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

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-

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; qtly co-regulators meeting; 1668a required; Info on

VA observed most coming from permitted facilities - but hesitation to monitoring until TMDL in place.

Info on DRBC's PMPs is found at https://www.nj.gov/drbc/programs/quality/pmp.html

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)

ARP has all same components of TMDL, ,but streamlines the implementation step. More rapid actions, [liken to voluntary cleanup in the cleanup world?]

MDE: Assigns to Phase 1 MS4 permits. TMDL implementation plans required, source trackdown monitoring plans will be required

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),

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.

DE's WATAR program started in 2012 with data collection that supports trending analysis and decrease in PBTs in fish tissue.

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

Rappahannock and York - future in VA

tidal James, (300+ permits assigned a WLA!), upper James moving more quickly

Microcatchment models - come up with better ways to target BMPs to understand/monitor at smaller scale. Map up to HUC16 scale, planning purposes

MDE: Conowingo Pool/Lower Susequehanna under development (VIMS). Submitted fall 2022

VDEQ: TMDL development (grab samples to develop site specific) - riverine, reservoir , other

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

DE looking at NPDES and MS4 permits, but also looking at waste sites (nonpoint sources). St. Jones watershed as pilot.

Baltimore Harbor (AA), Back River, Patuxent (plan), Lower Beaverdam Creek (Anacostia, PG)

DC: Focus on Anacostia sediment, PCBs, also PAHs and other metals

Lower Beaverdam creek ; investigations have led to source trackdown efforts (Scrap facility, Penssry Drive area)

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

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, vacature

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" tp get PCB reductions.

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

EPA Region 3 reports that most Bay states will be up to date with 2022 IRs by summer 2022 (some combined)

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 statemate

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/

ARP: Has all components of TMDL equation - NPS+PS+MOS,

Attainment: Fish tissue but not HH, water column not met, but fish coming into attainment

developments 2011. Consent decree era, focus on areas of priority not many 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

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.