

# Spokane River Regional Toxics Task Force Meeting

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

## DRAFT Meeting Summary

Wednesday August 10, 2016 | 9:00 am – 11:30 am

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

**Meeting Documents:** <http://srtrtf.org/?p=6824>

### Attendees:

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

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

Galen Buterbaugh\* (phone) –Lake Spokane Association

Adrienne Cronebaugh\*, Lisa Manning, Mike Zagar –Kootenai Environmental Alliance

Ryan Ekre \*–Inland Empire Paper

Kris Holm (phone) –City of Coeur d’Alene

Bud Leber\*, Brent Downey –Kaiser Aluminum

Dave Moss\*, Ben Brattebo –Spokane County

Sandy Phillips\* –Spokane Regional Health District

Elizabeth Schoedel\*, Jeff Donovan –City of Spokane

Rich Watson\* –WA Department of Fish and Wildlife

Mike Petersen\* –Lands Council

Jerry White\*, Rick Eichstaedt, Dave Schwab –RiverKeeper

### *Advisors*

Jim Bellatty, Adriane Borgias, Pat Hallinan, Ted Hamlin, Ellie Key, Jeremy Ryf, Di Washington –Dept of Ecology

Bryce Robbert –Avista

### *Public/Interested Parties*

John Beacham –City of Post Falls

Dennis Fuller –Century West Engineering

Eric Williams –Gallatin Public Affairs

### **Introductions, Agenda Review, Approval of Prior Meeting Notes**

After introductions, the group discussed the June 22<sup>nd</sup>, 2016 summary notes and approved with minor edits.

Chris Page then briefly discussed the importance of the collaborative process and the role of the Task Force.

**DECISION:** The Task Force approved the June 22, 2016 meeting summary with minor typographical edits.

**ACTION ITEM:** Ruckelshaus Center to post 6/22/16 summary notes to Task Force website. (COMPLETE)

### **Context of Comp Plan**

Adriane Borgias described the role of the comprehensive plan of the Task Force within the bigger effort of cleaning the river. Ecology is in the middle of the permit process (draft stage), in the “listening” stage. Comments must be submitted in writing to Ecology (to Ellie Key or Pat Hallinan) for a formal response.

Adriane sketched the evolution of the SRRRTF. The Task Force has stayed focused for five years, and made measurable progress. Task Force activities have provided benefits beyond what happens at Task Force meetings and is recognized around the state as an example to be followed. State water quality standards do have

numerical criteria as well as a narrative component. The water body must meet the beneficial use standard. Fish consumption is the standard for this river.

**Presentation: Pat Hallinan – Kaiser Aluminum Permit (as of July 13, 2016)**

EPA's plan for addressing PCBs in the Spokane River:

- Nine recommendations for permit monitoring, reporting, Best Management Practices (BMPs), including:
  - Quarterly monitoring (EPA method 1668C) of upstream and downstream discharge, and monitoring of groundwater remediation discharge.
  - Permits contain flexibility to include BMPs from Task Force Comprehensive Plan (aka PCB Control Actions) that might apply. If BMP is not working, permittee can update its practices.
  - Annual Reporting of: PCBs, dioxin-like congeners, and congener analysis.
- BMP plan requires specific actions:
  - Quality Assurance/Quality Control (QA/QC) Plan for PCB effluent monitoring;
  - PCB source identification and cleanup;
  - Design criteria for black walnut shell filters to address PCBs in influent;
  - PCB purchasing standards;
  - Site demolition and remodeling; and
  - Compliance schedule for termination of groundwater remediation flow through Outfall 007.
- Daily Maximum Volume (DMV) set at 145 mg/day, monthly average limit = 128.5 mg/day, Compliance monitoring to be done with EPA-approved method 608, much higher detection level than 1668C. Data gathering and monitoring of BMPs to use method 1668C. Effluent for Black Walnut shell filtration monitoring will use 608.

EPA asked Ecology to determine if Total Suspended Solids (TSS) correlate to PCBs. If so, include All Known, Available and Reasonable Technologies (AKART) to achieve performance-based effluent limits for TSS. Ecology found that there does not appear to be a correlation, now looking at TSS and PCB data from 2013-2015. Permit does have performance-based limits on TSS.

Data: reduction in PCBs in effluent due to Kaiser ceasing the discharging of excess groundwater from site. PCB Effluent loading to River during previous permit cycle ranged from 40-300 mg per day; however, after the discharge reduction (Dec. 2013), a statistical difference showed: now down to about 41-131 mg/day.

**Q&A/Comments**

- **C.** There is now a revised 608 method with lower detection limits, modified 608. Most labs are running this modified procedure.
- **Q.** Does 608 allow for identifying congeners? **A.** No, it gives aroclors, this is why it is not used for BMP reductions—which will all be measured using method 1668C. Source identification will also all be 1668C.
- **Q.** Compliance schedule for dischargers? **A.** Plan required within six months, implementation in two years.
- **Q.** What about the discharge flow in the future? **A.** Multiple cleanups currently at this site. The groundwater from Outfall 007 was part of cleanup at the oil house. PCB cleanup in casting area looking at a pump and treat system, then reinject (also under Model Toxics Control Act (MTCA) full site cleanup). Kaiser also has deep well pumping to put flow in river, which is not related to PCB cleanup. Kaiser maintains a small containment zone for hydrocarbons at the surface using hydraulic containment.
- **Q.** Synching with EPA's recommendation to Judge Rothstein for interim limits, the permits contain two five-year periods, the first with an interim water quality target (200 µg/liter), and in ten years hitting the Washington state standard of 170 µg/L limit—why extend the limits out, why not hit at 2024? **A.** Set a compliance schedule in permits to the requirement of no longer than 10 years.

- **Q.** Modified 608 method: does this refer to the 2015 draft rule, in anticipation of finalization by EPA? **A.** Ecology had an internal meeting on effectiveness-monitoring (after a statewide lab survey). This is a separate path than EPA is taking. Ecology wants to be consistent at the program level (*description of this process in permit factsheets*).
- **Q.** Do EPA modifications to the update of Method 608 need to be completed for Ecology to solidify these in the permits? **A.** No, permits will be done before EPA completes their process.

**Ellie Key, manager for municipal discharger permits (City of Spokane, Liberty Lake Sewer & Water District)**

- Monitoring recommendations: Quarterly monitoring of effluent using EPA method 1668C; receiving water monitoring upstream and downstream of discharge.
- Annual Reports must include quantitative assessments, and regular updates to refine BMP implementation.
- Specific recommendations for Publicly Owned Treatment Works (POTW), e.g. for tertiary filtration (already in progress); Ecology recommends running year-round to reduce PCBs.
- Permits recommend looking at BMPs to reduce TSS in the effluent ahead of filtration upgrades. **Q.** Is there a correlation? **A.** Not clear at this point. But this could be a BMP for a discharger: if they find TSS-PCB correlation, they can show they are reducing PCB loading by reducing TSS loads.
- Prohibit discharges > 3µg/L to collection system / treatment works.
- For BMP implementation, permits combine narrative and numerical, intending a more holistic method for PCB reductions. Dischargers must perform detailed evaluation of implementation annually (also iterative).
- Plan intended to provide flexibility:
  - Not limited to PCB Control Actions that the Task Force has identified.
  - Encourage constant refinement to help measurably decrease loading the river.
- BMP permit requirements:
  - Quality Assurance Project Plan (QAPP) for PCB monitoring – build on Ecology plan
  - Continued source identification and removal.
  - Year-round operation of tertiary filtration
  - Influent PCB design and public outreach
- BMP assessment:
  - Quarterly influent and effluent monitoring using 1668C (not for compliance): this is intended to drive the refinement of the annual BMP plan.
- PCB Effluent Limit Calculations
  - Section S1 of 2011-2016 Permits: *“The effluent monitoring results for PCBs will be compiled and analyzed by Ecology for the purpose of establishing a performance based PCB effluent limitation for the following permit cycle.”*
  - Interim limit, in 2020 the final limit becomes effective.
  - At this point there is no Total Maximum Daily Load (TMDL) with loading targets. Final effluent limit effective in 2026 (max daily limit), based on federal regulations requiring a maximum daily limit for non-conventional pollutants.

City of Spokane year-round data shows high variability. The interim numeric limits came out a bit higher than Ellie thought (given the variability and the small data set). However, it is still below the detection limit. Liberty Lake Sewer and Water District (LLSWD) data also shows high variability with small sample set. That interim limit is a bit higher, but still below the detection limit.

All data collected through effectiveness-monitoring for the next cycle will look at tertiary treatment. The interim limit could drop, based on additional filtration, and will eventually follow the performance of the tertiary processes.

## Q&A/Comments

**C.** Kaiser has a loading interim limit, while the municipal does not. Why? **A.** Concentration-based limits for industry are contrary to the conservation efforts (prevent use of water to dilute discharge to meet limits). Instead, a loading limit tends to typify industry permits.

- **Q.** Monitoring outfalls? City is doing monitoring and waste load allocations from the Dissolved Oxygen TMDL, but at this point does not do PCB monitoring.
- **Q.** What if the SRRTTF cannot do the downstream/upstream monitoring? **A.** Ecology may need to add that to the permits.

## Input from SRRTTF Members and Stakeholders

- **C.** Spokane County is always looking to optimize, but it is not easy. The County participates in an international working group to optimize membranes, but we are pushing the limits of technology and additional improvements appear to carry quite a high cost.
- **Q.** Do any significant industrial users go into the LLSWD treatment system? **A.** Have to assess the users, which are mostly residential. **C.** If they contribute over 10% of the volume, additional actions are required. Could the City test dischargers of that scale that contribute to the system?
- **C.** This gets into Toxic Substances Control Act (TSCA) regulations. TSCA rules already make it illegal to discharge water with PCBs greater than or equal to 3 micrograms/liter (3 million picograms/liter!) of total PCBs to a treatment works or navigable waters. The idea is: tell people what can go into a treatment system, and give some authority to address it if a discharge into collection system exceeds this limit.
- **C.** Ellie is available to discuss permits and answer questions; the official comment period closes August 29<sup>th</sup>. There is a formal request for an extension to this comment period, decision ASAP on that. Ecology would like to know more about the reason for the request, and if 15 days will be sufficient?
  - **C.** Lands Council- about to submit a letter, and for the sizable work effort to read and compare permits (on top of all other work), a 30-day extension would help a great deal. **C.** RiverKeeper: 30 days will help us submit substantive comments. Extra time helps to further collaboration.
- **C.** Riverkeeper: Want to make sure the permits address how measurable progress will be made
- **Q.** On the performance-based limits, what happens if the limits are impossible to meet using the specified detection limit (608)? What if levels get low they cannot measure, or it cannot be met? **A.** (Brian Nickel, EPA): compliance with an effluent limit is always determined using a Clean Water Act (CWA)-approved method (608), which has a detection limit higher than the water quality standard (WQS). There must be a recognition of analytical sensitivity. The CWA has measures that get implemented in the event of an inability to reach the WQS.
- **Q.** The permits contain two basic elements: the BMP approach typified by SRRTTF, and then numeric interim and final limits. If the BMP approach is so well supported and we are making measurable progress, why is there a need for an interim limit that cannot be measured that will show up as a “non-detect”? These tests are expensive. **A.** The interim limit idea came out of the Task Force, idea of final limit is another discussion.
- **Q.** How will the new permit conditions for POTW impact WA and/or ID—will there be revisions to Idaho permits? **A.** At this point no, regarding PCBs. Anyone can request a modification EPA has discretion to make modification or not (EPA has a backlog of modification requests, so modifications don’t happen often).
- **C.** This is the first round of permits, the next step for Ecology is the Inland Empire Paper (IEP) and Spokane County Permit process, which continues through the fall (out for public review in September). The agency hopes to issue final permits by the end of the calendar year.

Suggestion: Hold another meeting of the SRRTTF to present the terms of the permits of the IEP and County permits and provide more time for public review.

Diana Washington noted that Ecology has a goal of providing public service and they would appreciate feedback from and discussion with the public. Citizens may benefit more from an open house (rather than a special presentation that will have a lot of the same information from today). Goal is to get the permits issued in an appropriate amount of time.

**ACTION ITEMS:** Ellie Key to send typed transcript from the public hearing to the Ruckelshaus Center for Task Force distribution. Presentations from that hearing to be posted to the Task Force website. (COMPLETE)

**ACTION ITEM:** Task Force to have discussion on whether to hold another meeting for presentations on the IEP and County permits in October.

**ACTION ITEM:** 9/7/16 TTWG Kara to facilitate (Chris not available this date).

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The next SRRTTF Meeting is August 24, 2016 from 9:00am – 12:30 pm at Liberty Lake Sewer and Water District.  
The next meeting of the Technical Track Work Group is September 7, 2016 from 10am-12pm at the Department of Ecology

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