

SRRTTF Administrative Work Group

Meeting Notes

September 5, 2012 | 10:00am – 12:00pm

Department of Ecology

4601 North Monroe Street | Spokane, WA 99205-1295

1st Floor Conference Room (basement)

Attendees

Tom Agnew, CCSWD

Dale Arnold, WWMGT City

Adriane Borgias, Ecology

Kelsey Gray, Ruckelshaus Center

Lee Mellish, Liberty Lake Sewer & Water

Dave Moss, Spokane County

Tim Pelton, City of Spokane

Bruce Rawls, Spokane County

Elizabeth Schoedel, City of Spokane

On Phone:

Brandee Era-Miller, Ecology

Kris Holm, Representing City of Coeur d'Alene

Sarah Hubbard Gray, HGC/SRSP

Aubri Wall Denevan, Ruckelshaus Center

Articles of Incorporation

Update from Spokane County—Things are moving forward at the County. There were a couple of questions that need to be resolved. Their action will be either on Tuesday, or the following Tuesday.

Path forward (takes 4-6 weeks to file):

- Finalize names on document for Board of Directors
- Determine if Registered Agent is to be used and, if not, what is the mailing address for the corporation?
- Individual organizations review/authorize submittal of the Articles of Incorporation
 - Identify who signs documents
 - Identify who is the representative on the Board.
- Identified directors sign document
- Forward document onto the Secretary of State (who does this?)

Action Item: Elizabeth Schoedel to get more details about the Registered Agent (specifically how much it costs)

Action Item: Bruce Rawls to follow up with County attorney regarding changes to the Articles of Incorporation. Per last meeting's decision, if there are no changes then the AI can be approved and filed pending approval of the signing organizations/staff. If there are changes to the Articles of Incorporation, then an SRRTTF decision is required.

Measures of Progress

What is measurable progress? The group expressed the following thoughts:

- Writing something down creates rigid parameters that may or may not be achievable.
- Ecology is responsible for defining “measurable progress” and the SRRTTF should participate
- What are meaningful measures? What is the importance of measuring activities vs. environmental testing and monitoring?
- How is “measurable progress” met when a permit is renewed? If it is determined by Ecology then SRRTTF provides input into what that means. In the permit language, it is Ecology’s responsibility to identify if there is a failure to achieve measurable progress. The Idaho permits are different. Since “measurable progress” is in the permit without a definitional aspect, then it is subjective. Can Ecology unilaterally change permit conditions by defining the term? Would this be at the end of the current permit cycle?

It was suggested that a list of “measures of progress” be prepared and submitted in a letter to Ecology on an annual basis (including what has been achieved up to this point). Everyone needs to be at the table to have this discussion. The Task Force needs to keep moving forward on this and recognize that it is an ongoing conversation.

Kelsey asked the group to brain storm. The following is a list of ‘measures of progress’ the workgroup and taskforce have achieved over the past year.

- From the email to Don Martin, EPA, outlining the SRRTTF accomplishments over the past year:
 - Established the Spokane River Regional Toxics Task force whose mission is to work collaboratively to characterize the sources of toxics in the Spokane River and identify and implement appropriate actions needed to make measurable progress towards meeting applicable water quality standards for the State of Washington.
 - SRRTTF Convened a Spokane River Toxics Workshop. Local and national experts presented on the “state of the knowledge” with respect to PCB in the environment.
 - Ecology Updated the Spokane River Toxics Strategy
 - Ecology Director Ted Sturdevant, members of the task force, the EPA, and a scientific expert on PCB prepared a resolution to be submitted to EPA regarding improving regulation of PCB under the Toxic Substances Control Act.
 - SRRTTF Engaged the Ruckleshaus Center to act as a facilitator for the next 12 months as the SRRTTF organizes and prepares its Toxics Reduction Work Plan
 - Ecology initiated monitoring activities for toxics in fish and water in the Spokane River and prepared a Long Term Toxics Monitoring Strategy, which will be aligned with the SRRTTF’s work plan
 - Draft “Recommendations for the Design of a Long-term Toxics Monitoring Program in the Mainstem of the Spokane River”
 - SRRTTF has prepared the concept papers for the Business Entity, Articles of Incorporation and By-laws
 - Initiated clean-up activities for metals on the Spokane River

- On August 28th Ecology hosted fish consumption workshops relative to Reducing Toxics In Fish, Shellfish, Sediment, and Water
- Ecology completed its Urban Waters report with a focus on identifying and removing sources of toxics in stormwater (report in publication).
- Ecology (Kelly Susewind) established a Policy Forum for review of Human Health Criteria.
- SRSP sent letter to Ecology regarding the need to organizations to participate in the storm water process, which resulted specifically in the participation of WSDOT in the SRRTTF
- The number of Work Group and Task Force meetings to date (the number of meetings, and the number of participants)
- Spin off of reduction efforts has occurred as a result of the SRRTTF. Example: the ECOS resolution (organization, attendance, and passing of resolution reflects the level of effort).
 - Members travel to Colorado to present resolution to ECOS.
- The Toxics Workshop led to the completion of the County's Quality Assurance Project Plan (QAPP) which took advantage of the most currently available scientific information regarding monitoring, sampling, and analysis for PCB.
- Other workshop outcomes include:
 - Updates to various QAPPS to improve the quality of the PCB monitoring data.
 - FY 2013 Sampling plan and long term toxics monitoring strategy developed.
- Participation on the Columbia River Toxics Reduction Working Group which encourages collaboration and knowledge transfer.
- The SRRTTF fosters the collaboration of a diverse set of organizational groups (dischargers, regulators, sovereigns, citizens) to discuss issues in a congenial way and identifies the importance of getting everyone to the table.
- Participation in media events, which meets the goal of public education
 - Rick Eichstaedt, Bruce Rawls on the Down-to-Earth radio show (January 3, 2012)
 - Bart Mihailovich is a featured blogger on the Huffington Post and has had two PCB-related articles published
- SRRTTF (The Lands Council) submitted an Urban Waters Grant proposal to the EPA for public education
- Ecology collaborated with the Spokane Tribe to do fish tissue sampling and monitoring along the Spokane River for FY 2013
- Work Plan Objectives develop as foundation for SRRTTF Work Plan
- Technical Advisory concept developed as the 1st step in hiring a Technical Consultant

Preparation for Technical Consultant Contract Process

What needs to be done before the Technical Consultant can be hired? This can go on a parallel track with the Business Entity, but it may be necessary to establish the Business Entity first. Concerns were expressed that a consultant might not be comfortable with moving forward unless the Business Entity is in place. Without the Business entity in place, this may be a task the Admin Work Group takes on.

Regardless, it was expressed that it would be the responsibility of the Admin Work Group to review this prior to delegating the work of administering the contract to the Business Entity.

The general idea behind the work plan is a three Phase approach which (in general terms) is:

- Phase I: Develop the Work Plan
- Phase II: Conduct Work Plan Tasks
- Phase III: Implement remedial/reduction measures

Phase I (the Work Plan) is an important element in justifying funding, especially if it is to come from a variety of sources.

It is important to come to a conceptual understanding of the budget for the Technical Consultant. One of the unknowns is the scope and extent of the monitoring program and the level of effort Ecology will contribute to this. It is important to coordinate efforts to avoid redundancy.

Due to the complexities and evolving work plan the group had several suggestions on how to approach putting together a budget. They were:

- Looking at the project from two directions: Create list of tasks and evaluate cost to do those vs. Create a budget and evaluate which tasks to pursue.
- Initially putting together a budget for phase one only. After the tech consultant has completed phase one, then the group and consultant can develop a new budget for the next few phases.
- Ask the Technical Track work group to put together a budget.

Action item: Kelsey Gray to facilitate a larger discussion on what the budgetary expectations are on this project at a future meeting.

Toxic Substance Control Act/ ECOS recommendation

ECOS approved a recommendation to EPA regarding the PCBs in products resolution. The group decided to draft three additional letters to WEF, AMSA, and NAQWA urging them to pursue a similar resolution and present this recommendation to the Taskforce.

Action Item: Doug Krapas to forward final version of the ECOS resolution to Adriane Borgias who will post to the SRRTTF Website.

Action Item: Bruce Rawls and Tom Agnew to work on a SRRTTF version of a draft resolution to EPA regarding PCB in toxics; Also, a request to WEF, AMSA, NAQWA organizations to pursue a similar resolution. TTWG to consider steps needed to involve Congressional Delegation (See First Draft Work Plan, 9/4/2012, Element 5).

Action Item: Kelsey Gray and Aubri Wall will create official SRRTTF letterhead by the Task Force meeting on the 26th.

Media Question & Political Arena

The group ran out of time to discuss the Media Question and Political Arena agenda items. These discussions will be added to the next admin work group meeting agenda.

Action Item: Kelsey Gray to add the 'Media Question' and 'Political Arena' discussions to the next admin work group meeting. October 10.

Upcoming Meetings:

- Next Full Task Force meeting is September 26, 2012, 9:00am – 12:30pm
- Next admin work group meeting is October 10, 2012, 10:00am – 12:00pm

Reminder: *Submit all materials prepared for the September 26th SRRTTF meeting to Kelsey Gray, Aubri Wall Denevan, and Adriane Borgias **no later than COB on September 18th** for posting on September 19th.*