



Office of Water Management

# Triennial Review of Water Quality Standards TR16

## Projected Scope, Purpose & Timeline

Water Resources Advisory Committee  
Feb. 18, 2015

# TR16: Projected Scope & Purpose

## **Triennial Review of Water Quality Standards**

Review, revise and update, as needed, at least once every three years, water quality criteria and standards found in 25 Pa. Code Chapters 93 and 16, and portions of 92a to reflect the latest scientific information and new Federal guidelines for criteria development, and other implementation guidance

# TR16: Projected Scope

The U.S. Environmental Protection Agency (EPA) has issued, since our last triennial review, new or updated ambient water quality criteria for:

- Revised **Ammonia** criteria based on new studies that include sensitive freshwater mussels (April 2013)
- New Recreation Use criteria; including ***E. coli*** indicators (Nov. 2012)

The Department will consider updates to Table 3 at Section 93.7 (relating to specific water quality criteria) following a thorough review of these U.S. EPA recommendations and other documentation and implementation guidance

# Too Early for TR16

In May 2014, EPA issued draft updates to its national recommended water quality criteria for human health protection for 94 chemical pollutants to reflect the latest scientific information and EPA policies, including updated body weight and fish and water consumption rates described in a new report (*Updated National Recommended Water Quality Criteria for the Protection of Human Health*). EPA accepted written scientific views from the public on these draft updated human health criteria. The comment period ended August 13, 2014.

Once finalized, the Department will consider these updated recommendations. However, it is not expected to coincide with the timeline for this current triennial review.

# Development of Site-Specific WQ Criteria

- Provide Clarification and Specific reference (in § 93.8d(c)) to the use of the Biotic Ligand Model (BLM) for development of site-specific water quality criteria for copper
- Describe special conditions and prerequisites for use of the BLM.

# Other Specific Water Quality Criteria Updates

- Department currently researching Chloride and Sulfate Aquatic Life Criteria – Stroud Water Research conducting Toxicity Testing
- Methyl Mercury Human Health Fish Tissue-based Criterion & Implementation Guidance
- Methyl Tertiary-Butyl Ether (MTBE) Human Health Criterion or Health Advisory Updates

# Site-Specific Water Quality Criteria Updates

Upgrade Site-specific and/or Provisional Criteria recommendations to Statewide (Table 5), Regional (Table 6), or Site-specific (§ 93.9) criteria in Ch. 93 Water Quality Standards regulation, as warranted

- Create new on-line resource to house site-specific/provisional criteria to replace Table 1A, Chapter 16, Appendix A

# Clarification & Update for Great Lakes WQ Criteria

Consider recommendation to default to statewide (Table 5) criteria if none available in Table 6.

More appropriate now that statewide fish consumption rate is 17.5 g/day; more consistent with Great Lakes Water Quality Agreement's rate of 15 g/day than previous statewide rate was 6.5 g/day.

The following existing statements would need to be changed or clarified:

- § 93.8c(b) – “The criteria in Table 5 do not apply to the Great Lakes System.”
- § 93.9e(b) – “For any pollutant not listed in the table (Table 6), criteria ... will be developed, ... in accordance with ...” Ch. 93 and § 16.61



## Clarification for Interstate/International WQ Criteria

Provide additional clarification in § 93.2(b) & § 93.9(b) and in the drainage lists about application of WQS established under interstate or international compacts or agreements – DRBC, ORSANCO, GLWQA, regarding

“... the more stringent standards apply” and  
“Exceptions to Specific Criteria”

## Reaffirm Non-Fishable/Non-Swimmable Waters

Reaffirm that the existing exclusions of the “fishable/swimmable” use for portions of the Delaware River & Lake Erie basins in Drainage Lists E, G and X are still applicable.

## Updates and Corrections for Typos & Errors

- Updates, revisions, and corrections to typos, translation errors and missed references associated with prior rulemaking and/or publication activities.
- Update, revise, and correct use designations and stream entries in the Drainage Lists in §§ 93.9a thru 93.9z, as needed, which are not addressed in a separate Stream Redesignation Rulemaking Package.

# Updates to Chapter 16: Statement of Policy

- Correct the reference to Ch. 92a at §16.22(1)
- Provide Updates to methodologies/protocols for development of Aquatic Life and/or Human Health Criteria
- Change Incorrect reference at §16.32(c)(2) to the Water Quality Standards Handbook, Second Edition; should reference EPA-823-B-94-005a.
- Possible incorrect reference to Tier II values at §16.61(b)(2) when referring to Human Health Criteria for the Great Lakes System.

## Updates for Chapter 16 (Cont'd.)

- Move site-specific criteria in Appendix A, Table 1A Site-Specific Criteria to Ch. 93, if warranted
- Create an on-line resource to store site-specific and provisional criteria; delete Table 1A
- Make Updates to §16.102 – Approved EPA Analytical and Detection Limits, with cross reference to EPA approved methodologies; delete Methods Tables 2A, 2B & 3.

# TR16 & Ch 16 Updates: Projected Timeline

- Draft of Proposal to WRAC: July/Aug 2015
- Present Proposed Rule to EQB: Sept/Oct 2015
- Publish in Pa Bulletin: Nov/Dec 2015
- w/ 60-day Public Comment Period - Ends: Feb 2016
- Draft Response to Comments: Mar/April 2016
- Draft of Final to WRAC: May/June 2016
- Present Final Rule to EQB: July/Aug 2016
- Publish Final Rule in Pa Bulletin: Sept/Oct 2016
- Submit Record of Rlmkg to EPA: Nov 2016



# Questions?

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