



**Toxic Contaminants Workgroup**  
November 10<sup>th</sup> Conference Call

November 10, 2015  
1:00 p.m. – 3:30 p.m.

## Minutes

### Summary of Actions and Decision

ACTION: TCW members should review the revised PCB story map and provide feedback to John Wolf ([JWolf@chesapeakebay.net](mailto:JWolf@chesapeakebay.net)).

ACTION: TCW members should submit comments on the draft Urban Toxic Contaminant Removal memo to Tom Schueler ([watershedguy@hotmail.com](mailto:watershedguy@hotmail.com)) by November 30.

ACTION: TCW members should review the workplans, specifically the columns related to funding. Please fill in the blank columns for which you have additional information and return the table to Scott, Greg and David by December 1. We ask that you provide either a specific dollar amount, “staff time”, or “no funding available”. If resources come out of base funding that is implemented year to year, please write “fully funded”. If you leave a column blank, please explain why it was left blank.

- I. **Welcome, Introductions, Announcements** -- Greg Allen, EPA
  - New USGS Study:  
[http://www.usgs.gov/newsroom/article.asp?ID=4381&from=rss\\_home#.VjtXo36rRaQ](http://www.usgs.gov/newsroom/article.asp?ID=4381&from=rss_home#.VjtXo36rRaQ)
- II. **PAHs and coal-tar-based sealcoat** -- Barbara Mahler, USGS  
Barbara provided an overview of recent research, and members were asked to comment on a summary of actions in the jurisdictions to ban coal-tar-sealants.

### Discussion:

- Dave Montali (WV DEP): Who are the biggest manufacturers of the coal-tar-based sealcoat?
  - Barbara Mahler (USGS): There are 3 major manufacturers: Coppers, Coopers Creek, and 1 other. There are Several major distributors as well.
- Greg Allen (EPA): How does the sealcoat industry feel about this research? Are they aware? Is the asphalt alternative something they are objecting to?
  - Mahler: Yes, they are aware of this research and we have been in contact for over a decade. There has been quite a bit of push back. They have hired consultants and published papers that disagree with our research. All independent research results are consistent. In terms of making the switch to asphalt-based sealcoat, that is something that representatives of the industry would be better able to respond to.

- Mark Richards (VA DEQ): Why is there a demarcation between the west coast and east coast? Is it regulatory?
  - Mahler: No, actually it is a historical and economic artifact of the source. The steel industry in the great lakes region leads to coal tar as part of the byproduct. It isn't entirely cut and dry, but by and large it seems to be that division. Many home improvement stores are no longer carrying coal tar based sealcoat, even on the east coast.
- Allen: Do you think there is any difference in impacts on an estuarine systems compared to the lakes?
  - Mahler: We haven't done any investigations in estuaries. I don't think salinity gradient would make a difference, but it is a good question.
- Montali: How many states have bans?
  - Mahler: Two, but there are a number of local counties as well.
  - Allen: We also want to highlight an article from the Bay Journal on the status on the local area bans in the Bay Watershed. Prince Georges County and Montgomery County in Maryland, and the District of Columbia have bans in place.
- Tom Schueler (CSN): The Minnesota state ban was driven by high PAH levels in stormwater pond sediment. I think it is wise to think about a Bay-wide ban or statewide bans.
- Len Schugam (MDE): Maryland has tried a statewide ban in the past, perhaps in 2012, but it was unsuccessful. We could contemplate contacting the legislators again to bring it back up. I don't know if there is new research to make that worthwhile.
  - Mahler: Yes, there has been a great deal more research conducted since 2012, especially related to carcinogenic effects.

### III. PCB Story Map -- John Wolf, USGS

John presented a second version of the story map that was introduced in September, and discussed the status of resolution of the issues from the last TCW demo.

#### Discussion:

- John requested feedback on the following questions:
  - Is it geographically accurate?
  - When you click on the feature and info is displayed, is it appropriate in this context? For example, which designated uses should be displayed?
- Allen: On the resolution of concerns from the previous version: we have removed the reference to 303d. I have heard once it goes on 303d, it doesn't come off until the impairment has been addressed and the designated uses attained. I am waiting for the definitive reference point, and I will share that when I have it.
  - Montali: I think the story map looks good, but I am not sure your explanation of the 303d process is quite right. When a TMDL is in place, it moves the water body from category 5 to category 4a. Being listed as 303d automatically implies category 5.
- Allen: The second issue was being careful not to show the entire watersheds as impaired, and that has been addressed. We also didn't want to show a TMDL under

development until a public notice has been issued. I think we have removed any that haven't been public noticed.

- John Wolf (USGS): We took out the year, and the distinction between under development and listed.
  - Schugam: I'd prefer if the map only displays TMDLs actively under development and not even have the ones planned for 2016 and 2017. We could just update it every year.
  - Wolf: Alright, so we would have to drop those waters to the category for impairments without existing or planned TMDLs. When would we get the public listings for 2016?
    - Schugam: They would be sent to EPA around September 2016.
  - Allen: We can adjust the words on tab 3 to say "PCB TMDLs Under Development"
    - There was agreement from other workgroup members.
- Allen: For boundary waters, there was a request to list who listed the impairment and who is developing the TMDL. For the moment, we won't indicate anything upstream. If anyone wants us to revisit it we can. Please send comments/ feedback in the next week. We will work with our communications team on how to make this publically available. Then our workgroup can discuss panel 4 and figure out how to get more projects underway.
- Wolf: Also potential for cross-outcome collaboration is something to think about down the road.

#### **IV. Toxic Contaminant Reductions from Stormwater BMPs -- Tom Schueler, CSN**

Tom reviewed the results of the Chesapeake Stormwater Network's literature review on the potential for traditional stormwater BMPs to provide toxic contaminant reduction benefits.

##### **Discussion:**

- Montali: This part 1 was dealing with stormwater only but part 2 won't be limited to stormwater, correct? Wastewater Treatment Plants (WWTPs) are a source of Cu and Zn. Is that being looked at?
  - Schueler: WWTPs are a source of just about every toxin, and particularly emerging pollutants of concern. We have had to make a few decisions about what to cover here. The next memo will be much more focused on wastewater and agriculture.
- Allen: The criteria you listed required that the toxin had to demonstrate sediment-like behavior in order to be included in your evaluation? There was a list of contaminants in the scope of work. Are those all listed here? Or was it narrowed down by this criteria?
  - Schueler: We looked at entire population of studies. These were the ones that fell into the criteria. The importance is that they can be mapped to TSS, where we have abundant removal information.

- Scott Phillips (USGS): For contaminants that are soluble, are there any BMPs that might reduce those that are discussed in the 2<sup>nd</sup> memo?
  - Schueler: Yes. These were the easier ones to find literature on. The soluble toxins will likely act more like nitrogen and phosphorus.
- George Onyullo (DOEE): In your conclusions, you mentioned an estimation of about 25% removal. How did you extrapolate to 40% by 2025?
  - Schueler: There is a table in the report that looks at the states commitments to removing sediment from existing impervious cover by 2025 from the TMDL. If the states met their commitments, it would get the 25% up to 40%, but I want to emphasize that these are ballpark estimates.

ACTION: TCW members should submit comments on the draft Urban Toxic Contaminant Removal memo to Tom Schueler ([watershedguy@hotmail.com](mailto:watershedguy@hotmail.com)) by November 30.

- Phillips: Should we present this report to the WQGIT?
  - Schueler: Yes, and I'd also like to take this to the USWG.

**V. Workplan Next Steps** -- Greg Allen, EPA and Scott Phillips, USGS

Greg and Scott reviewed the next steps in the workplan development process, and provided a recap of projects for which the TCW is identified as a “responsible party”.

**Discussion:**

- Phillips: December 18 is the deadline to have a complete draft of the workplans to the Management Board. They will then undergo a 4 week review before being distributed for public comment on January 22, 2016.
- Allen: We'd like to have TCW members take another look at the workplans to try and address the resources columns in terms of cost and available funds.

ACTION: TCW members should review the workplans, specifically the columns related to funding. Please fill in the blank columns for which you have additional information and return the table to Scott, Greg and David by December 1. We ask that you provide either a specific dollar amount, “staff time”, or “no funding available”. If resources come out of base funding that is implemented year to year, please write “fully funded”. If you leave a column blank, please explain why it was left blank.

**VI. Adjourned**

**Schedule of Upcoming TCW Meetings:**

December 9  
 January 15  
 February 10  
 March 9

## List of Call Participants

| <b>Member</b>                | <b>Affiliation</b> |
|------------------------------|--------------------|
| Greg Allen (Coordinator)     | EPA, CBPO          |
| Scott Phillips (Coordinator) | USGS               |
| David Wood (Staff)           | CRC                |
| Whitney Pipkin               | Bay Journal        |
| Ashley McAvoy                | CBF                |
| Tom Schueler                 | CSN                |
| Krista Parra                 | DoD                |
| George Onyullo               | DOEE               |
| Lorie Baker                  | EPA, HSCD          |
| Len Schugam                  | MDE                |
| Lana Sindler                 | MWCOG              |
| John Wolf                    | USGS               |
| Barbara Mahler               | USGS               |
| Kelly Smalling               | USGS               |
| Don Smith                    | VA DEQ             |
| Mark Richards                | VA DEQ             |
| Rob Breeding                 | VA DEQ             |
| Dave Montali                 | WV DEP             |