

JAY INSLEE  
Governor



STATE OF WASHINGTON  
OFFICE OF THE GOVERNOR

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March 13, 2019

Nina Bell  
Northwest Environmental Advocates  
PO Box 12187  
Portland, OR 97212

Dear Ms. Bell:

On January 30, the Governor's Office received the appeal you filed following the Department of Ecology's (Ecology) decision to deny your petition to amend its rules at Ch. 173-221 WAC, relating to tertiary treatment for municipal sewage dischargers to Puget Sound and its tributaries. Under RCW 34.05.330(3), the Governor may consider appeals from agency denials of petitions to amend existing administrative rules. Today, I am affirming Ecology's decision.

You argue that Ecology's existing rules that establish minimum treatment standards for municipal sewage discharge reflect antiquated treatment practices, when state law requires use of all known, available, and reasonable treatment (AKART) standards. I share your concerns about the presence of nutrients in our water. I can also confirm that Ecology shares those concerns and has initiated a Puget Sound-wide project to reduce nutrients from human-caused sources.

*Within five years, Ecology expects to have capped the nutrient levels discharged from municipal treatment facilities, while also concurrently moving some facilities to advanced treatment programs that will reduce overall nutrient levels discharged into Puget Sound. The long term goal will be to have advanced treatment in place at all municipal wastewater treatment facilities where necessary to meet water quality standards.*

I am affirming Ecology's decision to deny your petition because your proposed rule amendment would not be reasonable nor feasible for all facilities. Rather, I support Ecology's plan to identify effective treatment programs that fit the profiles of individual treatment facilities. Requiring treatment facilities to develop programs suited to their physical spaces and financial resources will allow those facilities the greatest chance to succeed in effectively treating sewage discharge.

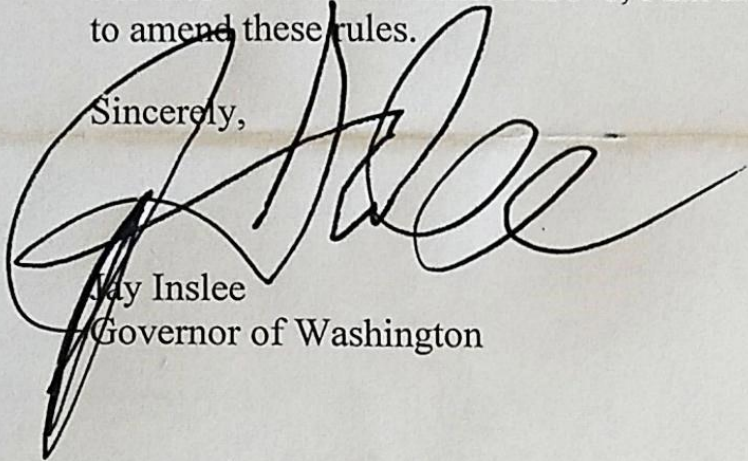


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We all share the same goal: for municipal wastewater treatment facilities to remove excess nutrients and other toxics using all known, available, and reasonable treatment options and any additional treatment required to meet water quality standards.

For these reasons identified above, I am affirming Ecology's decision to deny your petition to amend these rules.

Sincerely,

A large, stylized handwritten signature in black ink, which appears to be "Jay Inslee". The signature is written over the word "Sincerely," and extends across the middle of the page.

Jay Inslee  
Governor of Washington