

Spokane River Regional Toxics Task Force Zoom Meeting

April 27, 2022, Meeting Notes

Facilitated by White Bluffs Consulting

Meeting Documents: <http://srrttf.org/?p=12628>

Attendees:

Voting Members and Alternates

Tom Agnew, BiJay Adams – Liberty Lake Sewer and Water District
Doug Krapas – Inland Empire Paper
Brent Downey – Kaiser Aluminum
Craig Borrenpohl, Alyssa Gersdorf – City of Post Falls
Rob Lindsay – Spokane County
Jeff Donovan, Mike Cannon – City of Spokane
Vikki Barthels, Bruce Williams – Spokane Regional Health District (SRHD)
Mike Anderson, Ben Martin – City of Coeur d’Alene
Holly Davies – WA State Department of Health
Galen Buterbaugh – Lake Spokane Association

Advisors

Karl Rains, Jeremy Schmidt, Cheryl Niemi, Bill Fees, Brandee Era-Miller, Sandy Treccani, Diana Washington, Adriane Borgias – Washington State Department of Ecology (Ecology)
Brian Nickel – Environmental Protection Agency (EPA)
Kristen Lowell – Idaho Department of Environmental Quality

Interested Parties

Dave Dilks – LimnoTech
Ben and Lara Floyd – White Bluffs Consulting (WBC)
Lisa Dally Wilson – Dally Environmental and SRSP
Monica Ott – Avista
Doug Austin – Chesapeake Bay Program
Mike Petersen
Kris Holm

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

Meeting Summary Action: The Task Force (TF) approved the March 23 meeting summary and Lara Floyd will post the final notes to the website.

ACE Update – Rob said ACE wrote a couple of contracts addressing what was approved at the last meeting and they are ready to write more after this meeting. Jeff said ACE has 1 million left in state funds as of now. They will have \$570,000 left if everything gets approved today on the agenda. About \$37,000 was spent in March and only contract in limbo is the North Central High School grant, and it is waiting on the QAPP.

Education and Outreach – Vikki said yesterday Andy Dunau (Spokane River Forum) sent the first 30 second video for stormwater and she sent it out to the work group for feedback. At the next TF meeting all videos should be ready for TF approval. The next work group meeting is May 10 at 11 am on Teams. Vikki said she need comments by next Tuesday on the video.

Tech Track – Lisa shared the following:

- The work group met on April 20 to discuss changes made to 2nd draft of historic review memo and Mission Reach (MR) source assessment report and did approve both deliverables for recommendation to the TF today.
- Have rough drafts of scopes and budgets for 7 projects for summer low flow period
- MR report including all hotspot work requesting approval for today along with memo and the preliminary scopes for the 7 projects. They will request final budget and scopes at May TF meeting.
- Preliminary deeper dive into groundwater dynamics and water column trend assessment regarding using SPMDs and fish sampling they will submit at next month's TF meeting for approval
- Next meeting is May 18 at 9 am

iPCB/TSCA - Doug shared the following:

- iPCB national outreach project website is live, and brunt of outreach completed by May 2022 and draft final report by June or July
- Lower Procurement Limits campaign has made good progress and should have draft report in April
- Chlorinated pigments database also having great progress
- Working on 2022 project proposals: EPA to perform cost/benefit analysis regarding impacts of TSCA, 3rd Party analysis of existing TiO2 data to determine PCB concentrations, and SRRTTF/EPA/Ecology testing of TiO2 or TiO2 containing products
- Next meeting is Wednesday at 10 am

Initial Historical Review Draft Memo: Dave Dilks went over the memo. A more detailed review is planned for later this year. Elevated PCB concentrations were found along riverbank near former Inland Metals site and in the oxidation ditch of Spokane Industrial Park's WWTP. Mass Balance analysis conducted on 2003-2007 data suggests potential presence of unknown loads entering the river.

ACTION: The TF approved the draft memo.

Mission Reach Source Assessment Draft Monitoring Report: Dave went over the report background and findings and then shared the comments that were received. PCB concentrations in MR are higher than elsewhere in the river. Diagnostic monitoring conducted in 2021 to aid in source identification. Water column monitoring did not indicate new PCB source, Artesian well sample suggests presence of contamination, object detection survey identified a number of buried metallic objects, sediment sampling confirms patch contamination and PCB detection dog identified areas of potential contamination. He shared the comments that were incorporated and the TTWG approved the report.

ACTION: The TF approve the monitoring report.

2020-2021 Evaluation of PCBs in the Spokane River via SPMDs: Dave shared the report was provided in January, but more time was needed for comments and discussion. Comments have been incorporated and it is ready for approval. Doug shared some of the back and forth that went on between he and Ecology. Ecology pointed out there is information in the QAPP

regarding regulatory standards/language. Doug said all reports by TF should include statements regarding 1668 and IEP will abstain on voting regarding the report.

ACTION: The TF voted to approve the SPMD report.

Lisa asked about TF data that can appear in QAPPs but not necessarily in the reports that Doug mentioned. Can we put on the agenda a conversation about this so every time we review a report, we don't run into this? Ben said it will be an ongoing concern and there can be more discussion.

Rough Scopes and Budgets for Priority Projects: The Data Synthesis Workshop identified several projects to be considered. Scopes and rough budgets were approved last week by the Tech Track work group (TTWG). The developed scopes and final budgets will be brought to the TF for final approval next month.

Expanded synoptic survey – Dave gave a brief overview.

- Jeff said \$75,000 had been previously approved so Dave said the amount would be \$85,000.
- Will it come back to the TF when the final budget is determined? Yes

Dave said it will be an additional \$80,000 - \$85,000 to go from one reach to seven reaches for a total near \$160,000 since \$75,000 had been approved earlier.

ACTION: The TF approved the project for more detailed scoping and budgeting.

Springfield Stormwater Catch Basin Sampling – Dave gave a brief overview.

- Brandee said when you have results, I did look at the report written by Urban Waters group, and they did look at a couple of smaller catch basins around these. It may give some idea of relative concentrations.

Dave said if Gravity does the work the budget will be \$23,850 but significantly less if performed in conjunction with other sampling.

ACTION: The TF approved the project for more detailed scoping and budgeting.

Artesian well sampling – Dave gave a brief overview.

Dave said the budget will be \$15,650 if done as a stand-alone effort and significantly less if done along with other sampling.

- Is it grab sampling or SPMD sampling? *Dave said it would be two grabs and there could be additional sampling if so. And we still don't know the source of this water? Dave said it will be discussed in May with groundwater deeper dive.*
- Brandee said SPMD or some other pre concentration method is a good idea down the road for follow up.

ACTION: The TF approved the project for more detailed scoping and budgeting.

Historical Review – Dave gave a brief overview.

Dave said the budget would be \$57,000 and includes purchase of additional Sanborn maps.

The TF had approved purchase of some maps at an earlier meeting and asked for approval of 75 maps but need two sets of maps to get complete coverage of the City and need additional \$5,000 for purchase of more maps. The maps go to Ecology once the analysis is done.

- When you do a map review what is the process? *Dave said we have a database of all the industrial areas associated with PCB use and have to go through each map and it takes one hour per map and will review 160 maps.*
- What sort of radius will you be looking at with these industries and how far from river? *Dave said will not exclude any area on map and will look at anything near the river.*

ACTION: The TF approved the project for more detailed scoping and budgeting.

MR sediment/biofilm sampling – Dave gave a brief overview.

The suggested budget is for 10 samples and \$56,000 or 50 samples for \$150,000. Gravity would do this work as well.

- Can you share the rationale at the TTWG for why highest end was removed and was it due to cost? *Dave said It was a mix of cost and added value. There was some analysis of data, and the 150-sample estimate was doing high special sampling throughout the MR, and it would be most efficient to target only in areas where we had seen elevated biofilm or sediment samples.*
- Looking ahead at the expanded object detection survey, will that inform this sediment sampling? *Dave said yes, the goal is if that gets approved today Gravity will be out in the field next week because we want the results to guide the sediment sampling later this summer.*
- Is there is a QAPP for that sampling? *Dave said doing object detection survey next week under QAPP that has already been approved. Is it a new task? Dave said it was expanding downstream as they couldn't do entire study area before. Adriane said if we are going to limit the use of the data for non- public purposes, then when you do source testing and find sources, what is the expectation of the TF for Ecology response? It is something to be discussed.*

ACTION: The TF approved the project scope for further detailed scoping.

Mirabeau Park SPMD sampling – Dave gave a brief overview

Completion in winter 2023, budget is \$55,000 with Gravity doing sampling and SGS AXYS doing lab analysis and EST labs providing SPMDs.

- Lisa said this sampling would occur at same time as trend assessment SPMDs would be deployed.
- Is there any linkage between this effort and earlier discussion of SIP? *Dave said there is a loose connection and if find a signal coming in here, that would lend more credence to dig deeper into historical assessment.*

- Will there be two SPMDs put in? Is it really \$11,000 to analyze one by the lab? *Dave said he will check into that before official approval of budget later. It is for the purchase of SPMD and analysis.*

ACTION: The TF approved the project for more detailed scoping and budgeting.

Expanded Object Detection Survey – Dave gave a brief overview.

The TF has already authorized \$10,000 for Gravity to complete portion of object detection survey that was inaccessible last fall. Requesting additional \$2,047 to extend downstream to Gonzaga site.

- There was some evidence of a buried drum in the past in this new expanded scope.

ACTION: The TF approved the additional \$2,047 to complete the object detection work.

The total budgets combined are \$383,547 with two items left to be scoped:

- Adding grab samples to SPMD trend assessment monitoring
- Deeper dive into MR groundwater

Rob will write a contract amendment for the expanded object detection survey scope since it is starting next week.

Alternative Task Force Organizational Structure Discussion: Rob said the County does not want to stop this process as there is good technical work being done. He has been involved in processes in the past where grant funds were given to a public entity to manage the funds and it worked well. The TF was a voluntary process as an alternative to TMDL and permitting process. This process has changed, and we are being asked to continue in community process and we want this work to continue.

He said a lot of people are resource strapped already and they have not been doing data management anymore since it took so much time. They cannot continue in this way. Rob would like to identify an independent physical agent to handle the funds instead of having the ACE board. Spokane County would be open to managing the grants but there are others that could do it also. They would also like to see a process that is more inclusive and brings back people that were involved before and move back into a public forum instead of having a 501c3.

- Mike A. said he gets the idea of the burden being placed on ACE, but what are the options? Ben asked Rob to share what they do as ACE and he said to maintain a 501c3 we are registered with the state, maintain a registered agent, monthly reporting to the department of revenue, preparing taxes, meetings, managing and writing the contracts, and paying bills. He said he will not continue to do this after the next round of scopes, and something needs to change.
- Karl said Ecology is supportive of TF exploring alternative structures especially if it will encourage participation from other community groups. Until the permits are issued it would be premature for us to approve any one concept. The last permits may be issued in June. Discussion should also be about process to get to a new alternative structure. As far as ACE management process, given level of funding TF has received, an accounting firm could be hired to help with contracts and the bookkeeping. Could the

current legislative funding be transferred to another entity is another question, but Ecology could look into it.

- Jeff said from his perspective, he has some personal concerns about liability, and it would be great to have another structure.
- Tom said regarding the liability of ACE board members, is it just ACE members? Why wouldn't that be a legitimate expense of TF? *Rob said the ACE board carries insurance, but the reality is it would take more work to get someone up to speed and get contracts out the door.*
- Ben asked what if the ACE board resigned and it became non-functional? Ecology may want to consider this.
- Brent said Kaiser participated on ACE board for a while, and it was a challenge. He agreed there isn't a lot of diversity in the group.
- Doug said with the permits coming out, PCB limitations being implemented, we have been provided with our marching orders and things that have to be met. The TF needs to be a voluntary involvement. With the time resources IEP is putting in, it may need to shift to meet our obligations. We have a TMDL that is imminent, and we have no idea what the requirements will be. He thinks it's premature to change structure without knowing TMDL details. ACE was determined to be a 501c3 by design to utilize legislative funding, etc. so have to be careful with considering something else.
- Rob said they will have an ACE meeting soon to discuss the options. Ben asked how do we get the Tribes and others to come back?
- Adriane said the long-term look involves the TMDL, what happens after, and implementation. There is the short term of all the work. We did put in the permits to address this transition. What is the process to make the transition? It is bigger than this group and involves community participation. The 501c3 organization is a strength to get funding from a variety of sources and that is important to move the work forward.
- Adraine said part of the process is establishing the vision and mutual self-interest. Ben said what I've heard is the mutual self-interest has kind of gone away.
- Rob said the county is willing to continue participating in remedial investigation but being the backbone of this organization or doing database work we are less inclined to do now. Does the community have interest in participating at this point and when the implementation starts? Perhaps we continue to do remedial work, but we haven't identified a lot of ways to remove PCBs. Let's be realistic about what we are really doing and be clear with the community. Members of this group need to reach out to others in the community to see if there is interest.
- Who else needs to be at the table besides the Tribes or environmental groups who have sued or left already? Rob said maybe the education community. Land trusts? Ben mentioned different community groups were discussed at the Environmental Justice subgroup meeting that could be potentially involved.
- Brian said when you look at Clean Water Act (CWA) and regulations the TMDL is the process that the CWA provides for that. We still see value in TF. Exposure to PCBs from eating fish that have accumulated PCBs and could target folks that catch and eat fish from river.

Ben suggested forming a small ad hoc group to discuss options going forward and those that would like to participate please reach out to Ben via email. Jeremy said once litigation concludes we often see a resurgence in those that have left the table and it seems a prime time to invite those people back.

Information Update: Karl said he has accepted a new position as Eastern Regional Planner in Ecology, but he is continuing to support water quality program and coordination of permits. He will continue to participate in TF although his role in work groups has gone away. They are working on getting someone to replace him and then they will get involved with the TF, but he will continue to support in the meantime. He has been working on the measurable progress report and will have it done over the next month or so to distribute to the TF.

Brandee Era-Miller has accepted a new position within Ecology but has support from her supervisor to continue support until they fill her position also. Brandee said in her new position she will be helping create a new database and a monitoring program statewide to characterize PCBs in major rivers statewide.

Tom said it looks like it is important for the TF to continue with our database. Rob said he talked to Amy about the database, and it has not really been used except for the PMF analysis. Going forward need to be honest about whether it will be used and individual entities making data applicable to enter into the database. They are interested in working with Brandee.

Brian gave a short EPA TMDL update – They have collected a lot of data and think they have what is needed and feel like on track to meet their deadlines and a progress report is due in August.

Brent Downey suggested June or July TF meeting be held at Kaiser and tour their ultraviolet advanced oxidation process (UVAOP) and others liked the idea.

The next SRRTTF meeting will be held on May 25 at 8:30 am at the Spokane County Water Resource Center.