



The Lands Council (TLC) &  
Spokane Regional River Toxics Task Force  
(SRRTTF)  
TSCA Reform Outreach Report, 2022

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## Purpose

### **TO ASSESS AND BUILD SUPPORT FOR EPA (Environmental Protection Agency) REFORM OF TSCA (Toxic Substance Control Act) REGULATIONS:**

The Spokane River continues to exceed Washington State standards for polychlorinated biphenyls (PCBs), which can bioaccumulate in fish and pose health hazards when the fish are consumed. Therefore, we have created a national outreach campaign to reduce the limits of inadvertent PCBs (iPCBs) that are allowed in certain products to improve water quality in the Spokane River and other bodies of water. We seek to inform supply chain and communities across the country that iPCBs may be produced under certain processes that have chlorine, hydrocarbons, and high temperature present.

**Our goal:** To build support for the reform of TSCA to reduce the impacts of iPCBs by lowering the limit allowed in products. The sub goal is to inform communities across the country that PCBs are still being produced inadvertently as iPCBs.

## Methods

- The Lands Council (TLC) was contracted by the Spokane River Regional Toxics Task Force (SRRTTF) to provide basic information, educate different user groups, and garner support for an EPA reform proposal and register their name via the ‘Take Action’ button at [www.iPCBFree.org](http://www.iPCBFree.org)
- TLC developed a database of over 100 organizations
- TLC hired a Climate Justice Program Director (CJPD) and TSCA Coordination Intern to assist with the outreach for TSCA reform. Entities were contacted from the database, recorded responses, and tracked calls made.
- CJPD met with activists, Tribal members, WA State legislators including House Representatives Riccelli and Ormsby, Spokane City Council members and Council President, environment, climate and sustainability advocacy groups, high school students, as well as educational entities WSU, Gonzaga, EWU University students and faculty involved in sustainability, environmental or climate activism and urban planning classes.

- TSCA Coordination Intern followed up with informative emails inviting individuals and entities to sign on in support of TSCA reform proposal.
- TSCA Coordination Intern made phone calls, followed up with informative emails inviting individuals and entities to sign on in support of our proposal.

## Results

Of the approximately 110 entities/individuals were called from the existing list, 9 organizations and 22 individuals gave their information by filling out the “Take Action” section of the [www.ipcbfree.org](http://www.ipcbfree.org) website. See Addendum A for full list of contacted groups.

*Table 1: Organizations signed on to “Take Action”*

<b>Organization Name</b>	<b>Organization Type</b>
Dishman Hills Conservancy	Nonprofit
Friends of the Issaquah Salmon Haterchy	Nonprofit
Friends of the San Juans	Nonprofit
Capitol Land Trust	Nonprofit
Great Pennisula Conservancy	Nonprofit
Kettle Range Conservation Group	Nonprofit
Hudson River Sloop Clearwater	Nonprofit
Black Warrior Riverkeeper	Nonprofit
Affiliated Tribes of Northwest Indians	Tribal

The list TLC initially used was two years old by the time outreach began, so calls were often re-directed, or numbers and email addresses were no longer in service. See Addendum B for original outreach list.

Support for EPA reform was lower than expected. Below is a reflection from the TSCA Coordination Intern:

*We started out by calling only Washington State-based organizations. We expected these organizations to be more willing to help than others because they were also in Washington. However, we found that even entities that*

*advocate for clean and safe water were not interested in the project. Along with that, many of the community, grassroots, and non-profit organizations were not interested in signing on in support. Of these groups, only 18 of the 77 called were interested in supporting or learning more information. Of those 18 entities, 10 eventually signed on.*

*One obstacle during this project was explaining to people that even if water injustice were not their entities' focus, supporting the project could help other areas of the environment as well. For example, the Native Plant Society was called and asked to show support for the project. However, their response was that water quality does not have to do with their organization's mission or goals. For this reason, they did not sign to reform TSCA.*

*Another example is the organization Save Our Wild Salmon. They did not answer the phone or ever get back to me about the project. Although they advocate for salmon, they did not prioritize returning requests to reform EPA TSCA regulations, for reasons unknown.*

Additionally, TLC's CJPD presented reform information at the Faith Action Network's regional conference. A breakout session was held to talk about SpoCanopy (a program of TLC) and iPCB Outreach. Spokane City's Sustainability Manager Kara Odegaard, and City Council President Breean Beggs both attended the conference and our breakout session at CJPD's invitation, and did sign on to the iPCBFree.org website. We solicited support from Council Members Wilkerson, Zappone, Kinnear, Bingle, and Cathcart but did not get any responses from them. We also met with WA House Rep. Marcus Riccelli who said he was not yet ready to sign on in support of this request yet but would be willing to talk about it after he had completed his own research. CJPD asked to be included in the details once he had them.

CJPD also met with several members of local Tribes and other groups who have been advocating and organizing around Spokane River issues and removal of the four lower Snake Water Dams, such as folks from Trout Unlimited and the River Warriors Society. We did not get a response and despite asking for direction to others who may be interested. CJPD approached Sustainability Clubs at Whitworth, EWU and with The Climate Center at Gonzaga - all declined. This is the response from The Climate Center for instance, *"Thank you for your note. I was just reading about how the TSCA is likely to become an important replacement for the role previously played by the clean air act. According to this theory, the TSCA*

*will become the means of achieving the regulatory climate work that was justified under CAA. Unfortunately, as part of Gonzaga University, we generally are not able to make endorsements."*

CJPD presented at WSU Spokane, Gonzaga, Whitworth, and EWU, at their different classes, and with professors and sustainability related staff such as Greg Gordon, Brian Siebeking, and Jim Simon (Sustainability Director) - at GU, Julia Stronk - at Whitworth, Drs. Margo Hill, Ping Ping Zhou, and Pui-Yan Lam, in their Town Planning classes and Anthropology/Sociology classes at EWU, and the Physicians group for the Environment at WSU with Dr. Marian Wilson and Dr. Marquez. The group from WSU joined TLC on Earth Day and handed out 300 fliers inviting people to get more information on our iPCBFree.org website. TSCA Coordination Intern tabled at every event TLC were at during April - June and gave out information verbally and distributed fliers. We also presented at the Environmental Justice Committee of the Spokane City Sustainability Action Subcommittee and asked for support.

From among the environmental activists' groups, TLC asked 350Spokane (Larry Luton and Trenton Miller), Sierra Club, Riverkeeper Jerry White, Sunrise Youth Group, Washington Bus, several local Neighborhood Councils across the city such as Logan, Chief Garry Park, Cliff Cannon, and others near the river but did not get much support. These entities are listed on the attached Addendum A.

## Discussion

We sought support for EPA TSCA law reform to reduce iPCBs entering the Spokane River and other waterways. Since its inception, SRRTTF has sought to identify and reduce sources and pathways of iPCBs to the Spokane River. Inadvertent PCBs are found in wastewater from industrial and municipal dischargers to the Spokane River. Along with other non-point sources such as stormwater, these sources contribute iPCBs to the watershed. Even with the most advanced treatment technologies available, discharge from these sources may be well over the current water quality standard of 170 parts per quadrillion (ppq). The TSCA allowable limit in products (50 ppm) is 294 million times more than WA State's current water quality standard (170 ppq). Reform of these product limits would make water quality standards more achievable, but this was not seen as a priority by most stakeholders contacted.

Many of the people contacted outside of Washington State were not knowledgeable about the toxin PCB (polychlorinated biphenyls). In these cases, a lot of time was spent on the phone educating people or emailing them resources and toolkits. This education paid off: of the 31 sign-ups, nine were out-of-state organizations.

Many of the elected officials and environmental advocates and groups we met with were guarded in their approach and commitment to the cause. Rep Riccelli talked about the impending TMDL that he believed would reform TSCA automatically. Of the seven Tribes or Tribal organizations called, two of them were interested. However, only one signed up in support.

Creating and providing these entities with a toolkit with the tools and support to build public awareness, educate and request to join a national effort to reduce allowable TSCA limits for iPCB's was made available on the iPCBfree.org website. We sent a follow-up email to each person we made contact with that directed their attention to this website.

To actively conduct outreach to community leaders, city municipalities, cities with fish advisories, stormwater and wastewater treatment facilities, state water quality agencies, Universities, iPCB supply chains, and NGOS, CJPD met and requested sign-on, and shared information with several local groups within her network. This included folks such as Liz Moore, Executive Director of *Peace and Justice Action League of Spokane* (PJALS), Kathryn Garras, Executive Director of *Refugee and Immigrant Connections Spokane* (RICS), Rowena Pineda and Ryann Loui, co-chairs of *Asian Pacific Islander Coalition Spokane* (APIC), Pastor Genavieve Haywood, convener of *Faith Leaders and Leaders of Conscience*, Karen Munawar, co-chair of *Muslims for Community, Action and Support* (MCAS), *Spokane Coalition of Color* (comprising representation and leaders from ACLU, NAACP, MCAS, *Hispanic Business Professional Association* (HBPA) and APIC), Anne Matin, Executive Director of *Greater Spokane Progress* (a coalition of 48 NGOs), and *Spokane Regional Labor Council* (SRLC) representatives Tina Morrison and Rep Timm Ormsby. Many of these contacts were aware of the EPA TMDL process that is underway, and believed that process would somehow supersede or resolve the need for TSCA reform.

## Recommendations

- Those interested in continuing the effort to reform EPA TSCA regulations for iPCBs/PCBs, should continue outreach work with local City Councils, institutes of higher education, and environmental groups, but should also work with legal strategists to take it to the next level.
- Clear differentiation between TSCA reform and the EPAs TMDL process is needed for many local groups and individuals that are aware of the Spokane River's impending TMDL for PCBs.
- SRRTTF should investigate whether the proposed reforms lie within the EPA's jurisdiction without requiring intervention or require a bill run through the legislature, and act accordingly.
- At a recent meeting it was disclosed the SRRTTF will be disbanding in a year's time, and there were questions around where the iPCBFree.org website would be housed – TLC can invoice SRRTTF for an annual fee to maintain the website, website address, and can provide a link to it on the main TLC website ([www.landscouncil.org](http://www.landscouncil.org)) if the SRRTTF would like to continue to use it as a resource.

## Addendums

Addendum A – New List

Addendum B – Original List