



**Delaware River Basin Commission**

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**Steven J. Tambini, P.E.**

Executive Director

**MEETING SUMMARY  
WATER QUALITY ADVISORY COMMITTEE  
OCTOBER 30, 2015**

**ATTENDEES:**

<b>NYS DEC</b> Scott Stoner <i>(via telephone)</i>	<b>DE DNREC</b> David Wolanski <b>**Chair of WQAC**</b>
<b>NJ DEP</b> Frank Klapinski	<b>PA DEP</b> Tom Barron <i>(via telephone)</i>
<b>EPA</b> Wayne Jackson, EPA, Region II <i>(via telephone)</i> Kuo-Liang Lai, EPA, Region III	<b>Academia Representative</b> John Jackson, Stroud Water Research Center
<b>Environmental Organization Representatives</b> Maya van Rossum, Delaware Riverkeeper	<b>Regulated Community Representatives</b> Al Pagano, Chemours Bryan Lennon, City of Wilmington
<b>National Park Service</b> Peter Sharpe <i>(via telephone)</i>	<b>Local Watershed Organization</b> Abigail Pattishall
<b>DRBC:</b> Greg Cavallo, Senior Geologist Tom Fikslin, Manager, Modeling, Monitoring & Assessment Branch Ron MacGillivray, Senior Envir. Toxicologist Ken Najjar, Manager, Planning & IT Branch Elaine Panuccio Erik Silldorff, Senior Aquatic Biologist Namsoo Suk, Supervisor, Modeling Section Steve Tambini, Executive Director Victoria Trucksess John Yagecic, Supervisor, Standards & Assessment Section	<b>Other Attendees (cont):</b> Tom Imbrigiotta, USGS Josef Kardos, PWD Jim Keating, EPA, HQ Arthur Kney, Lafayette College Evelyn MacKnight, EPA, Region III Rhonda Manning, PADEP <i>(via telephone)</i> Rod McAllister, PADEP <i>(via telephone)</i> Bonita Moore, PADEP <i>(via telephone)</i> Michelle Moses, PADEP <i>(via telephone)</i> Eric Olsen, TNC Angela Padeletti, Part. Del. Estuary Nicholas Patton, Delaware Riverkeeper Network Ian Piro, DELCORA
<b>Other Attendees</b> Joseph Colosi, DeSales University Jason Cruz, PWD Michael Dillon, Manko-Gold Virginia Eisenberg, Artesian Water Jason Fagel, NYSDEC <i>(via telephone)</i> Brenda Gotanda, Manko-Gold Denise Hakowski, EPA, Region III	Alison Quimby, City of Wilmington Bill Richardson, EPA, Region III Bart Ruitter, Chemours Kristen Schlauderaff PADEP <i>(via telephone)</i> Larry Sandeen, SES Inc. Andy Thuman, HDR Eric Vowinkel, Rutgers Univ. Richard Watson, Hamilton Twp. WPC

## **1. Announcements**

- DRBC reminded all attendees that advisory committee meetings are recorded, with the recordings used to develop meeting minutes and meeting summaries; the recording is not used to develop a meeting transcript.

## **2. Discussion of Designated Use Issues (presentation by Jim Keating, EPA-HQ)**

Jim Keating started with a PowerPoint presentation entitled “Perspective on Delaware River Designated Uses” (*see DRBC website for a copy*; [http://www.state.nj.us/drbc/library/documents/WQAC/103015/delaware-river\\_designated-uses\\_keating103015.pdf](http://www.state.nj.us/drbc/library/documents/WQAC/103015/delaware-river_designated-uses_keating103015.pdf)). This presentation provided background on water quality standards under the Clean Water Act and recent revisions to the Code of Federal Regulations (CFR) related to designated uses. These were then related back to the current status of the Delaware Estuary and paths forward toward revising water quality standards. Jim described two viable paths forward: (1) adoption of full 101(a)(2) uses and criteria first, and then revision should they not turn out to be feasible; or (2) identification of the Highest Attainable Use first, followed by revisions to the uses and criteria to protect that Highest Attainable Use.

## **3. “Existing Use” Next Steps**

Jim Keating’s presentation generated many questions and a lively discussion on both the current status of the estuary, and the most advisable approach to set new goals and criteria. A central issue in the discussion was the timeline for progress should the second path be taken (i.e., the “Highest Attainable Use” path). One possibility that had not been considered before would be to increase the designated use near-term to the aquatic life uses described in the draft report developed by DRBC staff, and then have a window of time before adopting the dissolved oxygen criteria to support the higher use (although it was acknowledged that such a disconnect may not be a legally feasible option). Funding resources also were discussed relative to the timelines for modeling and adopting new criteria.

The conversation then turned to what, if any, actions might be taken short-term in the interim while the “attainability” question was answered. Included in such interim steps might be various levels of optimization by wastewater treatment plants which involved no capital costs. A comparison was made to the Pollution Minimization Plans under the Delaware Estuary’s PCB TMDL.

The Committee then turned to what steps are needed to move the Committee to a final recommendation. Starting from the initial two paths outlined by Jim Keating, the Committee felt that additional paths or variations from these paths had been identified during today’s meeting. The Committee then asked DRBC to prepare a summary document that included the various “paths forward” for the existing / designated use as well as dissolved oxygen criteria, with approximate timelines for each option. This document could be circulated to the members in December, with members adding their edits, comments, and evaluations of each option so that the next WQAC meeting in January could move quickly through discussion and toward a vote on the preferred recommendation from the Committee to the Commissioners.

## **4. Review & Approval of Minutes**

*(postponed because of time constraints)*

Meeting Adjourned @ 12:48 pm.