Spokane River Regional Toxics Task Force
DRAFT MEETING SUMMARY
Facilitated by Chris Page & Kara Whitman
July 23rd, 2014 | 9:00am – 12:30pm
Spokane County Water Resource Center
1004 N. Freya Street | Spokane, WA 99202

Attendees
*Voting Members and Alternatives (*Denotes Voting Member)*
Tom Agnew*– Liberty Lake Sewer and Water District
Galen Buterbaugh* – Lake Spokane Association
David Moss*, Rob Lindsay, Toni Taylor, Mike Hermanson, Ben Brattebo – Spokane County
Jerry White* – RiverKeeper
Mike Petersen* (on phone) – Lands Council
Mike LaScuola*, Sandy Phillips – Spokane Regional Health District
Dale Arnold*, Elizabeth Schoedel, Lynn Schmidt, Jeff Donovan – City of Spokane
Ryan Ekre* – Inland Empire Paper Company

Advisors
Adriane Borgias, Arianne Fernandez, Ellie Key, Kim Prisock, Diana Washington – WA Dept. of Ecology
Tom Eaton – US Environmental Protection Agency (EPA)

Public
Lisa Dally Wilson – Dally Environmental
Don Keil – City of Coeur d'Alene
John Beacham – City of Post Falls
Ken Windram – Hayden Area Regional Water Sewer Board
Dave Dilks, Cathy Whiting (on phone) – LimnoTech
Paul Klatt (on phone) – JUB Engineering

Introductions: Get Started & Review Agenda

Facilitator Chris Page (Ruckelshaus Center) welcomed everyone to the meeting. No changes were made to the agenda.

Technical Track Work Group (TTWG) Report & Technical Topics

Adriane Borgias gave an update on the status of the sampling contractor and the sampling methods. The contracts have been completed for those that are going to do the sampling including: AXYS Analytical who will process the PCB Grab samples and do the Continuous Low-level Aquatic Monitor (CLAM) processing (an amendment may be needed in order for AXYS to process the Gravity High Volume Samples; SVL Analytical who will process the conventional parameters including Total Organic Carbon, Dissolved Organic Carbon, Total Dissolved Solids, and Total Suspended Solids; LimnoTech which will begin phase II work to include sampling preparation and Quality Assurance Project Plan (QAPP)/Sampling & Analysis Plan (SAP) maintenance, field oversight, and data processing; and Gravity Consulting will perform the synoptic and seasonal sampling under the QAPP/SAP as well as perform a "Confidence Test" of the Gravity High Volume Sampler.

There was an addendum added to the QAPP to include the collection of two samples at the outlet of Coeur d'Alene and at Nine Mile using the Gravity PR 29000 High Volume Sampler. The Task Force also wants to make sure the volume and flow measurements of the river are correct to ensure a more precise mass balance calculation; therefore Gravity will also take flow measurements at the USGS gauges.

Office and Field training for sampling will take place on Monday and Tuesday July 28-29th with LimnoTech.

Confidence Limit Testing Memo

Confidence testing was done in order to ensure that the data would be good enough to meet the needs of the QAPP. In reviewing the memo summarizing results of the spring 2014 confidence limit testing, Dave Dilks explained that one of the original Data Quality Objectives, to do a mass balance assessment of PCB in the river, would need to be changed to a semi-qualitative assessment. This needed to be changed after the Confidence Interval testing was received and the data showed that there was too much variability to consistently see the low concentrations of PCBs in the water. The assumption is that we will see PCBs in the water during low flow conditions and that "a source with a major signal" will be recognized. We will continue with the grab samples this summer, but do Confidence Interval testing on other methods.

Adriane Borgias went over the changes to the SAP and QAPP. These include revisions to the data quality objectives. There were no questions on these changes. The Task Force agreed to make a decision on the SAP and QAPP together as one.

DECISION: The revised SAP and QAPP were accepted with the modifications.

Questions:

Q: Lisa Dally Wilson stated that the Spokane River Stewardship Partners (SRSP) had questions about the Confidence Interval testing. Specifically, has anyone called other labs about PCB 7 in the laboratory blanks? She also asked what other labs can actually measure down to as compared to the lab blank. She also asked if finding PCB 7 is a common occurrence at other labs.

A: Dave Dilks said that Axis shared information about PCB 7; they were not surprised to see it. Cathy Whiting added that they only had it (PCB 7) in one blank. Arianne Fernandez stated that PCB 7 is sometimes found in lab blanks, but that all labs have contamination of some sort, although the congeners may vary. PCB 7 is not normally found in environmental samples in the Spokane River so it is not as big a concern as if other congeners (such as PCB 11) is found. Cathy Whiting stated that it might be a good idea to ask the laboratory about this. AXYS has shared other quality assurance data and this is not the only time they have seen PCB 7 in the blanks. On this round, it was only present in one blank. At this point no one has checked with other labs on this issue.

Question from Paul Klatt: is the lab data from the confidence interval testing available? Cathy Whiting stated that the data is in the memo. However she has a CD with the complete dataset.

ACTION ITEM: Arianne Fernandez will call labs to find out what issues they have with PCB congeners as compared to lab blanks, and ask if they can share their lab blank data.

ACTION ITEM: Adriane Borgias to work with Cathy Whiting to ensure that the data is publicly available, perhaps as an upload to the website.

Measurable Progress Update

Chris Page summarized the process that went into the Department of Ecology's Measurable Progress (MP) definition, noting that all responses to comments on the definition are included on a handout distributed at the meeting and posted on the website. Chris reminded the Task Force that members had stated they would begin documenting the accomplishments of the group to date after the MP definition got finalized.

Adriane Borgias gave an overview of the MP outreach and the definition. The MP definition was developed with input by all stakeholders. The input varied widely, with some extremes of opinions expressed. The resulting definition represents the incorporation of opinions into a document a description of the *process* for determining measurable progress. This is considered a final document; however, there is the potential that this could be revised pending the outcome of the recent lawsuit and resulting negotiations.

The Department of Ecology decided the best approach to achieving clarity on MP was to define a process for evaluating measurable progress. Ecology's definition specifies what criteria will be evaluated and at what point a determination must be made.

Ecology received comments from the City of Spokane and the SRSP. The vast majority (ninety percent) of comments on the MP definition have been incorporated into the document. For the most part, this involves aligning the language from the Task Force Memorandum Of Agreement (MOA) and permits with the MP definition. In addition to identifying the conditions by which Measurable Progress can be made, the definition provides an "off-ramp" that would lead to a TMDL or other process if the group does not show measurable progress. The definition will be applied at the next permit cycle (expected to begin next year), with further evaluations done with future permit renewals. There will be additional opportunity for comment on the use of the definition as it is applied during permit renewals. Permittees will be requested to provide information demonstrating that Measurable Progress is being achieved.

Note: All of the Washington permits were issued in 2011, and are scheduled for renewal in the timeframe of February-June 2016. There was discussion about what the Task Force should document including, in part:

- Task Force activities
- PCB measurements
- Trends over time
- Compliance with permit conditions
- Meetings
- Contracts
- Outreach and outcomes

These and other indicators of progress are stated in the MOA. The SRSP has been working on a list of inputs/outputs/outcomes. The SRRTTF could assign this to a work group to provide broad input on this and include other organizations (beyond the dischargers) involved in this effort.

The group held further discussion about how this might apply to Idaho dischargers, who will have different permit requirements. Ken Windram responded that they will need to prepare an annual report and expect to use a summary of the Task Force activities to help meet reporting requirements.

<u>Questions:</u>

Q: Is achieving MP a requirement of permittees or the Task Force?
A: The Task Force will be evaluated by what each individual permittee is doing and how they contribute to the MP of the Task Force. The definition supports moving the permit process forward during the permit cycle, through narrative and/or numerical goals.

Adriane Borgias suggested that the Task Force needs to start looking at what and how information is presented on Task Force website to support showing measurable progress.

There was discussion on how this information will be pulled together and how it will be communicated.

ACTION ITEM: Ask the TTWG to determine if a separate work group (e.g. the Communications Work Group) will be needed to document and communicate Measurable Progress.

City of Spokane Annual Report for PCB Activities

Lynn Schmidt presented the 2013-2014 Annual Report of PCB Activities for the City of Spokane related to stormwater management (the report did not address wastewater treatment related to PCBs). As part of its Adaptive Management Plan, the City of Spokane is working to identify likely sources of PCBs in order to design and implement remedial actions and best management practices. The City examined samples from catch basins in 2010-2012 and stormwater samples in 2012-2014.

In catch-basin samples, there appears to be legacy contamination as well as possible windblown contamination. The highest level of PCBs was found in the heavy industrial zone, but they could not find a main source of PCBs. 765 Catch Basins have been sampled. 590,000 lbs of sediment were removed from the catch basins, which removed 32.4 grams of PCBs. Remedial maintenance for the catch basins includes a review of Aroclor analysis results and removal of all sediment from catch basins (the sediment is mixed with sawdust and hauled to a lined landfill cell). More than 7,000 curb marker signs have been installed. The City of Spokane hotline (509-625-7999) provides a place for the public to call about inappropriate dumping into basins.

<u>Questions:</u>

Q: Is there any way to identify the PCB sources for the observed wind effects?
A: Yes, through an Aerial deposition study. As a starting point, SRCAA (Spokane Regional Clean Air Agency, formerly SCAPCA) has archived filters that could be analyzed for PCBs. Joel Baker, an advisor at the Task Force's technical workshop, suggested that atmospheric deposition should not be a significant contributor to PCB loading in the Spokane Valley.

Q: What is the cycle for catch basin cleaning?
A: Once every 4 years.

Q: Has there been any attempt to break out the components of the sediment to get an idea of the product as a whole?
A: Lynn: no, not at this point.

The City sampled stormwater at six locations using automatic composite samplers. The samples show that individual PCB sources are too numerous to track down. They did not find a correlation with other water quality parameters; however, some correlation does appear with climate factors such as wind storms. Though there are many factors to consider, it appears there may be some level of windblown deposition. One solution is to treat and infiltrate stormwater through bio-retention.

The City of Spokane is also doing product sampling of common municipal products that come into contact with stormwater through a grant from Ecology. This should be completed in the fall of 2014. Outside of the grant, they are also collecting samples that get into the waste water stream. A Decant facility will be used to separate and store PCBs. Also, the City of Spokane passed an ordinance (SMC 7.06.172) that gives preference to products and packaging to non PCB products.

Questions:

Q: Are any other communities doing product testing?
A: The University of Iowa (Keri Hornbuckle) applied for a grant to test products for PCBs (the Task Force sent a letter of support for this), with her group testing some products for the SRRTTF. Adriane has not heard whether this grant was funded.

Q: Is anyone doing an aerial deposition study? Any thought to testing indoors?
A: The Task Force or the City of Spokane could reconnect to the Center for Environment Research, Education and Outreach (CEREO). Brian Lamb, with CEREO at Washington State University, has indicated that if there is funding for a graduate student, he could help out with atmospheric deposition analysis.

City of Spokane Request for SRRTTF Partnership + Ecology Response to SRRTTF Letter Requesting Partnership

Chris Page went over the letter sent by Ecology to the Task Force in response to its letter requesting the exploration of financial partnerships in support of the City's Integrated Clean Water Plan. Right now there are not funding structures for an integrated plan, more for discrete projects.

SRRTTF Financial Overview + Letter to Governor Requesting Support

The City of Spokane presented a version of the letter with a different funding concept than the original, posted letter. Representatives from the City spoke with the Lands Council (Mike Petersen) and Riverkeeper (Rick Eichstaedt) to develop the new proposal, which was also discussed at the SRSP meeting prior to the Task Force meeting. The City's request is to Governor Inslee to continue an extended payment grant of $5M/year to the City, with the City allocating $400K/year to the SRRTTF. (The letter posted in advance of the meeting simply requested $800K over two years for the work of the Task Force.)

In the past the County has received $3.7 million per year of this grant with $1.2 million per year going to the City. This grant is expiring this year. The question is whether the City and the SRRTTF want to pursue funding together. Department of Ecology expressed the opinion that since this is a major change from the original proposal, which was not publicly posted with five business days' notice (in accordance with the MOA), it should not be decided upon at this meeting. The response was that a version of the letter was posted with the required advance notice, with the new concept articulated in edits to the posted letter; while this technically satisfies the letter of the MOA, it goes against the spirit of the document and does not provide full transparency.

Ecology representatives explained to the Task Force why it could be advantageous to delay a decision on the letter until the changes could be looked at by the Department of Ecology, noting that in general, it is important to allow agencies to view materials and provide input prior to SRRTTF decisions. EPA agreed that it is reasonable to provide agencies adequate time to review new information. Ecology also advised the Task Force that agency input on the document would better inform the Task Force's decision to send the letter. Task Force members cited the time-sensitive nature of the issue in electing not to make time for agency review in this case.

Elizabeth Schoedel stated that the Administration at Ecology favored this concept (the City partnering with the Task Force) as long as there is legislative support. She also pointed out that the reply to the SRRTTF by Ecology left the door open to this possibility, "The new innovative Integrated Clean Water Planning process would benefit from new or different funding structures and opportunities."

In discussion, Idaho dischargers expressed support for the partnership, and EPA expressed conceptual support. Ecology stated support for Spokane River efforts and the concept of partnerships. Ecology was neutral on the

specific decision on the table, with the only issue being the lack of advance public notification prior to a decision being made. The eight SRRTTF voting members present approved unanimously.

DECISION: Dale Arnold (City of Spokane) is to sign the letter on SRRTTF letterhead. Letter to be submitted with date, using the PO Box of the Task Force's Administrative and Contracting Entity (ACE) as a return address.

Minor changes were made to the document as presented: second to the last paragraph – "Eliminating stormwater from this large basin, alone will reduce a significant amount of the total PCBs that contribute to the watershed."

Added to the first paragraph: "We were pleased to hear your recent announcement regarding toxic reduction in Washington State waters, as the work of the SRRTTF is in direct alignment with many elements outlined in your proposal. The SRRTTF's innovative approach supports your goals of identifying and removing toxics sources."

ACTION ITEM: Letter will go out from the task force c/o ACE, with Dale Arnold as the signatory, with the above sentences from Doug Krapas added.

ACTION ITEM: Chris will send Elizabeth letterhead to put the letter on (completed).

Chris advised that in future more advance notice of changes of this scale would be preferable. Tom Agnew urged the Task Force to keep the pressure on legislature so they don't lose out on funding opportunities if the current request is not well received. Tom also commented that it would be good to have quick resolution on this letter (within a week) because if this approach doesn't work, then they need to regroup and discuss the original $800,000 request as originally posted.

Updates & Announcements

The November meeting was discussed. It coincides with the Spokane River Forum meeting (Nov. 18-20). The SRRTTF meeting is slated for 11/19 (11/26 is Thanksgiving). It was suggested that the meeting either be rescheduled for a week earlier or be canceled so that SRRTTF members can attend the forum. The group decided to delay a decision on this until there they know when sampling results will be available. The SRRTTF is not on the agenda for the Spokane River Forum, however many topics relate to the Task Force.

ACTION ITEM: Dave Moss will reserve the room at the Water Resource Meeting for a week earlier in case it is decided to hold the meeting a week earlier (12th).

ACTION ITEM: Chris will contact Andy Dunau (Spokane River Forum) about schedules.

Outreach:

PNWIS conference in Spokane Oct. 27-29: Adriane Borgias is the session chair of a panel on PCBs, she is in need of 3 to 4 speakers for the panel. Abstracts due Oct. 1st. Bud Leber is willing to do a presentation on the design of the synoptic sampling.

A piece in the *Spokesman-Review* stated that "Spokane is the most contaminated river with respect to PCBs." This is old data and recent reports show it is no longer factual. The SRRTTF noted the gains and cleanups in the river on phosphorus and PCBs. Lisa Dally Wilson explained that the SRSP would like to develop a response to an Op-Ed piece that was in the paper. Doug Krapas volunteered that his PR firm could help with the article if the SRRTTF agrees.

Doug requested that the Task Force give its OK to his PR firm to draft the letter, with the Task Force to consider approval a week later on a phone call. Another possibility is to have something ready in time for the TTWG meeting on August 6, with non-attendees that are voting members of the SRRTTF able to call in to participate in the decision. If so, a proposed article needs to be posted by July 30. Otherwise this article could be on the agenda for the 27th of August.

There was no opposition from the Task Force to Doug's request, although there were questions about the schedule for the *Spokesman Review* and about the paper's openness to printing this article.

ACTION ITEM: Inland Empire Paper's PR firm will draft a letter in response to the article, to be approved in accordance with the rules established by the MOA. Doug will work on getting this out, then finalization and approval will occur at the August 6th TTWG meeting, or earlier by phone if possible.

Lisa expressed that the Task Force needs to be prepared for public response to the PCB data. Rob Lindsey noted that questions will come up about PCBs in drinking water and that a coordinated response to the community needs to be done. There may be a role for the State Department of Health. Mike LaScoula suggested a primer of what PCBs are, explaining that they are ubiquitous and the SRRTTF is looking into these issues, might be a solution. The Spokane Aquifer Joint Board should be involved in this type of messaging.

Governor's Proposal for Water Quality Standards/Fish Consumption

Chris went over some general observations of the Governor's policy and then opened it up for Task Force discussion/response. Task Force members noted that they are encouraged with the direction the policy is taking.

Tom Agnew brought up the WSU Stormwater Center as a potential partner for the Task Force. Currently the Stormwater Center research is focused on Western Washington issues (copper and zinc impact on salmonids); however there is talk of opening up a center in Spokane. Lynn Schmidt added that they are also talking with the North Idaho stormwater permittees to coordinate studies.

Public Comment

No public comment

The next SRRTTF Task Force meeting is August 27th, 2014
at Liberty Lake Sewer and Water District from 9am – 12:30pm
The next Tech Track Work Group meeting is August 6th, 2014 from 10am – 12pm at the Department of Ecology

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