



Delaware River Basin Commission

25 State Police Drive
 PO Box 7360
 West Trenton, New Jersey
 08628-0360
 Phone: (609) 883-9500 Fax: (609) 883-9522
 Web Site: <http://www.drbc.net>

Carol R. Collier
 Executive Director

Robert Tudor
 Deputy Executive Director

**MINUTES
 WATER QUALITY ADVISORY COMMITTEE
 MARCH 23, 2010**

ATTENDEES:

NYS DEC (via telephone) Scott Stoner	DE DNREC (via telephone) Dave Wolanski
EPA Denise Hakowski, EPA Region III	PA DEP Thomas Barron (Committee Vice-Chair)
NJ DEP Debra Hammond, Water Quality Standards & Assmt.	Academia Representative (via telephone) John Jackson, Stroud Water Res. Center (Committee Chair)
Environmental Organization Representatives Not in attendance	Regulated Community Representatives Alfred Pagano, E.I. DuPont Colleen Arnold, City of Wilmington
National Park Service Allan Ambler	Local Watershed Organization Not in attendance
DRBC Thomas Fikslin, Manager, Modeling, Monitoring, & Assessment Robert Limbeck, Watershed Scientist Kenneth Najjar, Manager, Plan. & Info. Tech. Jessica Sanchez, Basin Planner Erik Silldorff, Aquatic Biologist, Stds. & Assmt. John Yagecic, Supervisor, Stds. & Assmt.	Other Attendees: Heidi Biggs, PA DEP Jason Cruz, Philadelphia Water Dept. Josef Kardos, Philadelphia Water Dept.

The meeting was called to order at 9:45 am by Committee Vice-Chair, Thomas Barron.

Approval of Agenda & Minutes

The agenda was approved by the committee.

Minutes from the November 17, 2009 meeting were approved by the WQAC with the following changes:

- Thomas Barron attended in person, not via telephone
- Page 2, paragraph 1, line 3 - should be “stacked,” not “staked”

Membership

Ken Najjar stated that Jessica Sanchez has contacted other members that have not been attending meetings. Scott Stoner of NYS DEC will be the New York representative, with Glenn Milstrey serving as alternate. Wayne Jackson will now replace Izabela Wojtenko as the EPA Region 2 member.

Temperature

Bob Limbeck presented the latest progress on temperature criteria for Zone 1. By the next meeting, DRBC is ready to submit temperature criteria for Zones 1B-1E using PADEP seasonal warmwater criteria as the basis for ambient criteria. Zone 1A criteria have been shelved until more fisheries data become available, and until resolution of various studies and issues are resolved (e.g., Dwarf Wedgmussel studies, FFMP, and recommendations of the PA/NY fisheries agencies on transitional 'cool' waters).

There was some discussion between Heidi Biggs (PADEP) and Mr. Limbeck about PADEP modification of seasonal temperature criteria and uses, which is currently underway. Changes in criteria made by PADEP would be integrated into DRBC Zone 1B-1E criteria. These changes primarily involve smoothing the seasonal temperature curves to reduce the frequency of violations due to natural conditions.

Next steps for DRBC staff are to prepare temperature criteria rule language, basis and background documentation, and implementation guidance for Zones 1B-1E.

Task: Official vote next meeting to move forward with revisions to temperature criteria

Nutrients

The presentation to the Commissioners in December on the Interim Protective Measures recommendations from WQAC was briefly discussed. Since a detailed discussion with the Commissioners has not taken place, little progress has been made on these Interim Measures. However, some background work on the point-source nutrient monitoring requirement has been conducted and the rough structure for such a monitoring was presented.

DRBC will broadly base the monitoring on the Stage 1 TMDL for PCBs, with more frequent monitoring for the larger sources. The general idea is to recommend monthly monitoring for the larger facilities but only quarterly monitoring for the smaller facilities; both monthly and quarterly monitoring would match NPDES cycles. The parameter list has not been finalized but generally is expected to include multiple species for Nitrogen and Phosphorus, as well as NBOD and CBOD. Both the frequency and parameter list were discussed by the Committee, with suggestions to consider wet vs. dry weather and to also consider flow, temperature, and D.O. in the parameter list.

The group thought it would be valuable for the WQAC to review the final list of parameters, the frequency of monitoring for different facilities, and the estimated costs at the next WQAC meeting. DRBC will send out a draft 2 weeks before the meeting for circulation. It will likewise be important for DRBC staff to interact with state permit writers on the list of facilities that would be required to monitor nutrients.

The scope of monitoring was also discussed by the Committee. The original recommendation suggested “appropriate” facilities in the Estuary watershed (below Trenton), but there was concern that extending monitoring to any (or very many) facilities above the head-of-tide would have little support. It was also emphasized that comprehensive data for the major tributaries entering the watershed will be needed; this need was generally agreed upon and would likely draw from many monitoring programs.

Task: DRBC will develop a final monitoring plan and parameter list for review at next WQAC meeting. The plan will be submitted to WQAC members 2 weeks prior to the next WQAC meeting

Task: DRBC will contact NPDES staff for universe of dischargers for monitoring.

Dissolved Oxygen

The WQAC decisions from 2009 on Dissolved Oxygen (D.O.) revisions were briefly reviewed, with the immediate short-term strategy to elevate the Designated Uses in the Estuary to at least match the Existing Uses, along with D.O. criteria revisions to match those Existing Uses. For the long-term strategy, a water quality model needs to be developed for the estuary that can help identify the Highest Attainable Use and the biological improvements that would come with improved D.O. conditions.

The utility of an Expert Panel was then discussed relative to both the long-term and short-term D.O. revision strategies and the more specific steps in the short-term strategy were laid out. The two-phased approach to D.O. revisions has already been presented to the Delaware River Basin Fish and Wildlife Management Cooperative, which helped to identify the sources of data that can be used to define the Existing Use within the Estuary. Between March and September, DRBC will be synthesizing that biological data as well as analyzing the recent patterns in D.O. conditions.

Based on these reviews, DRBC will develop recommendations for revised Designated Uses as well as revised D.O. criteria that match the recommended Uses. These recommendations will begin to be circulated and discussed in September and October, with the goal of incorporating suggestions into a final recommendation by March 2011. The Expert Panel was not seen as critical for these steps, but there was a potential role for 2 or 3 external reviewers of the recommendations. Candidates for the Expert Panel could be drawn from to conduct such an external review. DRBC requested that WQAC members continue to send any Expert Panel recommendations to Erik Silldorff for consideration as both external reviewers and as members of the Expert Panel.

A couple of Committee discussions arose from this review. First, the timing and selection of Expert Panel members or external reviewers was discussed, with a general strategy for DRBC staff to make a recommendation to the WQAC, with the WQAC making a final recommendation on selection. Second, the interaction between the Toxics Advisory Committee and the WQAC was highlighted because of the currently separate tracks for Ammonia criteria revisions and nutrient criteria development. Value was seen in better coordination across these efforts.

Task: Recommendations for expert panel to be sent to DRBC (Erik Silldorff)

Other Business

WQAC Meetings remaining for 2010

- June 23, 2010
- August 3rd (tentative date, if needed)
- October 19th

Meeting Adjournment

Meeting adjourned at 2:10 pm. The next WQAC meeting will be June 23, 2010, at 9:30 am, at the DRBC offices in West Trenton, NJ.