

# Spokane River Regional Toxics Task Force Zoom Meeting

October 26, 2022, Meeting Notes

Facilitated by White Bluffs Consulting

Meeting Documents: <http://srtrtf.org/?p=12856>

## Attendees:

### *Voting Members and Alternates*

Tom Agnew – Liberty Lake Sewer and Water District  
Rob Lindsay – Spokane County  
Elena Wolf – Kaiser Aluminum  
Doug Krapas – Inland Empire Paper  
Craig Borrenpohl – City of Post Falls  
Jeff Donovan – 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  
Amanda Parrish – Lands Council  
Ken Windram – Hayden Area Regional Sewer Board  
Kristen Lowell – ID DEQ

### *Advisors*

Adriane Borgias, Annie Simpson, Cheryl Niemi, Bill Fees, Jeremy Schmidt, Suman Paudel, Curtis Johnson, Stephanie May – Washington State Department of Ecology (Ecology)  
Brian Nickel – Environmental Protection Agency (EPA)

### *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

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

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

**ACE** – Jeff said ACE has \$800,000 in uncommitted funds. They had \$89,000 at the end of September and only \$22,000 left but they are planning a reimbursement request soon. Annual filings and other yearly fees have been paid. Rob said contracts are out but waiting on WDFW to sign the sampling part of fish tissue studies contract.

Lisa mentioned the confirmation sampling task for \$200,000 and the intention was for historical review if sites were source of PCBs to the river for doing some confirmation sampling. Depending on the site it may be more complex, and she guessed it won’t happen by end of June 2023. Ben suggested freeing up those funds if there is a need for them. Adriane said if funds aren’t spent, they go back into the fund.

**Tech Track:** – Lisa shared the following:

- The work group met on 10/18. Hamilton street monitoring well data – TF purchased data loggers and determined path forward for collection and analysis
- There were a lot of comments so Dave is addressing, and final draft will be provided on November 4 to TTWG and hope to approve at November TF meeting
- Fish trend assessment – WDFW doing within next couple of weeks
- GE site – approve scope and budget today
- Compilation of GW monitoring well data which would include data from data loggers at Hamilton Street bridge well
- Additional projects – bring ideas to the table prior to November TTWG meeting
- Next meeting will be Tuesday, Nov. 22 from 10 - noon

Upcoming TF recommendations for action:

- Today – Recommend approval of LimnoTech scope and budget for PCB Fingerprinting Analysis of GE site groundwater
- November TF meeting - Approval of Spokane River Historical PCB Source Review Memo (currently being updated by TTWG)
- Possible project approval – Compilation of monitoring well data to assess connectivity to SR (including Hamilton Street Bridge data from data loggers)
- Possible project approval – Next steps for high scoring sites from historical review
- Possible project approval – Additional Canine Detection Work (likely later)

Project Updates from the Field:

- All field work has been completed with the exception of the fish collection for fish trend assessment (which will occur this fall) and the winter moderate flow SPMD deployment. SPMDs for summer low flow sampling were retrieved at the end of September.
- Schedule for receiving laboratory analyses

Do you have an idea for estimate of funding that will be needed for all of these projects? Lisa said a number has already been scoped and approved by the TF within the 1 million Jeff mentioned has been spent. The new work would be the fingerprinting which is \$45,000 along with canine detection and the monitoring work we don't know the cost of yet. Jeff said probably less than \$100,000.

**iPCB/TSCA:** Doug shared the following:

- What we found out from each campaign (Braided River and National Outreach campaign) there is not a lot of knowledge outside of our watershed.
- Who is going to house the Chem Forward database? The TF needs to make that decision and it may remain on Chem Forward's website.
- Doug Austin is working with issues in Chesapeake and wonder about using budget for other iPCB outreach? Doug Austin said they aren't that far along and still working with legacy PCBs, and it is not a high priority at this point in time for them.

- What level of water quality standards are you working with in Chesapeake Bay? Doug Austin said with a multi-state organization that is one difficulty. He will get back to the TF on this.

**Groundwater and Surface Water Fingerprinting of PCB Data at GE site:** Dave shared the scope that was shared at last month's TF meeting. It is to determine whether the river water and biofilm data indicate a release of PCBs from the GE site. The work will largely be done this year with a final report at the end of January.

**Comments:**

- What were the uses for this site? *Dave said he does not know for sure but sees a strong signal downgradient of site but not sure of actual activities. Bill said it was used for transformer rehab. Operations stopped there close to 30 years ago. There is still a well that has detectable PCBs. Are they based on 1668? No, they are 8082 said Bill. Dave said all of the follow up monitoring by Urban Waters saw some 1668 which will be used to fingerprint the GE sample.*
- Could the \$200,000 for confirmation sampling fall under this? Is the GE site closed with a consent decree? *Bill said yes, between the state and GE. Bill said the intent is to vitrify and stabilize PCBs there. Jeff will look at ACE/Ecology contract about the \$200,000 and will let everyone know.*

**The TF approved the scope and budget of \$45,000 for the fingerprinting of data at the GE site.**

**Effectiveness of PCB Procurement Policies and Certifications Presentation:** Anna Montgomery shared the presentation. Doug said the contract was to evaluate what is out there to see what others are doing in regard to policies with evaluating PCBs in products that the state utilizes. It has been approved by the work group already. Anna said initially they talked about how there may not be enough information out there. There was limited scope of publicly available data. It's too early to evaluate effectiveness.

**Comments:**

- Do the certifications require testing for inadvertent PCBs? Anna was not sure, and she believed that is the case with Cradle to Cradle but all of the certifications are different. She will ask Amelia Nestler to see if there are others.

Doug said just like with the Lands Council effort on national outreach, next steps will be evaluated by the work group to see where it goes from here.

**The TF approved the Effectiveness of PCB Procurement Policies and Certifications report.**

**SRRTF Evaluation of Measurable Progress Report Comments:** Annie Simpson gave an overview of the comments received and she worked closely with Karl Rains. They made four edits based on comments received. The report is finalized now.

**Comments:**

- What is the evaluation period for the 8,000 lbs. of reduction that was mentioned? *January 2015 – December 31, 2021.*

- The reduction is referring to an emergency cleanup EPA took at a former aluminum smelter site, and they removed the buildings which totaled 8,000 lbs.

**Spokane River PCB TMDL Implementation Presentation:** Adriane shared the presentation. Permittees need to participate in the TF or some other advisory type organization. The work the TF has been doing is important and they don't want that to go away. Things will look different if the TF goes away. She shared 4 key milestones for the implementation plan – TF sunsets, EPA completes TMDL, Ecology establishes advisory group and Ecology completes TMDL implementation plan.

She shared roles and responsibilities. The ability to conduct implementation tasks is contingent on funding and staffing. She shared the differences between the TF and a TMDL advisory group. She talked about three possible options going forward. She went over the MOA transition tasks. She suggested taking the MOA to legal counsel to have a signature and memo be signed by all parties. She went over the SRRTTF transition items.

**Comments:**

- Do you have a sense of whether the state funding can be used at Ecology for administration of an advisory group? *Adriane said she believes it can, but it is unknown. Ecology can't lobby the legislature.*
- Is the two-year implementation plan schedule self-imposed or a regulatory requirement? *Adriane believes it is Ecology's goal. When EPA gets a TMDL from Ecology it is complete with an implementation plan.*
- Is there a legal component of this as the Sierra Club and tribes challenged the function of the TF? There are entities that don't support the TF. Adriane shared the past history.
- Ecology may be able to maintain some websites and another option Ben mentioned is having someone host all of the websites on a common server and pay a fee.

Ben shared the SRRTTF transition items list that was compiled along with comments received from TF/SRSP members. He also shared the history of the document.

- Jeff asked about money given to ACE from SRSP members and how to disburse those funds if any are left over. It was suggested using it up and apply for reimbursement from Ecology but the legality of it would need to be checked.
- Rob mentioned following up on status of Aquifer Atlas. To avoid a hard stop in June, getting going on assembling an advisory group in first half of 2023 would be good.
- Adriane said the best thing may be to come back in November with a process discussion to get an advisory committee in place and how to involve the community.
- Doug said they went through a similar process on DO TMDL and worked collectively on developmental concepts and the TF may want to look at it as an example. Adriane agreed, and other examples of TMDL's can be emulated and Annie is doing research.
- EPA at one point said they may set up a stakeholder group and would that serve as a group that could fulfill this as alternative to TF? *No, it would be Ecology that sets up the advisory group.*
- Ben mentioned Gunnar Johnson from EPA will be presenting to the TF in November regarding the process.

- We could deploy the last SPMD and get third and final flow of trend assessment for water quality with the \$200,000? They can do the field work by June 30 but wouldn't get results by then. Adriane said June 30 is the end of the state contract, but ACE could decide to sunset when it wants to.
- In the presentation there is no mention of TF role in respect of TMDL development and that is in EPA's court but in TTWG, is there any information in reaching out to any technical resources in TF in development of TMDL? Is there any way the advisory group would fill that role? *Adriane suggested talking to EPA at next month's meeting as they have not had extensive discussions with EPA. She will talk to them in the middle of November.* EPA has mentioned a stakeholder group and how does that group inform TMDL development and how does it fit into this process and what the TF has been doing? Is there any issue from lawsuits that would prohibit members of TF to inform EPA? *Adriane said you can talk to EPA and Brian said they are here, and people have been talking to them. This TMDL is being done in response to a lawsuit from folks that didn't agree with the TF and are concerned with optics and how we interact with the TF. But the TF has done a lot of good work which can help inform.*
- Ben said we have the ad hoc group that helped form things or should we just use the TF meetings to help make decisions? Everyone agreed it should be kept at the TF level going forward. Ideas can be sent to Annie as well. And how do we engage others?
- Do you think some of the groups would be willing to participate that have been involved in past or those not involved yet? For example, inviting others to come at the end of TF meetings for an additional discussion.
- Rob said expanding scope to include other toxics Adriane mentioned and he agreed. An advisory committee that looked more holistically at toxics he supports.
- How would that work if this is a TMDL advisory committee? Adriane said you could have a toxics advisory committee.
- Do you think there is an advantage to having a big picture strategy? Rob said we aren't thinking about what is coming next and it would be nice to think forward.
- Part of the issue is resource limitations.
- Idaho DEQ is in agreement with developing an advisory group. They met with EPA, but a more transparent process is recommended.
- How could the TF dovetail with the stakeholder group that EPA sets up?
- White Bluffs Consulting will look at MOA for steps to sunset TF for November meeting.
- Should we set aside money for White Bluffs to stay on after June 30? That can be decided later depending on when TF sunsets for sure.
- ACE will set up a board meeting to discuss the transition.
- Is there an advisory group structure that will keeps things moving like they have been?
- WBC will issue another version of the TF transition items for next month.
- What about reports that need to be archived that are on the website? Add it to list.

#### **Future meeting topics:**

- Move canine detection to January

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