

Spokane River Regional Toxics Task Force Meeting

Facilitated by the William D. Ruckelshaus Center (Chris Page and Kara Whitman)

DRAFT Summary Notes | Wednesday, April 27, 2016 | 9:00 am – 12:30 pm

Liberty Lake Sewer & Water District | 22510 E. Mission Ave | Liberty Lake, WA

Attendees:

Voting Members and Alternatives (*Denotes Voting Members)

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

Galen Buterbaugh*—Lake Spokane Association

Adrienne Cronebaugh*—Kootenai Environmental Alliance

Don Keil*, Kris Holm (phone) —City of Coeur d'Alene

Doug Krapas*—Inland Empire Paper

Bud Leber*, Brent Downey—Kaiser Aluminum

Dave Moss*, Mike Hermanson—Spokane County

Heidi Montez*—The Lands Council

Sandy Phillips*—Spokane Regional Health District

Elizabeth Schoedel*, Jeff Donovan—City of Spokane

Jerry White*—Spokane Riverkeeper

Advisors

Jim Bellaty, Adriane Borgias—Washington Department of Ecology (Ecology)

Brian Nickel (phone) —U.S. Environmental Protection Agency (EPA)

Kevin Booth—Avista

Rebecca Stevens—Coeur d'Alene Tribe

Public/Interested Parties

John Beacham—City of Post Falls

Lisa Dally Wilson—Dally Environmental

Dave Dilks (phone) —LimnoTech

Chris Donley—Washington Department of Fish and Wildlife

Greg Lahti—WA Department of Transportation

Ken Windram—Hayden Area Regional Sewer Board

Introductions and Agenda Review

After a round of introductions, the agenda review produced no changes. Note: Future agenda item – Comprehensive Plan, five-year work plan, and annual monitoring and reporting.

DECISION: The Task Force accepted the summary notes from the March 16, 2016 Task Force Meeting and the March 28th Conference Call with no revisions.

ACTION ITEM: Ruckelshaus Center to post Final Summary notes for March 16 and 28, 2016 Summary notes to the Task Force Website. (COMPLETE)

Court Case update: Bud Leber let the group know the Ninth Circuit Court denied the defendants' appeal on the EPA/Sierra Club Court Case. Next step: Judge Rothstein to make a decision on EPA's plan.

Technical Track Work Group (TTWG) & Technical Topics:

Comprehensive Plan Memoranda: Presentation by Dave Dilks LimnoTech

Dave Dilks informed the Task Force that the *Sources and Pathways* memo is complete and finalized (Task 1a). LimnoTech is currently working on the memo assigning magnitudes (where possible) to source areas and pathways (Task 1b). The Task Force received notice the draft memo was available for review on April 1st, 2016 with a request for comments by April 26th. Dave has received four comments to date (from the City of Spokane, Spokane County, the Spokane Regional Health District, and Ecology). Dave will have responses by the May 4th, TTWG Meeting, a revised draft May 11th, and a final draft ready May 18th for decision at the May 25th Task Force Meeting. Dave will send all comments to the Ruckelshaus Center for posting to the Task Force website. The memo does not dictate actions for sites with control plans in place, the intent is to focus on actions beyond existing plans. The Task 2b memo will summarize cost and efficiency of control actions, the first draft is due June 1st 2016 and will be sent for comment/review through June. See full presentation on the Task Force website: http://srrttf.org/wp-content/uploads/2016/04/SRRTTF_LimnoTech_04_27_2016.pdf

Q&A/Comments:

- **C.** Consider transformers and capacitors, and other smaller utilities that will have to be tracked down.
- **C.** One notable change on 2A memo: a lot being done on control plans already, going to describe the current plans already in place.

July Workshop Planning: Ruckelshaus Center and LimnoTech could lead the planning of the workshop in July. Need to decide on the date, purpose, and structure for the workshop.

- **GOAL:** Consensus on a suite of control actions and determine, responsible parties?
- Ala carte options with cost – workshop could help gain consensus on the options that make sense to pursue.
- **Q.** Who will develop this suite of options? **A.** Task 2b memo coming out in June (recommendations from LimnoTech work with BMP workgroup? Or TTWG group?)
- LimnoTech has a list of potential regulatory actions, and will summarize the effectiveness and cost of each (Comp Plan Task 2b memo).

ACTION ITEM: Dave Dilks to consider what of value LimnoTech could provide earlier regarding control actions. He will have an initial inventory before early June.

The Task Force decided to schedule its PCB Control Actions workshop on July 27th, 2016. This is the regularly scheduled Task Force meeting day at the Spokane County Water Resource Center. The Center has been reserved for the entire day to accommodate the all-day workshop.

The timeline for the comprehensive plan may be altered to target October for a draft.

ACTION ITEM: Ruckelshaus Center to schedule planning meetings for the workshop. The planning group may or may not include the BMP Workgroup and/or the TTWG. The group will discuss this at the May TTWG meeting.

Recommendation: Identify a representative subset of the Task Force to help plan the effort.

- First draft in June: workshop in July, month of small group meetings to work to consensus by August.
- Ensure transparency: put together a comprehensive planning page for all documents, notes etc.

ACTION ITEM: Ruckelshaus Center to build a Comprehensive Planning Page that will include all comments received on all draft memorandum. (COMPLETE, page located at http://srrttf.org/?page_id=6228)

Potential Analysis of Existing Data by Dr. Lisa Rodenburg

Dave Dilks drafted a memo to send to Dr. Rodenburg that “summarizes the amount of Method 1668 PCB data compiled by LimnoTech as part of work for the Spokane River Regional Toxics Task Force that could be used to support pattern analysis.” The memo describes “the sources of available data, then provides information on the location and timing of samples collected in surface water, wastewater, groundwater, and stormwater. Sampling locations and period of sampling is provided for each data category.” (Page 1 of memo posted at <http://srtrtf.org/?p=6154>).

How much data is available to support an analysis (1668 data)?

Table 1: Data available for analysis

Category	Number of Samples	Time Period
Spokane River	117 (plus up to 35 more)	2014 – 2016
Latah Creek	9 (plus up to 7 more)	2014 – 2016
Wastewater	461	2010 – 2016
Groundwater	238	2007 - 2015
Stormwater	151	2007 - 2014

Q&A/Comments

- **Q.** When will the data for recent monthly sampling be back from AXYS? **A.** Approximately two months.
- **Q.** What about data with different blank corrections and different data collection strategies—can they be clumped? **A.** Dr. Rodenburg would work from the raw data (not the blank corrected data).
- **Q.** Spokane County data analysis: most of the PCBs in effluent are legacy PCBs. What would this new analysis tell us? **A.** It would give more information about how much PCB loading stems from legacy sources as opposed to inadvertent ones. It could also help identify appropriate Control Actions and define how important different sources are. It can identify types of aroclors (done with County data). Jerry White: could help with public information (the more info, the more accurate a picture we can show to the public).
- Schedule for data to Dr. Rodenburg? She prefers to get the information in an Access database. All data needs to be pulled together to hand to her. First step: provide Lisa R. with a cover memo and summary of data so she can let the Task Force what she can do with it. Utility of her analysis to be weighed against cost.
- Mike H. Groundwater data (ecology) not in there.

ACTION ITEM: Spokane County to send full annual report including Rodenburg analysis of influent and effluent; and Ruckelshaus Center to post to the Task Force website. (COMPLETE, posted http://srtrtf.org/?page_id=6284)

ACTION ITEM: Dave Dilks to put together a cover letter to go along with the data memo/summary to be addressed at the TTWG meeting (COMPLETE, posted <http://srtrtf.org/?p=6187>)

Update on Monthly Sampling: Dave Dilks said Gravity sampled in April, and will be out again in May (will look at river flows to see if it is worth sampling in June). Doing four sampling events in spring, two in the fall. Conventional parameters from March sampling have arrived; however, no PCB data yet. The collection dates were really sunny in April, and though it sprinkled a bit the day before, no stormwater samples were taken.

River Gage at Barker Road: Authorize TTWG to determine if SRRTTF Should Spend \$8,500 to Activate?

Environmental Assessment Program Question: River gage at Barker road – funding from Task Force to get it up and running? \$8500 to activate. Essential for synoptic surveys. TTWG to discuss and make recommendation.

ACTION ITEM: TTWG to discuss the request for funding for the Barker Gage at the May 4, 2016 meeting.

New SRRTTF Voting Member? Decision on adding WDFW as NPDES Permittee, voting member

Chris Donley explained that Washington Department of Fish and Wildlife (WDFW) is close to settling the agreement, and it should be ready by next Task Force meeting. The group will postpone a decision on this until the May Task Force meeting.

Data management Work Group: Recommendation on how to maintain SRRTTF data long-term, and projected scope and schedule for working through DRBC protocols.

The Data Management Work Group has recommended that:

1. “ACE to manage a contract pilot project that uses a small set of Task Force data to evaluate the performance of the DRBC database. The set of data would be representative of the types of data the Task Force anticipates entering into the database. This includes: a set of Task Force collected data, some historical data from Ecology EIM, discharger data, with a range of media (water, sediment, fish, effluent) and analytical methods (1668 and 608).”
2. “For the long term ACE manage a contractor that would: a. Obtain the selected database (DRBC or other if DRBC is not suitable). b. Develop a system for data submission and entry using Task Force approved protocols. c. Gather data needed for input into the database. d. Perform data quality checks prior to data entry and qualify data as needed. e. Enter data into the system”.

Draft 04/20/2016 Rev 1, http://srrttf.org/wp-content/uploads/2016/04/DRAFT-Recommendation_data-mgt-rev1.pdf

ACE to begin process of finding/managing a contractor by developing a specific scope of work (in an RFP or RFQ) and bringing it back to SRRTTF before going out to bid? ACE will also consider costs/benefits of having LimnoTech develop and manage the database, and consider long-term scenarios for if the Task Force goes away.

DECISION: SRRTTF ACE to work on putting together the scope and cost for a pilot project to go out to bid.

Letter to U.S. Congressional Representatives re: TSCA Reform Bill—Decision: send letter as SRRTTF?

Dave McBride reported that the state agency attorney general’s office liaison for the Washington Department of Health has concerns over potential unintended consequences of the letter from the Task Force. They are not sure the law can be read in the way that it shields Monsanto.

Q&A/Comments:

- Can the attorney general (Ecology) review the letter to pull out the language that would not compromise the ability of the State to pursue litigation?
- Individual entities can send a letter on their own.
- What language that would work, to address concerns and not preclude legal action later down the road?
- Sandy Phillips to ask her agency’s legal counsel to clarify what language is of concern in the letter, and potentially suggest adjusted wording.

DECISION: The letter was not approved as multiple Task Force members’ organizations could not support it at this point with the given language.

ACTION ITEM: Task Force members (specifically Dave Moss and Dave McBride) to discuss the letter with their attorneys to see if there are changes that would allow the letter to be approved by those entities. (COMPLETE, update: a letter was not approved, entities to send letters on their own if they wish.)

Ruckelshaus Center Scope and Budget

Chris Page reviewed changes to the scope and budget for the Ruckelshaus Center to continue providing the same facilitation and communication services for the period from July 1, 2016 to June 30, 2017—with six additional meetings (Task Force or work group) to support the Task Force as it seeks consensus on its Comprehensive Plan.

DECISION: The Task Force approved the Ruckelshaus Center scope and budget for 7/1/16-6/30/17 (with the expanded scope/additional meetings). The Ruckelshaus Center will work with ACE to execute the contract.

Events & Outreach, Funding

Sandy Phillips has revised the Fact Sheet she created for the Spokane River Forum.

- Background information likely more important to the public; consider putting that first.
- Messaging: hatcheries – think very carefully how information is disseminated, while also being transparent.
- C. more emphasis on things that people can do. Brian to send some information on this to the Ed and Outreach group.

ACTION ITEM: Sandy Phillips to integrate revisions, suggestions from the Task Force into the Fact Sheet and make available for a decision at the next Task Force Meeting. (COMPLETE)

Updates and Announcements:

Suggestions for Task Force website:

- Table of Contents?
- Current Comment Opportunities

Announcement:

- Wild and Scenic Film Festival – 7 pm Garland Theater. April 28th.

No public comment.

The next SRRTTF Meeting is June 22nd, 2016 from 9am -12:30 pm at the Spokane County Water Resources Center
The next meeting of the Technical Track Work Group is June 1, 2016 from 10am-12pm at the Department of Ecology