



## Delaware River Basin Commission

### WATER QUALITY ADVISORY COMMITTEE MEETING MAY 3, 2001

#### ATTENDEES:

NEW JERSEY DEP	Steven Lubow, Env. Scientist Nancy Kempel, Sup En. Eng.
DELAWARE RIVERKEEPER NETWORK	Maya van Rossum, Riverkeeper
U.S. EPA	Wayne Jackson, Region II Larry Merrill, Region III
DUPONT	Alfred Pagano, Env. Consultant
NEW YORK STATE DEC	Alan Fuchs, Chief Estuary Watershed Mgmt. Chuck St. Lucia, Env. Engr.
DELAWARE DNREC	John Schneider, Program Manager
DRBC	Tom Brand, Branch Head, Project Review David Pollison, Senior Advisor Lance Miller, Acting Branch Head, Pl & Imp Patricia McSparran, Water Resources Engineer Ed Santoro, Monitoring Coord.
PENNSYLVANIA DEP	Ed Brezina, Conv. Prog. Mgr. Jenifer Fields, Chief Permits Section Water Mgmt.
CITY OF WILMINGTON	Sean Duffy, Water Div. Dir. Kash Srinivasan

Meeting was called to order by Chairman John Schneider at 10:00 a.m. The minutes of the meeting on December 14, 2000, were approved. The agenda was reviewed and no changes were made.

#### White Paper

Mr. Pollison opened the discussion on the "Project Review Related Aspects of Changes to the Water Quality Regulations" (white paper).

Tom Brand reported on the criteria/changes in water quality regulations that are being considered. Currently DRBC review is required for any discharge greater than 50,000 gpd. Should this be changed? Discussion involved the responsibility of the States to develop programs in the non-tidal intrastate waters.

Maya van Rossum commented on the boundary point approach for all tributaries to the shared waters. Discussion involved establishing boundary points for the Special Protection Waters.

New York State noted that they are interested in focusing on boundary control points, and asked who is going to do what and who is going to maintain data to assess whether the States are protecting these waters.

The question was asked on how often do we receive monitoring for boundary control points in Special Protection Waters? David Pollison reported on a joint program with the Park Service (most of which is seasonal). Specifics about this program can be addressed to Todd Kratzer, who was unable to attend this meeting.

Tom Brand reported on an issue from the Wilkes-Barre Office concerning a discharger in the Special Protection Waters area. DRBC is currently working with them on a particular discharge, on whether or not they need to change permit limits on a couple of parameters. The largest problem is getting background water quality data from the small tributaries. Possible solutions given for this problem was picking parameters and sampling them.

Group discussion involved anti-degradation and how it would impact on DRBC decision making on intrastate waters. Lance Miller discussed the need to follow regulations for anti-degradation and the legal ramifications if not followed. Discussion involved how each State on an individual basis deals with anti-degradation. The overall goal was felt to be "What water quality are we trying to protect?"

Discussion involved the boundary conditions, as well as knowing how to do anti-degradation before a State would accept these conditions. The issue was also raised on how to prevent the lowering of boundary conditions, which does not achieve the overall goal of protecting a higher quality of water.

Discussion involved the relationship of existing water quality concept and the TMDL process.

David Pollison reported on Special Protection Waters Program and which actions need to be reviewed by the Commission.

Tom Brand discussed what requirements are needed to apply for a permit from DRBC.

Lance Miller suggested that Regions 2 and 3 meet to discuss anti-degradation issues. Once this has been accomplished, we can then figure out how our regulations (DRBC) need to be revised to address an anti-degradation approach.

The issues of jurisdiction were discussed, as well as the items on the white paper. In addition, dealing with loading was explained.

Issues involving monitoring programs were discussed. DRBC has defined what existing water quality is in segments for the upper and middle Delaware River. This is what is to be used by these monitoring programs.

Wayne Jackson made the suggestion that anti-degradation be a topic for a sub-committee. The WQAC was in agreement that anti-degradation is an issue that should be discussed further by the Uses & Criteria Subcommittee.

### **Uses & Criteria Subcommittee**

David Pollison discussed The Fish and Wildlife Management Cooperative for the Delaware River Basin, which is composed of State and Federal Fisheries Personnel. We have the following information i.e. what the habitat is, what the life cycle is, what are the areas of fish propagation. Lance Miller will have a meeting with this Committee on May 17th. They are considering conducting monitoring directly in those areas to see if the upgraded D.O. criteria would be met in those areas.

Ed Santoro reported on the automatic monitor data for the Benjamin Franklin Bridge and Chester stations. Issues that arose included: There is large amount of data from the monitor that was invalid. Difficulty was

noted with repair/replacement of these monitors. Analysis is basically 1996 to 2000. Ed is putting together some frequency plots for both the Benjamin Franklin Bridge and Chester for two separate periods, one for winter and one for summer periods. Ed Santoro also reported on what is known about the quality of the tributaries at the confluence with the river. There is no long-term data that could provide this information.

The Uses and Criteria Subcommittee meeting will be re-scheduled to June 7 or 8. Lance Miller will e-mail the subcommittee members to finalize the date.

### **Technical Advisory Committee Report**

Discussion of continuing the TMDL process for PCBs; coming out with their TMDL on schedule: presentation by Tom Fisklin and Namsoo Suk; significant discussion on the sedimentology coring study that is planned; and the application for grant money to support some of these activities. Also, a food chain study was suggested.

### **Comprehensive Plan**

The Commission has been charged by the Commissioners to re-do the Comprehensive Water Resources Plan. There is a Watershed Advisory Council that has been established to provide advice to the Commission for developing that Comprehensive Plan. A meeting was held in January and a convening paper has been assembled summarizing those issues and a workshop will be held on May 14/15. We will take the issues from the Convening Paper, evaluate them, and see if there is an agreement on the set of issues that need to be addressed in the Comprehensive Plan. The Advisory Committees will decide how these issues will be addressed. DRBC will develop a proposal about using our existing Advisory Committees to address these issues, as well as issues that need a home (or do not have a place in our existing Committees).

Issues can be broken down into three issues:


1. Being addressed by the Advisory Committee.
2. Appropriate to be addressed in an Advisory Committee.
3. Need ad hoc Committee (issues that would not fit in existing Advisory Committee Structure).

The Convening Paper will be mailed on Friday May 4, 2001. The workshop will be held at the Shawnee Inn in Pennsylvania on May 14th and 15th.

### **Next Meeting**

The next meeting of the Water Quality Advisory Committee will be held on June 20th from 9:30 a.m. - 2:30 p.m. (*Please note: this meeting was later rescheduled to July 11, 2001.*)

*Questions?*



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