



SPOKANE
RIVERKEEPER®

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Bridging the Gap: How Regulation and Citizen Enforcement Address Emerging Contaminants



*Spokane Riverkeeper's mission is to protect, preserve, and restore the
Spokane River for future generations.*



Regulatory Landscape

A Layered System – with Gaps

Federal Laws

- Clean Water Act (CWA)
- Safe Drinking Water Act (SDWA)
- Toxic Substances Control Act (TSCA)
- CERCLA / Superfund
- Endangered Species Act (ESA)

State Laws

- RCW 90.48 – Water Pollution Control Act
- Model Toxics Control Act (MTCA)
- Fish Consumption Advisories



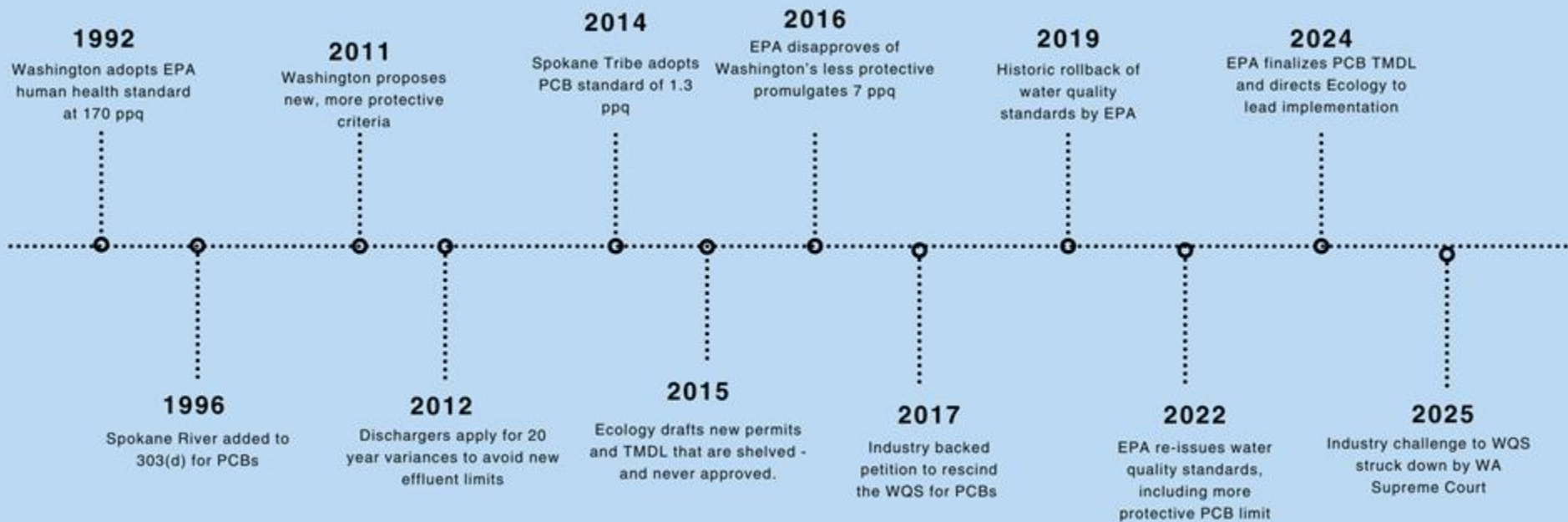


Surface Water vs. Drinking Water Regulation

Governing Law	Clean Water Act	Safe Drinking Water Act
Focus	Rivers, lakes, wetlands, etc.	Tap water from public water systems
Enforced by	EPA + states via Impairment listings, TMDLs, NPDES permits	EPA + state/local utilities via MCLs, health advisories
Regulation Goal	Prevent pollution from being added	Ensure treated water is safe to drink
Example	Controls sources of PFAS using water quality standards and effluent limits WQS PCBS 7 ppb	Sets limits in drinking water SDWS PCBs 0.5 ppb

How Regulations Evolve

Detection → Risk assessment → Rulemaking → Implementation



Citizen Enforcement Actions



- A Strategic Lever, Not a Last Resort
 - CWA citizen suits address violations agencies can't or won't
 - In Spokane: Litigation compelled PCB reduction commitments from dischargers
 - Strategic use in absence of TMDLs or enforceable standards

Citizen action creates pressure points within slow-moving systems



Looking Ahead

6PPD must be treated differently than we did with PCBs.

- Known acute toxicity to salmon.
- No federal water quality standard or TSCA listing
- Agencies waiting for data, while runoff continues

What's needed: green stormwater controls, enhanced permit monitoring requirements, and research investment

Final Thoughts – Aligning Law, Science, and Urgency

- The system *can* respond—but only when pushed
- Emerging contaminants don't follow regulatory timelines
- Citizen tools and interdisciplinary collaboration are essential to close the gaps

Challenge: How do we build proactive, adaptive responses with the tools we have?



Thank you!

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