



Chesapeake Bay Program

CHESAPEAKE EXECUTIVE COUNCIL DIRECTIVE NO. 93-2

TOXICS REDUCTION STRATEGY REEVALUATION

In January 1989, the Chesapeake Executive Council adopted the Basinwide Toxics Reduction Strategy in fulfillment of the 1987 Chesapeake Bay Agreement and committed to reevaluate the Strategy in 1992. The long term goal of the Strategy is to work towards a toxics free Bay. The Strategy uses the requirements of the 1987 Clean Water Act as a foundation for action and initiates a multi-jurisdictional effort to better define the nature, extent, and magnitude of toxic problems.

THROUGH THE STRATEGY REEVALUATION, IT HAS BEEN DETERMINED THAT:

In some locations, toxic problems exist in the Chesapeake Bay. The nature, extent, and severity of toxic impacts range widely throughout the Bay: a few well known areas have serious, localized problems; and, some other regions that were previously thought to be uncontaminated have shown some toxic effects.

No evidence was found of severe, systemwide responses to toxics similar in magnitude to the observed effects throughout the Bay due to excessive levels of nutrients, such as declines in underwater grasses and widespread low dissolved oxygen conditions.

Existing programs are reducing the input of toxics to the Chesapeake Bay.

Concentrations of some toxic substances in fish, shellfish, wildlife and their habitats are on the decline although elevated levels are observed in several urbanized regions.

Widespread areas have low levels of toxic substances below thresholds associated with adverse effects on the Bay's living resources. The long term effects from these low levels remain unclear.

The reevaluation has shown that significant steps toward controlling the input of toxics to

the Bay system have been taken over-the past decade. However, much remains to be done to address the known and potential problems identified by the reevaluation. We should therefore pursue the following directions in the development of a strategy to protect the Bay and its resources from toxic pollution: increase emphasis on pollution prevention; supplement regulatory programs: use a regional focus to address problem areas; and focus assessments in direct support of management actions.

THEREFORE, THE CHESAPEAKE EXECUTIVE COUNCIL DIRECTS THE BAY AGREEMENT SIGNATORIES TO REVISE, BY THE NEXT annual Council Meeting, the existing Basinwide Toxics Reduction Strategy through a process that incorporates broad public involvement in the Strategy's development, review, and implementation. Further, the Council directs that emphasis be placed on the following four areas:

POLLUTION PREVENTION

The revised Basinwide Toxics Reduction Strategy shall recognize pollution prevention as the preferred approach to reducing risks to human health and living resources due to exposure to toxics within the Chesapeake Bay region. The revised Strategy shall:

Promote pollution prevention education and technical assistance programs within all levels of government-federal, state, and local-throughout the Chesapeake Bay watershed;

Expand support of integrated pest management programs for controlling and minimizing pesticide use in agricultural, urban, and suburban areas;

Create additional incentives for industry and advance technical assistance, training, and outreach opportunities to aid industry with incorporating pollution prevention actions into their daily business activities;

Continue to integrate pollution prevention approaches into environmental regulatory programs wherever feasible; and,

Use pollution prevention as the principal means to offset increases in toxics loadings due to land use changes and population growth in the Bay basin.

REGULATORY PROGRAM IMPLEMENTATION

The revised Basinwide Toxics Reduction Strategy shall be consistent with, and supplement, the requirements of the Clean Water Act (CWA) and the Clean Air Act (CAA) to ensure protection of human health and living resources. The revised Strategy shall:

Support the CWA and CAA regulatory programs through recognition and promotion of the toxic reduction actions taken throughout the Chesapeake Bay watershed;

Quantify toxics reductions from ongoing implementation of CWA and CAA programs and anticipated habitat and living resources improvements;.

Focus Chesapeake Bay Program commitments on toxics reduction and prevention actions; and,

Undertake additional actions needed beyond requirements of the CWA and CAA to achieve the goals of the Chesapeake Bay Agreement and the revised Strategy.

REGIONAL FOCUS

The revised Basinwide Toxics Reduction Strategy shall direct reduction and prevention actions toward regional areas with known toxic problems as well as areas where significant potential exists for toxic impacts on living resources and habitats. At this time the Elizabeth River, Baltimore Harbor, and the Anacostia River are designated as the initial Chesapeake Bay Regions of Concern. Action plans to address the problems related to toxics in these three systems shall be developed by the next annual meeting of the Council. In addition, the revised Strategy shall:

Establish a process for characterizing and designating additional areas of the Bay as Regions of Concern; and,

Focus multi-agency cooperative efforts toward planning and implementing the necessary assessment, reduction, remediation, and prevention actions to restore and protect the designated Regions of Concern.

DIRECTED TOXICS ASSESSMENTS

The revised Basinwide Toxics Reduction Strategy shall ensure that toxics assessments will directly support management decisions for the reduction and prevention of toxics. The initial baseline inventory of toxics loading and release sources by facility will be completed by April 1, 1994 to allow measurement of progress towards the Strategy goals. In addition, the revised Strategy will:

Require assessments of the potential impacts on the Bay's living resources from the observed widespread low level concentrations of toxics in Bay habitats.

By this DIRECTIVE, we reaffirm our commitments made in the Chesapeake Bay Agreement to restore and protect the ecological integrity, productivity and beneficial uses of the Chesapeake Bay. In recognition of our commitments, we the undersigned agree to further our efforts through this directive which is hereby incorporated into the overall Chesapeake Bay Program.

DATE: December 27, 1993

SIGNERS:

For the Commonwealth of Virginia *Lawrence Douglas Wilder, Governor*

For the State of Maryland *William Donald Shafer, Governor*

For the Commonwealth of Pennsylvania *Robert P. Casey, Governor*

For the District of Columbia *Sharon Pratt Kelly, Mayor*

For the United States of America *Carol M. Browner, Administrator, U.S. Environmental*

Protection Agency

For the Chesapeake Bay Commission <Jeffrey W. Coy, Chairman

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