

# Spokane River Regional Toxics Task Force Zoom Meeting

May 26, 2021, Meeting Notes

Facilitated by White Bluffs Consulting

Meeting Documents: <http://srtrtf.org/?p=11880>

## Attendees:

### *Voting Members and Alternates*

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

Inland Empire Paper – Doug Krapas

Elena Wolf – Kaiser Aluminum

Craig Borrenpohl, Alyssa Gersdorf – City of Post Falls

Rob Lindsay, Mike Hermanson – Spokane County

Jeff Donovan, Cadie Olsen, Mike Coster – City of Spokane

Vikki Barthels – Spokane Regional Health District (SRHD)

Ken Windram – Hayden Area Regional Sewer Board

Galen Buterbaugh – Lake Spokane Association

Lands Council – Amanda Parrish

Washington Department of Fish and Wildlife – Chris Donley

Washington State Department of Health – Dave McBride

### *Advisors*

Karl Rains, Adriane Borgias, Jeremy Schmidt, Cheryl Niemi, Brandee Era- Miller, Bill Fees, Diana

Washington, Sandy Treccani, Cathrene Glick, Jennifer Carlson, Jeremy Reiman, Chad Brown, Jeff

Killelea – Washington State Department of Ecology (Ecology)

Monica Ott – Avista

Brian Nickel – Environmental Protection Agency (EPA)

### *Interested Parties*

Dave Dilks – LimnoTech

Lisa Dally Wilson – SRSP and Dally Environmental

Ben and Lara Floyd – White Bluffs Consulting (WBC)

Bruce Williams – SRHD

Ben Martin – City of Coeur D' Alene

Chelsea Updegrove – Lands Council

Robert Mott – Mott Consulting

Gary Jones – Printing United Alliance

Dave Darling – American Coatings Association

Kris Holm

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

**Meeting Summary Action:** The Task Force (TF) approved the April 28 meeting summary and Lara Floyd will post the final notes to the website.

**PBDE Listing Presentation** – Karl shared the announcement of the draft water quality assessment that is out for public review now and there were some new listings for segments of

the Spokane River which included PBDEs. Jeremy Reiman (Water Quality program) and Jennifer Carlson (Environmental Assessment program) from Ecology put the presentation together to highlight the water quality determination process and how the WDOH advisories were used to determine Comments are due by June 4.

#### Questions/Comments:

- One of the basis for the 303d listing is that effluent limits aren't sufficient to achieve water quality standards. Has Ecology documented any PBDE to the river? Karl said in 2011, after the DOH fish consumption advisory came out around 2009, he believes the three municipal entities had a requirement to sample for PBDEs at effluent and influent and don't know the results yet.
- We do have PBDE data of our effluent but hard to know what it means when don't have water quality criteria to gage it against. I believe the fish advisory and data was available at the last water quality assessment so why now and not then? Jennifer Carlson said there has been more scrutiny and missed opportunity in previous ones to look at data and advisories. Jeremy Reiman said the scrutiny has surrounded Ecology's lack of applying criteria in scenarios where public stakeholders think we should apply it and trying to ramp up application of it. Karl said the update to policy 11 has come since last water quality assessment also.
- Is this the only PBDE listing for state? Jennifer said yes, these are the only five in the state right now.
- What is the agency's regulatory enforcement strategy? Karl said it is uncertain and premature to give an answer because it is a draft water quality assessment and needs to finish public review and comment period. It needs to go to EPA for approval or disapproval so a lot needs to happen first before this PBDE listing goes into effect. It leads to a broader discussion for TF about if it gets listed and want to get your ideas of options to address and whether the TF should begin to look at PBDEs in a similar fashion to PCBs.
- Dave McBride – On the DOH fish advisory web page there are a couple of errors in places where it says PBDEs exist, and we are in the process of fixing that. The Spokane River had some of the highest PBDE levels in nation when samples were taken and was based on an EPA study comparing results to Ecology's data. It may be a function of states not measuring PBDEs and Ecology is on forefront of measuring PBDEs. There have been high levels of PBDEs, meaning over a part per billion or two to three levels of magnitude higher than other areas.
- Why did you decide to list this as a category five impairment in lieu of a category four? Under category five a TMDL is needed and how do we implement one with no water quality standard? Jeremy said it is category five due to the numerical data and moving to category four there has to be an implementation problem or plan in place to address. We will work with the TMDL group or permitting to look at and this is not the only pollutant we have been addressing.
- Why a narrative PBDE listing vs other organic contaminants which there are many which don't have a water quality standard? Jeremy said we looked at our policy and said what pieces have we not been applying in past? We looked at fish consumption advisories since they are an in-depth study and PBDEs on Spokane River were only contaminant that we

hadn't looked at the data. There are a lot of emerging contaminants, and it boils down to a lack of resources, but this seemed like a pretty direct link.

- Dave M – For many of the emerging contaminants, EPA has not made a value for them, and we are dependent on those values to get a screening value for fish advisories.
- Was the policy change a result of citizen or NGO petition? It was partly that, but EPA does put pressure on states regularly to update policy.

**ACE Update** – Rob received request to have ACE meeting and will have one soon. Jeff said ACE has \$140,000 in uncommitted funds after accounting for 2019-2021 state appropriation. They got a \$60,000 reimbursement in April and have a draft reimbursement for \$126,000 to Ecology which leaves \$87,000 in state appropriation fund for work that happens in May and June. ACE paid out \$42,000 to AXYS.

**Data Management** – Mike H. said not much to report but the PCB data portal is live, and on the PCB free website.

**PMF** – Mike said Dr. Rodenburg is working on doing the analysis of the biofilm and fish tissue data and putting together to incorporate into a more holistic report. The timing of the two different scopes they are working on with the budget. Once we have results, we will have a work group meeting. We have a draft final version of looking at membrane filtrations effectiveness on PCB removal and will put it out at the next TF meeting. There is a journal article also that will come out and it will also be shared.

**Education and Outreach** – The Spokane River Forum is finishing up the spring media campaign and will share results at the August meeting. Chelsea Updegrave from Lands Council is working on scoping Environmental Justice outreach effort and will have more to share later.

**Fish Sampling** – No update.

**Funding/MOA** – There are three members moving the MOA through their signatory process still. Cadie said the City of Spokane had a new mayor during COVID and new public works and wastewater director so working hard on educating them on the process. Rob said they are on hold but prepared to take it to their board but doesn't want to have to go to board twice if the City has comments. Cadie said it is unlikely they will have more comments at this point.

**Tech Track** – Lisa said Tech Track work group (TTWG) met and provided priority ranking of projects and additional projects came up with focus on source identification in the Mission Reach (MR). At last meeting TTWG made a decision to recommend all tier one and tier two projects and in addition the sub bottom detection survey and they had a presentation by Gravity at the last meeting. They are looking at results gathered so far and being thoughtful about how to approach the MR and have pulled together small work group that will address MR and first meeting is June 2. They will come back to larger TTWG with information. Dave Dilks was asked to provide a scope of work for the number 11 sources and pathways of PCB 11 it in March. There is a request whether LimnoTech could spend some of their discretionary funding to complete synoptic sampling data evaluation.

Dave said they put together a scope of \$8,000 and have support from TTWG. Larger things such as artificial fill QAPP they asked for official TF authorization before proceeding. We have been

asked to put together scope of mass balance of PCB 11 and we may have \$8,000 already left in previously approved funding to get started on this PCB 11 work.

- Jeff said from ACE perspective we will be slightly over on spending biennium funds so it may be more efficient use of resources if worked happened in next biennium.
- Brian said he sent Dave and Lisa some work his intern had done on inadvertent PCBs from biofilm and stormwater in MR and she found there were not a large percentage of PCBs in samples she looked at. Usually it was up to 7% total and sometimes less than 1%. Emelia also looked at stormwater results in MR.
- For the scope of work on PCB 11 can it be reviewed by our iPCB/TSCA subcommittee? It originated in that group, but it was moved to TTWG. Doug said yes, that was the phase one work, and we did go through a review process. Ben said we can provide a scope of work and not seeing that this is a time sensitive item. The study the intern did about PCB 11 not as bioaccumulative creates a significant policy question for the TF. Do we want to devote a lot of energy to inadvertent PCBs or PCB 11? Ben said there will be an opportunity to have this discussion later.
- Given what Jeff said, Dave said he sees no reason to rush this. It was not a surprise not seeing PCB 11 in biofilm and didn't see in fish but do see in downstream portions of river.
- If you go to the meeting materials from April 28 TF meeting there is a list of all scopes of work for the projects, including the PCB 11 one. For the PCB 11 project, Dave would be doing work he has already done for the homolog. It is water column sampling, and it would be to see PCB 11 in the water column.
- Ben said we will provide the scope again, but it will be part of the 2021-2023 work plan and will make this decision at the next meeting.
- Dave has received the 2<sup>nd</sup> SPMD water quality sampling from AXYS and has finished processing some of fish results. We do see higher concentrations in MR but a little lower than prior surveys. We got the artificial fill data back from concrete and bricks and it's not a smoking gun and looking at other sources. Second round of SPMD for high flow sampling has been done but haven't analyzed it yet. The third SPMD deployment is ending now and will be processed when it comes in. Dave will share a brief update at the next meeting.
- This 1995 document might be helpful for looking for sources.  
<https://apps.ecology.wa.gov/publications/documents/95310.pdf> Adriane suggested doing research on Ecology database and it's been awhile since the TF has looked at this historical information
- Other "old" source assessment docs:  
<https://apps.ecology.wa.gov/publications/documents/1103013.pdf>  
<https://apps.ecology.wa.gov/publications/documents/0103016.pdf>  
<https://www.epa.gov/pcbs/inadvertent-pcbs>
- The Apple PCB rules are for electronic components. It does not pertain to colorants (dyes or pigments).
- Here's the link to the Apple policy:  
[https://www.apple.com/environment/pdf/Apple\\_Regulated\\_Substances\\_Specification\\_Mar\\_ch2021.pdf](https://www.apple.com/environment/pdf/Apple_Regulated_Substances_Specification_Mar_ch2021.pdf)

- On page 8 for PCBs, it provides examples "Capacitor, transformer, heat transfer fluids, lubricants". There is nothing suggesting they extend this to pigments.

**iPCB/TSCA** – Doug mentioned again there should be a discussion on inadvertent PCBs and PCB 11. WBC will frame up how to have the discussion along with TTWG and iPCB/TSCA work group leads and Dave Dilks.

The TiO<sub>2</sub> data is complete but haven't received the report yet as now there are legal issues due to confidentiality and anti-trust concerns.

Lucy and Michelle have different roles right now and EPA does have an education and outreach iPCB webpage they put together, and Doug will get it to WBC to distribute. They are also funding research on alternatives of iPCB containing products and have given phase one funding to Nanosonic.

**iPCB/TSCA Future Projects** – Doug said he didn't receive additional input on the two suggested initial priority projects (developing industry list of pigments and lower procurement limits campaign). They are third party research efforts, and the intent is to take the RFPs to those who may be interested (Gonzaga, Dr. Rodenburg and Northwest Green Chemistry) and would come back to TF for request for approval. The TF authorized Doug to move forward with the RFPs.

**TetraTech Evaluation of Wells Upgradient to Kaiser Data** – Brian said they still have some qualms with the report – they didn't account for surface discharge when they did mass balance and in 2018 surface water data there was some analogous results on mono and di. TetraTech continued to spend a lot of energy looking at plume and we already knew that. They did do an estimate of groundwater contribution of upgradient and cross gradient wells. They came up with an overall estimate of 12 mg/day of load of groundwater seepage between Sullivan and Mirabeau. From LimnoTech work it seemed wells had been declining over time but should keep an eye on them to see if the decline continues.

#### **Comments/Questions:**

- Is there an aroclor fingerprint here? Brian said they didn't get into aroclors and focused on homologs but had hoped they would have drilled down into congeners. The data could be taken to see if it matched to an aroclor pattern. There is a database Ecology keeps on cleanup sites. Do we know what the data is? Adriane said there was a former GE facility upgradient and it's hard to say what is happening at industrial park since it's private property. The other area is right at the river where the railroad tracks cross there was a former WWTP plant that was cleaned up that had PCBs.
- Dave Dilks said in terms of estimating groundwater load, they looked at well concentrations and at the midpoint. Need to look at uncertainty. For our mass balance assessment, we don't know what groundwater load is so going to measure upstream and downstream and should measure total load downstream. My guess is if you use lower numbers, you will get a number that matches upstream and downstream. It's not a matter that a best estimate of load is using midpoint of two ranges. We shouldn't see the red plus purple being significantly larger than green. The overall approach is right, but uncertainty of inputs make

output uncertain. Ben asked if we want to ask the usefulness of this data and Brandee and Brian said yes.

- We ought to look at what this means, where do we go from here and want to get value out of them. I suggest the TTWG sit down and evaluate these studies.
- One simple thing to be done we could generate the range of the outputs.
- Ben suggested Dave, Lisa, Brian and Brandee have more communication on this report and a path forward by June TF meeting.

**Spokane River Central Tendency for PCBs Tech Memo** – Karl shared it was put together to submit to EPA in response to the health TMDL TCP lawsuit. It was to look at surface water data for Spokane River. The first scheduled item that was required was completion of the Comprehensive Plan by end of 2016. The next benchmark was to reach instream concentrations of 200 picograms/liter by December 2020.

Brandee said they were told they could use data put together by LimnoTech. She downloaded data from six locations where they had enough data. They found that total PCB concentrations tend to be decreasing in the river over that time.

**Comments/Questions:**

- Dave Dilks said he agreed with the analysis and conclusion. He would worry about using upper 95 number as a measure of central tendency, but will talk more about it.
- Do you recall what next milestone, date and value is? Karl said next benchmark is central tendency of river should reach 170 picograms by December 2024. Even though this is what Ecology is focused on following need to be aware it is not a formal schedule by court or plaintiff and as lawsuit moves forward a lot could change. The final benchmark is December 15, 2027, that applicable water quality standard will be that in Spokane River.

**SRRTF 2021 – 2023 Preliminary Draft Work Planning** – Ben shared that at April meeting TF authorized a small ad hoc group to begin working on this budget. The purpose was to put together and formulate a process and begin to develop the state biennium budget for TF consideration. There are a set of actions that will be put in place with Ecology and have a \$2 million budget to consider.

**Comments/Questions:**

- If you scroll down to treatability piece, the SRSP is not in a position to move forward with it and a number of the other activities down below the small MR group will talk about how to sequence those items.
- The one thing not reflected here is given the presentation about potential listing of river for PBDEs that is an area of conversation for TF to be aware of as we look at funding. If we struggle to spend the money on PCBs, we may want to start considering PBDE data in our analysis.
- The need to identify what isn't on this list. Let your voice be heard.
- Ben shared additional potential control actions that may be considered.

We have two more meetings with the ad hoc group between now and June TF meeting. Additional scopes of work will be done with a chance to review before the meeting.

**Upcoming Task Force Meeting Topics to add:**

iPCB 11 discussion

PMF result for municipal treatment processes

Add artificial fill to fish tissue report

Move TiO<sub>2</sub> study to August?

**The next SRRTTF meeting will be held on June 23, 2021, at 8:30 am**