

DRBC Water Quality Criteria Updates - *Toxics*

Water Quality Advisory Committee

Jeremy Conkle Ph.D., Senior Chemist/Toxicologist
John Yagecic, Manager Water Quality Assessment

September 15, 2025



Presented to an advisory committee of the DRBC on September 15, 2025.
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DRBC Water Quality Criteria 101

- DRBC has a water quality mission from our Compact
- DRBC Stream Quality Objectives (Criteria) originated independently of the Clean Water Act
 - Explains why DRBC has done things differently over the decades
 - DRBC supports the Clean Water Act
 - DRBC does not perform triennial review
- DRBC Toxics criteria are nuanced
 - Applicable in Mainstem Zones 2-6
 - Do not apply to Zone 1 (Trenton to the headwaters).
 - Therefore, DRBC toxics criteria do not apply to all states
- States go first approach



Issues

- DRBC surface water quality standards for toxics are out of step with EPA nationally recommended criteria and State criteria
 - DRBC criteria for many pollutants differ from EPA/Basin States
 - DRBC does not have criteria for some pollutants with EPA-recommended criteria that have been adopted by the relevant basin states
- DRBC Human Health Water Quality Criteria are structured differently than the States/EPA
- No obvious sustainable path toward getting & *staying* current

Draft Path Forward

- Multiple meetings with co-Regulators to pitch and discuss ways to catch up
 - Conclusion: Phased approach with Phase 1 to focus updates on criteria where the relevant basin states have adopted the EPA-recommended criteria
 - Where all relevant states have adopted the EPA-recommended criteria, and DRBC has different criteria, DRBC will modify (decrease or increase) its criteria values to match the USEPA-recommended criteria values.
 - Where all relevant states have adopted the EPA-recommended criteria, and DRBC does not have criteria, DRBC will add the EPA-recommended criteria for that pollutant.
 - The exception is for PCB Human Health criteria, which will not change.
 - Pertains to DRBC Water Code Tables 5 (Aquatic Life) as well as 6 and 7 (Human Health)
 - Aquatic Life Draft Updates are relatively minor and include the addition of 5 criteria in the Marine Chronic category
 - Human Health updates are more substantial



Draft Human Health Criteria Updates

○ Current: 2 tables

TABLE 6: STREAM QUALITY OBJECTIVES FOR CARCINOGENS FOR THE DELAWARE RIVER ESTUARY AND BAY.

PARAMETER	FRESHWATER OBJECTIVES (µg/l)		MARINE OBJECTIVES (µg/l)
	FISH & WATER INGESTION	FISH INGESTION ONLY	FISH INGESTION ONLY

TABLE 7: STREAM QUALITY OBJECTIVES FOR SYSTEMIC TOXICANTS FOR THE DELAWARE RIVER ESTUARY AND BAY.

PARAMETER	FRESHWATER OBJECTIVES (µg/l)		MARINE OBJECTIVES (µg/l)
	FISH & WATER INGESTION	FISH INGESTION ONLY	FISH INGESTION ONLY

○ Draft: Reorganization into 1 table to align with EPA and states

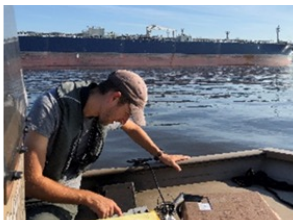
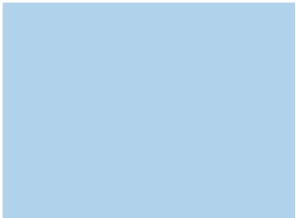
Pollutant	CAS#	Water & Organism	Organism Only
		µg/L	µg/L

Draft Human Health Criteria Updates

		Water & Organism	Organism Only
		Number of Pollutants	
	Currently Aligning or More Stringent than EPA Criteria	31	24
Phase 1	Criteria Value Decrease	42	40
	Criteria Value Increase	6	13
	New pollutant criteria	6	4
	Total Pollutants After Phase 1	114	106
Next Phases	Potential Criteria Adjustments	29	25
	Potential Criteria Additions	12	10

Next Steps

- Present to the Toxics Advisory Committee
 - Solicit input from members
- Meet and discuss again with our Co-Regulators
- Open the Public Participation Process



Jeremy L. Conkle Ph.D. Jeremy.Conkle@drbc.gov
John Yagecic John.Yagecic@drbc.gov

