

The Department of Ecology's Response to: Dale Arnold - City of Spokane (Comment 46)

The concerns raised over the credibility of data used in the assessment for segments in the Spokane River led Ecology to review the associated reports and data. A conclusion of that review follows. The basic claim is that the data is too old and the procedures followed at the time do not follow the requirements of the credible data policy. The short answer is that data generated prior to the effective date of the credible data policy is acceptable so long as it was generated using practices acceptable at the time.

1994 Study, Listing 9033

The WQ Assessment policy states that single composite samples must be made up of at least five separate fish of the same resident species. This applies to all samples collected after the effective date of the policy, September 2006. The concentration of PCBs was so high in the four resident fish included in the Nine Mile Dam composite that even if a fifth totally clean, non-PCB laden fish was included, the resultant composite would still have exceeded the PCB criterion.

1997 Study, Listing 14385

The questions regarding extreme flows and sample size are irrelevant since the tissue samples are still representative of the fish population at the time of sampling. The statement about trends was an observation by the report author cautioning against drawing conclusions about the whole Spokane River from data limited to a few sites. An 18% relative percent difference for duplicates compared to the mean was acceptable in the context of the quality objectives of the study. This is not surprising given that the sample concentrations of PCBs are so high relative to the applicable criteria and the other RPDs that also triggered exceedances were well within the standard range of acceptable RPDs for tissue analyses.

2000 Study, Listing 14400

Whether the rainbow trout that originated from the hatchery collected their PCB burden from a hatchery or from the Spokane River is immaterial in this case since the segment qualifies for category 5 based on the results from the whitefish and the sucker filets (*Ignoratio Elenchi*). Estimated values are still valid for placing a segment in a category depending on the reason for the estimation and the value relative to the criterion. In this case the values are well above the listing criteria.