

"It is clear to me that Washington state needs to reach beyond the confines of our historical regulatory approaches and recognize how water pollution has changed in the 40 years since the Clean Water Act became law."

Governor Jay Inslee



Ensuring Safe, Clean Water for Healthy People and a Strong Economy:

Updating Washington's water quality standards to meet today's toxic threats

The federal Clean Water Act requires that waterways be safe for the public's intended uses. If a lake is used for swimming, it needs to be clean enough that people can swim in it safely. If people eat fish from a lake or bay, the fish need to be safe enough to eat. How a water body is used helps determine how clean it needs to be.

Washington state is in the process of updating its clean water standards, as required under the Clean Water Act. If the state does not act soon, the federal government could step in and impose its own standards on Washingtonians.

Our water quality regulations, which are designed to protect Washington's water bodies, apply to "permitted dischargers," or those facilities owned by businesses or local governments that discharge pollution to Washington waters. These facilities are regulated through permits that control how much pollution they are allowed to discharge.

When the Clean Water Act was passed more than 40 years ago, the main concern was uncontrolled pollution coming out of large pipes from large facilities. Today, pollution from those facilities is controlled through a mature regulatory system and technological responses. While there's more work to be done, we've come a long way. Today, our bigger concern is the uncontrolled release of chemical pollutants that come from

diffuse, largely unregulated sources — from the brakes on our cars to the flame retardants in our furniture. Under the old regulatory approach, we would continue to ratchet down limits for permitted facilities without getting at the real problem and without adequately protecting Washingtonians from real toxic threats. It's time for a new approach.

Governor Inslee's approach

In updating Washington's water quality standards, Governor Jay Inslee believes we must find an approach that recognizes how water pollution has changed in the four decades since the Clean Water Act became law. And he has insisted that Washington's approach must do three things: protect all Washingtonians, including those who eat a lot of fish; protect clean water; and protect our economy. Choosing between these priorities is not an option. After close study and much work, the Governor has charted an innovative new course that accomplishes this goal by tightening standards to protect high consumers of Washington fish and going after toxic pollution at its source while making it possible for businesses and local governments to meet the new standards.

Revising our water quality standards

Current standards — set in the early 1990s — assumed that people eat 6.5 grams of Washington fish per day, or about a serving a month. We know that many people in this state — such as Native Americans and recreational fishers — eat much more fish than this. Our regulations need to reflect this fact and protect all Washingtonians.

Under the Governor's approach, water quality standards will be designed to protect people who eat 175 grams (about one serving) of Washington fish per day, instead of today's unrealistically low rate.

The state's cancer risk rate will be set at 10^{-5} , meaning that if a person were to eat a 175-gram

serving of fish from Washington waters every day for 70 years, he or she would have a 1-in-100,000 chance of developing cancer. In about 70 percent of cases, standards will be more protective. In other cases where this cancer risk rate would result in a less protective standard than we currently have, today's standards will be maintained.

A separate approach will be used for arsenic, which is a naturally occurring element in waters throughout the state. Our current standard for arsenic is not attainable and essentially meaningless because it is set below levels that occur naturally in much of our surface water and groundwater. Governor Inslee proposes to use the federal drinking water standard for arsenic. By setting the new standard at drinking water levels, industrial dischargers won't be asked to meet an impossible standard.

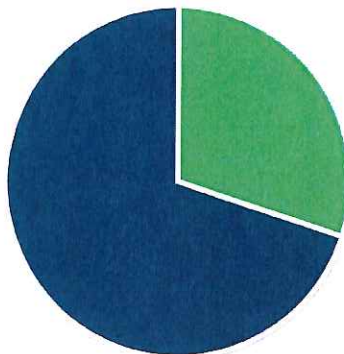
Ensuring compliance with standards is possible

In some cases it will be difficult or impossible to meet these new standards without regulatory tools that recognize this challenge. A permitted discharger may be required to comply with limits on a chemical even if it isn't the source of that chemical in the discharge. In some cases, technologies may not yet be available to remove toxics down to the standards. And in some cases, reduction efforts could take far longer than the standard five-year period of most permits. The Governor's proposal includes implementation tools to address these situations while requiring dischargers to take all appropriate actions to reduce pollution.

This will include a tool the state has never used: variances. When meeting certain standards is not possible, variances could provide municipalities and businesses the time needed to achieve compliance as long as they are taking active and consistent steps toward meeting those standards.

GOVERNOR'S PROPOSED RULE
Keeping water clean for our communities

MORE protective than
current standards for
70% of chemicals



AS protective as
current standards for
30% of chemicals

The Governor's proposed water quality rule will result in standards that are more protective for 70% of regulated toxics. A majority of those will be 2-20 times more protective.

Attacking pollution at its source

While we are increasing levels of protection on discharges from permitted facilities, the fact remains that facilities are often not the sources of the chemicals we are most concerned about. Focusing only on these facilities will have limited benefit in reducing toxics regulated under this rule and will not address the larger universe of unregulated contaminants.

Much of this unregulated pollution is simply unnecessary, existing only because there are no requirements or incentives to avoid the use of chemicals that threaten people and the environment. Governor Inslee is proposing a new approach that targets known, unregulated toxic threats, discourages introducing problem chemicals into widespread commerce when safer approaches are available, and focuses efforts to find and eliminate sources of toxic pollution across the state.

The Governor's proposal would:

1. Move immediately to combat known, high-priority pollution.

- » Direct the departments of Health and Ecology to identify and report on actions to address the following toxic threats:
 - PCBs, a toxic chemical found in fish around the state
 - Phthalate plasticizers, a suspected endocrine disruptor found in many consumer products
 - Toxic flame retardants that pose cancer and reproductive risks in the home and workplace
 - Zinc, which is harmful to aquatic invertebrates and plants and comes from sources such as roofing and tires
- » Direct the Department of Ecology to use Chemical Action Plans to identify actions to reduce threats from priority chemicals.

2. Get toxic chemicals out of consumer products.

- » Pass legislation to require industries to look for safer, alternative approaches when we identify a toxic chemical in commerce that threatens our health or environment.
- » Authorize the Department of Ecology to ban the use of certain toxic chemicals when we know that such use is creating unacceptable exposure risk and safer alternatives are available.
- » Accelerate “green chemistry” to advance the availability of safer chemicals in manufacturing processes.
- » Direct the Department of Enterprise Services to work with the Department of Ecology to provide recommendations that ensure state purchasing practices require safer products when available.

3. Find and eliminate specific sources of problem chemicals in polluted watersheds.

- » Where pollution levels are elevated, attack pollution sources — permitted and unpermitted — in partnership with local, federal and tribal governments.
- » Conduct voluntary Lean management exercises, in partnership with businesses, to eliminate the unnecessary use of toxic chemicals in industrial processes, which saves money and reduces potential pollution.

4. Fund efforts to better understand sources of toxic pollution and new technologies to address them.

- » Increase monitoring to better identify pollution sources and measure the effectiveness of cleanup actions.
- » Investigate possible sources of toxic pollution — such as certain roofing materials and associated components — to inform prevention efforts.
- » Expand research into pervious pavement, rain gardens and other technologies to reduce toxic pollution in stormwater.
- » Fund Washington State University efforts to understand why salmon die from stormwater runoff before they can spawn.

5. Provide accountability and transparency to ensure the job gets done.

- » Invite regular input from the public, stakeholders and local, federal and tribal governments to ensure we’re prioritizing the right chemicals in the right parts of the state.
- » Regularly report to the public and the Legislature on progress and obstacles, to be accountable and ensure we make real gains.

Results that count

Many have seen this issue as a choice between healthy people, clean water or the economy. By looking beyond federally mandated regulations, Governor Inslee has laid out a course that advances all three goals. This approach protects Washingtonians who eat large amounts of local fish, recognizes and responds to the changing face of toxic pollution in Washington, and confirms the need for predictability and certainty for permitted dischargers.



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Governor Inslee Announces New Approach on Major Water Quality Standards - the "Fish Consumption" Issue

Yesterday afternoon Governor Inslee announced a new approach on the contentious water quality standards update commonly referred to as the "fish consumption" rule. The rule will have a significant impact on the regulation of wastewater and stormwater over the coming decades, as water quality standards will become more stringent for many chemicals that may appear in municipal wastewater and stormwater. Cities have been engaged with this rule for several years, participating in several official and informal advisory bodies with the Governor and the Department of Ecology (DOE).

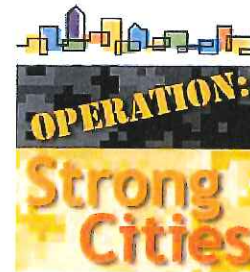
"We greatly appreciate the Governor's personal time and involvement in understanding how this issue affects the cities and utility ratepayers of Washington," said Mike McCarty, AWC CEO. "We have learned over the last several years how incredibly complicated this issue is, so we are looking forward to seeing the details before we make a final assessment. However, we are encouraged with the Governor's efforts to put forward a balanced plan to improve the health and safety of Washingtonians."

Below you will find a brief background of this issue, information on how this proposal advances the discussions, and specific technical details and timelines for Governor Inslee's proposal.

Background

This water quality standards update has come to be known as the "fish consumption" rule since a central element of the formula that generates the standards is based on the daily amount of fish consumed by a person (fish consumption rate). The general idea of how fish consumption relates to water quality, is that the quality of the State's water will have an impact on the health of the fish living within it. The health of those fish will ultimately impact the health of the people who eat them - depending on how much fish a person eats. Under the current standards, the consumption rate is set at 6.5 grams of fish per person per day. There has been a multi-year effort by DOE to raise the consumption rate to more accurately reflect populations who generally consume higher amounts of fish, such as tribal members. The current standards also assume a theoretical cancer risk rate of 10⁻⁶. This means that if a person were to eat a 6.5 gram serving of fish from Washington waters every day for 70 years, he or she would have a one-in-one-million chance of developing cancer. Whether or not to adjust that cancer risk rate to other levels allowed by the EPA has also been a significant part of the discussion. This decision has a significant impact on the resulting standards and attainability.

Cities have participated in the rulemaking process for water quality standards, and support strong standards to protect water quality and human health. Since city utility ratepayers will ultimately be asked to fund systems that can meet these standards, AWC has focused on what the costs and benefits of these new standards would be, and whether potential new standards could actually be met with current technology. AWC has also expressed concern that severe problems with meeting standards may arise if elements of the formula are adjusted without careful consideration of what that will do to the ultimate water quality standards that we have to meet, and without providing additional flexibility and other adjustments within the rule.



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Moving Forward

The recent announcement from the Governor begins a new phase in the discussions regarding water quality standards. In addition to announcing his proposed pathway forward on the standards, he also announced that his solution would be broader than just a water quality standard update. It would include a package of actions that attempt to focus on the sources of toxic pollutants instead of focusing solely on changes to standards for discharging entities. AWC has been advocating for the need for this broader approach because regulated dischargers, such as municipalities and industrial dischargers, are a small portion of the total water quality picture.

We are encouraged with the direction this proposal is taking, but cautious that a complicated issue such as this encompasses many details that need to be fully understood, and in some cases developed. In some senses, it is more straightforward how these proposals will impact wastewater facilities; however, significant questions remain on what this means for stormwater regulations. We have outlined the technical details of the new approach below.

AWC will continue to be closely involved with this process. If you have questions or comments, please contact [Carl Schroeder](#).

Technical Details of Governor Inslee’s Proposal:

- Increases the Fish Consumption Rate to 175 grams per day.
- Applies a 10⁻⁵ cancer risk level except where that would result in water quality standards becoming less stringent than they are today. This decision has a significant impact on the standards for certain toxics, and is a change from current policy that results in standards that are more likely to be attainable for local governments.
- Incorporates a unique approach for Arsenic that reflects the fact that it is a naturally occurring toxic.
- Includes a set of implementation tools designed to make compliance easier for permittees/dischargers, including variances and compliance schedules that are longer than currently practiced. This is a key component of the proposal for cities, and we need to carefully review details as they become available.
- Outlines a suite of actions on non-point toxics centered around authority for the Department of Ecology to evaluate alternatives to certain priority toxic chemicals in manufacturing, and potentially ban the use of those with safer alternatives. Additional actions include: funding support for local source control efforts, monitoring and research, investment in new cleanup technology, and others. Details on these efforts are yet to be fleshed out, and will emerge over the next several months.

Timeline

The Governor has directed the Department of Ecology to issue a preliminary draft rule no later than September 30. Governor Inslee will submit legislation to the Legislature in 2015 to enact elements of the broader toxic reduction package, and will make a decision on whether to adopt the final rule only after seeing the outcome of the session. He will then ask EPA to consider the benefits of the full package in determining federal approval of Washington’s clean water standards.

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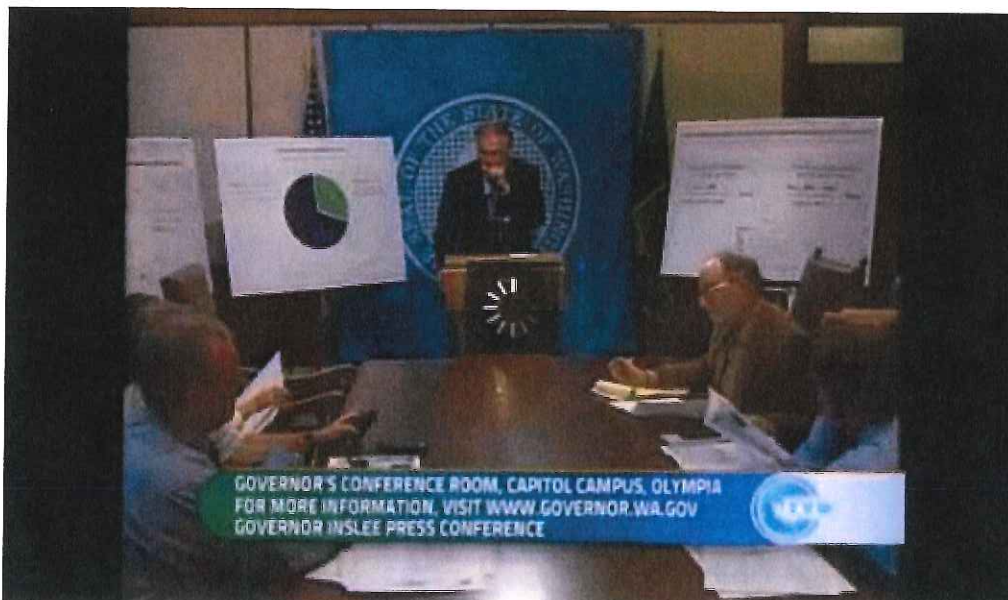
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Governor Inslee Issues His Policy Brief on Updating Washington's Water Quality Standards

By Doug Steding on July 10th, 2014

Governor Inslee held a press conference yesterday morning, where he presented his policy brief on Washington's ongoing efforts to update its water quality standards to account for higher fish consumption rates. This has been a long time coming, and is a significant development on what is arguably the most important environmental rulemaking effort Washington has seen in years.

The video of the press conference is here, my summary and thoughts follow:



The Governor's proposed approach is consistent with what we've been hearing from Ecology and other sources over the past few months. Governor Inslee proposes to adjust the fish consumption rate (used to calculate water quality criteria for toxics) from 6.5 grams a day (the default in the National Toxics Rule, the current applicable water quality standards for toxics in Washington) to 175 grams per day. This adjustment has been coming for some time, so the new 175 gram per day number isn't surprising. What is also not surprising is the proposal to use the federal drinking water standard for arsenic instead of the current standard, which is below background because of high levels of naturally occurring arsenic in Washington's waters.

The most controversial part of his plan has to do with the acceptable cancer risk used in calculating the new criteria. Governor Inslee is proposing to adjust the acceptable excess cancer risk level from one in a million to one in one hundred thousand, with the potential to offset the impact that the much higher fish consumption rate has on numeric criteria for toxics. This is a concept that has emerged over the past year as a work-around to the exceedingly low (and often unattainable) numeric criteria that result from the ~30 fold increase in fish consumption rate. The native tribes in Washington are not enthusiastic about this change, nor is EPA Regional Administrator Dennis McLerran, although the adjustment in excess cancer risk is consistent with EPA's Clean Water Act regulations and guidance. Had the Governor gone beyond the one in one hundred thousand risk level, EPA policies may have required more robust consideration of the public interest (although it appears the Governor has deeply considered many aspects of the public interest) and EPA policies also require more robust quantification of the actual risk level because of the decreasing amount of conservatism built into higher risk levels. Finally, when this adjustment to the excess cancer risk results in an increase to an individual numeric criterion as compared to the old NTR criterion, Governor Inslee is proposing to retain the older, lower, numeric criterion.

There has been much debate about whether the new criteria are attainable, with the adjustment of the excess cancer risk being driven by the concerns of industrial and municipal dischargers. The new criteria will still be, in some instances, exceedingly difficult to attain for dischargers. As a result, the Governor is including in his proposal more robust implementation tools, including schedules of compliance with longer timeframes, and, for the first time, waterbody-specific variances to allow individual dischargers to achieve compliance with the new criteria. The use of variances is important because it is likely that many of the issues faced by dischargers in achieving compliance with the proposed criteria will be location-specific. But, variances require EPA approval, and it remains to be seen how such variances can be adopted in an era of decreasing agency resources (and perhaps cooling relations between Ecology and Region 10 if the disagreement over excess cancer risk rate isn't resolved).

The most sweeping and ambitious part of the Governor's proposal is the inclusion of a wide variety of proposed measures designed to address the disconnect between using the 40-year-old Clean Water Act to address toxics that are coming from diffuse (and not CWA-regulated) sources. These proposals are aimed to compensate for the adjustment to the excess cancer risk, and, politically, appear to represent the Governor's attempt at balancing the various interests on various sides of this debate. The Governor is including in his proposal a number of action items to address these diffuse sources of toxics to fish (many of which likely will require legislative action), including:

1. Directing the Department of Health and Ecology to perform studies and identify actions to address a number of toxics, including PCBs, phthalates, flame retardants, and zinc.
2. Pass legislation to require industries to look for safer alternatives to toxics in consumer products.
3. Authorize Ecology to ban the use of certain toxic chemicals.
4. "Attack" pollution sources in watersheds in partnership with local, federal, and tribal governments.
5. Funding of various studies related to sources of toxics and technologies to address those sources.
6. Soliciting feedback from stakeholders and provide information to the legislature.

What are my initial reactions? First, it is important to not lose track of the lawsuit filed against EPA for allegedly failing to act in response to Washington's delay in revising its water quality standards. If the Plaintiffs prevail, this

lawsuit has the potential to derail the Governor's efforts, although if I had to bet, I think EPA and Ecology will prevail. The bigger unknown here is whether the Governor can build the political consensus needed to pass the legislative package that he is including in this proposal. It is likely that we won't know the answer to that question until the next legislative session ends in late April 2015, and the Governor very clearly noted that he will not share the final water quality standard package with EPA for review and approval until the Legislature has acted on his yet-to-be seen legislative agenda. This legislative timeline presents a potential problem for the Governor, as EPA Regional Administrator McLerran has promised publicly to promulgate toxics standards for Washington if Ecology does not revise the standards by the end of the year. Whether Mr. McLerran softens his position is probably an issue of tribal acceptance, which, so far, is mixed at best.

In sum? The devil will be in the details of the legislation Governor Inslee will be proposing, and the nature of that legislation will probably determine whether Governor Inslee maintains support from businesses and unions, or gains the support of tribes and environmental interests (many of whom declined to participate in the roundtable effort that led up to this proposal). This effort shows the difficulty of building political consensus with respect to such a highly controversial issue. If the Governor does not get tribal approval for this plan, I am wondering if a lawsuit based on treaty rights is looming. If the Governor does not get Region 10 to back off a bit, he may run into issues at the end of the year with EPA stepping into Ecology's shoes and promulgating new water quality standards that lack the flexibility and pragmatism that is contained in the Governor's proposal. And, at the end of the rulemaking process, if he doesn't craft a final rule that appropriately balances the competing interests, a lawsuit led by the unhappy stakeholders is a strong possibility.

Governor Inslee deserves credit for making difficult choices on a politically charged issue. He also deserves credit for acknowledging the lack of a "fit" with respect to the Clean Water Act and modern environmental challenges, and the need to think differently in terms of reducing toxics in the environment. From a science, law and policy perspective, the next year or so will be an interesting time and the results of this effort will likely shape the environmental law and compliance landscape for years to come.

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Ecology Releases Preliminary Draft Rule Adjusting Washington's Water Quality Standards to Account for Higher Fish Consumption Rates

By Doug Steding on September 30th, 2014

As directed by Governor Inslee back in July, the Washington Department of Ecology released a preliminary draft rule that will ultimately lead to the amendment of Washington's Water Quality Standards for toxics. This is the next step in a multi-year process under which Washington is adjusting its WQS to account for a higher fish consumption rate. The documents released today include:

1. Draft rule language for toxics;
2. Draft rule language for implementation tools, such as variances, intake credits, and compliance schedules;
3. A preliminary draft cost benefit and least burdensome alternative analysis;
4. A memorandum explaining why the proposed rule is exempt from the requirement under the Regulatory Fairness Act to prepare a Small Business Economic Impact Statement (because Ecology has concluded that the proposed rule amendments do not impose cost on existing businesses in any industry);
5. A preliminary implementation plan after the rule is adopted;
6. An overview of key decisions made in the rule amendments; and
7. A SEPA determination of significance and scoping notice.

The rule language for the toxics criteria is consistent with what we've expected, and covers 96 total chemicals. The new fish consumption rate under the proposed rule is 175 grams per day, and the excess cancer risk changes from one-in-a-million to one-in-one hundred thousand. And, consistent with Governor Inslee's announcement in July, where the application of these new variables results in a greater numeric criterion as compared to the old WQS for toxics (the values in the National Toxics Rule), the new criterion will default to the old NTR number, which, as characterized by Ecology, means that there will be no new standards that are less protective of human health as the old standards. The three exceptions to this framework are arsenic, copper and asbestos, all of which will have new criteria based on the Safe Drinking Water Act. In addition, the rule has a narrative criteria that address chemicals not included on the list of 96 for which numeric criteria are proposed.

The implementation tools are also what we expected. Those tools include a new section that allows for intake credits that account for pollutants already present in water that are simply passing through a permitted facility; a new definition and rule language related to compliance schedules, which deletes the current ten year limit on such schedules (consistent with recent changes to RCW 90.48.605 made by the legislature); and new rule language defining a “variance” and establishing minimum qualifications for granting variances to individual dischargers.

However, what caught my eye in all of the above documents was the draft cost-benefit analysis. One of the main controversies surrounding this process was the potential for new criteria based on a higher fish consumption rate to cause many dischargers to not be able to meet the revised standards, for instance, municipal dischargers projected that standards based on the 175 gram per day rate (and an excess cancer risk of one in a million) would have resulted in unattainable standards for many municipal wastewater treatment plants. Governor Inslee’s proposal back in July to adjust the excess cancer risk upward by a factor of ten was in response to these types of concerns. The draft cost-benefit analysis contains a detailed analysis of the projected impacts on a number of permitted dischargers, and concludes that, of the 415 (183 industrial and 232 municipal) permit holders in Washington, none would be impacted. The draft cost-benefit analysis also concludes that 55 waterbodies will be listed as impaired under Section 303(d) of the CWA (which leads to the development of Total Maximum Daily Loads or “TMDLs”) as a result of the adoption of the new WQS, but 50 of the 55 waterbodies did not have NPDES permitted dischargers on them—leading Ecology to conclude that only three dischargers would be impacted by the change in 303(d) listings.

Ecology also looked at the benefits to fish consumers associated with the new rule. This is sure to be a controversial subject during the comment period that opens in January. Ecology went through an exercise where it calculated that the new rule would result in cancer risk reductions valued at \$6 million to \$90 million (related to reduced mortality from cancer) and reduced treatment costs of \$400 thousand to \$2 million. These benefits, according to Ecology, far outweigh the costs of the rule.

The public comment period for the proposed rule opens in January, timed with the legislative session, where the Governor will be pursuing a broader agenda to address toxics in the environment from sources not regulated by the Clean Water Act. We’ll keep reporting on developments as they come up.

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Big stakes in Washington state fish consumption debate

June 07, 2014 12:30 pm • By PHUONG LE, Associated Press

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SEATTLE — A bitter fight over how much fish people eat — and thus how clean Washington waters should be — has pitted tribes, commercial fishermen and environmental groups against Boeing, business groups and municipalities.

The state Department of Ecology appears ready to boost the current fish consumption rate, an obscure number that has huge ramifications for the state because it drives water quality standards. A higher number means fewer toxic pollutants would be allowed in waters.

"So much is at stake," said Kelly Susewind with the Department of Ecology, adding: "People are worried about what we might do. Are we going to be protective enough? Are we going to drive business out of the state? That ups the ante."

Meanwhile, the regional head of the U.S. Environmental Protection Agency has warned the state that the EPA intends to take over the process if the state doesn't finalize a rule by the 2014. And a coalition of environmental groups is asking a federal judge in Seattle to get the EPA to step in and force the state to complete a rule or to do it themselves.

The state missed its own March deadline to release a draft rule. With "strong guidance" from Gov. Jay Inslee, the state is still deliberating and may not have a draft rule until later this summer, Susewind said.

Inslee has gotten personally involved in the issue, calling a taskforce representing tribal, business and environmental interests to advise him.

It's a political balancing act for the Democratic governor, who has made the environment a central issue but also has shown a willingness to accommodate companies like Boeing Co. The aerospace giant in March raised concerns to Inslee that the proposals "will have unintended consequences for continued Boeing production in the state."

Inslee spokesman David Postman said the governor believes a balance is possible and "that's what he's working for."

For years, the state has known it needs to update its fish consumption rate, which federal regulators say doesn't sufficiently protect those who eat the most fish, particularly Native Americans and Pacific Islanders.

Studies have shown Washington residents eat more fish than other people nationwide, but the state currently assumes people eat about 6 1/2 grams a day – or about a small fillet once a month.

The state is now certain to boost that amount, and is considering a fish consumption rate between 125 and 225 grams of fish a day. Oregon set its rate at 175 grams a day, the highest for a U.S. state.

While a higher fish rate would make standards more stringent, Ecology is also considering changing another factor in the complicated formula that would likely make standards less stringent. The proposal would increase by tenfold the excess cancer risk rate from certain cancer-causing chemicals.

The Northwest Indian Fisheries Commission, Puget Soundkeeper Alliance and others groups have told Inslee that a less-protective cancer risk level is unacceptable, and would disproportionately harm those who eat the most fish. They worry that a higher cancer risk level would offset gains elsewhere.

The Association of Washington Business, local governments such as Everett and others, meanwhile, have told Inslee that keeping the cancer risk factor at its current rate is "unacceptable" and, coupled with a high fish consumption rate, would result in "unmeasurable incremental health benefits, and predictable economic turmoil."

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Timeline

The Department of Ecology expects to release a draft rule on fish consumption rates early next year.

With the Pacific Ocean for one border and the Columbia River for another, it's no surprise that fish is a regular part of many Washington residents' diets.

But when it comes to setting water quality standards to protect fish eaters, the state has been using outdated data.

Washington's estimate for fish consumption is one 8-ounce fillet per person per month, despite studies that reveal much higher rates for American Indians, people of Asian heritage and recreational fishermen and fisherwomen.

On Wednesday, the Washington Department of Ecology unveiled several proposals for updating the rates. The proposals are intended to reduce cancer risks and exposure to toxins for people who eat lots of fish and shellfish, said Kelly Susewind, manager of the department's water quality program.

The highest consumption rate being considered is a daily 8-ounce fish meal. It's based on high levels of fish and other seafood in the diets of members of Puget Sound's Suquamish Tribe and some people who fish recreationally. The state is also considering Oregon's standard, equivalent to about 24 8-ounce fillets per month, and another standard of 16 fillets monthly.

Fish is rich in healthy omega oils, but eating fish also exposes people to mercury, lead, arsenic, PCBs and other toxins. Increasing the state's fish consumption rates will tighten pollution standards for industries that discharge into lakes, rivers and bays.

The standards under consideration would require reducing pollution discharges by 50 percent to 97 percent, Susewind said during a Wednesday meeting.

"The more fish you eat, the cleaner the water has to be," he said. "We know that some of those standards will take a long time to achieve ... We know that people can't meet those levels today."

Earlier efforts to update Washington's fish consumption rates were hampered by opposition from aerospace giant Boeing and the pulp and paper industry. Last month, environmental groups and commercial fishing interests sued the U.S. Environmental Protection Agency, charging that EPA has let the state dither too long over updating the standards.

In response to questions, Susewind said Gov. Jay Inslee is committed to a "balanced approach" that protects the health of Washington residents without driving business away from the state.

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