



King County

EXECUTIVE DECLARATION OF EMERGENCY AND WAIVER FROM PUBLIC ADVERTISING AND COMPETITIVE PROCUREMENT REQUIREMENTS FOR POWER RELIABILITY AT WEST POINT TREATMENT PLANT

WHEREAS, King County owns and operates the West Point Treatment Plant that provides wastewater treatment for residents and businesses in the City of Seattle, including Seattle's combined stormwater/wastewater sewer system; City of Shoreline; the north end of Lake Washington; and parts of southern Snohomish County; and

WHEREAS, West Point Treatment Plant provides secondary treatment of approximately 90 million gallons a day (mgd) of wastewater during the dry months, treats wastewater flows up to 300 mgd during the rain/storm season, and provides primary treatment and disinfection for flows above 300 mgd up to 440 mgd; and

WHEREAS, it is imperative that the West Point Treatment Plant have reliable power, as the largest treatment plant in Washington State based on wastewater volumes treated, to continue to reliably treat higher wastewater flows from a growing population and increased stormwater volumes, and to comply with regulatory obligations and prepare for climate change; and

WHEREAS, King County finds it unacceptable that secondary bypasses of 2.1 million gallons on July 19, 2019, and 11 million gallons on January 13, 2021 were necessary because of power disruptions from Seattle City Light to avoid flooding and protect employee safety at West Point Treatment Plant; and

WHEREAS, the Washington State Department of Ecology's Compliance Analysis of the July 19, 2019 secondary bypass at West Point Treatment Plant found that the backup equipment operated as designed, plant operators responded appropriately, and the bypass was unavoidable to protect the plant and employee safety; and

WHEREAS, there has been an increase in bypass events at the West Point Treatment Plant related to the quality of power delivered at the plant. In the last 20 years, there have been 15 bypass events that were caused by voltage sags and other power disturbances on the Seattle City Light power feed, with eight of those events occurring in the last five years; and

WHEREAS, King County and Seattle City Light jointly hired a consultant in 2019 to conduct an independent power quality assessment of West Point Treatment Plant and the assessment was completed on May 28, 2020; and

WHEREAS, the May 28, 2020 power quality assessment made nine recommendations to mitigate voltage sags, which are momentary reductions in power voltage, and these recommendations have been implemented or are underway; and

WHEREAS, the Washington State Department of Ecology issued Administrative Order 19477 to King County on February 2, 2021, regarding unauthorized bypasses of the secondary treatment system, where effluent that has received some treatment is blended with fully treated effluent and then disinfected before discharge, at the West Point Treatment Plant between January 1, 2018 and June 30, 2020; and

WHEREAS, Administrative Order 19477 noted that six of the unanticipated, unauthorized bypasses of the secondary treatment system between January 1, 2018, and June 30, 2020 were caused by power reliability issues related to the West Point Treatment Plant's main electrical power system; and

WHEREAS, Administrative Order 19477 requires King County to complete four corrective actions that include producing two reports, developing a strategic master plan for the West Point Treatment Plant's electrical system by December 31, 2021, and implementation of the corrective actions in the plan by December 31, 2025; and

WHEREAS, the West Point Treatment Plant includes a cogeneration system that could be modified to enable greater resiliency to power disruptions, allowing the plant to withstand voltage sags that can otherwise shut down critical equipment; and

WHEREAS, King County's Department of Natural Resources and Parks is hereby directed to reopen its agreement with Seattle City Light regarding the cogeneration system to modify the agreement such that power from the County's cogeneration system can be used to keep critical equipment operational during voltage sags or power disruptions; and

WHEREAS, the addition of a battery energy storage system at the West Point Treatment Plant in addition to, or in place, of a modification to the cogeneration system may significantly improve power reliability in the near term; and

WHEREAS, King County's Brightwater Treatment Plant and South Treatment Plant each have a dedicated transmission grade power line and, while West Point Treatment Plant has a dedicated power line from Seattle City Light's Canal Street Substation, this plant can experience power disruptions because of disturbances elsewhere on the transmission or distribution system; and

WHEREAS, Seattle City Light provides backup power to West Point Treatment Plant through

its Broad Street substation with a power feed that is shared with other residential and commercial customers; and

WHEREAS, King County requested that Seattle City Light demonstrate whether a new, dedicated transmission line is feasible to address long-term power reliability at West Point Treatment Plant and King County received a November 6, 2020 memorandum from Seattle City Light stating transmission grade power is feasible at West Point Treatment Plant, but could take up to 10 years for design and construction; and

WHEREAS, it is urgent that King County analyze and develop a schedule and cost estimate for a new, dedicated power line in coordination with Seattle City Light to improve longer-term power reliability and avoid the power disruptions that lead to consequential voltage sags approximately every two months at the West Point Treatment Plant; and

WHEREAS, an emergency waiver of public advertising and competitive procurement requirements of state and county law is necessary because the risk of unanticipated power disruptions at West Point Treatment Plant constitutes an unforeseen circumstance that presents a real, immediate threat to the proper performance of essential government functions and will likely result in material loss or damage to property or bodily injury; and

WHEREAS, this declaration of emergency and waiver will allow King County to contract for, or use public employees, to undertake emergency work for expedited improvements to the electrical system at West Point Treatment Plant to include modification of the plant's cogeneration system or the addition of a battery energy storage system, or both; complete any other improvements to West Point Treatment Plant's electrical system; and analyze and develop a cost estimate for a new, dedicated electrical power feed or transmission line in coordination with Seattle City Light;

NOW THEREFORE THE KING COUNTY EXECUTIVE, DOW CONSTANTINE, HEREBY DETERMINES AS FOLLOWS:

SECTION 1

In accordance with RCW 39.04.280(3) and KCC 2.93.080, there is an emergency due to the unforeseen risk of unanticipated power disruptions at West Point Treatment Plant that impacts critical equipment and can lead to unanticipated, unauthorized bypasses at the plant. As a result, immediate action must be taken to address the real, immediate threat to the proper performance of essential government functions and to prevent material loss or damage to property or bodily injury.

SECTION 2

The requirements for public advertising and competitive procurement of chapter 36.32 RCW, chapter 39.04 RCW, chapter 39.80 RCW, K.C.C. chapter 2.93, and the requirements of K.C.C. chapter 12.19 and all applicable King County executive policies and procedures are

hereby waived relating to county contracts for the following purchases or leases: tangible personal property; public works; and services, including professional or technical services, or both, relating to emergency work for expedited improvements to the electrical system at the West Point Treatment Plant to include modification of the cogeneration system or the addition of a battery energy storage system, or both, any other improvements to the plant's electrical system, and analysis and development of a schedule and cost estimate for a new dedicated electrical power feed or transmission line in coordination with Seattle City Light. This waiver shall continue in full force and effect until all necessary contracts are executed or until terminated by subsequent order of the King County executive, action by the metropolitan King County council by motion or as otherwise may be required by law.

DATED this 25 day of FEB. 2021



DOW CONSTANTINE
King County Executive
State of Washington