

West Virginia's Requested Contingency Language Has Been Revised as a Result of Further Discussions between U.S. EPA and WV DEP

Scott Mandirola's original language:

"In the event that model revisions occur that increase the loads resulting from West Virginia's Phase II level of effort (ex. revised BMP efficiencies), or new directives are initiated to increase Partnership level of effort (ex. climate change, Conowingo), the remaining 500,000 pounds of nitrogen provided to West Virginia for equity would be made available for accommodation. West Virginia asks for the Partnership's commitment to return the unused equity allocation to West Virginia, if necessary."

Revised Language Agreed to by West Virginia and U.S. EPA:

"In the event that circumstances occur that increases the loads resulting from West Virginia's Phase II level of effort (ex. revised BMP efficiencies), or new directives are initiated to increase Partnership level of effort (ex. climate change, Conowingo), the Chesapeake Bay Program Partnership commits to West Virginia to provide the pounds of nitrogen necessary to remain at WV's Phase II level of effort."

This revised language has been incorporated into an updated version of the March 2nd PSC meeting presentation entitled: "Adjustments to the Bay's Assimilative Capacity & Determination of Additional Nitrogen and Phosphorus Loads."