

Spokane River Regional Toxics Task Force
Summary Notes: Conference Call with U.S. Environmental Protection Agency (EPA)
Call facilitated by the Ruckelshaus Center (Chris Page and Kara Whitman)
May 18, 2015

Attendees:

Dale Arnold, Jeff Donovan, Lynn Schmidt – City of Spokane
John Beacham – City of Post Falls
Adriane Borgias – Washington Department of Ecology (Ecology)
Ben Brattebo, Mike Hermanson, Rob Lindsay, Dave Moss, Bruce Rawls– Spokane County
Galen Buterbaugh – Lake Spokane Association
Dave Clark – HDR Inc.
Lisa Dally Wilson – Dally Environmental
Rick Eichstaedt and Jerry White – Spokane RiverKeeper
Kris Holm – City of Coeur d’Alene
Marcy Hupp – Perkins Coie
Doug Krapas – Inland Empire Paper
Bud Leber – Kaiser Aluminum
Laurie Mann, Brian Nickel – EPA
Lori Terry-Gregory – Foster Pepper
Dave McBride – Washington Department of Health
Mike Milne – Brown and Caldwell
Mike Petersen – Lands Council
Sandy Phillips – Spokane Regional Health District

Chris Page reviewed the agenda and delineated protocols for the conference call. Chris explained that the Ruckelshaus Center will assist in facilitating the communication between the Task Force and EPA and the coordination of the Task Force’s input into EPA’s submittal in response to the recent court ruling; however, the Ruckelshaus Center does not have a role in the legal proceedings or the production of any material for the response to the judge. The Task Force will ultimately be responsible for pulling together the necessary documents to provide to EPA to aid in the agency’s response to the judge.

Brian Nickel and Laurie Mann explained that EPA would like the Task Force to submit what it thinks is important for the Court to know. This will be incorporated that into EPA’s response. EPA would prefer the response from the Task Force to be brief, approximately three pages or less. The brief should focus on Task Force actions to sample and identify sources of PCBs, and activities funded and led by the Task Force to reduce PCB sources. EPA has filed an appeal to the judge; however, they will continue their work to respond to the remand order.

Work completed by individual Task Force entities should be sent to EPA separately from the Task Force brief. The Spokane River Stewardship Partners (SRSP) compiled a list of PCB reductions, presented to the Task Force in September of 2014. This information is posted to the Task Force website and should provide EPA a snapshot of on-the-ground PCB reductions made by individual dischargers.

Q&A/Discussion:

- How will EPA capture all the individual entity reductions? Should individuals send info on individual actions? EPA is working with Ecology to identify these types of actions. If individual dischargers want to provide this info to EPA directly, this would be welcome.

- SRSP compiled list of PCB reductions? (see September 2014 Task Force Meeting documents on the Task Force Website (<http://srtrtf.org/?p=3271>))
- What is the status of EPA's response to the judge? EPA is working on it. The deadline to the judge is middle of July. EPA is trying to envision a schedule and benchmarks that reflect the focus by all involved on improving water quality as quickly as possible.
- Regarding the language used in the order: does the judge interpret it differently than EPA, Ecology or the Task Force? If the PCB reduction effort for the Spokane River becomes a Total Maximum Daily Load (TMDL) process, the activities and timeline will look much different. It would be helpful to understand whether EPA anticipates transitioning to a TMDL in the near future or not.
- Laurie will check on how much of EPA's draft submittal can be shared (likely not much, if any). EPA will talk internally to find out what can be shared.
- The judge's ruling says that alternative plans (in lieu of a TMDL), such as the Task Force's direct-to-implementation approach, are interim plans (experiments) not a substitute to a TMDL. Performance needs to be evaluated on a regular basis, and the actions should produce as-good-or-better results than a TMDL. EPA is trying to explain to the judge that this approach can make better progress for the time being *without* a TMDL.
- Do Ecology and EPA feel they are under an order to prepare a TMDL? Cannot answer at this time.
- Idea: Consider a 3rd Party TMDL (with the Task Force producing the TMDL instead of Ecology).
- Focus the story in terms of what the general public understands. Focus on the real milestones driving the understanding and reduction of PCB sources to the river.
- Who should write this response? The Task Force needs to discuss and decide this at its May 27th Task Force meeting.
- By when does EPA need this information?
 - June 15th for the Task Force Brief;
 - Individual responses by end of May, if possible.

ACTION ITEM: Post and bring all the "pieces" of the story to the Task Force meeting (Adriane's compiled information, SRSP compilation, any other pieces identified).

ACTION ITEM: Individual Task Force entities to compile individual information on PCB reduction activities and bring to the May 27th Task Force meeting. This will quickly be compiled into a document to provide to EPA.

ACTION ITEM: Laurie Mann to check on how much of EPA's draft submittal or overall strategy (for the Task Force, related to a TMDL) can be shared. EPA will talk internally to find out what can be shared.