# Implementing Principles for the Delaware Estuary PCB TMDLs

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# Presentation Outline

- ✓ Background
- ✓ Implementing Stage 1 TMDLs Permit Requirements
- ✓ Coordination Activities
- ✓ Future Initiatives

# Background

- Delaware Estuary portion of the Basin is 133 miles long and is bordered by DE, NJ and PA.
- In the 1960's, the DRBC established 5 water quality management units called Zones.

# Background

- Stage 1 PCB TMDLs were developed by the Commission and established by EPA Regions II and III for Zones 2 - 5 in 2003 and for Zone 6 (Delaware Bay) in 2006.
- Federal regulations require NPDES permits to be consistent with WLAs established with TMDLs.
- Implementation of the Stage 1 TMDLs in NPDES permits consisted of two requirements:
  - PCB monitoring using a more sensitive analytical method for all 209 PCB congeners.
  - A requirement to develop and implement a Pollutant Minimization Plan (PMP).

# Background

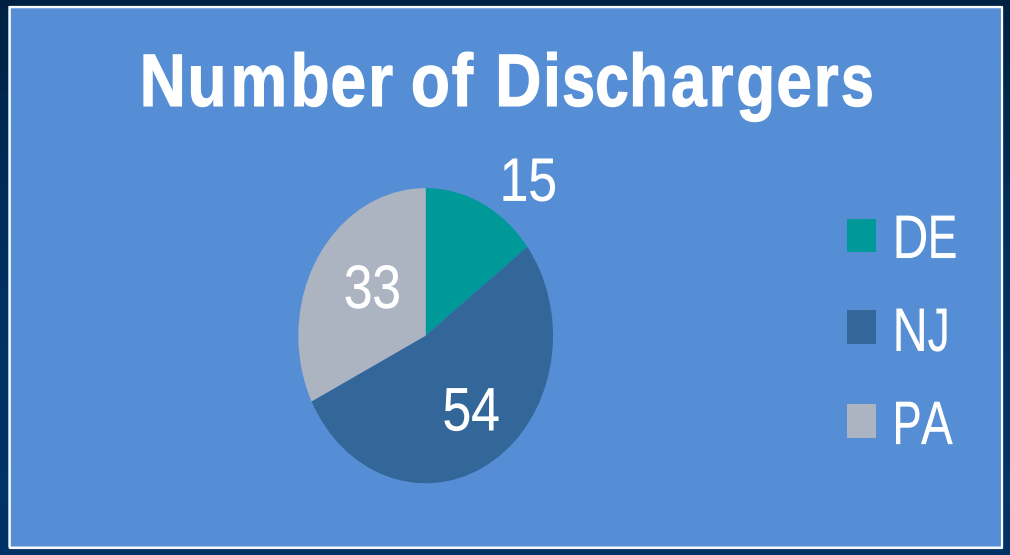
- PMP requirements were phased by dividing the NPDES permittees identified in the TMDLs into two groups.
- Assignment criteria included the analytical method used, # of PCB congeners detected, and whether the discharge was principally non-contact cooling water.
  - Group 1 - required to conduct both monitoring and initiate PMP development.
  - Group 2 - required to conduct 2 years of monitoring with PMP development required if PCB presence was confirmed.

# PMP Regulations

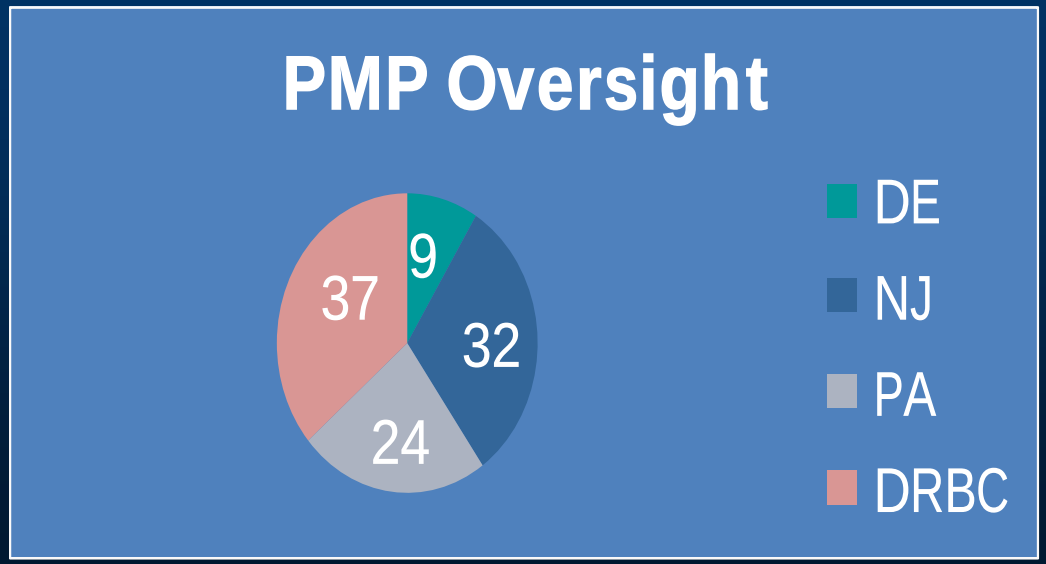
- On May 18, 2005, the Delaware River Basin Commission voted unanimously to amend the Commission's Water Quality Regulations by adding Section 4.30.9 entitled Pollutant Minimization Plans for Toxic Pollutants.
- Applicability - Following either:
  - A determination of assimilative capacity, or
  - Issuance of a TMDL by the EPA or a Basin state.

  The Commission may add a ***pollutant*** to these regulations and may require point and nonpoint dischargers to prepare and implement PMPs.

# Dischargers in PCB TMDL




**Total number of dischargers = 102**



# Application of PMP Rule

- Following adoption of this section, letters were sent in June 2005 to 42 dischargers identified in the Stage 1 TMDL report as Group 1 dischargers.
- In response to the letters, 41 plans were received and reviewed by DRBC staff.
- DRBC, States and EPA Regions 2 & 3 established procedures to coordinate the imposition of both monitoring and PMP requirements in NPDES permits for Group 2 dischargers.

# Coordination Activities

- Development of sampling and analytical protocols specific to the permit requirements (http://www.state.nj.us/drbc/quality/toxics/pcbs/monitoring.html)
- Development of standard permit language for use by state permitting authorities.
- Utilization of DRBC PMP requirements (http://www.state.nj.us/drbc/programs/quality/pmp.html)
- Conference calls to:
  - Identify those remaining dischargers without PMP or monitoring requirements.
  - Identify NPDES permit expiration dates and mechanism to require PMPs/monitoring.

# Future Initiatives

1. Continued demonstration of progress in reducing PCB loadings to the maximum extent practicable.
2. Evaluation of the progress in achieving water quality criteria for PCBs and wasteload allocations (WLAs) for NPDES dischargers.
3. Establishment of Stage 2 TMDLs to replace Stage 1 TMDLs:
   - ✓ Updated TMDLs based upon revised PCB criterion and water quality model.
   - ✓ Updated wasteload allocation procedure
   - ✓ Implementation strategy

# Questions?

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