

**Memorandum**

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| **From:** Kat Ridolfi, Dave Dilks | **Date:** June 22, 2016  **Project:** SRRTTF4 |
| **To:** SRRTTF |  |

**SUBJECT: WORKING DRAFT: Cost/Effectiveness of PCB Control Actions for the Spokane River**

# Summary

The Spokane River Regional Toxics Task Force (SRRTTF) was created with the goal of developing a comprehensive plan to bring the Spokane River into compliance with applicable water quality standards for the toxic chemical polychlorinated biphenyls (PCBs). To accomplish that goal, the functions of the SRRTTF include preparing recommendations for controlling and reducing the sources of listed toxics in the Spokane River and review of proposed Toxic Management Plans, Source Control Plans and Control Actions. A previous memorandum ([LimnoTech, 2016b](http://srrttf.org/wp-content/uploads/2016/05/SRRTTF_Inventory_of_Control_Actions_05182016_draft.pdf)) identified a total of 44 control actions. The intent of this memorandum is to provide information to assess these control actions in order to help identify those that may be most appropriate in making measurable progress in controlling PCBs in the Spokane River Watershed. It is divided into sections describing:

* Control Actions Considered
* Review of Control Actions
* Prioritizing Control Actions for the Comprehensive Plan
* Propose a future effort/memo that defines schedules for implementation for control actions, interim targets/milestones with timelines (based at the sub-category level) and the development of effectiveness monitoring programs that assess the efficacy and progress of these Control Actions.

Fact sheets are provided for each Control Action under consideration. Each Control Action is reviewed in terms of expected removal efficiency, the significance of the PCB source area or pathway it addresses, cost, presence of an agency willing to implement the action, location in the Pollution Prevention hierarchy, relationship to existing control efforts, near, mid or long term implementation and effectiveness time frames, and ancillary benefits provided.

While it is recognized that it is solely up to the discretion of the Task Force regarding which Control Actions to recommend for inclusion in the Comprehensive Plan, this review can provide some guiding principles to contribute to the discussion. They are, in order of priority:

1. **Maintain existing Control Actions:** Numerous Control Actions are already being implemented, and are targeted to control the largest delivery mechanisms of PCBs. These Control Actions are expected to significantly reduce PCB loads to the River and Lake Spokane. Primary consideration should be given to maintaining and supporting these activities.
2. **Gain understanding of uncertain source areas and pathways:** Consistent with comprehensive PCB plans in other watersheds, initial efforts should focus on collecting data to better understand the magnitude of uncertain source areas and transport pathways, prior to implementing specific Control Actions on them. The source areas and transport pathways to be investigated should be prioritized using the best current estimate of their magnitude.
3. **Assess if additional actions merit near-term consideration:** Other Control Actions can be considered for inclusion in the Comprehensive Plan, after the above to priorities are met, but they should be restricted to those that can be reasonably expected to achieve noticeable reductions in PCB loading to the river or lake.
4. **Understand the** **timeframes for implementation and effectiveness** (based on priority and review criteria below): Control actions can be understood in terms of the timing of their success to help rank the practical application of a Control Action within 5 year windows.

# Control Actions Considered

LimnoTech (2016b) identified a total of 44 control actions considered potentially applicable to address PCBs in the Spokane River. The control actions identified in that memorandum were obtained from several sources:

* BMP Toolbox for the San Francisco Bay Area (SFEI 2010)
* Stormwater Management Manual for Eastern Washington (Washington Department of Ecology 2004)
* Spokane Regional Stormwater Manual (Spokane County, City of Spokane, and City of Spokane Valley 2008)
* Spokane River Regional Toxics Task Force February 6-8, 2016 Workshop
* PCB Chemical Action Plan (Washington Department of Ecology, 2015)
* Discussions within the SRRTTF BMP subgroup

Each control action considered is summarized by category in Table 1,

Table . Menu of Control Actions Identified as Potentially Applicable for Reducing PCB Loads to the Spokane River and Lake Spokane

|  |  |  |
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| **Category** | **Sub-Category** | **Control Action** |
| **Institutional** | **Government Practices**  **Programs** | Take-back programs to accept PCB-containing waste |
| Land use/development ordinance that encourages LID |
| MS4 source tracking |
| Leaf removal |
| Street sweeping |
| Catch basin/pipe cleanout |
| Purchasing standards |
| Survey of PCB-containing materials in electrical equipment |
| Review laws regulating waste disposal and illegal dumping |
| Removal of carp from Lake Spokane |
| Building demolition control actions |
| PCB-product labeling law |
| Leak prevention/detection system ordinance for transformers and capacitors |
| Expanded monitoring |
| Accelerate sewer construction to replace septic systems |
| PCBs identification during inspections |
| Regulatory rulemaking |
| Regulatory policy and implementation |
| Support green chemistry alternatives |
| **Educational** | Survey of PCB-containing materials in schools/public buildings |
| Education/outreach about PCB sources |
| Education about discharge through septic systems in aquifer recharge area |
| Education about filtering of post-consumer paper products |
| PCB product information |

Table (continued). Menu of Control Actions Identified as Potentially Applicable for Reducing PCB Loads to the Spokane River and Lake Spokane

|  |  |  |
| --- | --- | --- |
| **Category** | **Sub-Category** | **Control Action** |
| **Stormwater Treatment** | **Pipe Entrance** | Infiltration control actions |
| Retention and reuse control actions |
| Bioretention control actions |
| Isolation of contaminated source areas from the MS4 |
| Filters |
| Screens |
| Wet vault |
| Hydrodynamic separator |
| **End of Pipe** | Constructed wetlands |
| Sedimentation basin |
| Discharge to ground/dry well |
| Diversion to treatment plant |
| Fungi (mycoremedation) or biochar incorporated into stormwater treatment |
| **Wastewater Treatment** |  | Development of a Toxics Management Action Plan |
| Implementation of a source tracking program |
| Chemical fingerprinting or pattern analysis |
| Remediation and/or mitigation of individual sources |
| Elimination of PCB-containing equipment |
| Public outreach and communications |
| Review of procurement ordinances |
| Pretreatment regulations |
| **Site Remediation** |  | Identification of contaminated sites |
| Clean up of contaminated sites |

# Review of Control Actions

Information on the potential suitability of the Control Actions identified above was gathered from a range of sources including: descriptions of application to other sites, internet searches, and phone interviews with Task Force members. While no clear precedent exists for evaluating PCB Control Actions, some guiding principles may be useful in evaluating them. The most desirable Control Actions will be ones that:

* **Affect qualitatively significant pathways:** Even though many intermediate transport pathways are uncertain or not quantified, sufficient information exists to allow at least a qualitative understanding of the importance of most pathways. Control Actions that affect larger pathways will be preferred over Control Actions that affect smaller pathways.
* **Are qualitatively cost effective:** Similar to above, a qualitative understanding likely exists regarding the cost effectiveness of many Control Actions, even in the absence of quantitative case examples. Control Actions that remove PCBs at lower costs will be preferred over Control Actions that remove similar amounts of PCBs at greater costs.
* **Have a responsible party capable of implementation:** Control Actions must be implemented in order to reduce PCB loads. The presence of a party capable (and willing) of ensuring that the selected Control Action will be implemented is a necessary condition.
* **That are already occurring or are in process of implementation as a function of regulatory/voluntary programs.** Control Actions that are the result of permits are subject to refinement and upgrades as permit cycles revolve. Control Actions should be identified and understood as they are implemented under the NPDES program, MTCA program, or the MS4 programs, etc
* **Are Located Higher in the Pollution Prevention Hierarchy:** The Pollution Prevention Act of 1990 explicitly recognized that source reduction is fundamentally different and more desirable than waste management or pollution control. This hierarchy has been refined for PCBs as “Don’t make it > Don’t use it > Use less of it > Manage it properly > Dispose of it properly > Treat it.” Control Action that are located higher in the pollution prevention hierarchy are preferable to ones that are located lower.
* **Provide ancillary benefits:** Control Actions that provide benefits beyond PCB load reduction will be preferable to those that address only PCBs, all else being equal.
* **Are relevant and practical from a timeframe for effectiveness stand point**. Control Actions will practical investments in terms of making measurable progress within the timeframes set up both internally to the SRRTTF and externally for the demands of the regulatory agencies.

This section first describes the factors that were used to review each Control Action, then summarizes the findings of the review.

## Review Factors

Each Control Actions is reviewed with respect to several factors, consisting of: reduction efficiency, significance of pathway, cost, implementing entity, pollution prevention hierarchy, and ancillary benefit. In addition, because many significant Control Actions are currently being undertaken in Spokane, each action is assessed in terms of the extent that it overlaps with existing efforts.

The information gathered for this review indicates that many of the reviewed Control Actions have no quantitative information available on costs or effectiveness. In addition, the magnitude of the transport pathways between source areas and delivery mechanisms assessed in ([LimnoTech, 2016a](http://srrttf.org/wp-content/uploads/2016/05/SRRTTF_MagnitudeSourcesPathways_2016_0518_draft.pdf)) were determined to be either highly uncertain, or unknown. Because quantitative information is lacking for many aspects of this review, a qualitative scoring system is used. The definition of each aspect of the review, as well as the qualitative scoring system used, is described below.

Reduction Efficiency: Reduction Efficiency is a primary consideration in terms of prioritizing Control Actions, as it describes the extent to which a given action is expected to reduce PCB movement from its targeted source area or pathway. Although quantitative information defining reduction efficiency was not available for man Control Actions, sufficient information exists to allow the majority of Control Action to be rated as follows:

* Highly suitable: >5o% reduction in targeted source area or pathway
* Moderately suitable: 10-50% reduction in targeted source area or pathway
* Less suitable: <10% reduction in targeted source area or pathway

Significance of Pathway: Significance of Pathway describes the overall magnitude of PCBs currently delivered to the river or lake from the source area or pathway being targeted by the Control Action. This aspect is important to consider to prevent selecting control actions that may be very effective in controlling sources that contribute an insignificant amount of PCBs to the system. Even though many intermediate transport pathways are uncertain or not quantified, sufficient information exists to allow at least a qualitative understanding of the importance of most pathways. As such, Control Actions will be rated as follows:

* Highly suitable: Pathway provides >1% of the total PCB load delivered to the system
* Moderately suitable: Pathway provides 0.1- 1% of the total PCB load delivered to the system
* Less suitable: Pathway provides <0.1% of the total PCB load delivered to the system

Cost:Cost describes the expected cost of implementing the Control Action, considering both capital and operating costs. Control Actions that remove PCBs at lower costs will be preferred over Control Actions that remove similar amounts of PCBs at greater costs. Even in the absence of quantitative data, a qualitative understanding exists regarding the costs of many Control Actions, and they are rated as follows:

* Highly suitable: <$100,000
* Moderately suitable: $100,000-$1,000,000
* Less suitable: >1,000,000

Implementing Entity:The success ofa given Control Action depends upon the presence of some entity capable of, and willing to, taking responsibility for its implementation. Implementing Entity describes the extent to which there is a clearly identified responsible party for implementing the control action due to their enrolment in a regulatory or voluntary program, along with an assessment of their willingness to do so. It is rated as follows:

* Highly suitable: Entity identified and willing to implement
* Moderately suitable: Entity identified, willingness uncertain
* Less suitable: No willing entity identified

Pollution Prevention Hierarchy:Experience with a wide range of pollutants has shown that preventing the creation or release of a pollutant is far more effective than controlling it once released. Pollution Prevention Hierarchy describes where the Control Action is located on the spectrum from limiting production and use of PCBs to treating PCBs prior to their release to the river or lake. It is rated as follows:

* Highly suitable: Controls production or use of PCBs
* Moderately suitable: Manages the mobility of PCBs in the environment
* Less suitable: Performs “end-of-pipe” treatment of PCBs prior to discharge

Existing Efforts under regulatory and/or voluntary programs:This describes the extent to which a given Control Action relates with existing PCB control efforts that are required by state or federal law. It is rated as follows:

* Highly suitable: Addresses a source area or pathway that is not currently being addressed
* Moderately suitable: Expands upon existing controls of a source area or pathway
* Less suitable: Redundant with existing efforts

Ancillary Benefit:Some Control Actions provide benefits beyond removal of PCBs from the system. Ancillary Benefit describes the extent to which a given Control Action provides these benefits. It is rated as follows:

* Highly suitable: Provides significant additional benefits beyond reduction of PCB loads
* Moderately suitable: Provides marginal additional benefits beyond reduction of PCB loads
* Less suitable: Provides no additional benefit beyond reduction of PCB loads

Implementation and Effectiveness Timeframes: Control Action can be implemented and effectiveness assessed in timeframes that are meaningful and relevant to the actions and efforts of the SRRTTF and other entities involved in controlling PCB pollution. It is rated as follows:

* Near term efficacy (80-100% efficacy within 2 year timeframe)
* Mid Term efficacy (80-100% Efficacy within 5 year timeframe)
* Long Term efficacy (80-100% efficacy within 20 year timeframe)

## Review Findings

Appendix A summarizes the findings of the review for all candidate Control Actions, using a simple shading scheme to identify whether each aspect of each control action is:

* Highly suitable
* Moderately suitable
* Less suitable
* Unable to be evaluated, due to a lack of information

Individual Fact Sheets are provided in Appendix A, which describes each control action and briefly discusses how the ratings were obtained.

Some key observations can be made from this review. First and foremost, the most significant delivery mechanisms of PCBs all have existing Control Actions in various phases of development. Specific PCB-related Control Actions underway in Spokane are:

* Wastewater treatment plants discharging to the Spokane River are all required to develop and install treatment systems to reduce nutrient loading that will concurrently result in reductions of PCB loading. In addition, each wastewater facility has developed a Toxics Management Action Plan that includes a PCB source identification study and associated control actions.
* Remediation activities for known contaminated sites in Washington are being implemented and managed under the jurisdiction of the Model Toxics Control Act (MTCA).
* The City of Spokane is actively addressing stormwater and CSO loading of PCBs as part of their Integrated Clean Water Plan.
* The large majority of stormwater in the remainder of the watershed is being diverted to groundwater, as opposed to direct surface discharge to the River. This activity is consistent with many of the PCB Control Actions discussed previously under the category of “Stormwater Treatment--Pipe Entrance.”
* Local electric utilities have replaced their transformer with essentially PCB-free oils, and eliminated the use of large capacitors.

The second observation is that many of the Control Actions initially identified as potentially applicable were found to be redundant with existing efforts. For example, many Control Actions identified from other sites were specific to stormwater controls. These are largely redundant for consideration in Spokane because, as mentioned above, stormwater PCB loads are largely already undergoing control actions as a function of NPDES permits and MS4 permits.

The third observation is that some Control Actions either operate on pathways of highly uncertain magnitude, or are so uncertain in their effectiveness that they cannot be fully evaluated at this time. The final observation is that there are a class of Control Actions that are not intended to lead to immediate load reduction, but rather to collect information better define pathways or reduction efficiencies and educate the public so as to effect a cultural changes that result in the long-term control of PCBs that are handled by the public .

# Prioritizing Control Actions for the Comprehensive Plan

The ultimate goal of evaluating a range of Control Actions is to inform the Task Force in the prioritization and selection of specific actions to be included in the Comprehensive Plan. While it is recognized that it is solely up to the discretion of the Task Force regarding which Control Actions to recommend for implementation, this section describes lessons that could be learned from other watershed-based PCB Control Actions and provides some potential guiding principles to be considered for prioritizing Control Actions.

## Lessons from Other Sites

The challenge discussed above regarding insufficient information of PCB transport pathways and cost/effectiveness of Control Actions is not unique to Spokane. Essentially all other watershed-based PCB Comprehensive Plans have dealt with the issues of incomplete information on costs and effectiveness and uncertain magnitudes of transport pathways. The examples that follow illustrate different approaches to selection and implementation of PCB Control Actions in the face of incomplete information:

* San Francisco Bay TMDL: Urban stormwater controls are being adaptively selected and implemented over 20 years, beginning with permittees selecting and pilot testing their own BMPs to assess effectiveness and technical feasibility. Based on lessons learned during the pilot testing, additional controls will be implemented in strategic locations and will inform development of a plan to that will attain desired PCB load reductions.
* Delaware River PCB TMDL: The implementation plan adopted a non-numeric approach requiring pollutant minimization plans for point and nonpoint source dischargers to track down and reduce PCBs. Components of the pollutant minimization plans included source identification and reduction, monitoring and reporting, and remediation activities for known contaminated sites.
* Illinois Lake Michigan Nearshore PCB TMDL: Stormwater MS4 permittees were given a menu of BMPs to choose from, with no guidance provided regarding expected cost or effectiveness. Near-term permits will be process-based rather than performance based, i.e. permittees must demonstrate that BMPs will be implemented but will not be held to numeric PCB loading limits.
* Lake Ontario Tributaries PCB TMDL: Affected dischargers are required to implement a PCB monitoring plan, establish an interim limit, and review monitoring data to determine where it would be appropriate to require a PCB minimization plan. NYSDEC’s PCB Minimization Program (PCBMP) states that permittees shall develop, implement and maintain PCBMPs for those outfalls which have been shown through monitoring that concentrations of PCBs in their discharge have a reasonable potential for being reduced. Where it can be shown that the PCBs present in a dischargers effluent is attributable to atmospheric deposition, the discharger will not be responsible to take actions.

These implementation plans are varied, but all are based on adaptive management principles that provide flexibility in selecting and implementing controls, typically after additional data has been collected to better inform the decision.

## Potential Guiding Principles for Prioritizing Control Actions

While it is recognized that it is up to the discretion of the Task Force regarding which Control Actions to recommend for inclusion in the Comprehensive Plan, this review can provide some guiding principles to contribute to the discussion. These principles are, in order of priority:

1. **Maintain existing Control Actions:** Numerous Control Actions are already being implemented, and are targeted to control the largest delivery mechanisms of PCBs. These Control Actions are expected to significantly reduce PCB loads to the River and Lake Spokane. Primary consideration should be given to maintaining, supporting and upgrading these activities. Because these efforts are being conducted under the auspices of many different regulatory programs, effort to facilitate communication between these programs will be essential. Equally essential will be the need to craft NPDES permits and stormwater programs with consistent language, consistent programs and protocols and data collection procedures that will facilitate:
   1. The evaluation and monitoring of effectivenss in controlling PCB pollution
   2. Allowing data to be shared and compared in ways that are useful across the basin for understanding the transport, fate and control of PCBs
   3. Adaptive management in the face of ongoing data collection
2. **Gain understanding of uncertain source areas and pathways:** Consistent with comprehensive PCB plans in other watersheds, initial efforts should focus on collecting data to better understand the magnitude of uncertain source areas and transport pathways, prior to implementing specific Control Actions on them. The source areas and transport pathways to be investigated should be prioritized by the best current estimate of their magnitude, with preference given to those source believed most likely to be contributing to elevated PCB concentrations in the Spokane River and Lake Spokane.
3. **Assess if additional actions merit near-term consideration:** Other Control Actions can be considered for inclusion in the Comprehensive Plan, but only after the above two priorities are met. Any additional Control Actions should be restricted to those that can be reasonably expected to achieve noticeable reductions in PCB loading to the river or lake.

# Future Efforts: Control Action Implimentation timelines, interim PCB reduction targets and the development of effectivenss Monitoring programs/schedules

# In a future memo/appendix after control actions have been adopted, several more aspects of a comprehensive plan need to be adopted to ensure success of the collective efforts to control PCB pollution and bring the Spokane River into compliance with water quality standards.

# 1. Based on the reduction efficiency criterion (above), numerical milestones for control action efforts at the sub-category level need to be developed as a task force. These should be interim, numerical goals that are developed as we understand the ability for the Control Actions to deliver measurable progress. Such interim goals should be assessed at scheduled intervals that make sense in order to adjust to our growing understanding of the issues. These interim goals should be adopted into the Comprehensive Plan and used by Ecology with support from DEQ and EPA to determine whether the SRRTTTF is making measurable progress (with regards to “outputs”) in bringing the Spokane River into compliance with water quality standards for PCBs.

# 2. Timelines for implementation of Control Actions will be set at the Control Action level within the Comprehensive Plan. A schedule for implementation (or a rolling timeline if the process requires years) should be developed for each control action

# 3. Each control action or suites/combinations of control actions will have a schedule and program for effectiveness monitoring. If control actions are a function of regulatory programs such as the NPDES program, then these schedules should be included inside of those permits and be consistent with and coincide with the schedule inside the Comprehensive Plan. This effectiveness monitoring should guide the management and provide room to adapt strategies, phase out actions that are not working, and phase in new control actions that are developed. Additionally, this effectiveness monitoring should help WDOE in their efforts to make Measurable Progress determinations at five year intervals.

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# Appendix A. Summary of Control Action Review

Timeframe Assessment of implementation and effectivness: Add three shades: dark for long term, grey for mid-term and white or no fill for near term

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# Appendix B. Control Action Fact Sheets