

Spokane River DO TMDL Pollutant Trading Program Development Progress To Date, November 2010

- Trading program will work in both states and will allow trading across the state line.
- Spokane River Forum will convene meetings and provide transparency to process through minutes, updates on website, etc.
- The Spokane River DO TMDL Implementation Advisory Committee includes representatives of the following groups:
 - City of Spokane
 - Spokane County
 - Liberty Lake Sewer and Water
 - Kaiser
 - Inland Empire Paper
 - City of Coeur d'Alene
 - City of Post Falls
 - Coeur d'Alene Tribe of Indians
 - Hayden Area Regional Sewer Board
 - Avista
 - Spokane Tribe of Indians
 - Kootenai Environmental Alliance
 - City of Spokane Valley
 - Stevens County
 - Center for Justice/Riverkeeper
 - Lands Council
 - Lake Spokane Association
 - Idaho Dept. of Environmental Quality
 - EPA
- The committee will follow the Spokane River DO TMDL Implementation Advisory Committee Ground Rules and Operating Procedures that was presented by Ecology at the September 22, 2010 meeting.
- Ecology will develop a draft trading framework for the Spokane DO TMDL at the same time as it develops a statewide framework/policy. The Spokane framework will be the pilot trading project for Washington, and the statewide framework/policy will remain draft until the Spokane pilot is complete. The Spokane trading framework will be designed with input from the advisory committee.
- Trading to meet the load and wasteload allocations of the Spokane River DO TMDL will be consistent with EPA's and Idaho's trading guidance and with Washington's draft trading framework.
- We have made a preliminary identification of eligible trades. This list may change based on comments received on the draft Washington trading framework. Eligible trades identified are:
 - Between two point sources with the currency being phosphorus;
 - within a single entity at a single plant at the same discharge point with the currency being phosphorus, ammonia, or CBOD if equivalency can be shown; and
 - between a point source and a nonpoint source with the currency being phosphorus.
- Washington dischargers received specific wasteload allocations for phosphorus, ammonia, and CBOD, so any adjustment of those amounts at a single plant will be considered trading, although it is a simple trade that can be accomplished through establishing equivalency and capturing this in the NPDES permit.
- In Idaho, because the Idaho dischargers were not given wasteload allocations, changing the amounts of phosphorus, ammonia, and CBOD discharged will not be considered trading as EPA issues the permits. After permits are issued, any adjustments would be trading.

- EPA, not Washington, will establish permit and allocation for Idaho. Idaho optional entry into trading will be based on that outcome.
- Because the TMDL only addressed total phosphorus, assigning a new wasteload allocation based on bioavailable phosphorus will require a TMDL amendment.
- Trading may be used after technology efforts are maximized. Final permits define what is expected to be achieved with technology.
- Ecology will consider creating a bubble that would allow dischargers to aggregate limits on ammonia, total P, and CBOD to meet permit requirements. Such an arrangement shall:
 - Only be considered for point source to point source trading,
 - Define liability if one entity fails to meet its limit.
- Use of bubble for single or group of Idaho dischargers is an EPA permit issue.
- We will use a single set of locational ratios throughout the watershed. These will be established by Ecology through use of the TMDL model for surface water discharges, and through the use of some other model or method for discharges to groundwater.