

SUMMARY
Watershed Technical Workgroup (WTWG)
Teleconference
Tuesday, April 8th, 2014
www.chesapeakebay.net/calendar/event/21245/

SUMMARY OF ACTIONS AND DECISIONS

DECISION: The March minutes were approved as submitted.

DECISION: The Erosion and Sediment Control expert panel recommendations, as amended, were approved for submission to the WQGIT.

ACTION: Johnston will distribute a revised Scenario Builder Technical Appendix along with the on-site treatment systems expert panel report for WTWG review and approval via email.

MINUTES

Welcome, Introduction and Announcements

- Ted Tesler (PA DEP; WTWG Chair) convened the call, verified participants, and reviewed the [agenda](#).
- Tesler called for comments or edits to the March workgroup minutes ([Attachment A](#)). None were raised; the minutes were approved.
 - **DECISION:** The March minutes were approved as submitted.

Erosion and sediment control recommendations and technical appendix

- Matt Johnston (UMD; WTWG Coordinator) noted that three jurisdictions had comments and concerns at the previous WTWG call. In discussions with CBPO staff and those states some language and modifications were drafted ([Attachment B](#)).
 - Johnston reviewed Attachment B with participants. He noted changes in the Technical Appendix for scenario Builder ([Appendix H](#)) reflected the proposed changes in Attachment B.
- Greg Sandi (MDE): To clarify the proposed text and the process for the Modeling Workgroup's role, would the WTWG and WQGIT review what comes out of the Modeling Workgroup as well?
 - Johnston: We do not have a specific protocol for that at the moment, but definitely agree that there should be wide partnership communication. The goal is for the relevant groups to see it and agree with whatever is recommended.
 - Jim George (MDE) suggested including the note about the process in the Executive Summary and on page 39.
 - Johnston noted the language in the double asterisk and agreed to add that language to page 39 as well.
 - Tesler asked to remove the word "strong" from the asterisk in the table.

- Schueler: Fine with deleting “strong,” but the evaluation of the evidence falls to the Modeling Workgroup.
 - Hearing no objections, Remove the word “strong.”
- Matt reviewed the technical appendix ([Appendix H](#)) for entering ESC practices into Scenario Builder.
 - Tesler noted typo, first line of A-3, should be “of” not “or.”
 - Tesler: regarding Q-6 and A-6, would like to clarification of historical data cleanup and what it entails.
 - Johnston: The states need to determine if they met level 1 or level 2 definitions and determine when they were at which levels. That information can be updated at any time in NEIEN, but it needs to be updated before calibration of the Phase 6 Model. All historic data should be updated by the calibration to reflect changes in reported BMPs. The process is ongoing, and all data from 1985-2009 should be cleaned up as needed before the calibration of the Phase 6 Model.
- Glynn Rountree (National Association of Homebuilders): Most places don’t use coagulants or flocculants because many of the compounds are toxic or acidic. Would be concerned about cumulative impact if there is increased use of these compounds to control erosion from construction sites.
 - Schueler: The panel looked at the toxicity issue early on in the process because of these same concerns. Overall, turbidity is not very controlled at level 2 or level 1 of ESC as described by the panel. Given the impacts of turbidity on aquatic life the panel was supportive of use of PAM or polymers to reduce turbidity. The idea is that the states would decide how to handle or oversee the use of these chemicals, given the concerns.
 - Rountree: Think there is a risk, but as long as the states carefully consider the toxicity then it should be alright. Glad to know the panel considered this.
- Dave Montali (WV DEP): To pursue urban nutrient management (UNM) on construction, would there need to be another expert panel?
 - Johnston: No, it would be a simpler process. The definition of a UNM plan has been specified by the panel, and we are just expanding that saying that qualified UNM plans can be applied to construction.
- Tesler called for final comments or objections before approving the recommendations for submission to the WQGIT. None were raised; the recommendations, as amended, were approved for submission to the WQGIT.
 - **DECISION:** The Erosion and Sediment Control expert panel recommendations, as amended, were approved for submission to the WQGIT.

Recommendations and technical appendix for on-site wastewater treatment systems

- Johnston directed participants’ attention to [Attachment C](#). He noted that Marcia Degen (VA Department of Health) provided some edits to document prior to the meeting ([Attachment C.2](#)). He reviewed Attachment C.2 with participants.
 - Marty Hurd (DDOE): Regarding the approach in Q1 and A1, if a state tracks the specific type of BMP, would imagine that they would want NEIEN to retain the information.

- Bill Keeling (VA DEQ): If the Department of Health provides the BMP name we would still retain that information, but when we submit to Scenario Builder we would lump them into the five buckets as described in this document.
- Marcia Degen: If there are additional BMPs to add to the “buckets” would there need to be another expert panel?
- Johnston: Not necessarily. Additions or modifications to existing BMPs can be made by the Wastewater Treatment Workgroup and the WTWG without a full panel. The buckets may be a simpler approach that allows us to add more practices as needed.
- Degen clarified for Q3 and A3 that the panel felt it was not appropriate to have a pumpout BMP for advanced or denitrified systems, since these pumpouts and other maintenance is expected to occur. The pumpout BMP would only be applied to regular or conventional septic systems.
- Keeling noted there are cases where there may be a pumpout and a problem is noticed in the process, so repairs are made that may include installing an advanced system. Not sure if records are good enough to distinguish between when the pumpouts are on advanced systems or not.
- Johnston noted he needed to add a sentence that septic connections are still available as a BMP.
- Degen suggested being careful with use of word “conventional” in Q6 and A6.
 - Montali: add septic connection to top of table since it would be credited first. Would also group “enhanced in situ” practices would precede secondary.
 - Keeling: When cleaning up historic data, if we do not know the specifics can we still report the old denitrification, right?
 - Degen: the panel did not really understand that nuance or consider this in much detail, but in general the panel felt that a lot of the denitrification units will fall into the new buckets.
- Degen commented for Q7: Part of the issue with permeable reactive barriers (PRB) was that there was no third party testing or defined model that explains removal for these PRB systems. It is more of a community or watershed type BMP as opposed to individual homeowner type of BMP.
- Degen: There is a BMP for proprietary ex situ. Describing there is a process for proprietary ex situ to be tested and certified to be given the 50% credit under that BMP. Each state would identify proprietary ex situ systems earn that 50% credit. For systems that want to get above 50% we would look on a case by case basis.
- Degen: Right now each state is responsible for determining which systems fall under that category. The approval is not coming from the panel for each of these systems. Maryland has a system for third party and field testing; Virginia is developing a similar protocol.
 - Montali: I would frame it as an issue of whether the state is able to document that the proprietary system achieves 50% in their state.
- Johnston asked Degen to work with him to develop a definition for proprietary ex situ.
 - Degen noted the document has a recommended protocol for assessing the removal rates.

- Sandi: Would be okay with the approach described. If we want to get higher rate, want clarification about process for getting that rate into the modeling tools.
 - Robin Pellicano (MDE): would that be a panel or simply something that would be handled by the WWTWG?
 - Degen: If a panel needs to be convened, it would be launched by the Wastewater Treatment Workgroup. It would be a new BMP and would follow the same process to get a rate above 50%.
 - Johnston: We can discuss this. The WQGIT is considering revisions to the BMP review protocol so unable to answer that right now.
 - Pellicano: question about “NSF 245 or similar.” What counts as “similar?”
 - Degen: NSF 245 is a specific protocol. There are other protocols identified in the report. Some manufacturers do independent testing.
 - Johnston summarized: Will work up definition for propriety ex situ with Degen, and add a question/answer that clarifies the process for propriety systems seeking above 50% credit in the modeling tools.
 - Degen noted the question may be for systems that don’t fall into the buckets, not just ones that seek above 50%.
- Johnston: We are not hearing any concerns about the report so we will add the noted clarifications and send a revised version of the technical appendix out to the WTWG for approval over email along with the full report. That way the recommendations can be approved prior to the May conference call.
 - **ACTION:** Johnston will distribute a revised Scenario Builder Technical Appendix along with the on-site treatment systems expert panel report for WTWG review and approval via email.

Lessons Learned for 2013 Progress

- Johnston described experiences with the 2013 Progress run, and highlighted things that worked well and did not work as well and potential improvements for 2014. He thanked all the states for their efforts and their improvements this year and reviewed his slides.
 - View [his presentation](#) for more details.
- Keeling noted the lockdown of September 1st. We need the static Appendix A ready so that both ends are ready to go in time for the full submission.
 - Johnston: We had some new BMPs last year which were allowed in after September 1. We will need jurisdictions to review and comment on the Appendix earlier this year to make sure we meet all the deadlines.
- Keeling: Quality Assurance Project Plans (QAPPs) are supposed to be valid for 5 years and are not updated unless there are significant changes. That’s an EPA rule. December 1 deadline effectively means a November 21 deadline when accounting for holidays and weekends.
- Keeling: Most of Virginia’s records were submitted as input decks through 2009, so not able to clean up the historical data through NEIEN. Do not see that as connected to annual progress.
 - Johnston: We should discuss the data cleanup process further on our next call.
- Keeling noted more information about Phase 6 land uses and NRCS BMP mapping would be needed before moving forward with cleanup.
- Sandi: We will have more thoughts on this after some more internal discussions.

- John Rhoderick (MDA): A major issue for Maryland is to reduce or eliminate cutoffs in agriculture.
- Alana Hartman (WV DEP): Nothing specific to add right now, but appreciate the thoughts.
- Bryan Bloch (DE DNREC): Nothing to add, but will share this with Marcia Fox (DE DNREC).
- Tesler: we appreciated CBPO's help in the past year and staff turnover can create problems, so it always helps to simplify this process whenever possible. Ongoing issue with cover crop data collection. Other
- Hurd: echo what Virginia has said about getting a jump on thinking about data. Want to consider BMPs and issues in advance so we can more quickly incorporate the data into NEIEN.
- Johnston: did communication between CBPO and jurisdictions work well or any thoughts for improvements?
 - Pellicano: Have one suggested improvement for communication. We ask for very specific files to be provided to help determine what is going right or wrong. Not sure how in-depth the other states go, but maybe it would be helpful for them as well. We have a list of what we ask for.
 - Johnston: that would be very helpful for us and for the workgroup. Sounds like a good list to start with.
 - Hartman: It definitely helped when reports included the state-assigned ID.
- Tesler noted the time and thanked everyone for their time and input.

Adjourned

Participants

<u>Name</u>	<u>Affiliation</u>
Ted Tesler (Chair)	PA DEP
Matt Johnston (Coord.)	UMD, CBPO
Jeremy Hanson (Staff)	CRC, CBPO
Karl Berger	MWCOG
Bryan Bloch	DE DNREC
Chris Brosch	Virginia Tech, VA DCR
Marcia Degen	VA Dept. of Health
Olivia Devereux	Devereux Environmental Consulting
Paul Emmart	MDE
Jim George	MDE
Steve Gladding	NYS DEC
Norm Goulet	Northern VA Regional Commission
Alana Hartman	WV DEP
Marty Hurd	DDOE
Bill Keeling	VA DEQ
Sarah Lane	UMD, MD DNR
Neely Law	CWP
Larissa Mark	National Association of Homebuilders
Rachel Melvin	MDA
Dave Montali	WV DEP
George Onyullo	DDOE
Robin Pellicano	MDE
John Rhoderick	MDA
Jess Rigelman	J7 LLC
Glynn Rountree	National Association of Homebuilders
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