



**Minutes of the
April 18, 2019 Meeting of the
Water Resources Advisory Committee (WRAC)**

Call to Order, Introductions and Attendance –John Jackson called the meeting to order at 9:30 am on Thursday, April 18, 2019 in Room 105 of the Rachel Carson State Office Building, Harrisburg, PA. Participation in this meeting of 11 members represents a quorum.

The following committee members were present:

Myron Arnowitz, PA Clean Water Action
Shirley Clark, Pennsylvania State University
Jenifer Christman, Western Pennsylvania Conservancy
Kent Crawford
Andrew Dehoff, Susquehanna River Basin Commission
John Jackson, Stroud Water Research Center
Gary Merritt, NSG
Stephen Rhoads
Steve Tambini, Delaware River Basin Commission

The following committee members were present (via phone):

Jeff Hines, York Water Company
Sara Whitney, Pennsylvania Sea Grant

The following committee members were not present:

Harry Campbell, Chesapeake Bay Foundation
Cory Miller, UAJA/PDMA
Dean Miller, Pennsylvania Water Environment Association
Theo Light, Shippensburg University
Jeff Shanks, Waste Management
Charles Wunz, Wunz Associates

The following DEP staff members were present:

Gena Ardito, Bureau of Clean Water
Thomas Barron, Bureau of Clean Water
Jay Braund, Bureau of Clean Water
Bill Brown, Bureau of Clean Water
Brian Chalfant, Policy Office
Matt Kundrat, Bureau of Clean Water
Rodney McAllister, Bureau of Clean Water
Shawn Miller, Bureau of Clean Water
Kristen Schlauderaff, Bureau of Clean Water
Steve Taglang, Bureau of Clean Water
Gary Walters, Bureau of Clean Water
Rebecca Whiteash, Bureau of Clean Water

The following guests were also present:

Alice Baker, PennFuture
Blayne Diacont, Range Resources
Jodie Gasky, PACA
Grant Gulibon, PA Farm Bureau
Amanda Hess, Villanova University
Gayle Killam, River Network (via phone)
Ankita Mandelia, Chesapeake Bay Foundation
Alex Ridyard, Philadelphia Water Department
Trisha Salvio, Chesapeake Bay Foundation
Rob Traver, Villanova University

Review and Approval of Minutes from March 28, 2019 Meeting – As part of the discussion on the meeting minutes, a Gary Merritt requested that a future meeting include a presentation on the integration of the modifications to the Stormwater Management Control Manual and Chapter 102 into Mining and Reclamation for Coal/Non-Coal and Waste Management. Gary Merritt made a motion to approve the minutes. Steve Tambini seconded the motion. The motion was approved by unanimous vote.

2018 Integrated Report and Clean Water Act 303(d) TMDL Priorities and Alternatives – Gary Walters – Bureau of Clean Water, introduced the draft 2018 Integrated Report. DEP has an ongoing program to assess the quality of surface waters in Pennsylvania and identify streams and bodies of water that are not attaining protected uses as "impaired." Water quality standards are comprised of the uses that waters can support, and goals established to protect those uses. Uses include, among other things, aquatic life, fish consumption, recreation and potable water supply, while the goals are numerical or narrative water quality criteria that express the in-stream levels of substances that must be achieved to support the uses. Waterbody assessment and data evaluation is a continuous process, so Integrated Reports are provided to EPA and the public every two years. These reports satisfy the requirements of both sections 305(b) and 303(d) of the Clean Water Act (CWA). The Integrated Report includes narrative descriptions of the various control and restoration programs DEP manages, trends in specific water quality parameters, and the status of Pennsylvania surface waters.

The 2018 Integrated Report marks a significant change from previous reports by moving to a new digital and fully interactive format. This offers the ability to convey tremendous amounts of information in a way that is much easier to understand. As a supplement to the Integrated Report, DEP has also created the 2018 Integrated Report Viewer, which provides enhanced search capabilities and export functions. The combination of these two tools should greatly facilitate the public's access to water quality assessment information and better inform the public on the steps DEP takes every day to protect Pennsylvania's waters.

As part of the 2018 Integrated Report, DEP has identified waters that are priorities for: TMDLs; alternatives to TMDLs and restoration. The new vision for the 303(d) List of Impaired Waters



includes: Prioritization; Assessment; Alternatives; Public engagement; Integration of programs that can lead to TMDL implementation.

The draft 2018 Integrated Report will be available for public comment from 4/20/19 through 6/4/19. WRAC members are requested to provide comments.

Triennial Review - Thomas Barron-Bureau of Clean Water, indicated that Section 303(c)(1) of The Federal Clean Water Act requires that states periodically, but at least once every 3 years, review and revise, their Water Quality Standards (WQS). This rulemaking will constitute Pennsylvania's current triennial review of its WQS. Pennsylvania's WQS are codified in 25 Pa. Code, Chapters 93 and 16, and are designed to implement the requirements of Sections 5 and 402 of the Clean Streams Law and Section 303 of the Federal Clean Water Act. The WQS consist of: designated uses of the surface waters; specific numerical and narrative criteria necessary to protect those uses; and an antidegradation policy. WQS are in-stream water quality goals that are implemented by imposing specific regulatory requirements, such as treatment requirements and effluent limitations, on individual sources of pollution.

While the Environmental Quality Board (EQB) does not take a formal action to approve the Water Quality Toxics Management Strategy – Statement of Policy in 25 Pa. Code Chapter 16, it is provided as a companion and as an integral supplement to the WQS regulations in Chapter 93. Revisions and updates are proposed by DEP to reflect changes in both Chapter 93 and Chapter 16, so the chapters are consistent and support one another.

DEP previously provided WRAC with presentations on the proposed rulemaking as follows:

- Briefing / updates at February 18, 2015 and November 18, 2015 meetings;
- WRAC voted on March 24, 2016 to present the proposed rulemaking package to the EQB.

The proposed rulemaking was adopted by the EQB at its April 18, 2017 meeting and published in the *Pennsylvania Bulletin* on October 21, 2017 with provision for a 70-day public comment period to end December 29, 2017. There were public hearings and a request for the public comment period to be extended. A notice of public comment period extension and additional public hearing was published in the *Pennsylvania Bulletin* on December 30, 2017.

The EQB received comments from 776 commenters. Comments and DEP's responses will be summarized in the Department's report to the EQB Comments and Responses Document.

Changes in the final rulemaking include:

- Changes to definitions;
- Updates to the aquatic life water quality criteria in § 93.7, Table 3;
- Updates to human health water quality criteria in § 93.8c, Table 5;
- Rationale documents for ammonia, bacteria, and human health criteria;
- Corrections to Drainage Lists;
- Reaffirmation of Non-Fishable/ Non-Swimmable Waters; and
- Exclusions in the Delaware Estuary

The Triennial Review is scheduled for review by the EQB this summer. After that there will be a review by EPA.

There was a brief discussion of DEP's response to Perfluoroalkyl substances (PFAS). DEP is beginning a statewide monitoring program to look at PFAS in surface waters.

There was a question about Manganese. DEP intends to return to WRAC, possibly on 5/23/19 with a presentation on the science of Manganese.

General Discussion – There was a brief discussion of DEP's response to Perfluoroalkyl substances (PFAS). DEP is beginning a statewide monitoring program to look at PFAS in surface waters.

There was a question about Manganese. DEP intends to return to WRAC, possibly on 5/23/19 with a presentation on the science of Manganese.

There was a request for DEP to return to WRAC with a presentation on the impairment of the Susquehanna River. This will occur at the 5/23/19 meeting.

Action Items

1. DEP presentations requested by WRAC members:
 - a. Impairment of the Susquehanna River.
 - b. The Science of Manganese
 - c. Integration of the modifications to the Stormwater Management Control Manual and Chapter 102 into Mining and Reclamation for Coal/Non-Coal and Waste Management
 - d. ePermitting for Chapter 102 during beta-testing
 - e. Ongoing measures of adaptive management using Alternative Restoration Plans
 - f. Agricultural Operations Inspections
2. 6-9 month look ahead on potential regulatory and non-regulatory topics to WRAC for comment:
 - a. Chesapeake Bay Update
 - b. Emerging Contaminants
 - c. Water Allocation Permit Applications
 - d. Act 162 of 2014 Implementation Plan
 - e. Design Standards for Wastewater Facilities
3. Topics for discussion with DEP's Secretary Patrick McDonnell from WRAC members should be sent to Diane Wilson. Secretary McDonnell has been invited to the 5/23/19 WRAC meeting.

Future WRAC meeting dates include:

- May 23, 2019
- July 25, 2019



- September 26, 2019
- November 21, 2019

Public Comment - A member of the public asked for comment on Combined Sewer Overflows (CSOs) in Philadelphia. WRAC members explained that Philadelphia has a plan that will take a number of years to address impacts from CSOs.

Another public commenter indicated that the Clean Water Act sets up requirements in terms of designated and existing uses with the intent to restore waters to a fishable/swimmable condition.

A motion was made for the meeting to adjourn by Stephen Rhoads and was seconded by Shirley Clark. The meeting adjourned at 11:40 a.m.

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