



Toxic Contaminants Workgroup

March 9, 2016 Conference Call

1:00 p.m. – 2:30 p.m.

Minutes

Welcome, Introductions, Announcements

- CWEA Conference -- Scheduled for June 8th. We submitted an abstract to discuss the PCB story map and some of our other efforts related to PCB TMDLs. I also believe Tom Schueler (CSN) put in an abstract on his project as well. We will contact TCW members when registration is open.
- Mercury Air Toxics Standards -- U.S. Supreme Court dismissed a request for a stay of the Mercury Air Toxics Standards rule proposed by EPA. There is an ongoing legal challenge.
- Striped Bass Consumption Advisory – No consumption advisory was issued by District of Columbia. We have interest in the data behind this and some of the details.
 - George Onyullo (DOEE): I will talk to the people involved in the process to see if we can get some information for the group.
 - TCW has a joint project with the CBP's Diversity Action Team trying to find ways to enhance messaging for fish consumption advisories, particularly where underrepresented communities are impacted.

PCB TMDL Implementation Plan Strategies – Group

Workplan: Policy and Prevention; Approach 1, Key Action 4

The workgroup discussed common strategies being employed in PCB TMDL implementation plans, possible “best practices” for implementation, and next steps for communicating best practices to implementers.

Discussion:

- Mark Richards (VA DEQ): In Virginia, we are very early in process. We are primarily addressing PCB implementation plans through permits. One big effort is creating an inventory of facilities actually contributing to the load. We have taken that a step further to target general permits. We issue a letter under general permit that if a source is identified, they need to submit a pollution minimization plan (PMP). We are in early stages of approving PMPs and we are still determining what the most effective approaches are other than removing or containing upland hotspots. Outfall eliminations, regrading areas and improving stormwater BMPs

might be good approaches. Utilizing the right analytical method to determine where there is problem and if the source has addressed the problem adequately is an important piece of the puzzle. A few wastewater treatment plants (WWTPs) have done some source backtracking to industrial users. We haven't gotten involved in the larger WWTPs yet, but that will be down the road. Based on what other states have experienced, we would love to hear how they have addressed some of those issues.

- Len Schugam (MDE): For WWTPs, Maryland is actually doing a pre and post ENR survey to see if those processes are aiding in removal of PCBs at a higher level than previously. That survey just started this year and we won't have results until the end of the year. MDE hasn't developed any PCB TMDL implementation plans, the MS4s have developed them. We have had a wealth of plans come through, and they are in early stages of implementation. Baltimore County has already started some of desktop analysis to find sources. They are doing historical records checks. Most plans are looking at source track down work but they aren't exactly sure how to conduct them because they are unaware of the available methods in place that they can use. MDE hasn't had much success so far in identifying hotspots, and if Delaware and Virginia have some, that would be very beneficial to those jurisdictions. A lot of implementation plans are also looking at secondary benefits of sediment and nutrient BMPs. We don't really have field data to support that, because it is still more of an assumption.
- Schugam: Also, in response to the CBF comments on the workplan, MDE doesn't use method 1668 but we use a comparable congener low detection level. WWTPs have monitoring requirements with method 1668 because of their wasteload allocations.
- George Onyullo (DOEE): Our focus depends to a large extent on the MS4 NPDES permit and so we are focused on city erosion and sediment control. Our MS4 implementation plan is close to being finalized and the essence of that is we think the major driver for what we see in our water is PCBs contained in our sediment. If you look at our situation, that will largely control our sources. How the implementation plan will be expanded beyond the MS4 area is yet to be determined.
- Greg Allen (EPA): Are there PCB limits in the MS4 permit?
 - Onyullo: I think there are, but most will be controlled by water quality standards efforts because the two should not be inconsistent.
- Richards: We are still kind of behind the eight ball in the MS4 department as far as PCBs go. They will be assigned wasteload allocations, and in Potomac basin they already have been. But I would definitely be interested in hearing about the evolution of Maryland's program as well as D.C.'s program.
- Schugam: My main concern is how the MS4s will demonstrate the progress they're making in the annual reports? The problem with characterizing those loads is that they don't have the resources to estimate the loads from their

- conveyance systems. PCB sampling is costly and I think that will be a major hurdle for a lot of those jurisdictions.
- Allen: This is great information and one of the best places we have leverage is through the Clean Water Act and the TMDL implementation plans. It occurs to me we could take this to the next level of collecting information from the jurisdictions about the unique challenges in nonpoint vs point source PCB prevention.
 - Allen: This information can help us double check and make sure we have meaningful work identified in the workplan. Track down studies comes up often and we have a project underway now, through Tetra Tech, to develop a guide or reference materials to help folks who need to conduct track down studies. Is there anything else we would want to do with that?
 - Onyullo: One problem is that track down studies are easier to talk about than to actually put in place through a program. In D.C. we know it is a problem, but we don't have a program in place to track down PCBs. We should acknowledge in the workplans that conducting track down studies may not be realistic because of the cost and resource limitations.
 - Allen: How do we use the information we have in the workplan as a springboard to create more capacity in the jurisdictions to help increase track down studies. They are expensive and time intensive and we will be challenging ourselves to find ways to overcome those roadblocks. Is there anything else we want to say about this before the workplan becomes final? What would be the next step after getting a guidance document together?
 - Rick Greene (DE DNREC): I don't know it's the next step, but down the road, after you have gotten a few of these track down studies under your belt, you should hold a conference where the people who actually did the track down work (municipality, industrial user, etc.) come and present their methods. They generally love having the opportunity to explain what they did, how they did it and the success of what they've done. They don't like having the restrictions placed on them, but once they see they're making a difference, they will be a true asset. That should probably happen once every 3 years or so.
 - Scott Phillips (USGS): Have you done that in DE? How many did you draw in to put this together?
 - Greene: Yes, we had on the order of 60 or 70 people at the event. The results of that workshop are documented somewhere. Maybe DRBC's website.
 - Allen: How far down the road do folks think we would need to be to hold an event like that? Do we have instances where track down studies have already been used effectively? Maybe examples outside the watershed?

Richards: We don't really have any good examples in Virginia from the Bay watershed. Some facilities will be going in that direction, but we aren't there yet.
 - Allen: I know Hampton Roads Sanitation District has expressed an interest in this. In Virginia, the general permits will have a letter requiring a PMP. In Maryland,

- the TMDLs are coming online, and I'm thinking there is enough of the groundwork in terms of regulatory drivers that there should be an audience for finding out how to do track downs effectively. Maybe we could get presentations from outside of the watershed sooner rather than later.
- Richards: I am hesitant to commit to that because I just don't think we are there yet.
 - Onyullo: I think the guidance document is a good thing, but different jurisdictions are in different places in terms of being ready to use that document.
 - Onyullo: If you look at MS4 monitoring, the analytical method is explicitly stated but doesn't tell you how to actually monitor. The guidance document could be used by incorporating it by reference into some of the MS4 permits.
 - Allen: Do you refer to guidance or requirement documents in your permits? Is this feasible?
 - Schugam: I don't know how that would work. For MS4 jurisdictions, MDE provides the guidance to them during development of their implementation plans and our guidance is lacking because we don't have it ourselves. If we have this from Tetra Tech we'd be able to better disseminate that to the MS4s. If Tetra Tech will hold a meeting to gather best practices information, we could help bring everyone to the table.
 - Onyullo: During development of the guidance document, it would be good to include the localities and implementers as part of the attendees. That way they will already be aware of some of the methods and they will be better able to appreciate the recommendations.
 - Greene: You don't want to be prescriptive, in this document either. You want targeted, meaningful information and you want to focus on principles. You want to develop the guidance and allow the localities to tailor it to their specific situation. I also suggest that your overall approach not focus solely on point source discharges. If the goal is to try to solve the PCB problem, you not only need to focus on sources and controlling sources, but also think about the legacy contaminants.
 - Allen: When we wrote the Management Strategy, we were considerate of both point source and nonpoint sources, as well as instream sediments. I think we had a fairly reasonable balance in our overall strategy. D.C. is doing some characterization work in the Anacostia that will hopefully lead to some decisions regarding the treatment of hotspots there. There might be a few things we could tie together in terms of guidance. Is Virginia still working on PMP guidance?
 - Richards: Yes, we have a contractor to put together a technology clearinghouse to provide different technologies that can address PCB contamination. It provides background information for folks so they can see what could be applicable at their site. I am trying to

get the guidance document through by the end of this year, but right now it is a matter of being able to get to the information.

- Greene: Radio dating technology could be useful if that is feasible. There is not methof 1668 data for the water column going back in time, but what you do have is a lot of depositional environment. With a well-designed study, you can get cores from strategic locations that haven't been disturbed that can be radio dated and analyzed for PCBs to give you a trend over time. I recommend including something like that in the workplan. I will share the results of the Delaware Basin's temporal trends work when it is available.
- Greene: I also recommend reaching out to FWS in Missouri to get archived fish samples collected in Chesapeake Bay to help establish long term trends for PCBs.

Workplan Discussion -- Group

Workplan: Policy and Prevention; Research

Based upon the common approaches and best practices identified in the previous discussion, workgroup members evaluated the two TCW workplans and assess whether the right work is identified to help advance the implementation of those approaches.

Discussion:

- Allen: Based on previous discussion, it doesn't sound as though there is much interest in including any more key actions in the work plans at this point. We will address what we can, and if we are able to go above and beyond, that will be a bonus.
- Allen: Regarding responses to the CBF comments, we have a number of items on low level monitoring. We also have commitments to make sure permit requirements match up with TMDLs. CBF also asked for commitments from the Department of Defense, and I could reach out to the Federal Office Directors to see if we can get a commitment from DOD, but that isn't really the purview of the members of our workgroup.

ACTION: Prior to submitting the final workplans, Greg and David will send out a proposed response to comments for TCW member review.

Adjourned

Schedule of Upcoming TCW Meetings:

April 13

May 11