

Action on Task Force Future
February 15, 2023
(prepared by Facilitation Team)

Background

At recent Task Force meetings, discussions have been held about the future of the SRRTTF, the PCB TMDL process for the Spokane River being led by the US Environmental Protection Agency (EPA), and the Washington State Department of Ecology (Ecology) process for establishing an advisory committee for the PCB TMDL implementation plan. These discussions began with the fall 2021 EPA announcement that work was beginning for preparing a PCB TMDL for the Spokane River, as a settlement to a lawsuit on the matter, and have continued through early 2023.

The Task Force process has been a voluntary alternative to the traditional TMDL process. With the EPA TMDL announcement, many have wondered if the Task Force still has a purpose for existing. Also, representation on the Task Force has also been reduced in recent years, raising a question about whether the Task Force current makeup represents a broad enough cross-section of the community? Ecology has also acknowledged this uncertainty in the recent draft discharge permits, where language has been broadened to require dischargers to participate in the Task Force or similar community-based process.

Additionally, the ongoing administrative burden of managing the Task Force provided by the Administrative Contracting Entity (ACE) is substantial, and some of those volunteering for positions on ACE have indicated they do not plan to continue providing this support for much longer.

Recent Task Force meetings have focused on potential futures for the Task Force, what would be required to sunset the Task Force and its Administrative Contracting Entity (ACE), and what the steps would be for the Task Force to take formal action on the Task Force future. Questions have also been raised about the timing of Task Force sunset and the need for this to occur after a new advisory group process (that includes finding and reducing PCB as part of its charter) is in place. This new group would need to be supported by Ecology and IDEQ/EPA as a replacement for the requirement to participate on the Task Force, allowing dischargers to remain in compliance with their respective NPDES permit requirements.

Ecology has indicated that they are willing to make sure that a new bi-state and more inclusive advisory group process is in place (in some form) if the Task Force were to be dissolved.

Purpose and Method

The purpose of this document is to provide options for the Task Force to discuss and **when/if they are ready to do so, to act**. The Task Force facilitator will ask all voting Task Force members (those identified in the original MOA along with those that would have been voting members in the revised MOA had it been fully approved by member organizations) to indicate support for one or more of the options below. Meeting notes will reflect preferences for each organization. No official action is being requested at this time.

Option 1 - Statement of Action (End Task Force targeting June 30, 2023)

Task Force members intend to take action to direct the termination/dissolution of ACE and individual organization action to withdraw from the Task Force **by June 30, 2023**. This is with the understanding that:

- Individual withdrawal from the Task Force by all existing members would, in effect, dissolve the Task Force
- Ecology will establish a new bi-state and more inclusive advisory group process is in place (in some form) by June 30, 2023, allowing Task Force members to remain in compliance with permit conditions, as applicable.

Option 2 - Statement of Action (no specific date, but after Ecology establishes new group)

Task Force members intend to maintain the Task Force at least until after ***Ecology has established a new bi-state and more inclusive advisory group process***. After the new group is established by Ecology, then Task Force members would consider the future of the Task Force and ACE.

Option 3 - Statement of Action (Maintain Task Force)

Task Force members intend to maintain the Task Force for the foreseeable future, even after Ecology has established a new advisory group process.