

Spokane River Regional Toxics Task Force Zoom Meeting

December 15, 2021, Meeting Notes

Facilitated by White Bluffs Consulting

Meeting Documents: <http://srtrtf.org/?p=12298>

Attendees:

Voting Members and Alternates

Tom Agnew, BiJay Adams – Liberty Lake Sewer and Water District
Doug Krapas – Inland Empire Paper
Brent Downey, Elena Wolf – Kaiser Aluminum
Craig Borrenpohl, Alyssa Gersdorf – City of Post Falls
Rob Lindsay, Mike Hermanson, Ben Brattebo – Spokane County
Jeff Donovan, Cadie Olsen, Mike Coster, Mike Cannon – City of Spokane
Vikki Barthels – Spokane Regional Health District (SRHD)
Ken Windram – Hayden Area Regional Sewer Board
Amanda Parrish, Chelsea Updegrove – Lands Council
Mike Anderson, Ben Martin – City of Coeur d’Alene
Chris Donley – WA State Department of Fish & Wildlife
Holly Davies – WA State Department of Health

Advisors

Karl Rains, Adriane Borgias, Jeremy Schmidt, Cheryl Niemi, Bill Fees, Brandee Era-Miller, Sandy Treccani, Cathrene Glick, Cheryl Niemi, Jeremy Schmidt – Washington State Department of Ecology (Ecology)
Brian Nickel, Miranda Magdangal, Cami Grandinetti, Cyndi Grafe, Lisa Kusnierz and Jennifer Bryne – Environmental Protection Agency (EPA)

Interested Parties

Dave Dilks – LimnoTech
Ben and Lara Floyd – White Bluffs Consulting (WBC)
Lisa Dally Wilson – Dally Environmental and SRSP
Bruce Williams – SRHD
Monica Ott - Avista
Dave Darling – American Coatings Association
Gary Jones – United Printing Alliance
Jerry White – Spokane Riverkeeper
Toni Taylor – Spokane County
Dr. Lisa Rodenburg – Rutgers University
Jeremy Jenkins – Liberty Lake Sewer and Water District
Mike Petersen
W. Richardson
Kris Holm

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

Meeting Summary Action: The Task Force (TF) approved the October 27 meeting summary and Lara Floyd will post the final notes to the website.

ACE Update – ACE held a meeting in December. Jeff said there is \$130,000 in the bank and 1.3 million in uncommitted funds. There is \$200,000 in the account from previous TF member contributions. Karl said the contract is fully executed by Ecology and ACE.

Data Management – Nothing new to report.

PMF – Mike H. said they have received the 2nd draft of the fish, biofilm and SPMD report and have sent it out to the work group. Dr. Rodenburg is working on the holistic analysis and a draft is anticipated by the end of the year which will be presented to the Tech Track Work Group (TTWG). He will schedule a work group meeting the first part of January to discuss holistic analysis and the draft report that was sent out.

Education and Outreach – discussion later in meeting

Environmental Justice – Chelsea said the work group will meet in January. They are working on reaching out to Coeur d’Alene and Spokane tribes and Dan Shay from North Central to see if there are any other plans to align with the TF mission on projects. They are also discussing the websites. Does the official TF website meet the needs and how does the TF incorporate the Spokane River PCB Free website?

Funding/MOA – Karl said they haven’t had any meetings for external funding opportunities since the TF has a lot of funds right now. He shared information about the Columbia River Basin Restoration Program grant opportunity by EPA Region 10.

Tech Track –

- Lisa said the work group discussed the Mission Reach (MR) field work completed this past year and Dave said SGS AXYS sent the artesian well results and the water column sediment samples should come in soon.
- The work group plans to hold a mini-Data Synthesis Workshop in late January or early February. A TTWG will be held in mid-January and Brandee Miller will present the final results of the full biofilm report and Dr. Rodenburg will present holistic analysis results to help get ready for the workshop.
- The WG is working on scoping and understanding full concept of historical assessment of MR and initial assessment will be done in early January by Dave Dilks and will discuss at workshop.
- At last meeting reviewed comprehensive plan control actions and most of the projects are addressing those actions or future phases.
- Limnotech has prepared final report of SPMD sampling and will be discussed for approval today. Also, will discuss budget for workshop.
- All MR hotspot work will be included in a report by March 2022 for approval. Dave said the MR hotspot report will have Gravity’s object detection report.

iPCB/TSCA –

- Doug mentioned the TDSC study presentation given back in September and the work group gave them a list of questions and received an email back from them. They do not intend to provide a final report.

- Evaluate PCB procurement policies – They had a meeting with Braided River Consulting, and they have identified 14 PCB procurement policies and identified 5 certification programs. Anna Montgomery will present to the work group at their January 3 meeting.
- Letter to EPA – TF submitted a letter and got a fast response. The update is that NTP has completed certain steps and they are developing a final report within the next 6 months and EPA will arrange to present it to the TF. The TF should consider responding on the update and ask about elements they didn't address.
- iPCB national education campaign – The Lands Council is presenting the website today for approval.
- iPCBs in Pigments – Presentation of proposal for approval today
- Next meeting January 3 @ 10 am and will develop a list of potential 2022 projects

EPA Presentation: Cami Grandinetti (branch manager – Seattle office Standards, Assessment, and Watershed Branch Manager), Miranda Magdangal (technical lead for WA TMDL) taking over for Lisa Kusnierz, Brian N. (NPDES permits program), Cyndi Grafe (new manager in TMDL section but previously in water division for years) and Jennifer Byrne (regional counsel attorney) were present from EPA.

Mirand Magdangal walked through the overview of the project and steps of the timeline:

- Fall 2021 – Prep work-collecting data and plan to issue call for data soon and have plans to set up a stakeholder group for the TMDL which would include the TF and other interested parties. They will assemble the group soon.
- Technical Analyses – Spring 2022 including source assessment, looking over data, calculating TMDL load and coming up with allocations which will last a year or longer.
- TMDL document writing – Winter 2023 they will do a public notice and do tribal consultation, etc.
- Review and Outreach – throughout the process but concentrated in summer 2023
- Establish final TMDL – Fall 2024

Comments/Questions: (comments in italics by EPA members)

- Do you intend to use data and work done by the TF to inform the TMDL? *Yes, we would like to use all data we have. Also want to develop a QAPP that defines what we determine as acceptable data which should add clarity to what types of data will be considered. Do you intend to use the newly established human health water criteria for basis of TMDL? This is still being decided but will consider whatever standards are on Ecology and tribe books for consideration. We entered into an agreement on a timeline of when we would issue our decision and I think it is the beginning of 2023 and we will be looking at what standards apply. Also, Spokane tribal standards will be considered.*
- Have you thought about an analytical approach – a lot of TMDL's use modeling to assign loads and look at capacity of water body to bring loads in. *We are still in planning, and we have looked at modeling and doing more simple mass balance approaches. Also looking at other PCB TMDLs in country to get ideas and are still evaluating. We will be interested to see how this gets addressed.*
- Is this settlement a done deal? Or does the court still need to approve it? *The court has to approve the consent decree and we thought it was a deal in our interest but if we get*

comments that cause us to reconsider, we won't know until comment period is done. Will the implementation plan be done by Ecology? Will that be a separate process? *Yes, the states to do have the implementation part and EPA doesn't write those.* Will that happen alongside the TMDL development or after? Karl said Ecology will be supporting EPA in development and Ecology will develop the Implementation Plan. The current trend is to do concurrently, but in this case, it depends on how much information we have from EPA along the process, so don't know yet if it will be developed concurrently. Probably somewhere in between and may work on near the end of the TMDL development. It will depend on workload and band width and how much information we get from EPA. The work of the TF through development of the Comp. Plan and control actions will likely inform and contribute to an implementation plan. We see an ongoing role for this group whether it's a redefined TF.

- Was Ecology a party to settlement discussions? *Ecology was consulted but the settlement was between the plaintiffs and EPA.*
- It seems like two different processes. Karl said the TMDL is more number crunching and is a budget exercise. The plan is how do you achieve those numbers? Dating back historically they have been done separately. Over the last decade or two have realized there is more efficiency doing it together. They are two distinct things in this case. You can't finalize a plan until you know what the budget is.
- *The TMDL applies the waste load allocations, and the plan says what needs to happen. It is better when done by the same entity, but we have a good working relationship with Ecology.*
- Dr. Rodenburg said she worked on Delaware PCB TMDL. Is the timeline a deadline for fall 2024? *Yes.* In Delaware they couldn't meet deadline, so they did a phased approach with a plan to revise it later. Is that a possibility? *Right now, not planning to take that approach. Distinguishing between court ordered deadline and settled deadline and we think we can do in this timeframe.* Do the people who sign the consent decree say they will not dispute the implementation plan? *No, it only says we will do one by 2024 and whatever happens after is independent. With the DO TMDL they came to a conclusion that couldn't do numeric criteria for effluent loads, so they did no numeric for how to reduce PCB loads.*
- Have you thought about spatial scope of TMDL or does it cover entire ID division of watershed? *We are working out those details and are talking to state of ID about it.*
- Is there going to be additional data collection or looking at previously collected data? *We will rely on existing data.*
- As far as stakeholder involvement, do you plan on input and outreach during the tech analysis part? *Yes, we would like to get a group formed quickly.*
- Are you planning a parallel process to the TF, or will stakeholders be adding additional meetings for our staff? *Yes, we want to include other parties that aren't currently on the TF. We don't know how much of a time commitment it will be.* Can you give us your best assessment of what you think the number could be? *It is a little too soon to talk about specific numbers. The numbers are low, and we haven't even started the process, so we don't have any answers yet. TMDL's have to be written to meet water quality*

standards and there are tools like water quality variances that may be necessary to meet the low numbers.

- The TMDL will be written to meet water quality standard and therefore you do run risk of not meeting fish consumption standards. *It is complicated and the bottom line is we do have to write it to water quality standard, but part of plan is adaptive management and doing additional monitoring to monitor progress towards TMDL. It can be revised and adapted moving forward.*
- Regarding expanding the area, has there been discussion with ID DEQ already? *Yes, we have talked with ID and there haven't been any decisions, but they are paying attention.*
- As you go forward, will you be able to give additional updates throughout the process? *Yes*
- Every facility involved from a discharger standpoint is in the midst of significant remodeling to do a better job of removing PCBs and we are all learning it may take a while to get one of these high-tech expensive plants up and running. How does this factor into your three-year development process timeline? *We have talked about this, and it is great the treatment plants are being upgraded. We would still plan to go through this process and there are options for providing flexibilities on compliance and meeting compliance.*
- With our source assessment and so many improvements over the years that affect current loading, there is a range of estimates based on current loading and improvements with facility upgrades that could be required.
- It doesn't look retroactively at requirements.
- With EPA's prior standard of 7 parts/quadrillion we have evidence that the iPCB allowance through TSCA violates our standard on PCB 11 alone. Will EPA include looking at TSCA allowance as a potential modification? *I know that has been a question for a while and I don't know all of the factors regarding TSCA and we have been talking about this. There is no commitment that we can offer but do appreciate the challenge.*
- Any thought of bringing in outside consulting on analysis or will EPA do all the work? *Yes, we are considering bringing in outside consultant to help with TMDL although EPA will be doing a large part.*
- *From the chat: Relative to the concern previously raised, we don't plan to blindly incorporate data. Our QAPP is part of this so that we can review the purpose data were collected, QA/QC, etc., but the stakeholder group and those who share data will also be part of letting us know if there is anything in particular about certain data sets we should be aware of (e.g., this one is better for a relative idea of contributions/reductions).*

2020-2021 Evaluation of PCBs in the Spokane River via SPMD: Dave said they are looking for final approval of report. TF initiated long term monitoring program starting in 2020. Analysis of PC concentrations in year old Redband trout and analysis in water column via SPMDs. The Final draft was provided for review December 8.

Questions/Comments:

- Based on what we heard from EPA, I have concerns with the consent decree that they intend to use data from the TF to inform the TMDL. I know we've had concerns with SPMDs and their use and it is tenuous at best using SPMDs. I would like to have another opportunity to evaluate it through this lense. I would like another month to evaluate and review the report. What is the purpose? Are we intending to do long term monitoring with

SPMDs? *Dave said the purpose is to show that river PCB concentrations are decreasing over the long haul in response to PCB control efforts and the problem with using grab samples is that, as the concentrations get lower, grab sample results-get less and less reliable due to the increasing importance of blank contamination. SPMDs aren't as affected by this.*

- Ben asked if there is an issue with waiting and Dave said the data needs to be uploaded in the Ecology database.
- On page 17 figure 10 it does compare grab samples to SPMD samples and SPMDs show higher concentrations typically. The intent here was to use them for baseline monitoring as a yardstick. The SPMDs do not necessarily reflect the actual concentrations at this point compared to grab samples. We had planned to have a session in TT workshop to address the pros and cons of SPMDs in terms of using as a yardstick but not to use as an overall indicator of water quality in Spokane river.
- With our Environmental Assessment Program there is a guideline about not entering SPMD data into the EIM because it is a modeled estimate. Until we have really addressed it, we aren't entering SPMD data into the EIM. Instead, we put our data into an internal repository on a share point site so we have access to it.
- Dave said there wasn't much new that contradicts past information and waiting to approve would be fine.
- With Ecology contract it says all data gets put in EIM but Karl did not see an issue with this based on Brandee's explanation.

ACTION: The TF decided to wait on approving the report until the meeting in January.

iPCB National Outreach Website: Chelsea shared the website again and will use it to make outreach and contact with people around the country. They have received comments over the past several months. There were some concerns from industry representatives and they spent a lot of time addressing those comments. They made some edits based upon the comments and hope to have approval today.

Doug said they made a comment matrix to address those concerns. Chelsea said it is a living document and changes can be made. The Lands Council needs to use the website to move things forward.

Comments/Questions:

- Gary Jones thanked Chelsea and Doug for taking the time to review the comments that were submitted on the iPCB free web page. There were commitments made to seek additional clarifying information and revise the web page and to date, a revised web page has not been circulated. We remain deeply concerned that some of the identified inaccurate information will not be revised and the disclaimer that will be put on the web page does not rectify the situation. I would encourage the task force to request that another review of the revised web page be requested to ensure that the most accurate information is being included in it. *Chelsea said they have spent a lot of time on it and have decided it is factual. Doug said at some point they have to move forward with this, and it is a work in progress.*

ACTION: The TF approved moving forward with the iPCB website.

2021-2023 Work Plan Funding Proposals:

Education and Outreach (E and O) Media campaign: Vikki shared a presentation from Andy Dunau from Spokane River Forum. This time they are looking at a two-year campaign from February 2022 - June 2023. The proposal is now at \$64,500 total. The work group (WG) decided to move to video production ads over radio ads being used on social media and looking into pre-rolle videos also. The WG will move to every other month for their meetings and for now will use ads already done and then will come up with additional messaging to bring to the TF for approval. The WG would appreciate suggestions on what to do. They would like to approve the additional \$44,500 as \$20,000 has already been approved.

Vikki said the next meeting will be January 11 at 11 am. They will be held every other month this year starting at 11 am on the second Tuesday.

ACTION: The TF approved the media campaign and the additional funding of \$44,500.

iPCB/TSCA pigments:

Doug said they want to develop a database of a list of pigments that are produced of chlorinated vs non chlorinated to be a resource for different efforts. They received three proposals from ChemForward, Gonzaga University and Non-Toxic Certified. They evaluated the proposals and ChemForward came out on top. The price is \$29,400 for their proposal. They hope to use some Gonzaga students in the process.

ACTION: The TF approved having ChemForward proceed with the work for \$29,400.

Tech Track mini-Data Synthesis Workshop (DSW): Lisa said the TTWG is recommending a mini workshop in late January or early February. The two scopes of work and budget were shared for LimnoTech and Lisa Dally Wilson to manage the DSW. The budget for LimnoTech is \$18,000 and \$8,600 for Lisa if the workshop is held in person. If it is held virtually, the suggested budget is \$16,500 and \$7,600. They are planning on two days for the workshop of 4 to 5 hours each day.

ACTION: The TF approved the total of \$26,600 for the in-person budget for the two scopes of work for the mini - DSW.

Spokane River-Rathdrum Prairie Aquifer Atlas: Toni Taylor shared that it is the fifth edition of the aquifer atlas that will be produced. The Education and Outreach workgroup supports it and the committee is asking the TF for \$8,000 to help with the design work and graphics.

Comments:

- The purpose of the TF is to find and reduce PCBs and there needs to be an element of this in the atlas and Toni thought that can be done.
- I see parallels between outreach and this document and media campaign just approved. When we share information with the community about how we manage waste and lifestyle choices it's all about the impact to the environment.
- Is there any intention to make this atlas electronic and provide a link on PCB free website? Toni said yes, they would like to do that.
- This advances our work because without the context of the watershed people can't understand about PCBs in the watershed. It is worthy of our support. We use it to educate our elected officials.

- A large amount of work and time goes into these atlases and the ask is a small portion of the overall effort.
- Ecology Water Resources Program supports the funding of the effort, and the TF will be noted in the Atlas as supporting the work which is a good thing for positive messaging for the TF.

ACTION: The TF approved supporting the production of the aquifer atlas by donating \$8,000 for the design work.

Mini Data Synthesis Workshop Discussion: Lisa and Dave shared the management related questions they are hoping to answer at the DSW. Some haven't changed since the last workshop but there are some new additional questions to consider:

- Do we expand the scope of our assessment downstream of Nine Mile Dam, and include major tributaries?
- Do we need to start considering pollutants other than PCBs?

Dave said they are still designing the content of the workshop. Key issues are still characterizing sources, identifying and implementing appropriate actions and measurable progress. They would like feedback on what to address at the workshop.

Comments/Questions:

- A primary outcome of the workshop is adaptive management and what have we learned, how are we doing and how do we refocus our efforts based on what we have recently learned regarding the TMDL? That is spelled out in the outcomes hoped for.
- The initial reason the TF selected Nine Mile Dam in the beginning is we were focusing on the area the dischargers in group were discharging to. Going downstream and looking into little Spokane River may be warranted. Dave said yes, we want to focus understanding on the most important sources.
- Looking at tributaries and recognizing they have pathways of PCBs to the River is worth looking at. The two large tributaries should be considered.
- Decided in beginning not to get distracted with other pollutants besides PCBs, but legislative funding cannot be used for anything besides PCBs so don't think we should consider others yet. Does what we are doing support the TMDL?
- There was a note in legislative session that the funding is to address toxics so think the TF can spend the money on pollutants other than PCBs.
- The legislative language says \$2 million solely for the SRRRTF for elevated levels of PCBs in Spokane River. Karl will share other language he has seen regarding it.

Lisa said the Tech Track DSW can address the first question but the second question about considering other pollutants needs to be addressed by the full TF. Dave said they can include a summary of data that exists of the tributaries and downstream of Nine Mile Dam at the workshop. The second question will be discussed at a later TF meeting next year. EPA will attend the workshop.

2021 SRRRTF Draft Accomplishments: Will be emailed to the TF later for review and comments.

Information Update: Karl said they are anticipating releasing the draft NPDES permits for Kaiser and City of Spokane on December 29 to start the 45-day review and comment period. They are working on the others which will be coming later.

Upcoming Task Force Meeting Topics to add/2022 meeting schedule: Will be emailed to TF.

Safer Products of WA update: Cheryl Niemi said they were tasked with developing a report from the state legislature on actions needed to reduce toxics. One priority chemical is PCBs and priority products are paints and inks. They released the draft report on November 17. The report is available on their website ([Safer products - Washington State Department of Ecology](#)) and the public comment period will go through Jan. 28. They are running two related processes and also just starting a rulemaking to implement the determinations. Please go to their ezview website and look at the report, rulemaking, and public comment period information.

The next SRRTTF meeting will be held on January 26, 2021, at 8:30 am. Meetings for 2022 will be sent out soon.