

Spokane River Regional Toxics Task Force Zoom Meeting

May 25, 2022, Meeting Notes

Facilitated by White Bluffs Consulting

Meeting Documents: <http://srtrtf.org/?p=12682>

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, Ben Brattebo – Spokane County
Cadie Olsen – City of Spokane
Vikki Barthels, Bruce Williams – Spokane Regional Health District (SRHD)
Ben Martin – City of Coeur d’Alene
Holly Davies – WA State Department of Health
Galen Buterbaugh – Lake Spokane Association
Chris Donley – WA State Department of Fish and Wildlife
Ken Windram – Hayden Area Regional Sewer Board

Advisors

Karl Rains, Cheryl Niemi, Brandee Era-Miller, Sandy Treccani, Adriane Borgias – Washington State Department of Ecology (Ecology)
Brian Nickel – Environmental Protection Agency (EPA)
Robert Steed – 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
Mike Petersen
Gary Jones – Printing United Alliance
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 April meeting summary and Lara Floyd will post the final notes to the website.

Karl Rains gave his update at the beginning of the meeting. He said regarding the TF organization hopefully no decisions will be made today since the content just came out yesterday. Ecology hasn’t been able to participate directly, and they have concerns with some of the language which will be addressed later. As far as the Measurable Progress report, they are nearly done with the draft and anticipate having one out at least one week before the next TF meeting. The TF has done a lot of positive work to identify PCBs in our watershed, increasing the knowledge on complexity of PCBs, major clean up actions by EPA and Kaiser at the Mead site plus dischargers installing next level of treatment in reducing PCBs on both sides of the border.

Over the last couple of years, the TF has lost some key members and it is apparent that the functioning of the TF is falling on fewer shoulders and appears to be declining in effectiveness. The outcome of the measurable progress will be a mixed bag. Karl left the meeting after his update.

ACE Update – Rob said they had one contract approved in the last month with Gravity for the work downstream of the Mission Reach area. They have about \$130,700 in bank and so far of the 2 million they have had \$126,000 reimbursed so far. Currently they have committed funds of 1.1 million and \$770,000 left of uncommitted funds. Ben said the technical work for the Mission Reach will take us through the biennium and even with this the TF may have more than \$500,000 remaining which could be used for additional work. Ben suggested treatment options or other actions identified in the past by the TF could be considered, if there are specific project proposals that TF members might be thinking of.

Data Management – Rob said he talked to Amy Sumner and the database has been quiet. After significant effort to get data in from PMF analysis, it is static right now. He asked her if it is possible for it to be set up in a central location on a server somewhere and she said yes. Most of the interest has been from just a couple of individuals. They are aware Ecology will be developing a more comprehensive database statewide and Amy recommends waiting until it is created and then add the data into it. Rob said the data has to be reformatted and it is time intensive work. Brian said he still has a goal to get the TF PCB data into water quality portal (EPA water quality database) and had his intern working on it, but it is not finished. Dave said coordination between LimnoTech, Brandee, EPA and the County would be beneficial, and Dave suggested a coordination call between the entities. Adriane said EIM data submittal is required as part of the contracts.

Education and Outreach – Vikki said four stormwater digital videos are ready for posting and Andy said they will be ready to go June 1. They will run the ads for three months. They have five stormwater digital static ads which went out to the TF for review with no comments and she will be sharing them later in the meeting. Their next meeting will be July 12 at 11 am.

Tech Track – Lisa shared the following:

- Work group discussed detailed scope and budget and approved for recommendation: Expanded synoptic survey/artesian well/catch basin sampling and water column trend assessment/Mirabeau Park sampling.
- Object detection survey on river conducted the week of May 16. Results available early next week. Dave said they did not see anything of major significance.
- Groundwater deeper dive project on hold – waiting on other data available in late 2022
- Sanborn map – historical review scope change
- Next meeting is on the 3rd Wednesday of next month
- June – Scope Mission Reach sediment and biofilm sampling based on Object Detection survey results and finalize next steps for historical review

iPCB/TSCA - Doug shared the following:

- iPCB outreach campaign – completing outreach this month and will have final draft for TF in June or July

- Lower procurement limits campaign – draft report May 2022
- Develop industry list of chlorinated pigments, great progress on database format
- Working on 2022 project proposals: EPA to perform cost/benefit analysis regarding impacts of TSCA – the TSCA regulations have to also comport with other rules and regulations. With EPA adopting new standards for WA, which may be a greater issue than the cost/benefit. Develop a petition to EPA to review the regulations related to this.
- SRRTTF/EPA/Ecology testing and working with Cheryla and Michelle in getting some materials for testing
- Next meeting is June 1 at 10 via Zoom – Lisa will conduct the Zoom in place of Ben.

Education and Outreach Spring Media Campaign Presentation – Vikki Barthels gave the presentation that Andy Dunau developed and gave at the last Education and Outreach meeting. The work group came up with the idea to focus next set of media ads on stormwater focus. There is a general one, one on pesticides, herbicides, fertilizers, one regarding car leaks and another about car washing. She shared a couple of the videos. They will go out on social media platforms. They also have digital display ads that will be going out to the public.

She said the Health District has been doing social media posts about pollution prevention and making sure things do not go to storm water drain that goes to the river. She shared the cumulative 2022 results from February – March 2022 and majority of click through rates were ads and they had over 500,000 impressions from it which was above the goal. They may talk about certain areas such as Mission Reach to target in the future. The reach estimate was 60,000-75,000 people received a message 1 to 4 times per month. Facebook reaches more people than Instagram. They can also see which zip codes are clicking on going to the Waste Directory most often also.

Comments:

- Rob said messaging for PCBs is hard and I appreciate the approach taken here.
- Lisa asked if there is a way to look at this information and look at stormwater concentrations and how this public outreach is impacting water quality? Vikki was not sure. Lisa asked if results timed with hits on this are happening? Vikki said she works closely with the stormwater people and will ask if they can look at it after the ads run.
- Tom suggested one of the ways to approach this is an attitudinal survey to tell what extent people were more aware than before and do a follow up survey. It could be possible to measure a difference in stormwater. Vikki said Andy and the River Forum have done some surveys and she will talk to him and to the work group.

Rough Scopes and Budgets for Priority Projects: Dave gave a presentation. The Data Synthesis Workshop identified projects for consideration in addition to previously identified activities. The TTWG approved these activities for approval last week. Five projects merged into two for the sake of efficiency and to save money. They will have a next level historical review scope next month. The scopes haven't changed much since last week, but a little refining has been done.

Expanded Synoptic Survey/Artesian Well/Catch Basin Sampling – Dave gave a brief overview. They have added a few additional stations to sample as the originally approved survey considered only the segment from USGS gage to Nine Mile Dam. With the Catch Basin

Sampling, the PCB detection dog identified several areas of interest in Springfield stormwater basin, and they will sample solids at 3 to 5 catch basins near observed contamination. Regarding the Artesian well, Ecology temperature float previously identified a continuous inflow to MR. Gravity did a single sample in 2021 showing PCB concentrations roughly ten times seen in river and will collect two more samples now. The schedule is that the survey will be done in August with the rest of the work done in February 2023 and total budget is \$185,000 if they do all three together with \$75,000 already being approved for a difference of \$110,000.

- How many square blocks do the catch basin serve? What is the watershed? Dave said it is not a large watershed. Cadie thought it looks like about five blocks and Dave said that could be close.

ACTION: The TF approved the recommendation of the additional \$110,000 in addition to the \$75,000 that was already approved.

Water Column Trend Assessment/Mirabeau Park Sampling – Dave gave a brief overview. First round on long term trend monitoring and monitoring with SPMDs was initiated in 2020/2021. The results showed high variability in estimated concentration. Water column grab samples at Mirabeau Park have shown infrequent high PCB concentrations. If real, they would indicate a groundwater PCB source entering the river above Kaiser. They would like to conduct a second iteration of SPMD monitoring, deploy two SPMDs near Mirabeau and then interpret the data. The schedule is for completion by December 2023 which extends beyond biennium. The overall budget is \$186,000 with \$140,000 previously approved. \$161,000 could be incurred before the biennium ends.

Lisa said there would be an additional \$25,000 needed after the biennium but not sure the TF wants to scope anything after the biennium. Lisa asked if somehow all work could be done by end of biennium and Dave said they did express flexibility and Gravity thought they could get the analysis done by June. Another option is Lisa said they could take the spring high flow sampling out of the mix.

Comments:

- Doug said he does not want to approve money beyond the biennium due to the TMDL, future of TF, etc. He has been a proponent of keeping the grab sampling in place and he feels it is important. There were some uncertainties with SPMDs. The TF ought to try and fit the scope within the biennium budget.
- Dave proposed approving sampling of summer low flow and winter moderate flow and then in a couple months decide if we leave the final piece for doing after the biennium or include it? Lisa suggested holding the spring high flow scope until knowing how things will proceed. Dave would still write a report on the two by June 30.
- Spokane County is not supportive of making any financial commitments beyond the funding through June 2023.
- Multiple people thought it would be good to take the scoping out completely for next year.
- Tom suggested the possibility that there will be no funds available beyond the biennium which would leave the TF with data in hand but analysis to be determined? That might

be a favorable outcome and the possibility we don't have assessment done but would have the option to complete it. Dave said there is worry of collecting the spring high flow sampling without it being analyzed and processed.

- Dave said what is previously approved is more than enough to do the first two SPMDs. Would we have authorization to start scoping and doing QAPPs now and not wait until June? The TF could approve the work and then Dave will give an updated budget at the next meeting.
- Lisa recommended the TF approve this scope of work without the spring high flow sampling to be completed by June 2023 and LimnoTech will provide an updated budget which should be done for the \$140,000 already approved.

ACTION: The TF approved the scope of work without the spring high flow sampling and within the \$140,000 budget which has already been approved, with the June 30, 2023, work due date.

Alternative Task Force Organizational Structure Discussion: Ben shared information discussed at the Ad hoc work group meeting earlier in the week and the memo that was prepared.

- Adriane hoped the discussion would not focus on content of the document since there has not been enough time to digest it. They want to look at it more and have more in-depth conversation on it. Transparency is needed. Ecology wasn't able to attend due to staffing shortages, which they hope to have resolved soon. When Karl finishes the MP report, the TF should take a look at the depth and quality of work that has been done. What is the level of engagement that needs to go forward? ACE and the TF are two separate organizations. There is flexibility about how ACE goes forward. The ability to sunset ACE is what we should talk about.
- Ben said the reason for putting out the summary of the recent meeting is for transparency; for others to know what was discussed at the meeting. Rob Lindsay, Jeff Donovan, Brent Downey, Lisa Dally Wilson and Ben attended the meeting. They started off talking about the MOA and ACE and options for administration. The memo was developed after the discussion.
- Cadie said this topic was discussed at the last TF meeting and was not a surprise.
- Rob said this conversation is not new and it is simple. This (Task Force) process was started as a voluntary process as an alternative to TMDL process and that has changed. It is no longer cost effective for Spokane County to do the alternative process anymore. He believes in these public processes and was disappointed Ecology was not at the meeting and everyone has staffing shortages. The County doesn't have the staff to collect the data anymore as in the past. This process has changed. He wished Ecology would have been there, but the County is onboard with working together. The TF needs to transform and reduce burden on the permittees. The TF and ACE are different, but ACE needs to be replaced.
- How do we vision the new organization? Ecology is a member of the TF but non-voting.
- Chris said this is voluntary. EPA is engaging in a TMDL process, and we have yet to learn what will it mean for dischargers for compliance. What is the outcome of the TMDL that will be different? That could shape how this group goes forward. He said the TF process has allowed participants to have a better understanding of how to comply. It seems

worthwhile to continue until we know what happens with what the federal government tells us.

- Rob said from the County perspective, to be engaged in activities unrelated and downstream of our facility and toxics clean up, is not time well spent. As it relates to requirements for us (NPDES permit), let us negotiate with the agency actions that are envisioned within the County's toxics management plan and are specific to us. Relieve us from addressing PCB issues in the river that have nothing to do with us.
- Chris said there is a power in the collective though as dischargers. It is the non-point source that continues to show up that we have a collective responsibility for and without a forum like this it will just get more costly. He is concerned about walking away from this process as the TF doesn't fully understand what things will look like in the future.
- Ben said when the TF talked about this in April, we mainly talked about administrative burden on the ACE board. The other part was the purpose changing with the TMDL. When we had the meeting earlier this week we first started talking about ACE and then ended up with some different options. By the end of the meeting, the discussion focused on keeping ACE and the TF in place until end of the biennium and request Ecology and EPA establish a new community – based group.
- Brian said EPA has a proposal out for PCB criteria in WA and the allocations are going to be low. For compliance for the dischargers, all of the point sources have PCB limits in them already. When the TMDL comes out there will be a different limit. The real compliance level will be related to the method. The TMDL will change very little. It will probably be lower than in permits today. The real threshold for compliance will be based on the analysis technique. September 2024 is when the TMDL should be done.
- Adriane said compliance level of the permit is determined by the detection limit of the compliance method applied. The limits in the permit can be lower but the analytical method establishes the compliance level.
- Is Ecology willing to talk about their vision for the future and equivalent citizens advisory organization as alternative to this process? Ecology should have a significant role in determining how to spend money in this process and a leadership role in this similar to other watershed planning projects. Ecology should be making the decisions on how to spend the money based on citizen suggestions.
- Adraine said she is not ready to give details but has some thoughts. As we are moving into the next stage and the TMDL is completed, Ecology will write a water quality implementation plan and outline things needed to get to water quality standards. A stakeholder group is needed that is broad enough to represent interests to provide guidance on what implementation plan looks like and to achieve goals in TMDL. The dissolved oxygen (DO) TMDL process, with its advisory committee purposes and structure, is a good model. You already have a preview of how the group may function in reality with funding and how to solve the problems and control over that funding which the TF has right now. It is important to discuss pros and cons of where this is going. ACE should be segregated from the TF.
- Doug asked if EPA is working with Ecology on the TMDL? Brian said EPA will write the TMDL but will work with Ecology and are responsible for the work product. The state

then has implementation of the TMDL? Yes, EPA will make it a TMDL that can be implemented.

- Lisa said the TF has been talking about this for 2-3 three months and appreciates the group that got together to discuss, and she suggested another meeting before the next TF meeting that includes Ecology. The bigger question is what happens with the TF after the biennium? Will it convert to an organization similar to the DO TMDL advisory committee? In a TMDL you have responsibility for point source and nonpoint waste load allocations. At TF level primarily dealing with point source now and haven't wrapped arms around non-point source except for perhaps atmospheric deposition, and she wonders how Ecology will deal with this. Non-point source is Ecology's responsibility and if the TF is to continue to exist, we will need to bring in non-point source perspective in a much bigger way. She encouraged everyone to read Ben's write up from the meeting on Monday.
- Ben said he could help set up another meeting including Ecology.
- Adriane said non-point source is everyone's responsibility and the challenge is dealing with a lot of different parties.
- Brian disagreed with the TF not dealing with non-point sources. The TF has dealt with groundwater contributions and stormwater, and they can be non-point. A lot of the data does tell us about non-point sources.
- Cadie asked how would Ecology address the sunset of the TF in our permits? There is a clause in the permits right now that says the permittee must continue to work with TF to identify strategies...will you reopen the permits to change the language? It is not voluntary if it is in our permits. Adriane said there is no definition around participation but there is a need to participate in a group and yes, there is potential to modify a permit.
- Rob said he appreciates mentioning Ecology's role in developing an implementation plan and a stakeholder group as part of that. This community-based toxics reduction checks the box for stakeholder group, and he also likes the reference to the DO TMDL advisory committee as a model. Does Ecology lead the stakeholder group that is envisioned as part of implementation or is the intent to keep this group of dischargers tied to this stakeholder group as part of the permits? Adriane said there should be some visioning on what this group wants to do, and it could be. If the group says no to self-leading, then the government needs to lead the whole thing. At times it's functional (DO advisory committee process) and other times we don't have the staff and that is the risk. Trying to preserve the good work done being done and going forward should be considered.
- Cadie said the city remains committed to collaboration but believes for it to be successful it needs to be solved collectively rather than separately. When people aren't getting their needs met, they will go outside the process and that led to the TMDL. An important question to guide is - what problem are we trying to solve collectively, and will we do better together than separately or on our own in trying to solve it?
- Ben said another ad hoc work group meeting will be scheduled for more discussion.

Ben talked about the Kaiser tour and how it will happen after the TF meeting next month. Cadie shared that the city will be transitioning staffing for the TF and Mike Cannon will be taking a larger role.

The next SRRTTF meeting will be held on June 22 at 8:30 am at the Spokane County Water Resource Center.