

Spokane River Regional Toxics Task Force Zoom Meeting

April 22, 2020 Meeting Notes

Facilitated by White Bluffs Consulting

Meeting Documents: <http://srrttf.org/?p=11262>

Attendees:

Voting Members and Alternates

Tom Agnew, BiJay Adams – Liberty Lake Sewer and Water District
Mike Anderson, Ben Martin – City of Coeur d’ Alene
Brent Downey – Kaiser Aluminum
Rob Lindsay, Mike Hermanson – Spokane County
Cadie Olsen, Jeff Donovan – City of Spokane
Mike Peterson – Lands Council
Galen Buterbaugh - Lake Spokane Association
Vikki Barthels – Spokane Regional Health District (SRHD)
Mike Zagar – Kootenai Environmental Alliance
Doug Krapas – Inland Empire Paper (IEP)
Chris Donley – WA Dept. of Fish and Wildlife

Advisors

Karl Rains, Brandee Era-Miller, Adriane Borgias, Jeremy Schmidt, Sandy Treccani, Cathrene Glick,
Bill Fees, Jim Ross, Cheryl Niemi, Brooke Beeler – Washington State Department of Ecology
(Ecology)
Brian Nickel – Environmental Protection Agency (EPA)
Joel Breems – Avista

Interested Parties

Lisa Dally Wilson – Dally Environmental and Spokane River Stewardship Partners (SRSP)
Dave Dilks – LimnoTech
Ben and Lara Floyd – White Bluffs Consulting
Craig Borrenpohl, Alyssa Gersdorf – City of Post Falls
Ken Windram – Hayden Area Regional Sewer Board
Bruce Williams – SRHD
Melissa Gombosky – IEP lobbyist
David Darling – American Coatings Association
Robert Mott – Mott Consulting
Kris Holm

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

Meeting Summary Action: The Task Force (TF) approved the March 25 meeting summary, as presented. Lara Floyd will post the final notes to the website.

ACE Update: Rob said he spoke with Andy Dunau from Spokane River Forum about the Education and Outreach spring media campaign possibly starting Memorial Day weekend, but it needs to be discussed with the Outreach work group. Jeff Donovan said ACE is getting ready to submit the grant reimbursement for July 2019 – March of 2020 and the amount is about

\$90,000. There is another \$200,000 to allocate on the Ecology contract and \$100,000 - \$150,000 of SRSP funding in the account for future work.

Data Management: Mike H. said no news to report although Amy Sumner from the County is entering data in the database received from dischargers.

Education and Outreach: No update since the work group has not met recently.

Fish Sampling: Covered under the Tech Track presentation.

Funding: Covered under the MOA discussion.

Green Chemistry: No update.

PMF: Covered under the PMF Phase 2 discussion.

Tech Track: Covered under the Tech Track presentation.

TSCA: Doug said he received a revised version of the draft Road Paint White Paper from Anna Montgomery at Northwest Green Chemistry (NWGC) and he will forward it to the TSCA work group for their review, and then a recommended version will be provided to the TF for review and approval.

Regarding TiO₂ products, at the last meeting the TF supported the QAPP provided by the Titanium Dioxide Stewardship Council (TDSC); there were comments received by EPA after the TF meeting and they will be incorporated into an updated QAPP. The TDSC membership met and opted to delay sampling until later after COVID-19 and they will advise as to when it will begin.

Regarding the iPCB workshop, NWGC is carrying on outreach work through a grant received. The March meetings were the last to be held under that grant and they are now evaluating how to continue work and looking at funding options. They are also talking to Ken Zarker and others in the Ecology toxics group to see if there are possibilities to continue the outreach work. The TSCA work group will continue working on the technical side of things.

Mike P. spoke about the Lands Council national advocacy program and outreach. He will be doing a presentation by webcast for the Spokane River rally later this spring. Mike said he recorded the presentation last week and the river rally will be online mid-May, but a specific date has not yet been set. Mike plans to share the presentation with the TF.

Codification discussion: Doug said there will be state budget concerns coming up due to COVID-19. Opportunities for additional TF funding in future will be slim in the near term and he suggested the TF should look for other options.

Melissa Gombosky, IEP lobbyist, recently spoke with Representative Timm Ormsby and Senator Andy Billig about the state budget. They say the next economic forecast is not available until June, but it does not look good. They anticipate a six-eight billion dollar budget deficit over the next four years. There is 3.7 billion available in rainy day fund and some stimulus dollars that could help though. Only about one third of budget is available for cuts but it includes the Ecology budget where TF funding comes from.

Melissa said the TF receives funding through a proviso included in the past several state two-year budgets. At end of each budget cycle the policy and funding goes away, and the TF has to restart lobby efforts and requests for the next budget. Codification would be the way to put TF funding in the base state budget and eliminate the need to reapply every two years, making the funding more permanent.

It would take a lot of work to pass a bill that codifies the TF, with many steps involved. Making sure everyone is happy with the bill language and making sure the policy direction is consistent with intent of the TF could be another issue. Another risk is lawmakers could put something in the bill that the TF does not like. Codification would be highly unlikely this year with the lack of budget, but this could still be something to do farther out in the future. There is not an urgency to do this for the next legislative session. Melissa suggested having a discussion with Rep. Ormsby and Senator Billig and see what they recommend. They may say be prepared for cuts and don't plan to run a bill this year. Year 2022 seems more realistic for introducing a bill if codification is a goal of TF. Doug and Melissa will maintain communications with state legislators on this topic.

Comments:

- Karl said this biennium the TF received \$500,000 of funding and previously it was \$300,000.
- Will putting the TF in codification provide funding beyond a two-year funding period? And would codification have other requirements which would require extra work and tracking? Melissa will ask but said there are policies across different sectors which do provide continued funding. In regard to the second question, it would depend on what the language was when put into statute and it doesn't necessarily trigger additional reporting. Anyone that receives state funding is subject to some tracking.
- Ben said when they did different research about other state codification examples, several laws passed had review clauses or they were only to exist for a set period of time. There are triggers that can also be put in the bill for providing off-ramps, so it doesn't go on longer than necessary or without some kind of review.
- Doug mentioned re-energizing funding efforts beyond legislative funding and coming up with a plan. He hoped the Funding work group could help with identifying other funding opportunities. We should work on developing a document with prepared information on TF funding needs that would make going after different opportunities more efficient.

Tech Track/Fish work group long term monitoring recommendation: Lisa reminded TF members about a long-term monitoring overview provided at the last TF meeting, and how the two work groups have been working together on this effort. Dave Dilks provided a presentation/summary of the proposed monitoring approach, noting there are a few water column sampling details that still need to be ironed out. The combined work groups have a recommendation for long term monitoring to help with understanding trends and PCB concentrations over time in the river. They are hoping to do sampling every two years with Rainbow trout and every four years with the water column using synoptic sampling methods and would like to do sampling this year during low flow periods (late August).

Dave Dilks said they originally looked at 16 monitoring methodologies and different medias. Recommendations are provided for two different sampling methods – Tracking PCB levels in fish tissue by collecting year old rainbow trout and by measuring it in the water column using SPMD's (semi- permeable membrane device). Fish bioaccumulate PCBs over time and sampling and measuring PCBs in year old rainbow provides an integrated look at what the fish have been exposed to in the past year or so. SPMD's soak up PCBs out of the water column and give results over a longer period of time.

The recommendation includes an approach for fish to be sampled once per year (in the fall) and collected from six reaches and with water column sampling being done three times per sampling year - once during spring high flow, summer low flow and winter median flow. The budget estimate is \$189,000 with fish sampling being \$67,000 and water column at \$122,000. It would be ideal to do this every other year but could do fish sampling every second year and water column every fourth year to save budget.

Lisa said in addition to the long-term monitoring recommendations there were other tasks the Tech Track work group was also working on, resulting from the May 2019 data synthesis workshop. They will prioritize these activities and identify projects that could be ready if funding opportunities arise.

Comments: (answers in italics by Dave Dilks, LimnoTech)

- What if the TF has money this year in budget but doesn't in the future? If we do this one year but can't the next time, will it tell us much? *It gives a good solid starting point and we could just do fish sampling every fourth or fifth year if money isn't available. Goal is trend monitoring.*
- Why is Lake Spokane not a sampling site? *The TF said let's focus on monitoring areas where majority of loads are coming from. If the desired approach was a long term look at whole system, we would look at Lake Spokane.*
- Chris D. said Lake Spokane does get sampled by EAP (Environmental Assessment program in Ecology) every decade for fish consumption advisories.
- We need to be mindful of other important activities and budget needed for TF activities, such as education and outreach, going forward.
- The work groups would like to target this low flow season in August and September for the water column sampling, and sample fish in October. But is it realistic with QAPP approval? *It should be possible.*
- Chris said the target for fish sampling will be for October when Avista draws Lake Coeur d'Alene down.
- Dave said August would be ideal or early September for water column sampling.
- Ben asked for a schedule and encouraged coordination with Ecology on what the QAPP approval process will look like, and time needed for review. Lisa said they should be able to figure the details out over the next month.
- We need to move on the QAPP preparation and approval process to get it in place by August.

- Rob expressed he is ready to help in getting contracts in place as quickly as possible to get the sampling done.

ACTION: The Task Force approved the recommended scope of work and budget required to do the long-term monitoring.

2019 Preliminary Biofilm Sampling Results Presentation: Brandee-Era Miller (EAP) gave the presentation. The reason the results are preliminary is because the data have not been validated by a third party. They hope to have it validated sometime in May. Ecology sampled 19 biofilm sites in 2018 and 33 sites in 2019, with more focused efforts on suspected hot spots identified in the 2018 work. The higher concentrations were located in the Mission Reach. They hope to have the final report completed by fall 2020.

Comments: (answers in italics by Brandee-Era Miller)

- Was the sampling done both years at the same time of year? *Yes, 2018 was late August and 2019 was early August.*
- Did you attribute the results to any particular aroclor at the GE Site? *Yes, I believe 1260 and the left bank signal is a combination of the groundwater signal coming in and what it is already being exposed to with surface water.*
- The cleanup at GE site, was that an aroclor 1260?
- Jeremy S. said the aroclor is 1260 and if looking at monitoring well for GE site, that is the one that picks up 1260 every once in a while, just above clean up level set for the site. As you move down gradient the other wells are below reporting limits but at levels below drinking water standards. Testing is done is using the EPA 1882 method not 1668. They aren't seeing a reason or need to do 1668, but it is an ongoing conversation.
- Ecology sampled those wells with 1668 and they do have data for it. *It is in the database as well as EIM (Environmental Information Management).*
- Robert Mott asked about slide 12, is the total concentration on the left bank at GE much higher than the right bank? *Yes, it is twice that of the right bank. There is definitely a significant influent happening there. What is the overall load and what is the impact? The overall load may not be that big if look at whole year but significant enough for the TF to look at next.*
- Dave Dilks will look at this information more deeply and with the concentrations being higher on left bank, but it does not necessarily apply to whole water column. With surface water sampling you do not see higher concentrations throughout the Mission Reach.
- Jeremy said while the Mission Reach is a losing reach, the left bank ends up running into basalt and the vast majority of water is losing to the north.
- It appears in most of the slides that for 2018 and 2019 data bars, 2018 is consistently a higher concentration than 2019? *That is not at every site but does seem to be the majority of them and wonders if it is differences in the flow between the two years? But not sure.*
- Is that confirmed for year-round regarding Jeremy's comments about the flows? Jeremy said given the dam downgradient and aquifer still flows north at great rates the river beneath downtown Spokane and out towards Greene Street is losing to the north year-round.
- The majority of the aquifer does flow north through that area.

- There is 1668 data available to look at and when looking at that data the impact of the pool elevation determined if losing or gaining.
- GE and Mission Reach seem to be hot spots. What are next steps? *Would be good to have a brainstorm session with Tech Track work group. Look at film material itself, PCB sniffing dog, look at old Sanborn fire maps, there was a brick making facility in past there and could there have been something in the bricks that got into concrete, etc.*
- Lisa noted this topic will be addressed at upcoming Tech Track meetings.
- It would be interesting to see the 1668 data compared to biofilm homologs. Dave Dilks said he would put it together to look at. Brandee said Dr. Rodenburg did the MLR (multiple linear regression) with the biofilm data from 2018 and it could be another way to analyze data.
- It brings up need for TF to integrate across policy and programmatic barriers to come up with solutions and how do we identify sources and resolve to get solutions?

Prior Matrix Factorization of Municipal Wastewater Treatment Plant Effluent (Phase 2 analysis):

Mike H. said they looked at what effect blank impact would have on PMF analysis. The next step was to expand the number of compartments and samples and do PMF on a larger data set. Dr. Rodenburg started working as an expert witness in Monsanto litigation and analyzed a large data set already. She didn't analyze the municipal Wastewater Treatment Plant effluent data. She is able to do that now and looking at data from pre and post upgrades at the treatment plants. Spokane County data will be post treatment plant upgrade and City of Spokane and Liberty Lake Sewer and Water District will be pre and post upgrade. When litigation is done, we will be able to encompass all data she has validated.

Comments: (answers in italics by Mike Hermanson)

- Robert Mott asked about Spokane vs Monsanto data, is it a totally different data set than TF data? *TF data plus other data from other entities (IEP, Kaiser, ECY, City of Spokane). Analysis was to look at whether there was evidence of inadvertent PCBs or associated with PCBs and aroclors. The report she provided is available and it was sent out to the PMF work group.*
- Do we lose any efficiency in doing this now? *I don't think so and an interpretation of this last remaining piece will give us in the end a holistic look at all of it and it will be expanded beyond what she has already done.*

ACTION: The Task Force approved the \$6,000 contract to do the Phase 2 analysis on the Municipal WWTP effluent.

MOA Revisions Update: Karl shared that the MOA sub work group went through the additional comments and some new ones were raised, which need to be vetted with the work group before bringing back to the TF for full consideration. By the next TF meeting hope to have a version ready for review by entities.

- Robert Mott asked about toxics listed in MOA. There are other toxics on 303(d) list and focus of TF is on PCBs. Ben suggested Robert email Karl separately to get clarification.

Information update: Karl said they had the daytime Variance process webinar on April 8, and it went well with over 100 people participating. During the evening webinar with 20-30

participants there were connection issues and it is rescheduled for tomorrow evening, April 23, from 6 to 8:30 pm and the content will be identical to the April 8 webinar.

There was a recent EPA ruling on PCB human health criteria, rolling it back and it may affect the variance rule making process. At the moment Ecology is continuing to move forward on the Variance process and rulemaking but understands there may be legal challenges. The EPA criteria change should hit the federal register sometime in the next week and the 170 ppq wouldn't go into effect until 30 days later. Their intent is to continue with rulemaking although they are monitoring the situation and may wait until after the federal review time period has elapsed to see if there are legal changes. The dischargers will have to evaluate their risk management and make their own decisions whether to continue with the Variance process. Ecology is staying the course and monitoring it.

Comments:

- Adriane said the variance, which is a water quality standards process, is separate but a parallel activity to permitting. The permitting process is taking the water quality standards and incorporating them into a permit.

Upcoming topics/Task Force meeting:

- Road Paint White Paper approval
- MOA update
- Tech Track follow up items (QAPP) and schedule

The next meeting of the SRRTTF is a Zoom meeting on June 24, 2020 at 8:30 am