



## CITY OF COEUR D'ALENE

WASTEWATER UTILITY DEPARTMENT  
OFFICE OF THE SUPERINTENDENT

CITY HALL, 710 E. MULLAN  
COEUR D'ALENE, IDAHO 83814-3958  
208/769-2277 – FAX 208/769-2338  
E-mail: [sidf@cdaid.org](mailto:sidf@cdaid.org)

May 15, 2015

**Sent via E-mail to: [303d@ecy.wa.gov](mailto:303d@ecy.wa.gov)**

Mr. Patrick Lizon  
Water Quality Program  
Washington Department of Ecology  
P.O. Box 47600  
Olympia, WA 98504-7600

Re: Comment on Proposed Category 5 303(d) Listings for the Middle and Upper Spokane River

Dear Mr. Lizon,

Thank you for the opportunity to comment on the proposed water quality assessment listings in the State of Washington. This comment letter is in regard to proposed Category 5 listings for PCBs on the middle and upper Spokane River in Assessment Units 1701030500009 through 1701030500012, 17010307009615 and 17010307009.

The City of Coeur D'Alene operates its wastewater treatment plant under a NPDES permit issued by EPA Region 10 in 2014. Our permit includes specific limits including narrative requirements based on the section 303(d) listings for polychlorinated biphenyls (PCBs) in the State of Washington. In the 2014 NPDES permit the City of Coeur d'Alene agreed to a permit condition that it participate in the Spokane River Regional Toxics Task Force (Task Force). The City of Coeur d'Alene formally signed the 2012 Task Force Memorandum of Agreement in February, 2015, but has been a member of the Task Force and contributed towards it funding since its inception.

The City of Coeur d'Alene requests that Ecology not list the middle and upper Spokane River under Category 5 as impaired due to PCBs based on more recent water quality monitoring data and the work of the Task Force. These requests are based on the following comments.

**1. Recent monitoring data establishes that the Spokane River is meeting applicable water quality standards**

In 2012 and 2013 Ecology conducted extensive surface water monitoring in the Spokane River using the most sensitive test methodology available for assessing PCBs – EPA Test Method 1668C. The test method has never been approved by EPA and it is now understood that EPA will not be pursuing approval of this the test method. EPA made clear in amendments to its regulations last August that unapproved test methods cannot be used for regulatory purposes under NPDES permits. Earlier this year EPA published notice of proposed updates to approved

test methods regulations. The proposed update expressly states that 1668C is not an approved test method.

Notwithstanding the use of an unapproved test method, the results from the recent Ecology sampling of surface water samples indicate that the river is below the Washington and Idaho state water quality criteria for PCBs. B. Era-Miller, *Technical Memorandum: Spokane River Toxics Sampling 2012-2013*, (May 2014). This is true even when Ecology employed a continuous flow sampling and test method 1668C. The data should properly be interpreted to indicate that PCBs were not detected in the surface samples. Ecology noted that concentrations in samples were similar to transfer and laboratory method blanks “making it difficult to discern a real environmental signal.” *Id.*, at 7. Ecology placed more credence on the continuous flow data but that data is also questionable in terms of actually detecting PCBs in the environment due to an absence of comparable transfer and laboratory method blank data that would allow for acceptance of the data. It is not clear that Ecology was able to even track with any accuracy the volume of water it was collecting using the continuous flow sampling method.

The Coeur d’Alene Wastewater Utility Department has its own challenges using the 1668C test method. The test method has proven to be expensive and unreliable compared to other monitoring in our history. In the first round of sampling under the 2014 NPDES permit the results for the method blank were higher than the sample being tested. Our data and the recent data in the Spokane River suggest that the levels of PCBs remaining in the river are at such low concentrations that they cannot be meaningfully regulated under waste load allocations in a TMDL or numeric limits in a NPDES permit.

At this point it is reasonable to conclude that PCBs in the Spokane River, if they are present, are at levels that are below regulatory significance. We simply do not have an acceptable method to reliably monitor to extremely low levels of concentrations and certainly no means to treat to such levels. This leaves any Category 5 listing for PCBs as a meaningless effort. There is no real means to establish loadings or allocations under a Total Daily Maximum Load. In these circumstances there is no justification for a Category 5 listing.

The City of Coeur d’Alene respectfully requests that Ecology accept the most recent surface water data as establishing that the river is not impaired for failing to meet Washington Water Quality Standards for PCBs.

## **2. Ecology should not use fish tissue data for Category 5 listings in the Spokane River**

There is substantial doubt about the reliance on fish tissue data rather than water quality data in the proposed Category 5 PCB listings for the Spokane River. Much of the fish tissue data is over fifteen years old. The tissue concentrations of PCBs may represent an untested sediment pool issue, and should not be used as the basis for current water quality impairment listings. Additionally, fish tissue samples collected from “Rainbow Trout” do not differentiate between resident populations or stocked Rainbow Trout from hatchery programs. Ecology has confirmed

that has not tracked Rainbow Trout fish tissue samples as to whether the fish was hatchery fish or a resident fish.

This is a substantial issue. It is known that there is an extensive introduction of hatchery fish to the Spokane River from federal, state and tribal programs. It is also known that these fish contain elevated levels of PCBs. Ecology acknowledged several years ago that 303(d) listings of PCBs may be due to contamination from hatchery fish. Ecology, *PCB Contamination in Hatchery Fish*, at 30 Pub. No. 06-03-017 (April, 2006). Ecology should not list the Spokane River for PCBs until the department has resolved the potential contribution of hatchery programs to fish tissue concentrations.

Ecology also needs to reassess the quality of the more recent fish tissue data to even determine if there is likely to be any discharge on the river that is likely responsible for elevated PCB concentrations in fish tissue. The most recent source assessment suggests that is not the case. In Ecology, *Spokane River PCB Source Assessment*, 86-89 (April 2011), the department noted significant declines in PCB concentrations in fish tissue and observed that for much of the river in Washington the concentrations have reached an “equilibrium” with background concentrations of fish tissue in Lake Coeur d’Alene. The only noted exceptions are fish tissue samples near Mission Park that are attributed to stormwater and near Plantes Ferry associated with a potential ground water source of contamination. This would suggest that NPDES permit discharges are not causing or contributing to a violation of water quality standards for PCB based on fish tissue data. Ecology should withhold Category 5 listings broadly in the river until there is a better understanding of this source assessment.

I appreciate your consideration of these comments.

Sincerely,

A handwritten signature in black ink, appearing to read "H. Sid Fredrickson". The signature is fluid and cursive, with a long horizontal stroke at the end.

H. Sid Fredrickson  
Wastewater Superintendent