

April 30, 2015

Submitted to [agreement@chesapeakebay.net](mailto:agreement@chesapeakebay.net)

RE: 2014 Chesapeake Bay Watershed Agreement Draft Management Strategies

The Hampton Roads Sanitation District (HRSD), a wastewater treatment entity serving 17 counties and cities in southeastern Virginia, offers the following comments on the proposed draft management strategies written in support of the 2014 Chesapeake Bay Watershed Agreement. HRSD appreciates the opportunity to provide this feedback and believes that these comments will strengthen and clarify several key points in the referenced documents

### **2017 WIP Outcome, 2025 WIP Outcome, and Water Quality Standards Attainment & Monitoring Outcome**

Page 5, 2<sup>nd</sup> bullet: This bullet identifies a need to better understand the factors that may affect ecosystem response. HRSD agrees with many of the identified factors and recommends the addition of a fifth factor regarding the understanding uncertainty associated with model projections. This uncertainty needs to be considered when evaluating ecosystem response to the pollutant loads and in directing management efforts. Further, the opening language to this bullet indicates that the partnership has “demonstrated” water quality standards attainment. These are modeled projections, not factual outcomes and the language needs to be modified to reflect this. Suggested revisions are as follows:

*Based on the current science and the associated CBP modeling system, the CBP partnership has ~~demonstrated~~ **projected** that implementing practices for reducing nitrogen, phosphorus, and sediment loads ~~will~~ **should** achieve applicable water quality standards in the Bay. Improved understanding of the following elements could further enhance decision-making for the Phase III WIPs: (1) the factors affecting the time it will take to see improvements (i.e., “lag times”) between implementation of practices and responses in water quality; (2) factors in addition to nitrogen, phosphorus, and sediment pollutant load reduction that affect response of DO, clarity, SAV, and chlorophyll; (3) the relationships between water quality improvements and the recovery of habitat conditions for fish and shellfish populations; ~~and~~ (4) how increases in plant and animal biomass in response to improved water quality improves the assimilative capacity of*

*the system for nutrients and sediment and, (5) an improved understanding of uncertainty associated with model projections.*

### **Toxic Contaminants Policy and Prevention Outcome**

Page 11, 1<sup>st</sup> paragraph: The purpose of the first paragraph on this page is unclear as it reiterates what is basically described in the last two paragraphs of the preceding page: wastewater is characterized using appropriately sensitive methods and Pollutant Minimization Plans are employed if wasteload allocations are exceeded. The last sentence of this paragraph implies, however, that the detection of PCBs drives a PMP requirement and this is not the case. In jurisdictions in which PMPs are utilized in NPDES permitting, the PMPs are only required if a permittee is exceeding the TMDL-derived wasteload allocation. Suggest deleting the paragraph.

Page 15, Contaminated Sites: Contaminated sites are also a potential loading mechanism to wastewater through infiltration and inflow into the sanitary sewer system. Please include wastewater as a potentially impacted medium.

Page 22, 2<sup>nd</sup> Bullet: In general, the text of this paragraph implies that PCB wasteload allocations (WLAs) are implemented as numeric limits in NPDES permits. This is not the case. If a permittee is exceeding its TMDL-derived WLA, then a non-numeric PMP is generally required. Please clarify the language in this section regarding this point.

Page 24 Contaminated Sites – Programmatic Approaches: This bullet describes the utility of an inventory of contaminated site PCB concentration data. Such a database could help guide management efforts. However, the second sentence in this bulleted topic presupposes the outcome of an inventory. We don't know in advance that the inventory "**will** demonstrate the widespread extent of PCB contamination in contaminated sites and the need for a high resolution monitoring requirement". The inventory will help inform and guide management efforts. Suggest revising the paragraph as follows:

*Develop inventory of existing contaminated site PCB concentration data in all environmental media and compile all available information from governmental and academic organizations. This inventory will ~~demonstrate the widespread~~ provide information on the extent of PCB contamination ~~at~~ in contaminated sites within a watershed and can be used to guide the selection of analytical methods that align with the detection and quantification objectives of the TMDL study~~the need for a high resolution monitoring requirement to support TMDL development and implementation.~~*

General Comment, EPA 1668: At several points, the document references a desire to require the EPA 1668 method for PCB analysis in NPDES permits. At this time, EPA 1668 is not promulgated in 40CFR part 136 and cannot be implemented in permits to evaluate compliance with a wasteload allocation. EPA 1668 can be used as a screening tool to identify areas that need to be targeted for further study.

The analytical method selected should align with the data quality objectives of the study. A high resolution method would not be necessary in all instances.

### **Toxic Contaminants Research Outcome**

Page 13, 1<sup>st</sup> Paragraph: The first paragraph identifies the potential concurrent benefits of fulfilling the objectives of other Management Strategies with reducing toxic inputs. Sediment and wastewater controls likely are not the only controls that can provide these concurrent benefits. This paragraph should be written more broadly to highlight the potential for other management practices to reduce toxic inputs. As an example, it seems plausible that certain stormwater BMPs can reduce the inputs of toxics into local waterways, independent of sediment control.

Biosolids: The document indicates on page 15 that biosolids are a definitive source of EDCs to the environment: "Sources of EDCs include biosolids, animal manures, aging sewer infrastructure, septic systems, agricultural runoff, urban runoff, and other factors". Though biosolids may contain endocrine disrupting compounds, it is not clear that the land application of biosolids is a pathway for aquatic exposure. Both the aquatic and terrestrial fate and transport of EDCs in biosolids and the associated implications are still an active area of research. Biosolids land application is highly regulated and includes safeguards to prevent exposure to the aquatic environment. More research is needed to evaluate this exposure pathway and its significance.

HRSD appreciates your consideration of these comments. Please contact me at 757-460-4220 with any questions.

Respectfully,



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