

Spokane River Regional Toxics Task Force Meeting

DRAFT Meeting Notes

Facilitated by White Bluffs Consulting (Ben and Lara Floyd)

Wednesday, August 22, 2018 | 8:30 a.m. – 12:00 pm

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

Meeting Documents: <http://srtrtf.org/?p=9536>

Attendees:

Voting Members and Alternates (*Denotes Voting Member)

Tom Agnew*, BiJay Adams – Liberty Lake Sewer and Water District
Mike Anderson – City of Coeur d’Alene
Galen Buterbaugh*(phone) – Lake Spokane Association
Doug Krapas*, David Newton – Inland Empire Paper
Mike LaScuola*, Bruce Williams, Vikki Barthels – Spokane Regional Health District
Bud Leber* – Kaiser
Rob Lindsay*, Mike Hermanson – Spokane County
Jeff Donovan – City of Spokane
Mike Petersen* – Lands Council
Jerry White*, Lydia Newell – Riverkeeper

Advisors

Adriane Borgias, Karl Rains, Bill Fees, Jim Ross – Washington State Department of Ecology (Ecology)
Brian Nickel, Lucy Edmondson – Environmental Protection Agency (EPA)
Kevin Booth, Joel Breems – Avista

Interested Parties

Lisa Dally Wilson – Dally Environmental and Spokane River Stewardship Partners (SRSP)
Monica Ott – City of Post Falls
Ken Windram – Hayden Area Regional Sewer Board
Jim Kimball – JUB Engineering
Dave Dilks (phone) – LimnoTech
Lauren Heine (phone) – Northwest Green Chemistry
Brandee Era-Miller (phone) – Ecology
Siana Wong (phone) – Ecology
Debby Sargeant (phone) - Ecology
David Darling (phone) – American Coatings Association
Jay West (phone) – American Chemistry Council
Kris Holm (phone)
Michael Ober (phone) – Titanium Pigments
Natalie Rogers (phone) – Latham and Watkins

Introductions and Agenda Review: After a round of introductions, Ben Floyd reviewed the agenda.

Meeting Summary (June 27, 2018): The Task Force approved the June 27, 2018 meeting notes with no changes. Lara Floyd to post the approved meeting notes to the Task Force website (COMPLETE)

Presentation on Measuring PCBs in Spokane River (Biofilm, Sediment and Invertebrates): Screening Study - Overview of Quality Assurance Project Plan (QAPP)

Bud Leber gave an introduction of the purpose and focus of the study, on behalf of Chris Donley, lead for the Fish Sampling work group, and also introduced the Ecology team leading the study. The fish workgroup, in collaboration with Department of Ecology's EAP Program, designed a study to investigate biofilm and accumulated sediment in the "Mission Reach" of the Spokane River. The objective of the study is to identify potential "new" PCB inputs and understand areas of sediment accumulation containing PCBs.

Brandee Era-Miller (Ecology), with support from Siana Wong and Debby Sargeant, walked through the design and layout for where biofilm and sediment samples would be collected per the QAPP. This is the first time a biofilm study will be conducted on the Spokane River. Sampling will occur from state line to below Nine-mile Dam, with the highest number of samples planned for collection in the "Mission Reach"/industrialized and downtown areas of Spokane, which has historically had the highest fish concentration levels. Sample sites were identified primarily by looking at fish data. They are planning to do the sampling August 27 through 31, with follow up in early September if necessary. Brandee also discussed some of the challenges with collecting sediment samples in the identified areas; sampling will be dependent on whether deposited sediment exists in these locations. There are also challenges with collecting invertebrate samples. Flexibility is needed on where both sediment and invertebrate samples are collected. Sediment analysis will be done by the same lab and using the same methodology as in past Task Force studies, so the results will be comparable. Ecology recently received comments from Avista that helps to clarify some of the wording in the QAPP.

Q&A/COMMENTS:

- Is the Task Force ok with taking sediment samples further downstream closer to the dam, where water energy slows down? *The Task Force supported flexibility in where sediment samples are collected.*
- It doesn't look like there are sediment samples planned for the lower velocity areas. Why wouldn't we go down to the top of the upper reservoir and Lake Spokane? The carp population has been found to have significant PCBs. *The Fish Sampling work group recommended to EAP that they focus the limited sampling budget in the "Mission Reach" area. This recommendation was based on maximizing the amount of data that could be captured from as many media as possible concurrently in this area because of the effort to potentially determine if a groundwater source of PCB was entering the river (PCB Mass Balance Work Group) and the fact that the 2012 EAP fish data showed elevated levels in all three species of fish from this area. If the sediment is not at Plantess Ferry, for example, then the Ecology team will need to look in other areas, but the budget does not provide a lot of additional time to find other suitable locations.*

- Are you going to steer clear of Upriver Dam sediment, where past remediation has occurred? *It would be good to know where the remediation cap is located and going further upstream to collect samples seems reasonable.*
- Can we draw some boundaries around the areas where we can get a snapshot of a range of the various parameters? *The main intent of all the 2018 sampling was to focus on as many media (water column, biofilm, and sediment) as possible within the Plantes Ferry to Greene Street reach based on several drivers:*
 - *Characterization of potential groundwater source in the reach (PCB Mass Balance Work Group)*
 - *The desire of Ecology's EAP group to perform biofilm studies as a method for assessing river conditions*
 - *Better understand fish PCB levels that were elevated in this reach for all species (Fish Work Group)*

Some additional sampling outside of this reach was conducted to support or supplement the following:

- *Upgradient Groundwater Work Group's efforts to validate earlier collected data at Mirabeau Point*
- *Capture low flow, non-rain event impacted data for Hangman Creek*
- *Capture low flow, non-drawdown impacted data for below Nine Mile Dam*
- *Provide reference locations for the biofilm sampling that have different water column concentrations*
- If anyone on the Task Force wants to join the Ecology team in helping to collect samples, contact Brandee.
- When will the data from this study be available to provide to Dr. Lisa Rodenburg for the Positive Matrix Factorization (PMF) analysis? *The raw data should be available early next year by January or February after it has been validated.*
- Dr. Rodenburg's work starts soon but some of her work depends on the results from the Biofilm study, and her study needs to be completed by the end of June. Providing the data by early 2019 should give her time to complete her work.

DECISION: The Task Force agreed to accept the recommended QAPP

Presentation on Green Chemistry and Recommended Phase 2 Work Plan:

Adriane Borgias (Ecology) and Lauren Heine (Northwest Green Chemistry) provided an overview of the process. Lauren has a contract with the Task Force with a focus on inadvertent PCBs and pigments. The first phase is a white paper (previously provided to the Task Force in draft form) and the second phase is focused on engagement. Today's presentation includes recommendations from the Green Chemistry work group on Phase 2 activities, with some slight modifications.

Lauren - Give your comments about the white paper to Adriane and Lauren by September 7 and it will be finalized after this time. Phase 1 work and recommendations for ongoing work focuses on inadvertent PCBs. The white paper is written for those that aren't familiar with PCB issues. It provides background and explains where they come from and what some of the challenges with them are, focusing primarily on pigments and Ecology work that certain pigments contain more

PCBs than others. Lauren will work with the TSCA and Green Chemistry work groups to help plan a public outreach workshop. The budget will remain the same but the work will be combining efforts addressing both newsprint and packaging. Besides HP, Lauren also shared that Apple has also set their PCB threshold at 0.1 ppm, well below the TSCA standard.

COMMENTS:

- Thanks to Doug and Lauren for moving this forward and thanks to the Titanium Dioxide manufacturing company as well for being involved.
- The science and research from this effort will help facilitate future regulatory processes possibly and I would like to thank all those involved in helping to advance this work.
- Do you know anyone at Sonderen packaging? It's a family run business based in Spokane that manufactures folding cartons and they could be good to bring to the table.
- It's impressive work but I have a comment on the impacts. It would be nice to have a statement that one of the impacts to the river from these inadvertent PCBs is ecological as well.

DECISION: The Task Force approved the modified work scope as presented

Strategy Confirmation – 2019 WA State Legislative request:

Doug Krapas gave an overview of the letter to the Governor requesting additional funding for the Task Force. It's the same letter as used in the past but two paragraphs have changed, including the last paragraph on the first page which summarizes successes of the previous biennium budget and the first paragraph on the second page which discusses future needs for continued work. The budget request remains the same of \$800,000. Approval of this letter is desired to move forward.

COMMENTS:

- We are space limited so we didn't make it too long but let us know if there is anything missing. We will probably update the letter with additional detail as we have better defined work scopes.
- The Governor has shown strong support in the past; this is high on his radar and the timing is good.
- Right now given the discussions occurring among the Riverkeeper board, Jerry White requested Riverkeeper be removed from this letter. *What is the reasoning? Is Riverkeeper opposing securing funding for the Task Force?* Jerry could not elaborate at this time on the reasoning and apologized for this. Riverkeeper is going through a transition right now. *Would you possibly be able to sign onto the letter later in 2018?* Yes, there is that possibility and right now more time is needed to work through the internal discussions. Riverkeeper is not opposing the letter.
- EPA is not opposed to the letter but needed to verify they can be listed on the letter (it was confirmed later in the meeting that they can be listed).
- In the past we have allowed certain people to take their names off of the bottom of the letter.

When will the more detailed budget be developed? *Over this fall, but there is some urgency to get the request to the Governor soon for inclusion in his budget.*

ACTION: The Task Force approved the letter, with the edit to remove Riverkeeper, and White Bluffs Consulting will send it out as soon as possible. (COMPLETE)

Input to ACE – Replacing environmental/conservation interest position on ACE Board of Directors:

Ben Floyd gave an overview of how this recommendation on input to ACE was developed in coordination with Bud Leber. Ben clarified that the recommendation was inaccurate, and that Jerry White has not been involved on an interim basis. Bud shared that when ACE was formed they had bylaws established that governed how the organization is operated. There are 5 permittees in WA that are board members with ACE and the environmental conservation group needs a new representative on the board. Jerry doesn't feel he is able to commit to the time required for this position. Mike Peterson from the Lands Council said Amanda Parrish can step into this role. Rob Lindsay and Jerry White expressed support of the decision and the rest of the Task Force agreed with recommending Amanda to serve on the ACE Board.

RECOMMENDATION: Amanda Parrish was recommended by the Task Force for the ACE Board environmental/conservation interest position.

Information update on the recent permitting process outreach meetings:

Adriane Borgias provided an update on the permitting process and recent workshops held in August with permittees and affected stakeholders to discuss optional permitting pathways for moving forward, including a variance process. The next step is starting to work with permittees to frame up agreed orders and this will take several weeks to meet with everyone. Adriane said to please contact Ecology if stakeholders would like to request a meeting with Ecology on the details of the upcoming permitting process. Ecology is planning on another workshop on the variance process, with the aim of educating everyone on Ecology's rulemaking process and different nuances behind the variances. This workshop could be held in October but a date has yet to be set. One topic identified as needing better understanding is the characterization of "all known, available and reasonable methods of prevention, control and treatment" (AKART). Maybe the Task Force would like to sponsor a workshop about the technology of the treatment of PCBs? Maybe it could be included on the agenda in the future?

COMMENTS:

- We should put it on the agenda for October without an action or decision at that time.
- Identifying workshop sponsoring budget implications for the Task Force would be good.
- The Task Force in the past has determined that their subject matter does not directly address NPDES permits. The Task Force has to be careful about driving conclusions that might be considered AKART for discharger facilities.
- It would be a workshop for consensus interest of the Task Force. There could be value to it.
- It would not be appropriate as an SRRITF sponsored workshop. A suggestion was made that if this workshop were to occur, it should be an Ecology sponsored workshop and not affiliated with the Task Force.

DECISION: Put it on the agenda for further discussion at the October Task Force meeting.

Project Management & Work Group Reports:

ACE Update: Bud gave a report on ACE financials. The list of contracts in place grew substantially from the last report. The report lists all contracts, what's been paid and outstanding funds. Additional funding from Ecology for cost reimbursements are expected soon, which will increase uncommitted funds.

Adriane – There is a contract amendment currently in process for funding to cover laboratory work for the biofilm study also.

PCB Mass Balance: Bud Leber provided an update on synoptic sampling in the river. LimnoTech completed all of the field work in early August, sampling from Barker road down through Nine Mile consistent with the sampling plan and QAPP. PCB samples have been sent to SGS-AXYS and samples for all conventional parameters have been sent to SVL Analytical. Analytical results will be provided to LimnoTech for preparing a draft report.

Groundwater PCB Upgradient of Kaiser: Bud noted there are two reports coming out soon from LimnoTech on this topic. Joyce Duncan (LimnoTech) looked at all potential wells in the area and what data may exist. Her report has been finalized and is ready to bring to the Task Force at the October meeting. The conclusion of her work is that none of the wells evaluated are in the right place to help better understand PCB sources. LimnoTech is completing the data analysis for Kaiser's onsite groundwater PCB sampling, consistent with EPA Method 1668. The technical memo with the results of this analysis is almost complete except for terminology cleanup. We will have that report presented by LimnoTech at the October meeting, along with a discussion with the Task Force on potential next steps.

Education and Outreach: Vikki Barthels said the Education and Outreach work group is starting to focus on obtaining and highlighting information on Task Force work group activities. She would like all work group leads to provide a two to three sentence summary with photos to put on the PCB webpage highlighting these activities.

ACTION: Work group leads provide Vikki with the requested summaries by Sept. 14. White Bluffs Consulting will support Vikki in receiving this information.

Toxics Substances Control Act (TSCA): Doug Krapas provided an update on recent TSCA work group activities. He noted Lauren Heine's work plus follow up actions with EPA on a response to the Task Force letter sent earlier in the year. Lucy said a draft of the letter has gone through review by EPA officials in Washington, and that she is working on finalizing the letter and hopes to have it issued soon, noting it still has to go through the regional administrator. EPA will issue the letter as soon as they can. The HP PCB standard of 0.1 ppm plus Apple's adoption of the same standard is a positive move in the right direction.

The TSCA Workgroup is considering a workshop with manufacturers and supply chain interests to address PCBs in inks and pigments. It would be nice to have the Color Pigment Manufacturing Association (CPMA) and others come together for this workshop. We hope to get both manufacturers and supply chain interests in the same room and encourage them to own efforts to reduce PCBs in their processes. The Phase 2 work described by Lauren earlier in

the meeting helps in preparing for this workshop. Maybe it could happen next summer? We will talk about this at the next TSCA workgroup meeting. Ben says Lauren's work is scheduled to be complete by June 30, 2019. It was noted that Walla Walla may want to participate in the workshop.

ACTION: White Bluffs Consulting will work with Lauren Heine on a more specific schedule that outlines interim milestones and deliverables for her work such that it can be coordinated with the work of the TSCA workgroup.

Data management: Mike Hermanson – We are nearing the end of our contract with CDM Smith and the last deliverable will summarize the work that's been done. Hopefully we will have the report on the database out prior to the October Task Force meeting for review. We have been working through database modifications for the past month and a half and it's challenging working through the bugs, but we think we have the first set of Task Force data ready to send to Dr. Lisa Rodenburg for Positive Matrix Factorization (PMF) analysis. It should be a robust tool with all this information in one spot.

PMF analysis – The first phase to be conducted by Dr. Rodenburg will be to look at Task Force data and evaluate how to approach the impacts of blank correction (when you analyze PCBs at low levels you will find interferences and you need to subtract off the blanks by eliminating interferences). We hope to send the data today or tomorrow. We are doing subtraction, averaging, etc. to separate data and identify sources. This type of analysis has never been done at these low PCB levels. Once Dr. Rodenburg receives the data she will start working on the first phase.

- Do we have an ongoing contract with CDM to continue as needed database updates? *Spokane County will maintain the database and load data into it but we would like to have a contract so we can access CDM Smith expertise when needed. This will be essential going forward.*
- Can we get a proposal from CDM for on-call database support? *Right now we are using the budget that CDM Smith has in their current contract, and once that's gone we may need to do another contract or amendment (later this year).*

SRRTF Interviews Summary: Ben and Lara Floyd provided an overview of the recent Task Force interviews that were held, which were very helpful to them in coming up to speed as the new facilitation team.

Comments by Task Force:

Process - The Task Force was developed based on trust and we all have the same mission to protect the river. The balance we were trying to reach was to keep the regulatory process with PCBs at arm's length. In general, the upside is this region is collectively addressing this problem. The challenges are all the politics involved and that everyone has different perspectives. We are focused on solutions and it's great there is such a diverse group implementing the plan.

Plan implementation - Interesting comment on too much emphasis of inadvertent PCBs. It has an impact on treatment plants and stormwater.

Small work groups process – We do have a few people doing a lot of the work and everyone should be a part of a small work group. We need to do a better job of sharing meeting notices so people know when the small work groups are meeting and can get involved. The Task Force discussed options for sending out information updates to the Task Force that balanced inundation with emails with providing information in a timely manner.

Challenges to success - Remember the organizational diversity that is represented by those that sit at the Task Force table. Some organizations are small with limited resources, and it is hard for these to dedicate time to participate in small work groups. Some have limited staff but the fact that they attend Task Force meetings shows this process is a high priority.

Memorandum of Agreement (MOA) – It might be helpful to let new members know meeting ground rules and information about the MOA. Each member has a responsibility to bring new people within their organizations up to speed on these rules and MOA in participating in the Task Force process.

Facilitation Team Support – We may need to offer dispute resolution services as an option for addressing any persistent relationship issues among Task Force members. This process would occur outside of Task Force meetings. We all have our own arena. Would doing something together as a group help with improving Task Force relations? It's a natural progression in a group like this for different positions to become clearer with time and it shows there's engagement. We need to remind ourselves why we are doing this.

ACTION: White Bluffs Consulting will review the existing draft MOA Orientation Guide and share an updated version of the guide for consideration by the Task Force at the October meeting. White Bluffs will also reach out to the tribes and re-invite them to the table.

Future meeting topics going forward:

- Add the MOA orientation discussion to the October agenda topics list
- Add the AKART technology workshop discussion to the October agenda
- Add biofilm field work study update to October agenda, particularly highlighting whether they were able to find sediment or not
- Add Green Chemistry Phase 1 White Paper approval to October agenda

ACTION: White Bluffs Consulting will update the Future Meeting Topics summary and also begin work on preparing annual implementation review summary for discussion at the October and December Task Force meetings.

No Public Comment.

The next SRRTTF meeting is October 24, 2018 – Liberty Lake Sewer & Water District, 8:30 am – noon (or possibly longer as there are a lot of agenda items slated for this meeting)