

September x, 2015

Mr. Dennis McLerran  
US Environmental Protection Agency  
1200 Sixth Avenue, Suite 900  
Seattle, WA 98101

Dear Mr. McLerran:

The Technical Work Group (TWG) of the Spokane River Regional Toxics Task Force (SRRTTF) has reviewed the Environmental Protection Agency's (EPA's) submittal in response to the Order issued on March 16, 2015 by the U.S. District Court in *Sierra Club, et al. v. McLerran* (No. 11-CV-1759-BJR).

Among other things, EPA's response to the Court sets out certain milestones for determining if the preparation of a PCB Total Daily Maximum Load (TMDL) by the Washington State Department of Ecology (Ecology) must begin. The first of these milestones is the completion by the SRRTTF of a "Comprehensive Plan to bring the Spokane River into compliance with applicable water quality standards for PCBs" by December 31, 2016, which is a very short time frame.

EPA's submittal identifies five elements that the Comprehensive Plan should include. These elements, listed on page 11 of EPA's submittal to the Court, are:

- A summary of the available data for PCBs in Spokane River water, fish tissue, and sediments.
- A list of the identified sources of PCBs in the Spokane River with estimates of current loadings.
- A range of BMPs expected to reduce or eliminate PCBs for each source or category of sources.
- Recommendations for BMP implementation.
- Recommendations for future studies to address remaining data gaps.

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EPA's submittal does not provide any additional details or guidance with respect to the criteria for judging the adequacy of the Comprehensive Plan. As a result, the SRRTTF, through its TWG will be preparing an outline of what it believes will adequately address each of the five elements that EPA has identified should be included in the Comprehensive Plan.

The SRRTTF requests that EPA identify who or what group will be making the determination of the adequacy of the Comprehensive Plan so that its TWG can work with them and develop a clear understanding of how to successfully reach this initial December 31, 2016 milestone. The SRRTTF respectfully requests that EPA identify who its TWG can begin working with at the earliest possible date so that the TWG can begin this critical work.

On behalf of the SRRTTF, your early response to this request would be greatly appreciated. I can be reached at (509) 927-6554.

Sincerely,

Bernard P. (Bud) Leber, Jr.  
Chair, Technical Working Group  
Spokane River Regional Toxics Task Force

Cc: Brian Nickel – US EPA Region 10