limit of 16 mg/L. That limit results in a reasonable potential for ammonia toxicity at the edge of the mixing zone. While Ecology agrees that the Spokane County treatment facility efficiently removes ammonia, the previous permit limit must be updated to adequately reflect the toxicity limit for ammonia. Based on the data provided by Spokane County during the past five years, the County will not be at risk for exceeding the revised limit. No change was made to the permit.

### **Commenter: Robert Lindsay - Comment PA-1-28**

Draft Fact Sheet Page 47, Table 26: Comparison of Previous and Proposed Effluent Limits for Outfall #001 – pH

- The pH limits in the 2011 permit were water quality based, not technology based (see 2011 Fact Sheet page 33).
- Please revise the table to describe the 2011 pH limit as WQBEL.

## **Ecology's Response to Comment PA-1-28**

Thank you for your comment. Ecology reviewed the previous fact sheet. The pH limit had a water quality based effluent limit for the lower limit (7.0 standard units) and technology based limit for the upper limit (9.0 standard units). Ecology added this clarification to Fact Sheet Table 26.

### **Commenter: Robert Lindsay - Comment PA-1-2**

Cadmium, Lead, and Zinc Limits: The County requests removal of the proposed cadmium effluent limit because the Spokane River is no longer impaired for cadmium. The County requests that Ecology retain the lead and zinc effluent limits from the previous permit. Because the SCRWRF effluent is well below the surface water quality criteria for lead and zinc, more stringent limits for these parameters is not appropriate. By way of comparison, the Cd, Pb, and Zn effluent limits in the draft permit for Kaiser Aluminum are higher than the proposed SCRWRF effluent limits. There is no reasonable basis for Ecology to impose more stringent limits on the County when both Kaiser and the County discharge to the Spokane River and when the SCRWRF effluent is well below the water quality criteria for these parameters.

Page 8, S1, Table 2: Metals (Cadmium, Lead, and Zinc)

- The County requests modifications of the proposed lower effluent limits for cadmium, lead, and zinc. Justification for modifications of the proposed limits includes:
- The 1999 Spokane River TMDL was developed to achieve compliance with the cadmium water quality standard. Because the Spokane River is no longer impaired for cadmium (i.e., meets the water quality standard), the cadmium effluent limit should be deleted. Alternatively, the permit should retain the existing cadmium effluent limit in the 2011 SCRWRF NPDES permit.
- Additionally, the Draft Fact Sheet at page 77 establishes there is no reasonable potential for cadmium impairment due to the SCRWRF discharge and, therefore, a limit is not needed. As stated above retaining the cadmium limit from the previous permit would be an acceptable alternative.
- Effluent limits for cadmium, lead, and zinc can be set for the SCRWRF using an end-of-pipe toxicity calculation similar to that currently used for Kaiser Aluminum. Kaiser Aluminum and SCRWRF have similar effluent hardness which would result in similar end-of-pipe calculated limits. As an alternative, the permit limits in the existing permit can be retained.

## **Ecology's Response to Comment PA-1-2**

Thank you for your comment. The TMDL for Cadmium Lead and Zinc provides the guidance for implementing the TMDL into the permit. Each facility discharging to the Spokane River is evaluated per the implementation requirements in the TMDL. The approved TMDL instructs Ecology to apply the most stringent of either the evaluation of performance based data plus 10% or end of pipe limits calculated as directed. Until Ecology revises or withdraws the Cadmium, Lead, and Zinc TMDL, Ecology must implement the water quality improvement plan in the permits on the Spokane River. No changes were made to the limits for Cadmium, Lead, and Zinc.

### **Commenter: Robert Lindsay - Comment PA-1-3**

Polychlorinated Biphenyls (PCBs) Limit: Based on a reasonable potential analysis calculation (page 77 of the Draft Fact Sheet), the SCRWRf should not have numeric PCB effluent limits. Because there is no reasonable potential for the SCRWRf to exceed the PCB water quality standard, the proposed numeric effluent PCB limits should be deleted from the Draft Permit.

- Page 8, S1, Table 2: PCBs (Total) limits
- Based on the reasonable potential analysis calculation contained on page 77 of the Draft Fact Sheet, the SCRWRf should not have numeric PCB effluent limits. The proposed numeric effluent PCB limits should be deleted from the Draft Permit. Additional factors related to PCB effluent limits include:
- Narrative water quality standards for PCBs, based on the fish harvest usage, may be appropriate in the permit because PCBs are known to be present in the effluent.
- If the effluent PCB limits are retained, Ecology should set limits based on the highest attainable condition (HAC) as detailed in the Spokane County PCB variance application submitted at Ecology's request in April 2019.
- If the effluent PCB limits are retained as written in this Draft Permit, Spokane County requires either a ten-year compliance schedule or a variance consistent with the County's Variance application to allow the County time within which to evaluate additional action that may be needed for consistent compliance with the limits.

### **Ecology's Response to Comment PA-1-3**

Thank you for your comment. The variance is a rulemaking process and is separate from the permit reissuance. On June 12, 2019, Ecology initiated the variance rulemaking using the 2016 PCB standards that were in effect at that time. On June 12, 2020, these standards were rolled back by EPA and no longer in effect. Because of this Ecology is unable to move forward with the variance applications and has not made a decision on the variance request. The highest attainable condition (HAC) is a component of the variance process and will not be addressed in the permit unless Ecology adapts the Variance.

The discharge has a reasonable potential to contribute to violations of the water quality narrative criteria for PCBs, based on the fish harvest usage, because of the Department of Health fish advisory and PCBs are known to be present in the effluent. With respect to the end of pipe limits, Ecology evaluated all of the data submitted by Spokane County. The performance based limits would be Average Monthly Effluent Limit 134 pg/L and Maximum Daily Effluent Limit 310 pg/L. There is no indication based on the evaluation of the data submit by Spokane County for the last five years that a compliance Schedule would be needed. The following provides the results of the evaluation:

**Figure 2: PCB Performance based Effluent Limits**

INPUT	
LogNormal Transformed Mean:	4.0691
LogNormal Transformed Variance:	0.5155
Number of Samples per month for compliance monitoring:	4
Autocorrelation factor ( $\rho_n$ ) (use 0 if unknown):	0
OUTPUT	
$E(X) =$	75.7040
$V(X) =$	3885.062
$VARn$	0.1558
$MEANn=$	4.2489
$VAR(Xn)=$	966.266
RESULTS	
<b>Maximum Daily Effluent Limit (pg/L):</b>	<b>311</b>
<b>Average Monthly Effluent Limit (pg/L):</b>	<b>134</b>

**Figure 3: Log Normal Transformed Mean and Variance**

<b>Data pg/L</b>	<b>Ln()</b>
39	3.664
44	3.784
19	2.944
52	3.951
220	5.394
171	5.142
304	5.717
23	3.135
29	3.367
55	4.007
90	4.500
43	3.761
39	3.664
42	3.738
114	4.736
65	4.174
86	4.454
27	3.296
59	4.074
59	4.078
48	3.871
<b>Mean</b>	<b>4.069</b>
<b>Variance</b>	<b>0.515</b>

**Commenter: Jerry White, Jr - Comment O-1-1**

Comments on Discharge Effluent Limits for PCBs:

PCBs are toxic chlorinated chemicals that are at once a carcinogen as well as endocrine disrupters. These chemicals are found in the effluent of both pollution dischargers and are currently at levels that cause and contribute to water quality violations of the Washington State Water Quality Standard (WQS) as well as the Spokane Tribal WQS for the Spokane River. PCBs bioaccumulate in the food chain and cause a disruption in the human uses of fishing and cause biological problems in the receiving food web and aquatic ecosystems. The Spokane River currently violates the HHC and many portions of the river for surface WQS. Additionally, discharges of PCBs from both facilities contribute to violations of the downstream water quality standard of the Spokane Tribe (which has a WQS of 1.3 pg/L).

This numerical effluent limit represents progress in moving NPDES permittees to a measurable, legally defensible standard for the discharge of toxic PCBs into the States surface waters.

SC [Sierra Club] and SRK [Spokane Riverkeeper] appreciate and support the Washington State Department of Ecology (WDOE) using numeric limits for Total PCBs in the effluent of Spokane County and Liberty Lakes discharges to the Spokane River. We appreciate and support the (average monthly) numeric effluent limit of 170 picograms per liter at the end of outfall 001 for Spokane County, and outfall 001 of Liberty Lake Sewer & Water as the limit conforms to the Washington State water quality standard (WQS).

Moving to a numeric effluent standard at outfalls has been a benchmark that has been requested by numerous stakeholders since and prior to the NPDES permit being issued for all Spokane River dischargers in 2011. Notably, the 2011 permit was absent numeric effluent limits for PCBs.

However, we have found differences between facilities and the permits regarding final effluent and maximum daily numeric limits. Liberty Lakes outfall has a maximum daily limit is 341 pg/liter. Spokane County has Maximum Daily limit is 414 pg/L. This represents a difference of 73 pg/L between the two Maximum Daily limits for the WWTPs. We ask that your make the daily maximum limit a uniform 340 PG/L for both facilities.

**Ecology's Response to Comment O-1-1**

Thank you for your comment. Ecology calculates the maximum daily concentration as identified in Appendix D of the Fact Sheet. This calculation depends on the coefficient of variation (Cv) of the data collected and reported by the facility. The Spokane County facility collected 21 samples during the evaluation period. This requires that Ecology calculate the actual Cv. This value is dependent upon the mean of the number of samples collected and the standard deviation. This value is different for each data set. As a result, the maximum daily effluent limit varies from facility to facility depending on the Cv for the data reported. Ecology did not make changes to the maximum daily effluent limit for the Spokane County Permit.

## Comments on Monitoring

**Summarized Commenters:** Spokane County Public Works, Spokane Riverkeeper/Sierra Club

### Commenter: Robert Lindsay - Comment PA-1-5

Page 8, S1, Table 2: Fecal Coliform and E. coli testing

- It is excessive to have two types of bacteria sampling in the effluent through the permit term. The required transition to E. coli sampling is understood, but, following the transition, please delete the fecal coliform testing and limits from the permit requirements.

### Ecology's Response to Comment PA-1-5

Thank you for your comment. Ecology made changes to the permit S2 Table 6 requiring that Spokane County complete sampling for both fecal Coliform and E.coli for the first two years of the permit. Ecology added a statement to S1 Table 2 Fecal Coliform Bacteria limit indicating that it is only effective until the E.coli limits becomes effective.

### Commenter: Robert Lindsay - Comment PA-1-6

Page 12 and 14, S2, Tables 5: Footnote h

- This footnote requires clarification in regards to sampling requirements during weeks with holidays. For example, if there is a holiday during the week, are only four samples required that week? What holidays are included? Often, sampling or testing is required 3 days a week, excluding weekends and holidays, to avoid this confusion. Please consider the following revision: 5/week means five times during each calendar week except weekends and federal holidays. If one or more federal holidays falls during a week day, it is acceptable to sample less than 5 times per week.

### Ecology's Response to Comment PA-1-6

Thank you for your comment. S2, Table 5 Footnote h is for quarterly sampling. Footnote g for Table 5 is for five times per week sampling. Table 6 Footnote h is for five times per week sampling. The Footnote already indicates that five times per week sampling applies to each calendar week except weekends and holidays. Ecology made the following clarification to S2 Table 5 Footnote g and Table 6 Footnote h.

5/week means sampling five times in every week except those weeks with Washington State recognized holidays. Weeks with recognized holidays will have 5/week minus the number of recognized holidays in the given week.

**Commenter: Robert Lindsay - Comment PA-1-7**

Page 13: Dissolved Oxygen, continuous monitoring

- Spokane County cannot comply with this provision because its plant does not currently have DO effluent continuous monitoring instruments. The instruments to monitor DO may require a new housing cabinet on the effluent line and, given the current supply-chain issues in the United States, the continuous monitoring instruments and components may not be quickly available to order. Consequently, the Permit must be revised to include a provision that gives the County a reasonable period of time following the effective date of the permit within which to install the necessary monitoring equipment. Please revise the Draft Permit to allow one year following the effective date of the permit to install the necessary equipment to continuously monitor effluent dissolved oxygen.

**Ecology's Response to Comment PA-1-7**

Thank you for your comment. Ecology added a note to S2 Table 6 that Spokane County must sample DO manually 5/week. The continuous DO instrument must be installed within a year of the permit effective date.

**Commenter: Robert Lindsay - Comment PA-1-8**

Pages 14 and 15, S2, Table 6: Footnotes

- Footnote e
  - 7DAD Max is currently calculated using the day plus the six days prior. The Draft Permit changes that calculation to three days prior plus three days after. The current calculation allows for "real-time" calculation of the value and is already used in the SCRWRP databases. Please retain the six day prior calculation method.
- Footnote h
  - This footnote requires clarification in regards to sampling requirements during weeks with holidays. For example, if there is a holiday during the week, are only four samples required that week? What holidays are included? Often, sampling or testing is required 3 days a week, excluding weekends and holidays, to avoid this confusion. Please consider the following revision: 5/week means five times during each calendar week except weekends and federal holidays. If one or more federal holidays falls during a week day, it is acceptable to sample less than 5 times per week.
- Footnote k
  - Footnote l is included in footnote k text. Please separate the two footnotes. Footnote l is included in footnote k text. Please separate the two footnotes.
- Footnote p
  - Footnote p appears to be unused and can be deleted.

## **Ecology's Response to Comment PA-1-8**

Thank you for the comments.

- Footnote e provides the calculation method as identified in WAC 173-201A-020 Definitions. Ecology may not change a WAC definition in a permit. No change was made to Footnote e.
- Footnote h has been clarified per Ecology's response to Comment PA-1-6.
- Footnote k and l have been separated.
- Footnote p was added to the quarterly sampling frequency for PBDEs and PCBs.

## **Commenter: Jerry White, Jr - Comment O-1-8**

Fact Sheet - Spokane Co. Page 36, Section F, PBDEs: We ask that the frequency of monitoring (section S2.A. Monitoring Schedule Liberty Lake (pg 12) and Spokane County (Pg 11) be carried out once/month rather than twice per year as currently written in the draft permit.

## **Commenter: Jerry White, Jr - Comment O-1-3**

Compliance Test Method for PCBs:

We would recommend that the total PCB loads from both Spokane County and Liberty Lake outfalls be monitored for compliance with test method 1668c rather than the test method 608.3 as stated in the draft permit. The method, while not approved for compliance by the EPA, does have a much more accurate read on the actual type, and amounts of PCBs being discharged from outfalls. The 608c test method would allow for a false sense of compliance and therefore illegally pollute the States waters and human health criteria thereby downgrading the designated uses of fishing. The test method 608c test is not accurate enough to accurately assess compliance with RCW.90.48.520

For test method 608 the detection limit for PCBs is 0.065 parts per billion (ug/L). This means that the detection limit is 65,000 parts per quadrillion (picograms/Liter). However, the human health criteria (HHC) limit is set at only 170 parts per quadrillion (pg/l) to protect the health of the public. In other words, test method 608 is not sensitive enough to adequately detect whether the WQS for PCBs is being met at the end of the outfall pipe. This leaves a public, who is entitled to be able to consume fish (designated use) without risk to their health, vulnerable to bioaccumulated toxics. According to the EPA, PCBs have been established to have negative health effects when consumed at very low levels. They cause cancer, they have negative impacts on the reproductive and endocrine system and they cause disruption to the immune system. According to the Department of Health fish consumption advisories, the public is at risk of consuming unhealthy levels of PCBs that have bioaccumulated into Spokane River fish. This makes the detection and effective regulation of PCBs being dumped into the Spokane River extremely important.

## **Ecology's Response to Monitoring**

Thank you for your comments. Ecology changed the sampling for PBDEs and PCBs in S2 using high resolution Methods 1614 and 1668 respectively to quarterly for Spokane County. The compliance method remains Method 608, the 40 CFR Part 136 approved method.

## Comments on WET Testing

**Summarized Commenters:** Spokane County Public Works

**Commenter: Robert Lindsay - Comment PA-1-9**

- Page 15, S2, Table 7: Acute and Chronic Toxicity testing, footnote a
  - The testing frequency is stated as semiannually but footnote "a" provides a schedule for quarterly testing. Please correct footnote "a" to describe semiannual testing.

### Ecology's Response to WET Testing

Thank you for your comment. The semiannual testing was a typo. Ecology corrected this in Permit Section S14. C and S15.C. Ecology changed Permit Section S2 Table 7 Footnote "a" to the following:

<sup>a</sup> 1/quarter sampling periods are January through March, April through June, July through September, and October through December. The Permittee must take samples in a different month for each sampling period beginning after the permit is issued. The Permittee must begin quarterly monitoring for the quarter beginning on 7/1/2022 and submit results when the specific quarter is due. Quarters are due by April 15, July 15, October 15, and January 15.

## Comments on Pretreatment Monitoring

**Summarized Commenters:** Spokane County Public Works

**Commenter: Robert Lindsay - Comment PA-1-10**

Pages 15-17, S2, Pretreatment Monitoring Requirements

- Change sampling of outfall of the primary clarifier to sampling of effluent (last paragraph on page 15).
- Oil and Grease
  - Spokane County has no local limits for Oil and Grease. Please delete the monitoring for this parameter.
- Table 8, pH
  - Influent pH is monitored continuously under the NPDES permit. Additional grab pH grab sampling for pretreatment is unnecessary. Please delete this monitoring requirement.
- Table 10, pH
  - The County is not aware of a pH monitoring requirement in biosolids. Please delete this requirement.
- Table 10, Total Dissolved Solids
  - The County is not aware of a TDS monitoring requirement in biosolids. Please delete this requirement.
- Footnote e
  - Once per year sampling is not currently conducted in rotating quarters. This new requirement to rotate quarters is acceptable, but not preferred because it complicates sample scheduling. Please delete this requirement to rotate quarters, if allowable.

## **Ecology's Response to Pretreatment Monitoring**

Thank you for your comments.

- Ecology removed the requirement to sample at the effluent from the primary clarifier from S2 Table 10, Pretreatment Monitoring Requirements.
- Pretreatment monitoring requires that Spokane County monitor for oil and grease. Ecology did not remove this requirement.
- Ecology removed the sampling requirement for pH in the biosolids from the permit S2 Table 10.
- Spokane County is sampling metals in the biosolids. As a result, Ecology removed the TDS sampling requirement for biosolids from S2 Table 10.
- With respect to rotating the annual sampling, this requirement is to provide representative sampling and to identify changes seasonally in the influent. Ecology did not remove this requirement.

## **Comments on Typos and Formatting**

**Summarized Commenters:** Spokane County Public Works

### **Commenter: Robert Lindsay - Comment PA-1-11**

- Page 18, Table 11: Receiving water temperature study
  - To be consistent with section S11, please update the due date for the Temperature Study QAPP to be one year from effective date of the permit.

### **Ecology's Response to Comment PA-1-11**

Thank you for your comment. Ecology made the due date in Table 11 for the updated Temperature Study QAPP consistent with S11.

### **Commenter: Robert Lindsay - Comment PA-1-12**

- Page 20, Table 15, footnote b Please update the O&M Section to be S5.G.b.10.

### **Ecology's Response to Comment PA-1-12**

Thank you for your comment. Ecology updated the reference in Table 15 Footnote b of the Permit.

### **Commenter: Robert Lindsay - Comment PA-1-13**

- Page 23, Section S3.A Discharge Monitoring Reports
  - Items 11, 12, and 13 may be sub-bullets to item 10. Please correct, if appropriate.
  - Item 15 - It is not clear what reporting is required by this item.

### **Ecology's Response to Comment PA-1-13**

Thank you for your comment. Items 11, 12, and 13 are not sub-bullets. No change was made.

Item 15 in Section S3.A applies to single sample grouped parameters. These are parameters such as those identified in the priority pollutant groups and must be reported in WQWebDMR. They must include the information provided in the bullet for each parameter in the group. Ecology has technical assistance available when reporting questions arise. When you have reporting questions, please contact your Ecology permit manager, Diana Washington at 509-385-5529 or [diana.washington@ecy.wa.gov](mailto:diana.washington@ecy.wa.gov).

### **Commenter: Robert Lindsay - Comment PA-1-16**

Draft Fact Sheet Page 1, Summary, paragraph 2

- For clarity, please revise text to say:

...Under a separate contract, ~~they~~ Spokane County also manages the biosolids...

### **Ecology's Response to Comment PA-1-16**

Thank you for your comment. The text in the Fact Sheet Summary was corrected.

### **Commenter: Robert Lindsay - Comment PA-1-24**

Draft Fact Sheet Page 35, Total PBDEs, fourth paragraph

- The calculation of PBDE percent removal by the SCRWRf appears to be in error. Please check the percent removal value.

### **Ecology's Response to Comment PA-1-24**

Thank you for your comment. Ecology reviewed and corrected the percent removal for the Spokane County Biological Nutrient Removal Membrane Bioreactor. The calculation used was:

$$((229,035 - 7,600)/229,035)*100\% = 96.7\%$$

### **Commenter: Robert Lindsay - Comment PA-1-25**

Draft Fact Sheet

Page 40, Ammonia Maximum Daily effluent limit

- The value listed in the Draft Fact Sheet differs from the value in the Draft Permit. Please revise to be consistent.

- As stated earlier in this letter, the County calculates there is no reasonable potential for ammonia toxicity and the average month and maximum day limits should be deleted. Please delete the ammonia average month and maximum day limits in the Draft Permit.

### **Ecology's Response to Comment PA-1-25**

Thank you for your comment. Ecology verified limits and updated text in the Permit and Fact Sheet. Ecology updated the limits in the County's permit to more accurately reflect the ammonia limits for the ammonia based on toxicity at the edge of the mixing zone. No change was made to the draft permit.

### **Commenter: Robert Lindsay - Comment PA-1-26**

Draft Fact Sheet

- Page 43, Total PCBs

- This section refers to "the District" in three locations. Please revise this section to delete the reference to "the District."

### **Ecology's Response to Comment PA-1-26**

Thank you for your comment. Ecology removed the reference to the District.

### **Commenter: Robert Lindsay - Comment PA-1-30**

Draft Fact Sheet • Page 49, item C: Effluent limits which are near detection or quantitation levels

- The Draft Permit does not include limits for arsenic or methylmercury. Please delete the reference to these parameters.

### **Ecology's Response to Comment PA-1-30**

Thank you for your comment. Arsenic and methylmercury were removed from the list.

### **Commenter: Robert Lindsay - Comment PA-1-31**

Draft Fact Sheet • Page 56, third bullet

- The Draft Permit does not require monitoring for methylmercury. Please delete the methylmercury monitoring plan and sampling requirement.

### **Ecology' Response to Comment PA-1-31**

Thank you for your comment. Ecology removed the reference for monitoring methylmercury from the Fact Sheet page 56.

**Commenter: Robert Lindsay - Comment PA-1-32**

Draft Fact Sheet: Page 71, Appendix D

- The list of contents does not match the table labels. Please revise the list of contents

**Ecology's Response to Comment PA-1-32**

Thank you for your comment. Ecology update Appendix D content and list of contents.

**Comments on Receiving Water Study**

**Summarized Commenters:** Spokane County Public Works, Spokane Riverkeeper/Sierra Club

**Commenter: Robert Lindsay - Comment PA-1-14**

- Page 43, S11. Receiving water study of temperature
  - The County has collected ten years of receiving water temperature data as required under the 2011 NPDES permit. These data represent the river over a significant period of time and represents a wide range of summer flow conditions.
  - The requirement to expand the receiving water temperature from summer months to year around is excessive and unnecessary. Specifically, this additional sampling:
    - Will occur during periods with river flow conditions higher than summer low flow, well mixed, cooled from melt and runoff.
    - Will likely result in additional monitoring equipment vandalized or stolen, as has occurred during previous years of monitoring.
    - Please delete the receiving water temperature study requirement from the Draft Permit.
    - If the receiving water study is retained, please modify Item 3 with the requirement to continue the monitoring for four years.
    - It appears that this requirement is meant to monitor during the final four years of the NPDES permit term, but this schedule does not allow for completion of the study and submission of the data to EIM and the final report to Ecology during the permit term. Please allow at least the final six months at the end of the permit term to finalize the temperature data and report.

**Commenter: Jerry White, Jr - Comment O-1-9**

NPDES Draft Permit Section S13 - Liberty Lake, Draft Permit Section S11 for Spokane Co - Receiving Water Temperature Study:

The conditions the Spokane County draft permit reads: S11.1 Receiving Water and Effluent Study of Temperature – Quality Assurance Project Plan (QAPP) Update 1/permit cycle 1-Year from the effective date (add specific date at issue) S11.7 Receiving Water and Effluent Study of Temperature Results 1/permit cycle 4 years from the effective date (update with specific date at issue)

The conditions the Liberty Lake draft permit reads: S13.1 Receiving Water and Effluent Study of Temperature – Quality Assurance Project Plan (QAPP) Update 1/permit cycle 1 year from effective date S13.7 Temperature Receiving Water and Effluent Data Monthly with DMR Starting first June after QAPP approval.

The difference is that Spokane County is given four years from the date of the final permit whereas the City of Liberty Lake is given one year. While we realize that the temperature issues in the receiving waters is more extreme at the outfall 001 of Liberty Lake as this is losing reach that is wholly dependent on water from Lake Coeur d'Alene, we nevertheless ask that Spokane County also turn their study around in a year from the effective permit date.

## **Ecology's Response to Receiving Water Study**

Thank you for your comments. Ecology updated Section S11.7 to require the County to submit data with the DMR each month instead of submitting a report at the end of study. A report will not be due at the end of the study. This change helps to address the issue of discovering that a lost micro-recording device was missing after a period of time as the County will be checking them and pulling the data off every month. Ecology requires that the County continue to collect receiving water temperature data from updated QAPP approval until August 1, 2027.

## **Comments on Clarifications**

### **Summarized Commenters: Spokane County Public Works**

#### **Commenter: Robert Lindsay - Comment PA-1-17**

Draft Fact Sheet

Page 2, top paragraph

- Ammonia is not included in the Draft Permit as part of the receiving water study.
  - Please delete ammonia from the list of required parameters.
- The Draft Permit expands the receiving water temperature study from summer time to year around. Please revise the text to: ...

The proposed permit ~~continues~~ expands the receiving water temperature study...

- As stated earlier in this letter, the County requests the receiving water temperature study be deleted from the Draft Permit.

## **Ecology's Response to Comment PA-1-17**

Thank you for your comments. Ecology removed ammonia from the list of parameters. Ecology revised the text to clarify that the proposed permit expands the receiving water temperature study. Ecology understands that Spokane County believes that they have collected enough temperature data. However, additional data is needed to better understand the shoulder seasons which include a spring spawning season.

The County also indicated in their entity comments that the temperature data for the river in the vicinity of the outfall behaves differently due to the input of groundwater. This data is needed so that Ecology can evaluate when the temperatures reach critical high temperature. The receiving water study was not deleted from the draft permit. The permit requires the County to collect temperature data during this permit cycle to demonstrate the temperature behavior of the Spokane River above and below the outfall year round.

**Commenter: Robert Lindsay - Comment PA-1-18**

Draft Fact Sheet

Page 7, Table 1: Facility Information

- Due to reorganization at Spokane County, the Responsible Official's title has changed. Please revise Robert Lindsay's title: Robert Lindsay, Environmental Services Administrator

**Ecology's Response to Comment PA-1-18**

Thank you for your comments. Ecology made this change in Table 1 of the Fact Sheet.

**Commenter: Robert Lindsay - Comment PA-1-19**

Draft Fact Sheet

Page 10, Pretreatment process, final paragraph

- The program summary states that Ecology delegated Spokane County authority for a Pretreatment Program in 2012. Spokane County believes the pretreatment program authority was delegated from Ecology in 2001.

**Ecology's Response to Comment PA-1-19**

Thank you for your comments. Ecology pulled the original approval letter for pretreatment delegation. The letter indicates that the Spokane County Industrial Pretreatment Program was approved on November 10, 1998. Ecology updated the Fact Sheet page 10 to reflect this information.

**Commenter: Robert Lindsay - Comment PA-1-20**

Draft Fact Sheet

- Page 12, Solid wastes/Residual Solids, first paragraph The SCRWF does not have secondary clarifiers. Please delete the two references in the paragraph to secondary clarifiers.

## **Ecology's Response to Comment PA-1-20**

Thank you for your comments. Ecology changed the wording in the Fact Sheet page 12 from secondary clarifier solids to membrane bioreactor solids.

### **Commenter: Robert Lindsay - Comment PA-1-21**

Draft Fact Sheet

Page 12, Table 4: Ambient Background Data – Critical Season

- The data provided in the table are taken from various times of the year and do not necessarily represent river conditions during the lowest flow period of the year, typically August and September.
- Please revise the title to delete ~~Critical Season~~.

## **Ecology's Response to Comment PA-1-21**

Thank you for your comments. The critical flow is typically in the late summer. Other parameters may have a critical season year round as is the case for metals, pH, dissolved oxygen, fecal coliforms, and toxics. No change was made to the Fact Sheet.

### **Commenter: Robert Lindsay - Comment PA-1-22**

Draft Fact Sheet

Page 15, Table 5: Wastewater Influent Characterization

- Final two rows of the table, TCCD
  - The presentation of these influent dioxin data are misleading. Of the 104 samples described, only five samples had results above the laboratory quantification criteria. The use of an average value is not valid and should be revised.
  - An example presentation of these data is in the Spokane County 2022 Toxics Management Plan, Table 2-2.

## **Ecology's Response to Comment PA-1-22**

Thank you for your comments. Ecology agrees that including an average value calculated with 49 or 50 values that are ½ the detection limit does not reflect the reality of the influent concentration. Ecology updated Table 5 of the Fact Sheet to reflect the maximum value from each interceptor and the number of detected values.

### **Commenter: Robert Lindsay - Comment PA-1-29**

Draft Fact Sheet • Page 47, Table 27: Comparison of Previous and Proposed Effluent Limits for Outfall #001 – Chlorine, Cadmium, Lead, Zinc, and PCBs

- The limits for cadmium, lead, and zinc are not water quality based. The limits in the 2011 permit and the Draft Permit are based on the treatment performance, not receiving water requirements.
- Please revise the table to appropriately describe the metals limits basis in the permit.
- Footnote d of the table refers to the "District"
- Please revise footnote d to remove the reference to the "District."

### **Ecology's Response to Comment PA-1-29**

Thank you for your comment. Ecology agrees that the limits imposed in the draft permit are based on performance plus 10%. This is the result of implementing a water quality based improvement plan, which is a water quality based effluent limit. Ecology added a note with additional clarification to the Fact Sheet page 47, Table 27.

The limits for cadmium, lead, and zinc used in the previous permit were based on performance of the City of Spokane's facility because data was not available for the new Spokane County facility.

Footnote d was a typo. Ecology removed Footnote d from Table 27 of the Fact Sheet.

### **Comments on Dissolved Oxygen TMDL**

**Summarized Commenters:** Spokane County Public Works

**Commenter: Robert Lindsay - Comment PA-1-27**

Draft Fact Sheet • Page 45, Table 23, Comparison of Previous and Proposed Critical Season limits

- The Draft Permit proposes a nearly order-of-magnitude reduction in the allowable Total Ammonia discharge during the March treatment season due to potential for ammonia toxicity.
- Spokane County requests that the SCRWF retain use of those pounds of ammonia to potentially be applied for potential future effluent adjustments under the DO TMDL.

### **Ecology's Response to Dissolved Oxygen TMDL**

Thank you for your comment. The load allocations of oxygen demanding wastes provided in the TMDL to Spokane County belong to Spokane County. The load allocations can only be reallocated if Ecology amends the DO TMDL.

## Comments on Variance

**Summarized Commenters:** Spokane County Public Works, Spokane Riverkeeper/Sierra Club

### **Commenter: Robert Lindsay - Comment PA-1-1**

Variance Application for PCBs: At Ecology's request, in April 2019, the County applied for a variance from the PCB water quality standard. As of this date, Ecology has not made a decision on the variance application. If Ecology grants the County a variance from the PCB water quality standard before the final Permit is issued, the Permit should include the variance from the PCB water quality standard. If Ecology grants the County a variance from the PCB water quality standard after the Permit is issued, the Permit should be modified to include the variance from the water quality standard.

### **Commenter: Jerry White, Jr - Comment O-1-4**

Reject or deny all applications for discharger and/or waterbody variances for PCBs:

Discharger (nor Waterbody) Variances should not be used (in this or any future permit cycle) to downgrade the designated uses of the Spokane River and allow for the discharge of bioaccumulative toxic such as PCBs, PFAS, PBDEs, or any other persistent pollutant. Variances for bioaccumulative toxins will violate EPA regulations regarding variances. Discharger or water body variances for bioaccumulative toxins in a system wherein polluters continue to discharge these same pollutants is illegal and unethical. Our perspective is that these potential approaches would amount to a violation of the spirit and intentions of the CWA.

Please refer to the document (referenced above) assembled in 2020 by Gonzaga Law School and included in this submission. This was originally a part of the SEPA (unofficial comment period) on the 5 applications for PCB variances in the Spokane River.

## **Ecology's Response to Variance**

Thank you for your comment. The variance is a rulemaking process and is separate from the permit reissuance. On June 12, 2019, Ecology initiated the variance rulemaking using the 2016 PCB standards that were in effect at that time. On June 12, 2020, these standards were rolled back by EPA and no longer in effect. Because of this Ecology is unable to move forward with the variance applications and has not made a decision on the variance request. No changes were made to the fact sheet.