

May 1, 2024

Spokane Riverkeeper is a non-profit, advocacy organization that works to protect the Spokane River Watershed. The mission of the organization is to protect and restore the health of the Spokane River watershed, defend access to clean water, and the opportunity for all communities to enjoy the benefits of a clean and healthy Spokane River. We appreciate the opportunity to provide comments on the proposed Aquatic Life Criteria.

Generally speaking, we are in support of the proposed changes and the use of existing criteria to update Washington's outdated standards. The standards in Washington have not been updated since 2007 and with the ever-evolving list of contaminants affecting our waterways, we believe it is important to be as proactive as permitted under the APA. We request Ecology consider adding a provision to revisit the standards set forth when the EPA issues a new criteria for a new toxic. This would increase Ecology's accountability to ensure that the standards stay current with scientific advances, especially in regards to contaminants of emerging concern.

We especially appreciate Ecology addressing outdated standards on heavy metal contamination. Heavy metals from over 100 years of upstream mining have traveled downstream and have settled in the sediments of downstream rivers and lakes, including the Spokane River. Elevated levels of lead are present in the tissues of fish from the Spokane River. We believe that it is important to continue addressing these heavy metals to ensure that we reach fish tissue levels that are safe for regular consumption.

Spokane Riverkeeper also supports adding 6PPD-quinone to the aquatic life criteria, given the known effects it has on salmon and trout. We believe that it is important to be as proactive as possible in addressing these emerging contaminants to prevent future harms to our River and the aquatic life that depend on its clean water.

Indeed, this regulation should go one step further and apply any EPA recommendation that are adopted at a later date or provide the opportunity to revise the criteria should the EPA issue a new recommendation. The research clearly shows 6PPD-quinone is having a devastating effect on our fisheries. It is important to incorporate those now so as to prevent a lag in the implementation. Waiting for a future revision of the criteria may be detrimental to the work to recovery of salmon in our waters.



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Spokane Riverkeeper supports the adoption of EPA's draft recommendations for PFOA and PFOS. Washington should not remove the standards if EPA does not promulgate its final rule during the proposal phase. The chronic impacts of PFAS are well-known, despite lack of regulation. It is clear that Washington has been significantly impacted by these chemicals. Indeed, Washington has issued fish consumption advisories based on PFOS contamination. These harmful chemicals must be addressed promptly, and cannot wait another 15 years for the next update. Additionally, even if the draft numbers are not what will be in the final recommendations, it is clear that a standard will be promulgated. Rather than removing the standard pending EPA final rulemaking, it would be more prudent to use language that would allow for the adoption of the final EPA standard when promulgated.

Please consider creating a plan to update your criteria following specific triggers or within a reasonable timeframe to ensure that the standards stay up to date.

Respectfully submitted,

A handwritten signature in cursive script that reads "Katelyn Scott".

Katelyn Scott, Esq.  
Water Protector  
Spokane Riverkeeper