

Spokane River Regional Toxics Task Force

DRAFT Summary Notes

Wednesday, May 27, 2015 | 9:00am-12:30pm

Spokane County Water Resource Center | 1004 N. Freya Street, Spokane, WA

Facilitated by the William D. Ruckelshaus Center (Chris Page and Kara Whitman)

Attendees

*Voting Members and Alternatives (*Denotes Voting Members)*

Tom Agnew *, Bijay Adams – Liberty Lake Sewer and Water District
Dale Arnold*, Jeff Donovan, Elizabeth Schoedel, Lynn Schmidt, Craig Trueblood –City of Spokane
Galen Buterbaugh* – Lake Spokane Association
Don Keil*, Kris Holm – City of Coeur d’Alene
Doug Krapas* – Inland Empire Paper
Bud Leber*, Edgar Scott – Kaiser Aluminum
Mike LaScuola*, Sandy Phillips – Spokane Regional Health District
Dave McBride* (*phone*) – Washington Department of Health
Rob Lindsay, Bruce Rawls – Spokane County
Mike Petersen* – Lands Council
Jerry White* – RiverKeeper

Advisors

Jim Bellaty, Adriane Borgias, Ellie Key, Brandee Era-Miller (*phone*), Ted Hamlin – WA Dept. of Ecology (Ecology)
Laurie Mann (*phone*), Brian Nickel – U.S. Environmental Protection Agency (EPA)
Dan Redline – Idaho Department of Environmental Quality
Bryce Robbert – Avista

Public

Henry Allen – City of Spokane Valley
John Beacham – City of Post Falls
Lisa Dally Wilson – Dally Environmental
Dave Dilks (*phone*) – LimnoTech
Greg Lahti – Washington Department of Transportation (DOT)
Marjorie Martz-Emerson – Pacific Northwest Pollution Prevention Research Center (NWPPRC)

Introductions, Agenda Review, Acceptance of Prior Meeting Summary

The Task Force agreed to one adjustment to the order of agenda items. After a few minor edits, the April 22, 2015 Task Force meeting summary notes were accepted.

Update on Court Process/Appeals

Brian Nickel explained that EPA has filed an appeal. Questions regarding the appeal are to be directed to the Department of Justice. Opening brief from appellants is scheduled for August 20th, 2015; the Sierra Club has till September 21st to respond. EPA is coordinating with Ecology on the response to the court.

TTWG Report and Technical Topics: Pilot Project Reports

- *Hydroseed PCB Analysis (Doug Krapas lead)*: four hydroseed suppliers are participating. Hydroseed samples from all four suppliers are being analyzed by AXYS lab, with results expected in June.
- *Vactor Waste (Jeff Donovan)*: samples have been collected and are at the lab for analysis.

- *Flow Gaging (Rob Lindsay):* Rob asked Avista, the United States Geologic Survey (USGS), Spokane Community College, and Spokane County Conservation District about cooperating on gaging costs. The flow gage work group recommends the Task Force allocate \$2,000 for a rating curve at the Green Street gage to provide the quality data necessary for PCB mass balance analyses. The Task Force may also consider individual measurements at the Trent gage (\$700 each). Rob encouraged the Task Force to get the Nine Mile Gage up and running. Lake Spokane association would support this. Flow data below Nine Mile (upstream of the confluence between little Spokane and Spokane) would provide good information as to the PCB loading of the two rivers. Dave Dilks (LimnoTech) sees long-term benefit to these flow gage upgrades, though not necessarily short term need. Mike Peterson opined that this is a reasonable investment, if Avista will handle O&M costs (~\$20K/yr), since it might help with assessing tributary loads. Equipment needs to be installed at low flow (August 2015 or 2016). Adriane Borgias requested a one-page summary of the purpose of the Nine Mile Gage installation, and the data that will be collected.
- *Data Management (Adriane Borgias):* Work group will report out next month.
- *Fish Hatcheries/Stocking (Galen Buterbaugh):* See agenda item below.

Bud Leber went over the available funds for completing the LimnoTech work and Task Force work group projects. He explained that \$77,000 remains; Adriane added that Ecology likely can provide another \$20,000. Expenditures include \$63,000 (LimnoTech invoices) \$19,000 (AXYS costs), and more billings from LimnoTech on the way. Unfunded at this point: installation of new gages and next phase of LimnoTech work.

DECISION: The Task Force approved the \$2000 expense to establish a rating curve for the Green Street Gage.

ACTION ITEM: Rob Lindsay to put together a brief project proposal to explain the need for the Nine Mile gage and bring to the Technical Track Work Group meeting. (COMPLETE)

LimnoTech Presentation

Dave Dilks of LimnoTech presented on "High Level Scoping for Upcoming Monitoring": LimnoTech thinks a wet weather event will not show enough increase in instream PCB concentration to accurately measure it. Noticeable wet weather PCB increases are unlikely to be detected between the Trent Avenue and Spokane Gages. A mass balance approach assumes steady conditions. Wet weather condition will be far from steady. There is a possibility of a detectable increase between Spokane Gage and Nine Mile; however, there are likely to be confounding effects due to a Hangman Creek load and the irregular flows from the Nine Mile Dam operation.

The TTWG discussed the results of the LimnoTech high level scoping and recommends four monitoring options for further consideration:

1. Revisit/confirm dry weather assessment for Barker Rd. to Trent segment
2. Revisit/confirm dry weather assessment for Greene St. to Trent gage segment
3. Limited sampling of stormwater outfalls
4. Wet weather sampling of Hangman Creek

Dave gave a summary of the cost options for future monitoring:

- Updated dry weather mass balance
 - Barker Rd. to Trent only: \$40,000
 - Greene St. to Spokane gage only: \$40,000
 - Both segments: \$65,000
 - Additional wet weather monitoring
 - City of Spokane stormwater: \$14,000
 - Hangman Creek: \$27,000
 - Retrospective loading analysis: \$7,500

Dave also discussed the scoping needed to examine groundwater loading and define where the “unknown” source is coming from. Groundwater data collected by Kaiser show high but localized concentrations of PCBs. There appears to be background contamination of an unknown extent. LimnoTech conducted a simple mass loading analysis to assess what fraction of the estimated unknown load is from the localized source and how widespread the background concentration would need to be to explain the unknown load. Specific monitoring recommendations will be provided at the June TTWG meeting.

Q&A/Discussion

- Are the cost estimates all-inclusive? With a limited analysis, yes.
- Tom Agnew asked what the value of doing more work on the Barker segment is? Bud explained that the mass balance assessment report shows this segment as the single biggest load. The Task Force needs to see if this was the maximum, or a minimum, or average. Doug noted that this is only one set of data. This study would confirm what we saw as reality.
- Bruce Rawls asked if any sampling/monitoring will be done on the Little Spokane River. This could be a large source of loading to the Spokane River. Adriane explained that the Environmental Assessment Program (EAP) is doing a listing confirmation on Little Spokane River. This information will be available in January 2016 (preliminary this summer). Dave Dilks added that the Task Force agreed in the past to define the geographic area as no further than the Spokane River.
- There are many items to fund at this point. We need to know the state allocation for the next biennium. Timing is important for much of the work. A decision needs to be made at the June Task Force meeting.
- Dave said Gravity (not AXYS) should be available for any needed sampling and analysis in August.
- Adriane recommended a proactive plan to make informed decisions: since the Task Force has identified areas of higher loading, it has enough information to move forward with identifying source reduction activities, and developing Best Management Practices (BMPs).
- Rob reminded the group that a nonpoint source assessment was completed years ago. Some of the most significant loading of Phosphorus was coming from the aquifer. He encouraged the Task Force to consider aquifer loading (the Task Force saw a glimpse of this at the Barker to Trent reach) and look at loads from the Little Spokane and Hangman Creek. If it is the groundwater, not a lot can be done from a source reduction standpoint. Rob recommends that the Task Force continue to look at source assessments and loading, including Little Spokane. Aquifer loading needs to be added to the mass balance.
- Doug: if groundwater is a source, is there not a source to the groundwater that can be tracked down? Rob explained that a paper study is needed to look at the effectiveness of soils cleanup and other reductions. Pumping and treating water from this aquifer is not effective.
- Dan Redline: do MS4 permits require PCB monitoring? Answer: No.
- Brian Nickel asked why the Task Force is discussing getting more data from City of Spokane stormwater. City of Spokane is the largest MS4. It seems like there is a data gap with stormwater loads from other MS4s outside of Spokane. Dave Dilks explained there are a couple other stormwater outfalls, but most come from Spokane (other municipalities have mostly dry falls).

ACTION ITEM: TTWG to prioritize proposed projects and expenditures. (COMPLETE)

Public Notification of LimnoTech Work on the DO TMDL

Doug notified the Task Force of work LimnoTech has been hired to do directly for Inland Empire Paper (IEP). He explained that IEP is required to make a Delta Elimination Plan to make up the gap in reaching the limit set by the Total Maximum Daily Load (TMDL). For IEP to evaluate these options, IEP has hired LimnoTech.

Memorandum of Agreement (MOA) Update

Chris Page explained the status of the MOA revisions and comments received. Three entities have provided comments at this point on the revised draft produced by this work group, including some significant comments

and edits. It may take three or more meetings to address these. Chris asked the group if they want to table this discussion till after EPA has submitted their materials to the court and a final decision made. The MOA Work Group could meet and address the comments/edits, or wait until it is time to finalize.

- Bruce Rawls said stalling on the MOA update process would be delay the addition of the Idaho parties.
- John Beacham explained that the intention was to move one MOA through the approval process at the same time as EPA.
- Brian Nickel stated it is important that Post Falls, Hayden, EPA, and IDEQ sign the MOA to remove ambiguity.
- Tom Agnew suggested that the MOA work group continue towards completion so as not to lose momentum, recognizing there is not as much urgency.
- Bruce Rawls would like to be included in the MOA work group.

ACTION ITEMS: Ruckelshaus Center to:

- Post the comments to the MOA work group page. (COMPLETE)
- Retrieve and post the MOA signature page for the City of Coeur d'Alene. (COMPLETE)
- Send out Doodle poll for MOA work group and schedule meeting. (COMPLETE)

ACE Update

Bud Leber gave an update on ACE financials. There was little discussion on this topic. ACE will look at future costs in more detail after the Task Force prioritizes upcoming projects and the State budget is finalized.

ACTION ITEM: ACE to put together a scope of budget, including short and long term budget based on existing and proposed work. (COMPLETE)

Fish and PCBs

Galen recapped the Washington Department of Fish and Wildlife (WDFW) tour of the Little Spokane Fish Hatchery. The tour was joined by John Whalen. John is WDFW Eastern Region Fisheries Manager and he will serve as liaison to the task force on fish hatchery issues. The hatchery tour answered all the group's questions. The tour started at the spring which has a volume of water of 20 Cubic Feet per Second (CFS). This water, at 51 degrees F, is trapped in the hatchery (approximately 9000 gallons/min). Just upstream from hatchery is another spring with another 20 CFS. The hatchery has brood stock, and triploids stocked in the Spokane River, fingerlings newly on feed, and eggs. The hatchery has had long discussions about fish food and ingredients. Fish feed manufacture is complicated with multiple companies involved. WDFW is currently using anchovy meal. Fish food availability and prices worldwide can change the diet of the hatchery fish, and trout are quite sensitive to diet changes. WDFW is trying to move to vegetable diets, but fish don't grow enough with too high a vegetable content. The hatchery goes through 100,000 pounds of feed/year. The phosphorus level is over 1%. PCBs in fish feed is highly variable.

WDFW said they could send people to a Task Force workshop or meeting as long as it is clear what they are there for and what is needed. The WDFW fish health specialist is Steve Roberts who will be a good contact for the Task Force on PCB/Fish Food issues

Galen discussed a potential Task Force workshop on Fish and PCBs, wondering if there is enough information available yet for one to be productive. A broad literature search yielded studies that all before 2007. A workshop could help get all the concerns on the table, identify and prioritize data gaps. The Fish Hatchery work group will meet after the Task Force to look at the "buckets" as outlined in the summary of fish PCB issues.

Ted Hamlin explained that his department at Ecology, assisted by Brandee Era-Miller at EAP, acquired 15 hatchery fish for PCB analysis. They are on ice and were shipped to Brandee for testing during the little Spokane Fish Hatchery Study. They will collect 15 more in June from Trout Lodge. They still need to develop the Quality

Assurance Project Plan (QAPP) for the Little Spokane Fish Hatchery study, which should be ready for late summer sampling. Adriane added that a workshop could help to inform future EAP studies, and could be limited to a few hours dedicated to identifying next steps.

ACTION ITEM: Task Force to hold an interim framing session to define the issues of PCBs and Fish and what the Task Force needs to know to move forward to source reductions and identifying Best Management Practices.

Q&A/Discussion

- Jerry White pointed out the need to consider native and wild fish as well as hatchery fish. We need to understand the food web. At what point does the Task Force start looking at these other populations of fish aside from the hatchery input? Adriane added that the fish are the endpoint. The Task Force is working to eliminate the sources, and the endpoint is looked at over time.
- Is the Task Force going to be held accountable to PCBs in the water column, or in the fish tissue? Letter requesting guidance from EPA, Ecology on where Task Force should focus.
- Tom Agnew added that Avista has been required to stock Lake Spokane with 150,000 fish from the hatchery. This may be a significant introduction/source of PCBs to the system.

Ruckelshaus Center Scope/Budget

Chris Page presented the draft Ruckelshaus Center Statement of Work, including Scope and Budget for year four of the Center's work with the Task Force (2015-2016 fiscal year). Question: Is there a termination clause for Ruckelshaus Center, if the Task Force is no longer functioning—a clause to not obligate the Task Force to continue to pay Ruckelshaus Center for services? Answer: Yes, this clause is in the contract.

DECISION: The Task Force unanimously approved the Ruckelshaus Center Statement of Work for Year Four.

ACTION ITEM: Ruckelshaus Center to work with ACE on the Ruckelshaus Center contract. (ALMOST COMPLETE, waiting on signature from ACE)

Opportunities to Work with NW Pollution Prevention Center

Marjorie MartzEmerson gave a presentation on the Pacific Northwest Pollution Prevention Resource Center. Pollution Prevention Resource Center (PPRC) Seattle is one of eight regional centers that provide information, research, resources, and networking between agencies, businesses and the public. Much of their work is on risk assessment. PPRC Centers will take on any toxic chemical that becomes a big concern. Cadmium has been a focus of the Seattle resource center (NWPPRC). They focus on a holistic approach for identifying sources, exposure, health effects, and risk. NWPPRC would like to share resources and collaborate with the Task Force where appropriate. NWPPRC is a nonprofit organization (15 people working less than full time) but can tap into other centers across the country. They have engineers, a scientist, and small group that focus on community education and public health outreach. The centers came out of the Pollution Prevention Act and get funding primarily from grants. The centers focus on source reduction.

Q&A/Discussion

- Does the NWPPRC get involved with regulatory issues such as the Toxics Substances Control Act (TSCA)? Yes, they could be involved in working on TSCA rules related to the exemptions for inadvertent PCBs.
- Green Chemistry work of PPRC could address issues that the Task Force would like addressed.
- PPRC focuses on populations most at risk to the toxic of concern.
- PPRC could collaborate on a discrete project, with potential to leverage other PPRCs.

SRRTTF Input on EPA Submittal to Judge

Chris Page recapped a Task Force conference call with EPA regarding the coordinated response to provide to EPA to go to the judge. The Spokane River Stewardship Partnership put together a Draft document for the Task Force to consider. The Task Force needs to have a final document ready by next week to post for Task Force

approval with a five-day notice period. The response is due to EPA by June 15th. To meet this timeline, the final document for approval needs to be posted by June 8th. The whole Task Force needs to approve the document.

The Task Force is concerned that EPA will change what the Task Force drafts, fearing that if the document is taken apart, it will lose cohesion. Brian Nickel explained that EPA needs to submit the work product, using information from the Task Force. Laurie Mann and Brian will try to work it so that it is structured, with the ability to add attachments that are not from EPA directly. This will not be determined until the EPA has a chance to review Task Force input. However, the Department of Justice has to be comfortable with what is filed as well.

Process:

- Written comments (high-level, content-related edits) on version provided at the Task Force meeting due by 5 pm, Monday June 1, 2015. (COMPLETE—*note: revised from the original 5 pm Friday May 31st*)
- Comments and proposed edits sent out to Task Force and posted to the Task Force Website no later than Monday evening on June 1st, 2015. (COMPLETE)
- Small Work group meet on Tuesday June 2, 2015 from 1-4 pm at the Spokane County Water Resource Center to review the document and any edits received. (COMPLETE)
- Edited/Revised Version sent out to Task Force and posted to the Task Force Website by 12 pm on Wednesday June 3, 2015. (COMPLETE)
- Small work group meet Thursday June 4, 2015, 9 am-12 pm at the Department of Ecology. (COMPLETE)
- Task Force conference call from 9-11 am on Friday June 5, 2015. (COMPLETE)
- Edited/Revised Version sent out to Task Force and posted to the Task Force Website by 12 pm on Monday June 8, 2015. (COMPLETE)
- Task Force Decision call on Monday June 15 at 12 am to approve the final coordinated response. (Requires a quorum of voting members).

The Task Force agreed on a small, diverse work group of: Bruce Rawls, Bud Leber, John Beacham, Lynn Schmidt, Jerry White, Sandy Phillips (or Mike LaScuola).

ACTION ITEM: Ruckelshaus Center to send out Task Force email detailing the process for reviewing, editing and finalizing the coordinated response. (COMPLETE)

Updates and Announcements:

- Doug: entering special session-heading for another session, Doug will keep the TF informed.
- July 15th or 29th – move to 29th as an alternative to scheduled 7/22 meeting. August meeting (doodle poll)
- Public meeting: IRIS integrated risk information system. June 17th – 18th

ACTION ITEM: Ruckelshaus Center to send out a Doodle poll for rescheduling the July and August Task Force meetings. (COMPLETE)

No Public Comment

The next SRRTF meeting is June 24, 2015 at the Liberty Lake Sewer and Water District
The next Technical Track Work Group meeting is June 3, 2015 at the Department of Ecology