

Spokane River Regional Toxics Task Force Zoom Meeting

June 24, 2020 Meeting Notes

Facilitated by White Bluffs Consulting

Meeting Documents: <http://srtrtf.org/?p=11364>

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, Mike Coster – City of Spokane

Galen Buterbaugh - Lake Spokane Association

Mike LaScoula – Spokane Regional Health District (SRHD)

Mike Zagar – Kootenai Environmental Alliance

Doug Krapas – Inland Empire Paper (IEP)

Amanda Parrish – Lands Council

Bill Baker – WA Dept of Fish and Wildlife

Advisors

Karl Rains, Brandee Era-Miller, Adriane Borgias, Jeremy Schmidt, Sandy Treccani, Cathrene Glick,

Bill Fees, Cheryl Niemi, Diana Washington – Washington State Department of Ecology (Ecology)

Brian Nickel, Lucy Edmundson – 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

Alyssa Gersdorf – City of Post Falls

Ken Windram – Hayden Area Regional Sewer Board

Bruce Williams – SRHD

David Darling, Scott Braithwaite – American Coatings Association

Robert Mott – Mott Consulting

Gary Jones – Specialty Graphic Imaging Association

Kyle Shimabuku – Gonzaga University

Curtis Johnson

Kris Holm

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

Meeting Summary Action: The Task Force (TF) approved the April 22 meeting summary after one edit. On page 5 reference to EIN should be EIM (Environmental Information Management) and Lara Floyd will post the final notes to the website after making the update.

ACE Update: Rob said there has not been a lot of additional activity, but they are tracking things and getting contracts in place. Jeff said ACE received the \$95,000 grant reimbursement from

Ecology and deposited it in May. This allows ACE to cover payments for this summer's sampling and other activities.

Data Management: Mike H. said they are working on some of the database updates regarding fish tissue reports and looking at developing a report that outputs data in an EIM format. Brian N. has submitted a project to the State Department for their virtual intern program. The intern would upload data to the water quality portal EPA runs jointly with USGS. He would like to include TF data in this database and upload data permittees have collected. The intern could do some data visualization work, mapping potential sources, GIS layer with stormwater outfalls, etc. but need to gage expectations based on the intern's skill level and availability.

Education and Outreach: The spring media campaign has been completed and the TF will receive an update at the August meeting.

Fish Sampling: Covered under fish work group update.

Funding: MOA update covered later on the agenda.

Green Chemistry: Adriane said it is similar work to TSCA and in long term may want to get Cheryl Niemi involved in leading this work group.

PMF: Amy Sumner with Spokane County has been working on putting in discharger data in the database, which will be output for Dr. Rodenburg to evaluate municipal discharge data with PMF analysis. WBC will contact Mike H. in next few days about the PMF phase 2 work schedule.

TSCA: Doug said the TiO₂ study is on hold based on COVID-19, but they are ready to pull samples and the latest update is they hope to get underway soon.

The Lands Council has a national outreach effort on the iPCB issue and recently presented at the virtual river rally meeting. The presentation made by Mike Peterson will be made available on the TF website.

TSCA is trying to focus efforts due to limited time and resources. The TSCA iPCB work group is open to anyone interested in participating and they have over thirty participants now with four voting TF members. It is a mixed blessing but challenging to facilitate with getting work products completed due to so many different interests. Doug is trying to manage the group to be productive and welcomes input on how to do this. They may do a focus group within the group to tackle individual projects and they have done this with the PCBs in database products topic. They are hoping to get information on what is available for product testing in PCBs to inform the TF and support the Education and Outreach program.

Karl mentioned it would be important to make sure the notices of any focus or sub work groups are advertised for all to see or join the meetings if desired.

PCBs in products database discussion: Lisa said at the last TSCA meeting there was a discussion around PCBs in products and the database was a concept the TF had prior to final development of the Comprehensive Plan. What information will we have in there? Lisa pulled out the Comprehensive Plan at Cheryl Niemi's suggestion and there is a table 11 that includes a description regarding a PCB product testing clearinghouse to be developed by Ecology with TF

support. They do not know if there is data out there to put in the clearinghouse and if other states have this information.

Mike P. has been talking with Gonzaga to see if there are students who want to be involved by seeing if there is actually data to put in the database. Amanda with Lands Council shared that they had a meeting with Kyle Shimabuku from Gonzaga. Spokane is a region that has done a lot of product testing compared to other regions. They have just begun talks about what it would look like to have Gonzaga as a clearinghouse. Kyle S. said they brainstormed what data may be out there and may want to spend some time developing a more coherent objective to share about testing and specific components of products/pigments. Doug Krapas would be good to speak with about available data, which is part of a phase one approach, with phase two creating the database. The TSCA focus group will help with this effort.

Tech Track/Fish Work Group Update: Tech Track has met a number of times since last TF meeting. Bill Baker from WDFW is filling Chris Donley's shoes right now and had a call with Brandee Era-Miller about how the QAPP would happen between the two agencies. They had a Tech Track meeting to get details about fish sampling and draft QAPP for water column sampling. They plan to move forward with fish sampling and water column sampling with Dave Dilks and Brandee doing quite a bit of work. They are scheduling another Tech Track meeting the third week in July to get a scope for hot spot identification in the Mission Reach area.

Jeremy Schmidt received information from the Department of Transportation (DOT) of pictures and plan sets during construction of the Hamilton Street bridge that connects to I-90 and wondered if anyone wants them. Lisa said it would be helpful if he can attend the upcoming meeting on the hot spot project to determine if they are relevant.

Dave Dilks gave a presentation on the long-term monitoring program update which involves the water column and fish sampling. He provided a flow chart of tasks required to allow August water column sampling. They submitted the QAPP to Ecology at the end of May. They will put the contracts together by mid-July. Karl said he has received some comments about the QAPP and the QAPP reviewer will get their comments back by the end of the month and are still on schedule to do work in August.

The monitoring cost update initial scoping estimate was \$122,000 for water column and \$67,000 for fish sampling and since then the water column estimate has gone up to \$133,000 and for fish sampling it will be \$64,000. The total budget is coming in slightly above the approved \$189,000 approved by TF in the past and will now be \$197,000. One thing to consider is when the invoices will come in, but Jeff D. felt there is enough money to handle the increase. Rob made a motion to increase the budget to \$200,000 and it was seconded, and then approved by the TF.

Comments:

- Jeff asked if there would be any hold up due to COVID-19? Dave has reviewed draft scopes with all four entities, and they have all have indicated they can proceed with doing the work involving the water column.

- Bill said WDFW is conducting some restricted field work currently although he anticipates by October they may loosen up but there are no guarantees. The chances are good that they will be able to do fish sampling at that point, but it is dependent on COVID.
- Ben shared that Governor Inslee said every project is supposed to have a COVID-19 plan associated with the work with protocols. It is expected that Ecology and WDFW will have something along those lines and may want to verify COVID-19 plan exists and is included as a follow up activity.
- Bill said there are standard operating procedures (SOP's) for WDFW regarding COVID-19.
- Brandee asked if we should include paragraph inside QAPP involving this and Ben suggested a reference be included with it.

Brandee Era-Miller from Ecology said not much has changed for the fish sampling with 6 locations and 5 composites of 5 fish each at each location, for 30 samples and 25 fish total. They have SOP's and everything in place and should have QAPP completed by end of the week. She is making sure the two QAPPs make sense together and both QAPPs will be shared with the TF.

Kaiser Upgradient Well Fingerprinting and River Impact Evaluation: Brian Nickel said they have contract funding available through their TMDL program. They are looking at the wells upgradient of Kaiser, and the evaluation will go down to the congener level. They received an inventory of data sources Tetrattech is using and will use TF information plus data from Dr. Rodenburg.

Dave Dilks asked if he knows scope of data Tetrattech has? LimnoTech sent them fingerprint analysis information and yesterday Brent D. sent him recent data after 2017. Brian said they may have some data for groundwater up through 2019 from Kaiser. Jeremy confirmed they do have it. Ben asked when the work may be completed and results available? Brian said the work will be done by late August or September.

Road Paint White Paper: Doug said they have been working on this for over a year and multiple people have provided input with multiple revisions made. They wanted to look at alternatives for paint products that were non-diarylide yellow and found out they were already being utilized by WSDOT. DOT modified their specifications that WSDOT would no longer use these diarylide yellow paints for road striping and gave preference to manufacturers that do not use them.

ACTION: The Task Force approved the Road Paint White Paper

MOA Revisions Update: Karl said one year ago the TF asked the ad hoc MOA group to come up with a revised MOA adding focus on implementation, revising outdated information and adding information regarding the Idaho dischargers. The MOA edits summary highlights everything that was changed and is highlighted in gray. He mentioned six areas that were updated:

- On the opening page recital number 3 now references the Operational and Organizational Concepts document which talks about how additional parties may join TF and there is a participation summary now also of when members joined.
- Added a membership section on voting and non-voting members.
- Revised roles and responsibilities table was updated.

- Added references to describe the role of ACE which had not been created when first MOA was developed.
- Rewrote committees and work groups sections since that has changed now in the implementation phase.
- Updated the TF work plan section to be more in line with what the TF is doing now.

Assuming the TF accepts this revised MOA, he requested that entity or legal review limit comments only to items that would limit them from approving the revised MOA.

Comments:

- Robert Mott asked about references made to state law, but the only focus of TF is PCBs. Would it make sense to remove reference to toxics and instead put PCBs unless it refers to TF and the law? *Original MOA had a focus on PCBs but was written as toxics and at this point there is not intent to go back and revise it.*
- Brian N. said there is a definition of what toxics means in there.

The TF has been asked to provide comments no later than September 15 on the MOA. It will be discussed again at the October TF meeting. Please let us know when your entity is ready to approve it so we can track progress. The revised MOA is on the TF website.

Information Update: Karl shared that Ecology has paused the variance rulemaking process while the legal challenge with EPA human health criteria draws out and on June 12 the current water quality standard moved back to 170 ppq. The decision was made to make some of the preliminary draft documents available, but it is not a formal review period as part of rulemaking process. The comment period ends July 25. Ecology is committed to reissuing permits in 2021. Ecology is willing to meet with dischargers and local and state partners about what this means moving forward.

- Rob asked if informal comments go into record? *They will be used if and when Ecology resumes the rulemaking. It will guide Ecology decision on if and when to move forward but they will not be part of the official rulemaking if they proceed with rulemaking in future.*

The governor issued mandatory furloughs last week which will be one day a week through July 25 and all Ecology staff will be on furlough on Thursdays. Specific days for August – November have not been identified yet. Ecology has also made decision that staff will be teleworking through end of the year at least.

Bill Baker (WDFW) shared they are in a similar situation, furloughing one day a week also.

Lucy E. (EPA) said they have follow-up to the Kaiser aluminum smelter site in Mead and said in February there were toxins including PCBs identified in the building siding. In late July EPA will begin clean-up and removing contaminated source materials from the 170-acre site of Spokane Recycling. They will be removing waste piles, siding material, piles of toxic debris and structures. They will have an update and will make a public announcement in coming weeks and there will be a lot of public involvement and outreach associated with the work.

Karl said it will reduce PCBs going into Deadman Creek. There was an Ecology listing study performed by EAP a few years ago and the PCB profile identified is similar to what is known at this site now. Spokane Recycling has an industrial stormwater permit to discharge sediment overflow into Deadman Creek. They anticipate the work will wrap up by mid-November. They will get input from Kaiser and will give an update at the October TF meeting.

- Will Kaiser be a part of this clean up? *EPA is working this out with Kaiser right now and conversations have been productive.*

Upcoming Task Force Meeting topics:

- Tech Track work/final QAPPS
- TiO₂ study update
- Check in on MOA
- State Legislature 2021 session strategy
- Spring Media Campaign Results

Lisa said to add in for August or October prioritizing hot spots and it would become grant ready. The TF may want to include a discussion of funding strategies on an upcoming meeting agenda.

White Bluffs Consulting six-month report on support to work groups: Ben shared there was discussion early in the year about what support WBC should provide to work groups. A budget was provided, and WBC was asked to provide a 6 month check in on that support. So far, the budget is underspent.

- Doug said with all of the TSCA work going on he fully supports the help WBC provides.

Doug asked about a recent EPA small business research grant program and a category was added that would fit with the TF. Lisa mentioned another funding opportunity and Karl will coordinate with the Funding Work Group on additional funding opportunities going forward.

The next meeting of the SRRTTF is a Zoom meeting on August 26, 2020 at 8:30 am