

Spokane River Regional Toxics Task Force

DRAFT Meeting Summary

Wednesday, June 22, 2016 | 9:00 am – 12:30 pm

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

All Meeting Documents posted: <http://srrttf.org/?p=6514>

Attendees:

*Voting Members and Alternatives (*Denotes a Voting Member)*

Tom Agnew*, BiJay Adams –Liberty Lake Sewer and Water District
Galen Buterbaugh* –Lake Spokane Association
Don Keil*, Kris Holm (phone) --City of Coeur d'Alene
Doug Krapas*, Ryan Ekre –Inland Empire Paper
Adriane Kronebaugh* (phone) –Kootenai Environmental Alliance
Bud Leber*, Brent Downey –Kaiser Aluminum
Dave McBride* (phone) –Department of Health (DOH)
Dave Moss*, Mike Hermanson –Spokane County
Mike Petersen* –Lands Council
Sandy Phillips*, Jon Sherve, Vikki Barthels –Spokane Regional Health District
Elizabeth Schoedel*, Mike Coster, Jeff Donovan, Adrienne Pearson–City of Spokane
Jerry White* –Riverkeeper

Advisors

Kevin Booth –Avista
Adriane Borgias, Holy Davies (phone), Grant Pfeifer Jeremy Ryf –Department of Ecology (Ecology)
Greg Lahti-Department of Transportation (WSDOT)
Mary Lou Soccia (phone) –Environmental Protection Agency (EPA)

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
Jim Kimball –J-U-B Engineering
Eric Williams –Gallatin Public Affairs
Ken Windram –Hayden Area Regional Sewer Board (HARSB)

Introductions, Agenda Review, and Acceptance of Prior Meeting Summary

After a round of introductions, Chris Page went over the agenda. No changes were made to the agenda. The group then reviewed the May 25th, 2016 and June 15th, 2016 Task Force meeting summaries.

DECISION: The May 25th and June 15th Task Force meeting summaries was accepted.

ACTION ITEM: Ruckelshaus Center to post accepted meeting summaries to srrttf.org. (COMPLETE)

New SRRITF Voting Member? WDFW

Chris Donley explained that WDFW has two years to complete a plan, including a monitoring protocol with 1668 method. This went out as an administrative order attached to the Spokane Hatchery permit.

DECISION: The Task Force agreed to add the Washington Department of Fish and Wildlife (WDFW) as a voting member of the Task Force pending signing of the Task Force Memorandum of Agreement.

ACTION ITEM: Ruckelshaus Center to make a nameplate for WDFW.

Court Case Update:

Bud Leber explained that the Sierra Club has filed a supplemental complaint. EPA plans to file a motion in September of 2016 to dismiss the case because of jurisdictional issues. If the judge rejects either complaint or dismissal, there will be briefs back and forth. The judge has not given a decision yet and there will be no resolution soon. The Spokane Tribe also moved to amend their complaint. There is no schedule or deadline at this point.

ACTION ITEM: Kris Holm to send link to supplemental complaint, Ruckelshaus Center to send out to the Task Force. **(COMPLETE)**

TTWG Report & Technical Topics

Presentation: “Update on Comprehensive Plan Activities”. Presentation at <http://srtrtf.org/?p=6514>.

Dave Dilks (LimnoTech) informed the group the “Magnitude of Sources and Pathways” final revision have been completed, including adjustment of the Figure 2 scale, Magnitude of Sources and Pathways: Final revision. LimnoTech has completed revisions to “Magnitude of Sources and Pathways,” including adjusting the figure 2 scale, updates to the map to highlight the outliers in the data, and clarification and corrections in response to Mike Hermanson’s comments at the previous meeting. The Updated Draft will be posted by the end of the day.

Dave reviewed Task 2b: “Cost/Effectiveness of Control Actions” Memo. The revised draft will be distributed by the end of the day on 6/22/16. LimnoTech restructured the memo in response to comments. Each control action is qualitatively assessed (efficiency, significance, cost, implementing entity, pollution prevention hierarchy, ancillary benefit). Dave explained that during a review of other plans from other sites, that plans for PCBs with uncertain sources and pathways is the rule, not the exception; all of them rely heavily on adaptive management.

Conclusions: for delivery mechanisms, the most important ones already have control actions in place (WWTP upgrades, TMAPs, City of Spokane integrated Clean Water Plan, MTCA cleanup, etc.) and many control actions identified in the memo are redundant with existing efforts. Further, some control actions are so uncertain that they cannot be fully evaluated at this time.

Official Task 2b Schedule: Draft out 6/22, comments by June 30th, revised out by July 6th. Final draft July 14th

Q&A/Comments

- **C.** Monitor load reductions to river in the future, to gage effectiveness.
- **Q.** MOA states the SRRTTF is responsible for monitoring and assessing progress – how will we do this over the long term? **A.** Task 4 (Comp Plan chapter) will include Interim Targets. Difficult to measure some control actions (given wide variability); however this is not a reason for not doing it.
- **C.** State regulation on products: line item to be assessed and evaluated
- **C.** We should look at the real control action and linkage to cost (regulation vs implementation of a control action).
- **C.** Include Funding Sources, and whether the Action uses existing mechanisms or need for new mechanism for enforcement (voluntary, regulatory etc).
- **C.** Prioritize actions that reduce the most PCBs, and look at how to make that action happen (implementation readiness). Include next steps to make them happen.
- **C.** Really need to flesh out the description of control actions.

- C. Add column for “ease of implementation” along with time (near-term vs long-term).
- C. Add narrative that explains the ease or difficulty of each implementation.

Task 2b: potential broad-scale prioritization

- Maintain existing control actions.
- Gain understanding of uncertain source areas and pathways –prioritize these actions by best current estimate of PCB-loading magnitude.
- Assess if additional actions merit near-term consideration. Only consider those that can be reasonably expected to achieve noticeable reductions of loading. How many actions will be in this category?

Update on Monthly Sampling 2016: The data from the March event is in, and has been blank-corrected. AXYS has changed lab procedures: they are now doing three method blanks, which poses some questions on how to use the three blanks for analysis purposes. The Task Force will need to address this in future Quality Assurance Project Plans (QAPPs). Highest concentration found at Nine Mile during a high flow event at the mouth of Latah Creek. The blanks were all very low; none of the concentrations are in triple digits. Once all data are in, LimnoTech will compare all data and make recommendations on moving forward. There is a need to look at the rain events during this time and link to the sampling (and location). There were some significant rainfall events during the sampling period.

Workshop Planning:

Chris Page gave an overview of how the workshop is shaping up and on feedback that has been received on how the workshop will be formatted. The workshop will start at 8:30 am (rather than 9 am). The workshop at this point in the planning process has been broken out into “categories” – control actions being implemented (what can be done to support and strengthen”, control actions that have information gaps, and prioritization and future steps. The TTWG group will work on the refining of the purpose statement.

Chris read the draft purpose. Dave Dilks pointed out that there is another month for small group meetings to hash things out if needed. Intent – develop a list and simplistically prioritize with the intent that the next phase of the TF would be the implementation of control actions. Or is it just validating the list?

Format Suggestions: group by consensus, lump into categories. 1) Implement near term, 2) implement longer term 3) Don’t implement – non viable, or 4) revise action and bring back later. Facilitated discussion on each item to put into “buckets”.

- Thorough prioritization, subject to review and revision as needed. Dave could have the group start with the easier ones (that have been identified).
- Common understanding of capabilities and possibilities around each of the actions.
- Collaborative effort that includes a wide range of stakeholders, make momentum through comprehensive plan – voluntary actions and milestones for evaluation.

ACTION ITEM: July 6th TTWG Meeting to flesh out the “buckets” and purpose etc. of Workshop.

Funding Work Group Update: Adriane Borgias explained that the funding concepts document has significant details about actions, funding mechanisms, and other information that could be useful for the Comprehensive Plan. The group proposed that the funding work group begin meeting again soon.

Upcoming EPA Rulemaking Regarding PCBs

Mary Lou Soccia (EPA) gave a brief overview of upcoming rulemaking to that Task Force:

- “Reassessment of Use Authorizations: October 2017, advance notice of proposed rulemaking (2010), Draft rule to move forward by Oct. 2017.
- PCBs in Small Capacitors in Schools and Daycare Centers: (lighting ballasts) Oct. 2016, this may be pushed back a bit.

Q&A/Comments:

- C. These rulemakings have nothing to do with overhaul of the Toxic Substances Control Act (TSCA).
- Q. Is it worth being involved in, or writing a letter? A. This is a good action for TSCA regulatory group to be involved in. There are 14 items that are relevant, for example: the definition of 50 ppm (PCB free definition), manufacturing processes, caulks, porous surfaces, risk analysis/water quality standards, stakeholder meetings with WWTPs, current waste disposal capacity versus when regulations were passed, pathways to water and weather events, pigments, environmental impact of releases → fish, pollution prevention principles, cost benefit analysis and waste disposal and cost of water treatment, retrofits and removal, recycled products and industry etc.
- Q. What action to take? Not open for comment, how can the Task Force have an impact? A. Mary Lou Soscia- recommends that the Task Force keep pushing because they have a big impact even at a national level. EPA is going through transition soon, not yet understanding the substantive extent of that transition. No matter who is president, things will change, still keep pushing and sending letters (even resending letters sent before). Travel and meet with people. The Task Force is one of the leaders in the country on this issue.

ACTION ITEM: The Task Force TSCA SWAT team to meet and work to develop a draft letter to send to EPA, they will also coordinate with ECOS, and Duwamish. The group to meet and begin developing list of talking points.

ACTION ITEM: Mary Lou Soscia to get information on the congressional overhaul of TSCA to provide the Task Force a “30-thousand-foot view” of what it means to EPA, timeline, substance, opportunities, process, and address whether or not Monsanto got a “waiver of liability” or not for having manufactured and sold PCBs. Mary Lou explained that this may take a while to get a really clear picture.

Spokane Regional Health District: Overview of activities & resources. (Presentation: <http://srtrtf.org/?p=6514>)

Sandy Phillips described the Local Source Control Program (LSC), which began with the 2006 legislature recognizing the distressed state of urban waters including the Spokane River, and began work/funding through the Urban Waters Initiative (UWI) and the LSC. The focus is on improving water quality through free technical expertise to help businesses to understand and implement improved environmental practices and comply with regulations. The River was the main driver, but also addressed protection of the aquifer. The program includes a lot of education on the connection of the aquifer and the river. LSC helps businesses identify pollution at the source, ensures that businesses have the proper permits, helps to implement best management practices, and provides access to waste handling and disposal expertise.

Visit businesses in Task Force priority areas: Working with Lisa Brown at Ecology. The Task Force could help by identifying priority areas. The current contract for the program is up in the middle of 2017, at this time new items, priorities could be added.

Update on Schedule for draft NPDES Permits (Slides at <http://srtrtf.org/?p=6514>)

Adriane Borgias gave a brief presentation on the schedule of the draft NPDES permits and Industrial permits. She explained the expectations in the permits regarding SRRTTF include: continued involvement in the Task Force and completion of the Comprehensive Plan by end of 2016. Ecology is expecting the Task Force and permittees to focus on implementation in the next permit cycle, with a measurable progress focus including the Implementation of activities and measured reductions of toxics inputs and environmental results.

- **C.** Environmental results may be difficult to show in water column. Are there other ways to measure reductions?
- **C.** The next fish tissue study (7-year cycle), beyond permit cycle. Task Force to discuss with the Environmental Assessment Program (EAP) on doing a fish study during each permit cycle. (5 year permits)
 - Fish studies need to be structured to answer the questions that address measured reductions – how to link PCB inputs to fish tissue studies.
 - EAP fish studies go to feed into water quality assessment process and fish consumption advisories.
 - Spokane Community Indicators – graph that shows the change in fish tissue

ACTION ITEM: Adriane Borgias will make sure that the draft permits are made available to the TF when they are out. (COMPLETE, Posted to the Task Force website at http://srtrtf.org/?page_id=6703)

Events & Outreach, Funding

- City Lawsuit: Monsanto submitted a larger data request to Ecology.
- Funding: Ecology has published a funding list: Statewide 109 million dollars available statewide for water quality work, 10 million of which went to the Spokane River (7 million to loans (CSO and wastewater) and 3 million to stormwater grants).
- Funding Work Group: Adriane recommends the TF review the funding strategies document. Will bring back to group after the workshop.

Announcements:

- Spokane Tribe Hatchery expansion includes new technology with upgrades. Lots of investment by Bonneville power.
- August 17th: annual on-the-ground tour of cleanup activities in the Silver Valley – open to public.

No Public Comment.

**The next SRRTTF Meeting is July 27, 2016 from 8:30am -5 pm at the Spokane County Water Resource Center.
 The next meeting of the Technical Track Work Group is July 6, 2016 from 10am-12pm at the Department of Ecology**