

Spokane River Regional Toxics Task Force

DRAFT MEETING SUMMARY

Facilitated by Kelsey Gray & Aubri Denevan

August 28, 2013 | 9:00am – 12:30pm

Liberty Lake Sewer & Water District Office

22510 E. Mission Avenue | Liberty Lake, WA 99019

Attendees

Voting Members and Alternates

Tom Agnew*, BiJay Adams – Liberty Lake Sewer and Water District

Bud Leber* – Kaiser Aluminum

Doug Krapas* – Inland Empire

David Moss* – Spokane County

Mike Peterson* – Lands Council

Mike LaScuola*, Sandy Phillips, Paul Savage – Spokane Regional Health District

Bart Mihailovich*, Rick Eichstaedt – Spokane Riverkeeper

Dale Arnold*, Lynn Schmidt, Jeff Donovan – City of Spokane

**Denotes Voting Member*

Advisors

Adriane Borgias, Brandee Era-Miller (*on phone*), Jim Bellatty, Diana Washington, Arianne Fernandez – WA Dept. of Ecology

Kevin Booth – Avista

Mary Lou Soscia, Brian Nickel, Mike Lidgard, Tom Eaton (*on phone*) – EPA

Public

Lisa Dally Wilson – Dally Environmental

Introductions: Get Started & Review Agenda

Facilitator Kelsey Gray (Ruckelshaus Center) welcomed everyone to the meeting. No changes were made to the agenda. Tom Eaton will be the new EPA representative on the Task Force.

Columbia River Toxics Reduction Strategy Presentation

Mary Lou Soscia gave a presentation on the efforts of the Columbia River Toxics Work Group. The group discussed how the work in Spokane fits into the bigger picture of the Columbia River. There are listings on the Columbia River for toxics but a TMDL was not feasible because they could not determine where the toxics are coming from. Discussion about how geography is a challenge and whether or not having a sub-basin focus is important.

Currently, Bart Mihailovich and Adriane Borgias attend the Columbia River Toxics Work Group as representatives of their organizations. We can work better together by breaking down some simple barriers; i.e., have someone represent the SRRTTF on the Task Force.

The *Columbia River Basin Toxics Reduction Plan* contains a list of 61 toxics reductions actions. Over half of those are action items the SRRTTF is doing, has considered doing, or can collaborate with others to do.

ACTION ITEM: Adriane Borgias to post links to the EPA Columbia River Reports on the SRRTTF website and to provide the list of the 61 action items to the Funding Work Group for consideration at its September 4, 2013 meeting. (COMPLETE)

Tribal Fish Consumption in Idaho - Discussion about the National Tribal Toxics Council and Region 10 Tribal Leaders Summit. It was suggested that the Task Force have representation at these meetings. Adriane Borgias was invited to present the "PCB in pigments" presentation to the National Tribal Toxics Council. This is national exposure to this issue. There is interest in national legislation to fund the Columbia River activities. This is moving forward but needs the support of Idaho.

Update Idaho Permits - Brian Nickel gave an update on the Idaho permits. The comment period ends Tuesday, September 3, 2013. It's hard say the exact date the permits will be finalized, but they are shooting for the end of the calendar year or early 2014. He will know more after all the comments have been received and reviewed.

EPA has reviewed the Pollution Control Hearing Board (PCHB) decision, but has had no internal discussions. Rick Eichstaedt provided an overview of the decision: the PCHB requested greater clarity on benchmarks and timeframes needed in the permit. How this affects the Task Force is not clear and has not been discussed by the Task Force.

EPA Participation Discussion:

- There were four representatives from EPA at the meeting today (Mary Lou Soscia, Brian Nickel, Mike Lidgard in attendance; Tom Eaton on phone)
- Tom Eaton is newly appointed to represent EPA on the Task Force. He plans to attend every Task Force meeting; half of them will be in person and the other half on the phone.
- EPA intends to sign the MOA when the permits are issued. EPA regional counsel and general counsel will need to review the MOA first.
- RiverKeeper distributed a letter that was sent to EPA on August 26th, asking for participation.

ACTION ITEM: Put on a future agenda the topic of the MOA; what are the revisions and what does EPA want to incorporate into the MOA? (COMPLETE)

ACTION ITEM: Aubri Denevan to post the RiverKeeper letter to the SRRTTF website on the meeting announcement post (COMPLETE).

Limno Tech Work Products Discussion and Decision

Task Four Completed – The revised document is complete.

Task Five Review and Consider Approval - The Task 5 document is a review of LimnoTech's evaluation of data sets submitted to them. There are tables attached to the document, which is posted on LimnoTech's website. Bud also has an electronic copy, if anyone wants a copy. In the document, it is

tiered based on quality (a=best through d=worst). The Tech Work Group went through it already. There were some tweaks done by the groups that supplied the data sets. Pending no other major changes, Bud proposed that this be approved.

There was a discussion about the Access database deliverable, which is currently accessible through the LimnoTech website. This could be uploaded to the Ecology Water Quality server where it can be accessed by the public. There was a concern that LimnoTech might change the database. This is not anticipated. There was a question about ongoing data collection. It was suggested that a dynamic database would be developed for moving forward.

Question about the data used for the Columbia River report. Was that considered by LimnoTech? Mary Lou commented that it was a literature report done in 2009. She recommended that they cross check the data sets with that report.

DECISION: The Task Force approved the completion of Task 5.

ACTION ITEM: Bud Leber to check with LimnoTech about the Columbia River Data and whether any of it was reviewed.

Question about whether or not LimnoTech looked at historical sites. The data that they reviewed is outlined in the table in the August 15, 2013 LimnoTech memo.

Question about the whether the data in the database was arranged geospatially or by type, etc. See page 3 of the August 15, 2013 LimnoTech memo.

Bud Leber reported that LimnoTech has provided him with the preliminary thinking on conceptual models.

ACTION ITEM: Bud Leber to provide the Task 6 memo to Aubri for posting/distribution. (COMPLETE)

ACTION ITEM: Aubri to post/distribute memo for comment. (COMPLETE: Posted to the September 25, 2013 meeting post).

ACTION ITEM: Include discussion about the Conceptual Model on the September meeting. (COMPLETE)

Letter to EPA requesting enforcement of PCB standards

Adriane Borgias reviewed the conversation with EPA regarding the TSCA rulemaking. Sara Kinney is the lead on the rule: her name is not on the searchable database, so Adriane requested contact information. Expect to have the Small Business review complete by the end of the year. Doug Krapas and Rick Eichstaedt, who submitted for the committee, have not heard on the decision. Proposed rule is expected in September 2014 then there will be a public comment period. Between now and then there are some other reviews, including tribal consultation. Sometime in April or May there will be an agency draft and a 3 month review within the agency.

The Economic review will be done about that time and will be contracted out. There is not an opportunity for public input into the economic review but it will be in the draft rule and there will be an

opportunity to comment then. When asked if there was an opportunity for states to weigh in on this, the answer is there is involvement with other federal agencies including Office of Management and Budget review. There is an EPA interagency work group that addresses potential rule problems. EPA representatives didn't think the EPA Office of Water was involved at this time. This would be a good topic for a letter. It was suggested that a small workgroup be established to put some focus to this effort.

Proposal to send letter, decision

Task Force members suggested several specific comments on the draft letter, and discussed the process for considering approval.

ACTION ITEM: Adriane to post Word Version of draft letter to SRRTTF meeting post (COMPLETE)

ACTION ITEM: Aubri Denevan to post/distribute notice requesting comments from Task Force by September 4, 2013 (COMPLETE)

ACTION ITEM: Task Force to provide comments to draft letter no later than September 4, 2013 (COMPLETE)

ACTION ITEM: Rick Eichstaedt, Doug Krapas, Mary Lou Soscia, and Adriane Borgias to revise based on comments received. (COMPLETE)

ACTION ITEM: Aubri Denevan to post/distribute notice requesting comments from Task Force before September 11, 2013 (COMPLETE)

ACTION ITEM: Task Force to provide comments on revised draft letter no later than September 18, 2013. (COMPLETE)

ACTION ITEM: Rick Eichstaedt, Doug Krapas, Mary Lou Soscia, and Adriane Borgias to revise based on comments received and provide to Aubri Denevan for meeting posting no later than September 18, 2013. (COMPLETE)

ACTION ITEM: Add the TSCA Compliance letter to the Agenda for the September 25, 2013 meeting. (COMPLETE)

Discussion about the TSCA reform bill sponsored by Senator Lautenberg. There have been hearings on this bill but not much movement. Doug Krapas mentioned that he has meet with Senators Murray and Crapo and is arranging to meet with Cathy McMorris Rogers. It was suggested to reach out to Mike Simpson as well.

Volunteer Recruitment Product: Review to approve

Ariane Fernandez created this form as a tool to find ways to work with the local Universities on upcoming sampling needs. LimnoTech has not had a chance to review the document yet. Bud will send it to them for their comments. The Task Force asked to remove PBDEs from the list.

ACTION ITEM: Bud Leber to send to LimnoTech for review. (COMPLETE)

DECISION: Form was approved as follows:

- *Remove reference to PDBE*
- *If no changes from LimnoTech, form is approved*
- *If changes are suggested, bring back revised version to the Task Force for approval at future Task Force meeting*

2013 Spokane River Sediment & Fish Sampling Update

Brandee Era-Miller and Keith Seiders provided an update on the 2013 Spokane River sediment and fish sampling. The information that they presented has been posted on the website with the meeting materials.

How can we make sure that we have input into the development of agendas and priorities for the Task Force? (Discussion/ Decision)

Chairperson for the Task Force? No chair at this time. This is worth revisiting at a later date if needed.

Executive Committee? No executive committee at this time. Several members were opposed to forming another committee.

Proposed agendas? Up to this point the facilitation team has developed agendas based on meeting notes, or if a member of the Task Force sent something in an agenda item. Task Force members are welcome to submit agenda items to the facilitator or Adriane Borgias. There is also a running list of potential agenda items for future meetings located on the website under the Meeting Announcements tab: http://srrttf.org/?page_id=1807. The due date for posting meeting items and having something put on the agenda is one week prior to the meeting. After that posting/agenda items are at the discretion of the facilitator.

There are weekly conference calls with Ruckelshaus Center to plan meetings. The calls are at 10:30am on Tuesdays, but sometimes get rescheduled at the last minute to accommodate schedules. These are open for Task Force members to call in; please notify Aubri Denevan ahead of time. The purpose of the calls is to discuss logistics of the meetings, not for discussion of meeting topics. Discussion could occur about how to facilitate the process to achieve the best outcome. Setting the agenda for the upcoming meeting will be at the beginning of the call and other meeting logistics near the end.

ACTION ITEM: Aubri Denevan will send out a meeting notice with the time of the weekly planning meetings. (COMPLETE)

ACTION ITEM: Members interested in joining the weekly planning meetings should notify Aubri Denevan in advance to attain the conference line dial in information.

Funding Work Group to discuss process for establishing priorities? Funding Work Group would like to address priorities and key tasks related to the legislative allocation of \$350,000 and prepare a product for Task Force consideration and approval. Also look at the funding strategies document, LimnoTech's tasks, and bring those back to the September meeting for discussion. Everyone is invited to attend the meeting next week. There is a lot of information to cover in a short period of time. The Task Force decided to lengthen the meeting to run from 9am – 12pm.

Action Item: Aubri Denevan to send out an email announcing the change in time for the meeting. (COMPLETE)

Updates & Announcements

Technical Track Work Group Report – The Tech Track WG talked about how to move forward. Three areas of interest were identified as a potential fit for the Task Force to work with the CEREO Researcher teams from WSU and University of Idaho: atmospheric deposition, storm water, and biochar. Three meetings have been set up (one for each interest area) at the WSU campus in Pullman, WA.

- Atmospheric Deposition – Sept. 12 (1-3pm)
- BioChar – Sept. 12 (3-5pm)
- Stormwater – Sept. 20 (1:30-3:30)

ACTION ITEM: Let Adriane Borgias and Chris Page know if you want to attend.

Budget and Contracting Update – The LimnoTech contract with Ecology and County for Phase 1b work is complete and sent out for final signatures.

The contract between Ecology and the Ruckelshaus Center is awaiting ACE's final go ahead and will be finalized when that occurs.

The master contract between Ecology and ACE for the legislative appropriation will be noticed on Ecology website for public transparency, but is exempt from the sole source contracting process due the following: 1) the legislature identified the funding as solely for the SRRTTF and 2) the purpose of ACE is to administer the contract for SRRTTF. A contract process is required for ACE, which can take up to six months.

ACTION ITEM: Adriane Borgias to begin the contract process at Ecology. (PROCESS STARTED)

ACTION ITEM: The Task Force to complete the prioritization process and submit Work Plans for to include in the contract.

Outreach Calendar – Adriane Borgias updated the calendar. NCASI (National Council for Air and Stream Improvement) has requested that Adriane Borgias participate in a pod cast while at the symposium. There were no objections to this by the Task Force. Adriane will most likely use a modified version of the approved PowerPoint presentation. City of Spokane is having a Green Water Symposium.

ACTION ITEM: Bart Mihailovich to ask about having the SRRTTF on the agenda for the City of Spokane Green Water Symposium.

Editorial Board - The Task Force had a meeting with the Spokesman review that resulted in an op-ed opportunity. This was written by Adriane Borgias from Ecology because of the short turnaround print time.

WSU Interdisciplinary Challenge – WSU students are organizing a scholarship competition around the topic of "PCBs in the Spokane River." They requested that the SRRTTF 1) supply a judge for the April 4th competition and 2) support implementation of all or part of the winning solution. Dave Moss volunteered to sit as judge.

ACTION ITEM: *Adriane Borgias to provide more information and contact information to the Task Force when received. (COMPLETE, on the agenda for the October SRRTTF meeting)*

ACTION ITEM: *Adriane Borgias to inquire about meeting with the sponsoring professor during one of the WSU CEREO visits. (PARTIALLY COMPLETE; Adriane Borgias met with the Student Organizer Devon Seymor)*

Public Comment

No comments. No press release needed.

The next SRRTTF Task Force meeting is September 25, 2013 at Spokane County Water Resource Center
The next Funding Work Group meeting is September 4, 2013 from 9am – 12pm and the next Tech Track Work
Group meeting is October 2, 2013 from 10am – 12pm at the Department of Ecology
