

QUARTERLY PROGRESS MEETING – November 7, 2024  
*Chesapeake Bay Program*



# Toxic Contaminants Policy and Prevention

*Greg Allen, EPA*

*Chair*

*Toxic Contaminants Workgroup*

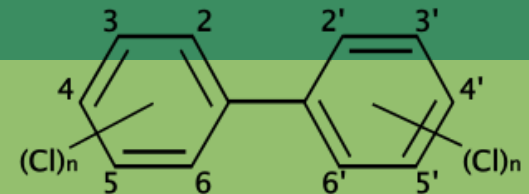
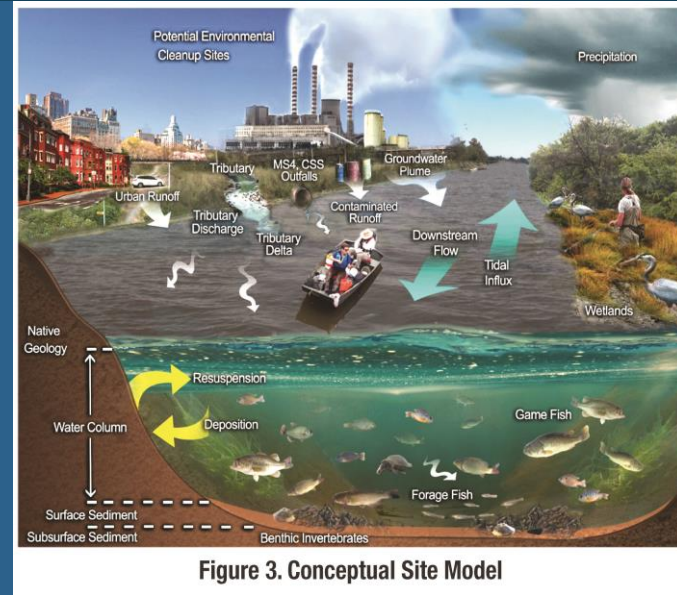
Through the Chesapeake Bay Watershed Agreement, the Chesapeake Bay Program has committed to...

## Goal:

Ensure that the Bay and its rivers are free of effects of toxic contaminants on living resources and human health.

## Policy and Prevention:

Continually improve practices and controls that reduce and prevent the effects of toxic contaminants below levels that harm aquatic systems and humans. Build on existing programs to **reduce the amount and effects of PCBs** in the Bay and watershed. Use research findings to evaluate the implementation of additional policies, programs and practices for other contaminants that need to be further reduced or eliminated.





## What is our Outlook and Recent Progress?

### 2022 Toxic Contaminants Indicator – Tidal Segments Fully or Partially Impaired by Chemical Contaminants

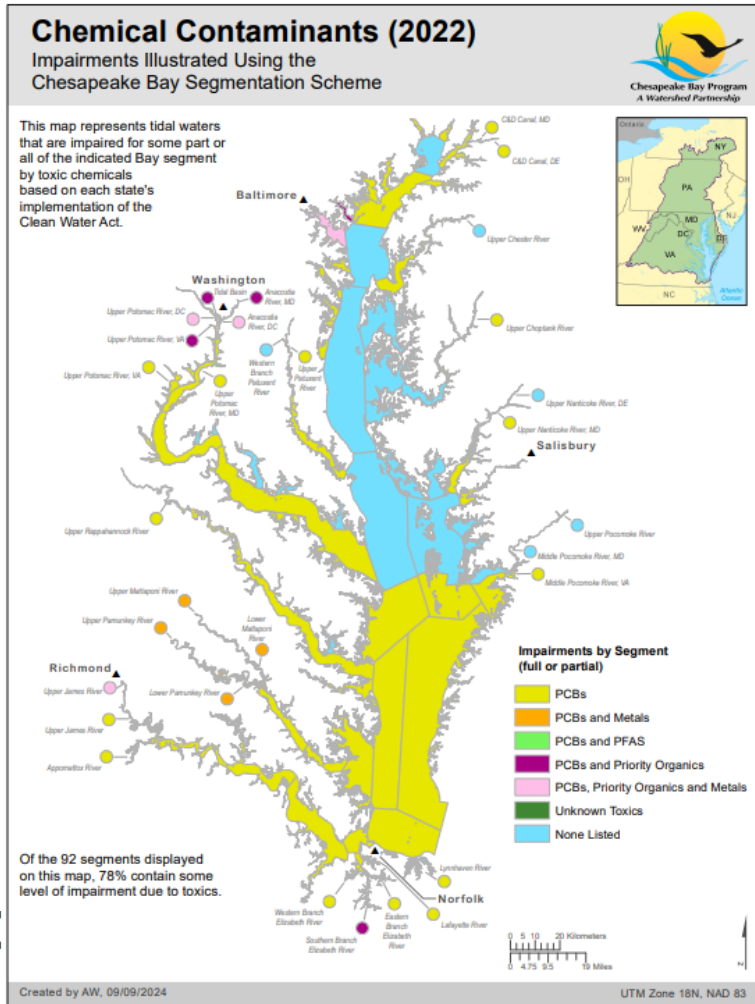
Based on jurisdiction 2022 Biennial Consolidated Reports, the number of tidal segments with full or partial impairment involving toxic contaminants is 78%, unchanged from the previous update in 2020.

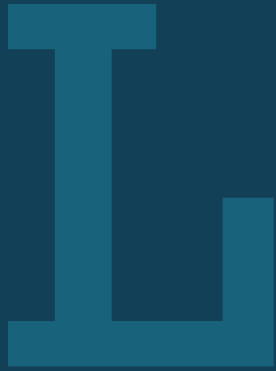


RECENT PROGRESS  
**NO CHANGE**



OUTLOOK  
**OFF COURSE**





# Learn

*What have we learned in the last two years?*



## Successes and Challenges

# 5 Management Approaches in the Policy and Prevention Strategy

MA1 Regulatory Programs

MA2 Voluntary Programs

MA3 Education and Awareness

MA4 Research

MA5 PCB Consortium



## Successes and Challenges

# MA 1 Regulatory Programs

### Successes

- Jurisdiction monitoring (fish and other media)
- Jurisdiction TMDL development and implementation  
<https://gis.chesapeakebay.net/PCBStoryMap/>
- C&D Canal Advance Restoration Plan Pilot

### Challenges

- Competing demands



## Successes and Challenges

# MA2 Voluntary Programs

### Successes

- TCW continued to investigate the presence of 1940-1980 schools
- PCBs in Schools – Bay Backpack – *Safe and Efficient Lighting* <https://www.baybackpack.com/action-projects/safe-and-efficient-lighting>

### Challenges

- PCBs in schools is a sensitive topic and competes with other health threats in schools



## Successes and Challenges

# MA3 Education and Awareness

### Successes

- Fish Consumption Advisory Infographic Users Guide  
[https://www.chesapeakebay.net/who/group/toxic\\_contaminants\\_workgroup](https://www.chesapeakebay.net/who/group/toxic_contaminants_workgroup)
- GIT Funding project related to behavior change through fish consumption advisory communication

### Challenges

- New opportunities directed toward local government support





## Successes and Challenges

# MA 4 Science

## Successes

- TCW features key research in meeting agendas
- Example: Birthe Veno Kjellerup, Ph.D., Professor University of Maryland at College Park, [Influence of land use on PCB concentrations](#) (paraphrased) ... “information will aid in estimating PCB load removal efficiency in stormwater control measures, enabling targeted remediation efforts for areas with the highest PCB sediment concentrations.”

## Challenges

- Science needs around identifying sources



## Successes and Challenges

# MA5 PCB Consortium

### Successes

- TCW jurisdiction/EPA Roundtables
- [National PCB Symposia](#) in partnership with U. Washington and WDEC/Puget Sound

### Challenges

- Jurisdiction focus on PFAS

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# Adapt

*How does all of this impact our work?*



**Based on what we  
learned, we plan to ...**

## TCW Policy and Prevention Theory of Impact ...

Knowing that PCB loading is dynamic and that there are many species of fish under consumption advisories, TCW plans to continue with a strategy that relies heavily on PCB TMDLs, and possibly ARPs, while complimenting that approach with voluntary programs, education/awareness-building, research and networking more effectively to support local governments.



## Successes and Challenges

MA1 Regulatory Programs

MA2 Voluntary Programs

MA3 Education and Awareness

MA4 Research

~~MA5 PCB Consortium~~

MA5 Local Government

# Management Approach Shift Policy and Prevention Strategy

**Rationale** – Progress on forming a consortium is limited due to competing demands (e.g., PFAS) and local governments are key to PCB TMDL management actions

## P&P Future Directions

## TCW Policy and Prevention Hot Topics

- Large-scale PCB remediation activities *MA1*
  - James River PCB TMDL
  - Anacostia Remediation
- Advance Restoration Plan Framework next steps *MA1*
- Can CBP support be provided to Md MS4 PCB TMDL activities? *MA1*
- Local government collaboration *New MA5*



## Equitable and inclusive restoration ...



- PCB presence generally increases as level of development/urbanization increases. Efforts to reduce PCBs in urban areas reduces risk from contaminated fish.
- DEIA is a TMDL V2 focus area for jurisdiction long-term plans
- PCBs-in-Schools effort and Fish Consumption Advisory infographic project could have DEIA focus

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# Fill the Gap

*How can the Management Board  
help achieve the Outcome?*





## Filling the Gap – General Needs

Policy and Prevention  
The Management Board  
could help with ...

- Maintain momentum or ideally, accelerate PCB TMDLs

### Staffing

- Allocate staff and financial resources to keep PCB TMDLs moving
- Expand the network of state/fed regulatory officials advancing PCB TMDLs



## Filling the Gap – Specific Needs

Policy and Prevention  
The Management Board  
could help with ...

### Regulatory

- Identify planning gaps and needs that TCW could help fill
- Use existing permit controls (MS4, wastewater) to implement WLAs
- Help push track down guidance to local governments

# Beyond 2025 Toxic Contaminants

## Rationale for Inclusion

Toxic contaminants must remain in our goal structure if we are to achieve our vision of a restored Bay and healthy watershed and to fulfill partner-agency missions to protect human health and the environment.

Clean Water Act regulatory elements apply to toxic contaminants just as they apply to nutrients (water quality standards not achieved, impairments, TMDLs, coordinated permits).

PCB loading is dynamic and ongoing.

The CBP can increase the rate of reduction of PCBs in fish by applying the strength and experience of the Partnership to advance PCB TMDLs.



# Discussion



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**NO CHANGE**



OUTLOOK  
**OFF COURSE**

1. Strategy shift, remove PCB Consortium add Local Government Support
2. What technical support can TCW organize to help advance jurisdiction PCB TMDLs?
3. Vision for Beyond 2025 – what information does the MB need to make informed decisions on the future of toxic contaminants?

## CWA Sec. 117 Toxic Contaminants

**(1)MANAGEMENT STRATEGIES** The Administrator, in coordination with other members of the [Chesapeake Executive Council](#), shall ensure that management plans are developed and implementation is begun by signatories to the [Chesapeake Bay Agreement](#) to achieve and maintain —

**(C)**the Chesapeake Bay Basinwide Toxins Reduction and Prevention Strategy goal of reducing or eliminating the input of chemical contaminants from all controllable sources to levels that result in no toxic or bioaccumulative impact on the living resources of the [Chesapeake Bay ecosystem](#) or on human health;