



April 10, 2009

Brian Nickel, Environmental Engineer  
US EPA Region 10, NPDES Permits Unit  
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**SENT VIA EMAIL (nickel.brian@epa.gov )**

**RE: Phosphorus Removal Technical Memo**

Dear Brian:

This letter is regarding your March 24, 2009 technical memorandum entitled, "Summary of previous reports and discharge monitoring report data for wastewater treatment plants achieving low effluent phosphorus concentrations." Referring to a letter from Veolia to Spokane County, the memo states, "Finally, some companies now offer process guarantees of less than 50 µg/L."

Attached for EPA's review and consideration are the letter referred to and the relevant portion of Veolia's bid documents. I will briefly summarize both in turn.

First, in the letter from Sean Haghighi, Vice President for Business Development, Veolia Water North America, to the Spokane County Board of County Commissioners dated November 18, 2008, Mr. Haghighi states:

Through in-depth analysis of the MBR and several other potential alternatives, Veolia Water ultimately selected proven and existing technologies (not "cutting edge") that allowed us to guarantee a discharge of 25 ug/L of P – a limit that many didn't think would be possible. Our proposed process is compromised of seven barriers, which provide for the exceptional level of reliability necessary for ongoing compliance. Multi-stage removal is widely accepted as critical to reliably reducing P to extremely low limits.

Haghighi Letter at 2.

These conclusions are supported by the actual Veolia bid document that states:

Based on the inherent robustness and reliability of our six-barrier process, we are fully confident that it will reduce the "removable" phosphorus (everything but the sNRP component) to a 10 ug/L level. Accordingly, our process warranty is written around a total removable P concentration in the effluent of 10 ug/L. For example, if we assumed an effluent sNRP concentration of 15 ug/L, this would correspond to a final effluent TP concentration of 25 ug/L, significantly lower than the 50 ug/L TP specification required by the RFP.

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Veolia Bid Document at V2.10-2. The bid document defines “removable” phosphorus as the combination of soluble Reactive P and Particulate P. *Id.* at V2-10-1.

Despite the guarantee of Veolia, which is one of the largest water infrastructure corporations in the world, Spokane County selected a competing bid that would guarantee a treatment level of 50 ug/L. While we realize that your memo’s analysis focused on existing technical papers and of existing facilities with DMR data, EPA must consider the Veolia bid in the context of what is achievable particularly given that this bid was for a facility on the Spokane River and sized comparable to or larger than all of the existing municipal wastewater treatment plants excluding the City of Spokane.

We appreciate your consideration of this information. Please include this letter and the attachments in the relevant administrative record.

Sincerely,

A handwritten signature in black ink, appearing to read 'R. Eichstaedt', with a long, sweeping horizontal stroke extending to the right.

Rick Eichstaedt  
Attorney

Attachments (2)