

Focus on: Spokane River Variances



Why it matters

The Spokane River community is continuing to identify and reduce sources of PCB pollution. The clean water requirements include strict limitations on pollutants. These limits make permitting facilities complicated, especially for PCBs because they are widespread, persistent, and found in many products. A variance is one tool we are proposing to continue reducing PCB pollution while remaining in compliance with water quality regulations.

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Reducing PCBs in the Spokane River

Ecology is considering a temporary change to the water quality standards, called a variance, to allow wastewater dischargers time to implement greater reductions of polychlorinated biphenyls (PCBs). We are considering variances in response to five applications received from point source dischargers to the Spokane River.

Five facilities – three municipal and two industrial – have permits to discharge wastewater into the Spokane River in Washington:

- Liberty Lake Sewer and Water District - Water Reclamation Facility
- Kaiser Aluminum Washington LLC – Trentwood
- Inland Empire Paper Company
- Spokane County Regional Water Reclamation Facility
- City of Spokane – Riverside Park Water Reclamation Facility

These five wastewater dischargers are currently operating under water quality permits that have been administratively-extended and need to be reviewed and reissued to include current PCB limits.

In our state, the water quality standard for PCBs is seven parts per quadrillion (often written as 7ppq). It's hard to visualize such a minuscule amount, and it's also difficult to reliably measure. Our strategy for these dischargers involves a collaborative approach to evaluate all the tools available to develop permits that are both practical and protective. As part of the plan to update the permits, we are working with the dischargers on a path to meet the water quality standards through step-by-step reductions in PCBs via a variance.

What are PCBs?

PCBs, or polychlorinated biphenyls, are chemical compounds that can remain in the environment and build up in fish, animals, and people. PCBs are known to cause harmful health effects, such as cancer and damage to immune, nervous, and reproductive systems. PCBs come from both historic legacy uses (such as commercial use of heat transfer fluids in electrical transformers) and the presence of PCBs as by-products in a wide range of current goods (such as inks, dyes, sealants, household and personal care products). Both of these categories of PCBs contribute to ongoing elevated levels of PCBs in the Spokane River.

To learn more visit the [variance rulemaking page](#), at ecology.wa.gov/VarianceRule

To request this document in another language, please contact Marla Koberstein, at 360-407-6413 and ask for an interpreter, or email swqs@ecy.wa.gov

What is a Variance?

A variance is a time-limited water quality standard that maintains the ultimate goal of reaching the original standard in a step-by-step process. It is a formal process that holds dischargers accountable to achieve the highest level of PCB removal (also known as the highest attainable condition) while they work towards meeting the standard.

Federal and state water quality regulations allow the use of variances. Variances require dischargers to reduce PCBs through pollution minimization plans and the use of the best feasible treatment technology. A variance is not a 'free pass' from meeting the water quality standards. In Washington, variances can only be issued through a formal rulemaking process. If a variance is adopted into state rule, the EPA must also issue a formal approval before the variance can be used in permits.

Variances must be evaluated and have a public review of effectiveness every five years. During the public review, the variance requirements can be strengthened. Variance requirements form the basis for enforceable permit conditions throughout the term of the variance.

What else did we consider?

In developing the variance approach for the Spokane River dischargers, we considered alternatives, such as: developing a Water Clean-up Plan (also known as a Total Maximum Daily Load assessment), or issuing the five permits immediately based on the 7 ppq standard and include requirements for toxics reductions plans and actions to reduce PCBs.

The variance approach includes the following benefits:

- Provides a clear and predictable path to meeting the water quality standards for both the dischargers and the community.
- Allows the community and other interested parties to consider all five permits on the Spokane River at one time.
- Provides a coordinated venue for the public to comment on the actions, milestones, and timelines of the Pollution Minimization Programs.
- Provides consistency and will result in the best performance and technology requirements for the facilities.

Next Steps

This is the first time Ecology has received applications for variances, and we will be asking for public involvement throughout the process.

We plan to issue a proposed rule for public comment in Spring 2020. After evaluating the feedback we receive, we will decide whether one or more variances will be adopted into the water quality standards. If adopted and approved by the EPA, the variance(s) will be used to determine PCB permit limits and conditions for the facilities (with a variance) that discharge to the Spokane River.