

### Chesapeake Watershed PCB TMDLs Roundtable Themes, Strategies, and Major Takeaways

- Pre-2017 TMDLs // Post-2017 TMDLs (improved) How can we improve to meet expectations etc. poised for litigation
- One post-2017 vision item - Alternate restoration plan - instead of focusing on load pie, focus shifts to what is being done/could be done to make progress. V little guidance, effort to develop ARP with DNREC. (addressing a 303d impairment)
- Alternative Restoration Plans - guidance from EPA available; straight to implementation; identify COCs and go to identifying PCB sources; first toxic ARP; EPA's Long-Term Guidance on Alternative Restoration Plans. [https://www.epa.gov/sites/default/files/2015-10/documents/2016-ir-memo-and-cover-memo-8\\_13\\_2015.pdf](https://www.epa.gov/sites/default/files/2015-10/documents/2016-ir-memo-and-cover-memo-8_13_2015.pdf)
- ARP has all same components of TMDL but streamlines the implementation step. More rapid actions, [liken to voluntary cleanup in the cleanup world?]
- Delaware River/Bay Stage 2 PCB TMDL; change to WQS for PCBs all zones 16 pg/L tidal; draft will go to states then public review; DelPCB model is built from WASP 5.12; model has been refined and updated and will be used in Stage 2; PMPs to track down specific facility reductions; qtlly co-regulators meeting; 1668a required; Info on DRBC's DELPCB model can be found at <https://www.nj.gov/drbc/programs/quality/models.html>
- MDE: Assigns to Phase 1 MS4 permits. TMDL plans required, source trackdown monitoring plans will be required
- VA observed most coming from permitted facilities - but hesitation to monitoring until TMDL in place.
- MDE: Source Trackdown guidance - how to move forward with implementation? Source tracking efforts are needed to identify discrete land sources . Consists of desktop analysis, subwatershed focus, risk scoring, monitoring (adaptive),
- Info on DRBC's PMPs is found at <https://www.nj.gov/drbc/programs/quality/pmp.html>
- Non-regulated sources can play a considerable portion of load (as seem in Lewis Creek, VA)
- VA - PMP plans and focus - permitted facilities, MS4s have concerns about what happens if find a source? Watching MD progress .

### Development of "new" PCB TMDLs (e.g. modeling, TMDL development field studies, desktop efforts)

- DRBC: new water quality standards across all zones in Delaware River at 16 picograms / ml in water column driving stage 2 PCB TMDL implementation.
- Micro catchment models - come up with better ways to target BMPs to understand/monitor at smaller scale. Map up to HUC16 scale, planning purposes
- DE's WATAR program started in 2012 with data collection that supports trending analysis and decrease in PBTs in fish tissue.
- MDE: Conowingo Pool/Lower Susquehanna under development (VIMS). Submitted fall 2022
- VDEQ: TMDL development (grab samples to develop site specific) - riverine, reservoir , other
- MD: Subwatershed screening via scoring system based on desktop analysis in next five years. 1668 or equivalent. Trying to bracket stream segments for further testing. MD looking for alternative ways / methodology for testing outfalls in suspect segments. For example, phase 2 effort in Sawmill Creek, AA County.
- tidal James, (300+ permits assigned a WLA!), upper James moving more quickly

- Rappahannock and York - future in VA

#### **Targeted areas of focus for PCB TMDL progress (e.g. Phase 1 MS4s, geographic areas, etc.)**

- DC: Focus on Anacostia sediment, PCBs, also PAHs and other metals
- DE looking at NPDES and MS4 permits, but also looking at waste sites (nonpoint sources). St. Jones watershed as pilot.
- Lower Beaverdam creek ; investigations have led to source trackdown efforts (Scrap facility, Penssry Drive area)
- Baltimore Harbor (AA), Back River, Patuxent (plan), Lower Beaverdam Creek (Anacostia, PG)

#### **Ongoing source track down activities – what does that entail (field, desktop, both)?**

- DC/Dev -- What additional sources were not part of TMDL development. Strategies working w/ collaboratively with MDE.
- Extensive guidance for trackback in MD. (see slides) - both desktop and field
- PCB Track down and sampling plans for industrial and municipal approaches - VA Guidance coming this year
- Delaware River: PMPs in Stage 1 achieved 76% PCB reduction. PMP will be used as basis for Stage 2. Using 1668A.

#### **Sampling and analytical methods and why selected( e.g. passive or grab sampling, 1668, 8082; are you planning to transition to EPA 1628)?**

- Most are recommending 1668 (or similar congener method)

#### **Other Important Discussion Points**

- DC DOEE TMDL Approvals in 2003, challenged in 2019 (2009?), lawsuit vacated but permits could be written until updated TMDLs. MDE and DOEE jointly writing changes. Heptachlor-epoxide, pest, PAHs, metals. July 2021 public notice for updates. Vacatur expires in March 2022.
- MD Lawsuit in Region: MD PCB TMDLs, July 2020 EPA 2016 approval Gunpowder and Bird Rivers. Riverkeepers, no load allocation assigned to bottom sediment. EPA believes TMDLs are adequate for various reasons. Currently stalemate
- Attainment: Fish tissue but not HH, water column not met, but fish coming into attainment
- Alternative restoration plan (ARP) guidance document available for DNREC. Impaired water segment remains as Category 5. Allows jurisdiction to prioritize., and not the emphasis on "slicing up the pie" to get PCB reductions.
- Pilot of addressing legacy contaminants using ARP: WATAR program supports this approach, implementation plan will highlight how currently reducing, data collection gaps, permits that may need updates/
- EPA R3: States fulfilled requirements TMDL developments 2011. Consent decree era focus on areas of priority few new TMDLs into 2017. Vision for the 303d program can be found at <https://www.epa.gov/tmdl/new-vision-implementing-cwa-section-303d-impaired-waters-program-responsibilities>
- DNREC: (Cargill) St. Jones Watershed: Legacy contaminants tracking improvement over time, establish for plan formation, makes sense, documentable, reduction goals - monitoring plans to track achieving goals. NPDES, MS4, waste sites
- ARP: Has all components of TMDL equation - NPS+PS+MOS,

- EPA R3: Long term vision post consent decree, 2016-2022 timeframe. Reflected in story map, planned for development. Vision 2.0 under development, working with states and release end of FY. Launch long-term planning efforts.
- EPA Region 3 reports that most Bay states will be up to date with 2022 IRs by summer 2022 (some combined)