

# Memo

## Ohio River Valley Water Sanitation Commission

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**Since 1948**  
*Improving Water Quality in the  
Ohio River for 75 Years*

**DATE:** September 19, 2024

**TO:** **Technical Committee**  
Scott Mandirola, WV, Chair  
Scott Twait, IL  
Gabrielle Ghreichi, IN  
Katie McKone, KY  
Damianos Skaros, NY  
Melinda Harris, OH  
Kevin Halloran, PA  
Jeffrey Hurst, VA  
Erich Emery, USACE  
LTJG Connor Sullivan, USCG

David Pfeifer, USEPA Region 5  
Jeff Frey, USGS  
**Ex Officio**  
Kathy Beckett, CIAC  
Cheri Budzynski, PIAC  
Betsy Mallison Bialosky, Chair, PIACO  
Reese Johnson, Chair, POTW (Jim Gibson)  
Heather Hulton VanTassel, Chair, WOAC  
Chris Bobay, Chair, WUAC (Erica Pauken)  
Richard Harrison, Chief Engineer

**SUBJECT:** Announcement of 236<sup>th</sup> Technical Committee Meeting, October 8-9, 2024, Four Points by Sheraton, Charleston, West Virginia, with Virtual Option

**FROM:** Jason Heath, P.E., BCEE

Scott Mandirola, Technical Committee Chair, wishes to welcome everyone to the 236<sup>th</sup> meeting of the Technical Committee, which will take place at Four Points by Sheraton, Charleston, West Virginia, and virtually, on Tuesday, October 8, from 1:00-5:00 P.M. (ET), and Wednesday, October 9, from 8:00 A.M. to noon.

Approximately one week prior to the meetings, Technical Committee members, Commissioners, ORSANCO staff, and registrants will receive an email that includes detailed information and instructions on how to participate virtually. Those planning to attend in person can still expect to receive this email. For virtual participation with the TEC meeting, TEC members do not need to register; however, members of the public and other interested parties will be required to register to attend virtually by Monday, October 7. To register, please visit [www.orsanco.org/registration](http://www.orsanco.org/registration) and submit the registration form. A link to register will also be available on [www.orsanco.org](http://www.orsanco.org) under the “News” section.

The Technical Committee meeting will be held in conjunction with the 240<sup>th</sup> Commission meeting being held on Thursday, October 10, also in-person as well as virtual. Notes on TEC agenda items are as follows:

**Item 1: Minutes of the 235<sup>th</sup> Technical Committee Meeting**

Draft minutes of the 235<sup>th</sup> Technical Committee meeting are attached. Chair Mandirola will ask TEC members for revisions or approval of the minutes.

**Item 2: Chief Engineer’s Report**

Executive Director Harrison will report on selected items including the ORBA strategic plan abundant clean water objective.

**Item 3: USEPA’s New Recommendations for Contaminants to Monitor in Fish and Shellfish**

Lisa Larimer, with EPA HQ, will discuss the updated list of recommended contaminants to monitor in fish and shellfish and results from recent fish tissue studies conducted as part of the National Aquatic Resource Surveys.

**Item 4: Identifying Sources of Microplastics in the Aquatic Environment**

Amy Bergdale, USEPA Region 3, will discuss EPA Region 7’s Regional-ORD Applied Research Program’s project on detecting microplastics in urban watersheds, as well as other approaches Region 3 is using to help in the detection and analysis of microplastics.

**Item 5: Three Rivers Waterkeeper Plastics Monitoring in the Upper Ohio Basin**

Heather Hulton VanTassel, with Three Rivers Waterkeeper, will discuss their plastics monitoring efforts on the Ohio River.

**Item 6: Occurrence of Per- and Polyfluoroalkyl Substances In West Virginia's Public Water Supplies**

Mitch McAdoo, with USGS, West Virginia Science Center, will give an overview of projects conducted by USGS, in cooperation with WVDEP and WVDHHR, to understand the occurrence and distribution of PFAS in West Virginia's Public Water Supplies.

**Item 7: Summary of Stream Gages and Monitoring in the Ohio River Basin**

Jeff Frey, USGS, IN-KY-OH Science Center, will discuss an ongoing project to develop a dashboard to highlight all streamgages within the Ohio River Basin, as well as who leverages those gages for water quality and water hazards.

**Item 8: Freshwater Mussel Propagation, and Mussel Surveying and Abundance, in the Ohio Basin in Pennsylvania**

Andrew Phipps, with USFWS, White Sulphur Springs National Fish Hatchery, and Rick Spear, with PADEP, will discuss the following. The PA DEP had funding from a sand and gravel dredging mitigation fund, and the PA DEP had a need to restore freshwater mussels species that were lost in Pennsylvania stream and rivers due to aquatic life kills and other human perturbations. PA DEP partnered with USFWS in White Sulphur Springs, WV, to provide funding for them to propagate common freshwater mussels as well as some rare mussels in Pennsylvania, such as Pistolgrip, Round Hickory and Salamander Mussels.

**Item 9: Long-Term Water Quality Trends in Indiana Streams**

Jessica Weir, with IDEM, reported that water quality records from the fixed station monitoring program at Indiana Department of Environmental Management provide a consistent analysis of long-term water-quality trends at 56 sites across Indiana. Trends were observed in 12 measures of nutrient, metal, and ion concentrations for the 10-year period 2011 to 2020. Noteworthy changes include the widespread decreases in sulfate concentrations and significant declines in nitrate concentrations along the West and East Fork White River basins. There were widespread increases in dissolved solids and suspended solids concentrations in the rivers and streams of Indiana. Organic nitrogen and zinc concentrations both followed a similar pattern with increases in the northern half of the state and decreases in the southern half of the state. This study is available to the public to view in an interactive Story Map and provides new insights into the status of water quality in Indiana.

**Item 10: TEC Member Roundtable Reports**

TEC members are invited to report on water-related issues of importance to their organization. Members are encouraged to provide staff with a written summary after the meeting in order to facilitate accurate meeting minutes.

**Item 11: Ohio River Basin Water Quality Trading Program Update, and States' Round Robin Updates on Regulation of Nutrients and Status of Nutrient Reduction Efforts**

Jessica Fox and Jeff Thomas, with EPRI, will provide a status report on the Ohio River Basin Water Quality Trading Program. Since its inception in 2012, the Ohio River Basin Water Quality Trading project, developed by the Electric Power Research Institute (EPRI) and a strong collaboration of power companies, wastewater utilities, farmers, state and federal agencies, and environmental organizations, has prevented over 300,000 pounds of nutrients from entering the waters of the Ohio River Basin through agricultural best management practices supported by private funding. Based on solid scientific foundations, this project has the potential to result in a multi-industry market that could accelerate cost-effective water quality improvements and provide important ancillary ecological benefits. As compliance drivers remain on the horizon in Ohio, Kentucky, and Indiana, project partners have been exploring innovative opportunities for this robust framework to be used to meet individual or corporate stewardship goals and other purposes. This presentation will provide a status update on the project and will highlight various opportunities that are being explored to allow the project to realize its full potential.

**Following the presentation, states are asked to provide updates on the status of regulating nutrients and their nutrient reduction efforts.**

**Item 12: Report of the Monitoring Strategy Committee**

The committee met on August 27 to review the updated draft ORSANCO Monitoring Strategy, and to discuss and set priorities for future monitoring initiatives. Staff will present a summary of input from the committee on priorities for future monitoring initiatives, which TEC will be asked to consider for endorsement.

**Item 13: Stream Impairment Compilation Map of the Ohio River Basin**

The stream impairment maps of the Ohio River Basin were presented at the June Technical Committee meeting. At that time, it was pointed out that many of the impairments are caused by bacteria levels exceeding recreational standards, and that much of what can be done to control bacteria levels is already being done. Therefore, it was requested that ORSANCO develop new maps which exclude bacteria impairments. These maps will be presented and compared against the maps that include bacteria impairments.

**Item 14: Report of 2024 HABs and Algal Conditions in the Ohio River**

Greg Youngstrom, ORSANCO staff, will provide a summary of 2024 HABs and algal conditions in the Ohio River.

**Item 15: Update Regarding ORSANCO's Communication Plan**

Annette Shumard will provide an overview regarding the status of developing ORSANCO's communication plan. This year Annette started conducting in person meetings with communication staff from each member state and strategic partners in order to create a basin wide communication plan intended to incorporate a collaborative approach that ensures consistent joint messaging for member states, internal staff, general public, and stakeholders. Staff will be seeking input from TEC on the development of this plan.



**236<sup>th</sup> Technical Committee Meeting**  
**Four Points by Sheraton, Charleston, WV**  
**October 8-9, 2024**  
**Beginning at 1:00 P.M. (ET)**  
**Chairman Scott Mandirola, Presiding**

## **TECHNICAL COMMITTEE MEETING AGENDA**

### **CHAIRMAN'S WELCOME AND ROLL CALL (October 8, 1:00 P.M.)**

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#### **ACTION ITEMS AND REPORTS**

1. Action on Minutes of 235<sup>th</sup> Technical Committee Meeting – Chair Mandirola \*
2. Chief Engineer's Report – Director Harrison
3. USEPA's New Recommendations for Contaminants to Monitor in Fish and Shellfish – Lisa Larimer, USEPA HQ
4. Identifying Sources of Microplastics in the Aquatic Environment – Amy Bergdale, USEPA Region 3
5. Three Rivers Waterkeeper Plastics Monitoring in the Upper Ohio Basin – Heather Hulton VanTassel, Three Rivers Waterkeeper
6. Occurrence of Per- and Polyfluoroalkyl Substances In West Virginia's Public Water Supplies – Mitch McAdoo, USGS, VA-WV Science Center
7. Summary of Stream Gages and Monitoring in the Ohio River Basin – Jeff Frey, USGS, IN-KY Science Center
8. Freshwater Mussel Propagation, and Mussel Surveying and Abundance, in the Ohio Basin in Pennsylvania – Andrew Phipps, USFWS and Rick Spear, PADEP
9. Long-Term Water Quality Trends in Indiana – Jessica Weir, IDEM

### **ADJOURN/RECONVENE WEDNESDAY MORNING (October 9, 8:00 A.M.)**

10. TEC Member Roundtable Reports
11. Ohio River Basin Water Quality Trading Program Update, and States' Round Robin Updates on Regulation of Nutrients and Status of Nutrient Reduction Efforts - Jessica Fox and Jeff Thomas, EPRI, and State TEC members  
States' Round Robin Update on Regulation of Nutrients and Status of Nutrient Reduction Efforts
12. Report of the Monitoring Strategy Committee – Jason Heath, ORSANCO
13. Stream Impairment Compilation Map for the Ohio River Basin – Bridget Borrowdale, ORSANCO
14. Report of 2024 HABs and Algal Conditions in the Ohio River – Greg Youngstrom, ORSANCO
15. Update Regarding ORSANCO's Communication Plan Public Information Programs – Annette Shumard, ORSANCO

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#### **OTHER BUSINESS**

- Comments by Guests
- Announcement of Upcoming Meetings  
February 11-13, 2025 – Covington, KY  
June 10-12, 2025 – Morgantown, WV

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#### **ADJOURNMENT (NOON)**

\*Attachment

**MINUTES**  
**235<sup>th</sup> Meeting of the Technical Committee**  
**The Galt House**  
**Louisville, KY**  
**June 11-12, 2024**  
**Chair Scott Mandirola, Presiding**

**Call to Order**

The 235<sup>th</sup> meeting of the ORSANCO Technical Committee was called to order by Chair Scott Mandirola, at 1:00 p.m. on Tuesday, June 11, 2024. All eight states, all four federal agencies, and all six advisory committees were represented (for Roster of Attendance see on page 20). Chair Mandirola welcomed all to ORSANCO's dual in-person and virtual meeting of the Technical Committee.

**Minutes of 234<sup>th</sup> Committee Meeting**

**ACTION:** Motion passed to accept the minutes of the 234<sup>th</sup> Technical Committee meeting.

**Chief Engineer's Report**

Director Harrison reported on ORSANCO 5-year financial forecast which shows challenging budget shortfalls in the near future. The federal 106 grant accounts for half of ORSANCO's base budget, which is five percent lower than in 2011, not accounting for significant inflation since then. He then reported on the Ohio River Basin Alliance's (ORBA) restoration initiative. ORSANCO is ORBA's fiscal sponsor and has contributed significantly to development of an Ohio River Basin Restoration Plan. The plan will be discussed in detail during the Wednesday Commissioner's Roundtable. The plan will be used to demonstrate the need for significant funding for the basin, similar to programs such as the Great Lakes and Chesapeake Bay geographic initiatives.

He reported that staff is working on a multi-million dollar Environmental Justice grant request to USEPA. An application has been submitted through the US Senate for a \$1 million fresh water mussel project. Staff is also working with the Appalachian Regional Commission through the ARISE Program to expand ORSANCO's source water protection program. Adding PFAS to ORSANCO's routine monitoring programs is being considered. While it lacks funding, staff will be exploring the possibility of funding through the infrastructure bill, or through other funding sources.

**Stream Impairment Compilation Map for the Ohio River Basin**

Ryan Argo reported that staff has compiled maps and statistics of states' impairment data and combined them for the entire Ohio River Basin, including non-ORSANCO states. The data was collected from EPA's ATTAINS database, and reviewed by the states. This information will be valuable for the Ohio River Basin Restoration Initiative in demonstrating the need for funding for the Ohio Basin. Staff was asked to look at how the impairment maps would look if bacteria impairments were removed.

Tiffani Kavalec remarked that many of the stream impairment listings are from non-point source bacteria which can't be addressed, and as such, she asked to see a revised stream impairment map which excludes the bacteria impaired streams.

Scott Mandirola asked if the different listing criteria and approaches are outlined in the document. Ryan Argo replied that there is a generic explanation that cautions the reader that different state monitoring, criteria, and listing approaches may result in different impairment listings.

### **2024 Biennial Assessment of Ohio River Water Quality Conditions (2018-2022)**

Staff provided a brief summary of the four Ohio River designated use assessments contained within the 2024 Biennial Report for the Ohio River for the period 2019 through 2023. These assessments are virtually unchanged from past assessments, with bacteria impairments of the recreational use for approximately two thirds of the river, and dioxin and PCBs impairments of the fish consumption use for the entire Ohio River. The final report was reviewed by the 305b workgroup and was submitted to the Technical committee for review and approval. The Technical Committee endorsed the report for public distribution pending minor changes based on very recent comments received.

**ACTION:** Motion passed to endorse the report, “2024 Biennial Assessment of Ohio River Water Quality Conditions (2018-2022)”.

### **Biological Programs Update**

Staff reviewed the final assessments for the New Cumberland and Cannelton pools surveyed in 2023. New Cumberland was found to be in full support of its Aquatic Life Use designation. The final assessment for Cannelton pool will remain as pending until an additional round of macroinvertebrate collections can be performed in 2025. Staff detailed plans to sample Montgomery and Newburgh pools in 2024 along with the remaining 45 NRSA events throughout the basin.

### **USEPA’s National Rivers and Streams Assessment**

Sarah Lehmann with USEPA HQ, presented results of the 2018-19 National Rivers and Streams Assessment. This assessment is used to characterize water quality conditions for the nation’s rivers and streams. The USEPA completes these surveys every five years, to facilitate national and large-scale watershed assessments. ORSANCO conducts the monitoring used in these assessments for over five percent of the 1,800 plus stations used in this national assessment. The data has been used for an Ohio River Basin assessment, which was also presented and compared to national results. As a general rule, the Ohio Basin compares similarly to the nation as a whole.

### **Ohio EPA’s New Programs: WateReuse Ohio and Regional Water Studies**

Tiffani Kavalec with Ohio EPA presented on Ohio EPA’s new programs, including WateReuse and Regional Water Studies. Ohio is experiencing significant economic and population growth which has prompted Ohio EPA to contract a 15-county Central Ohio Regional water study to help guide their local governments on future water demands and assist the state on permitting and funding decisions. In addition, it is projected that water demand may exceed water supply. In response, Ohio joined the WateReuse National Organization and became the 11<sup>th</sup> state chapter and first in the Midwest. This Ohio Chapter will form subcommittees to develop reuse guidelines and provide a clear path forward for treated wastewater effluent to be delivered through purple pipe as a new and desired water source for many data centers and industry who have recycled water sustainability goals. Ohio is planning to conduct the additional four Regional Water Studies over the next couple of years.

### **Ohio River Drought Contingency Planning**

The US Army Corps of Engineers is updating their Drought Contingency Plan for the Ohio River. James Schray, USACE Huntington District, is developing water usage operating priorities for this plan, and is seeking input from Ohio Basin stakeholders including the Technical Committee. It involves priorities that the Army Corps would use in releases from its 80 plus reservoirs in the Ohio Basin to address drought issues. An email with their proposed drought operating priorities was sent to TEC on April 4,

requesting preliminary input by May 15. Mr. Schray presented the priorities to the Technical Committee and asked for any additional comments by the end of June, if possible.

### **Broad Scan Survey Results**

The BroadScan Survey was a repeat effort of the survey that was completed in 2013 to examine ambient river water for priority pollutants not routinely monitored under ORSANCO's core programs. This initiative was established to ensure that current monitoring strategies are sufficient to reflect ambient water quality conditions of concern. PFAS was also included in the 2023 survey. Results indicate that the majority of pollutants analyzed were not present in the samples collected, but low levels of PCB's, asbestos, dioxin, radionuclides were present in some samples. A recommendation to consider incorporating those pollutants into core ORSANCO monitoring programs will be included in a revised monitoring strategy and presented to the Monitoring Strategy Committee for consideration. The draft report was endorsed by the Technical Committee for public release.

**ACTION:** Motion passed to endorse the report, "Summary of 2023 Broadscan Survey Report of Findings."

### **Status of Real-Time Bacteria Monitoring Pilot Project**

Stacey Cochran presented an update on the status of the real-time Bacteria Monitoring Pilot Project. This project began at the start of the Contact Recreation Season which was April 2, 2024 and will continue through the end of the season which is October 29, 2024. This pilot project is a comparison study of the real-time Proteus instrument and the Colilert Method. This study is funded by a WV 604b grant, and a summary report of this data will be generated after the season has ended.

### **Source Water Protection Programs Update**

Staff provided an overview of the ongoing activities associated with the Commission's Source Water Protection and Emergency Response programs. ORSANCO is excited to welcome Alexis Brandenburg as a new member to the Technical Programs staff. She is an Environmental Scientist and will split time working with the Organics Detection System (ODS) and the Hypoxia Task Force nutrient monitoring project.

Updates concerning several Organics Detection System monitoring stations were provided. Installation of a new GC/MS at the Parkersburg, WV (Chemours) station has been delayed due to host site construction. Staff also noted the gas chromatograph unit at the Thomas More University Field Station, located upstream of Cincinnati and Northern Kentucky water systems, is now operational, with additional enhancements pending.

Brief updates were also provided on discussions to potentially extend ORSANCO's source water protection activities to the upper Ohio River tributary basins and recent staff engagements with emergency response agencies and other stakeholders. In addition, ORSANCO received a notice of award through Sen. Sherrod Brown's office for Congressionally Directed Spending funds totaling \$687,500 for ODS equipment replacement and enhancements.

### **Cumberland River Compact**

Mekayle Houghton, Executive Director, Cumberland River Compact, discussed the organization's background, programs, priorities, and water quality of the Cumberland River. They are an independent, nonprofit entity. The Cumberland River has a high level of biodiversity. The top causes of impairment include pathogens, nutrients, siltation, and habitat alteration. The Compact's core programs include education and engagement, restoration, urban waters, and working lands. It is recognized that nonpoint sources are the most significant pollution, that all are part of the problem, and all need to be part of the

solution. Tree planting is one example of the organization's programs, including a campaign to plant 500,000 trees in one county by 2050.

### **Tennessee's Nutrient Reduction Update**

Karina Bynum, Tennessee Dept. of Environmental Conservation (TDEC), provided information on their initiatives for reducing nutrient pollution, including updates to the Tennessee Nutrient Framework, the efforts of the Tennessee Nutrient Taskforce, and scaling up the Tennessee Wastewater Treatment Plant Optimization Program aimed at low-cost biological nutrient removal at municipal wastewater treatment facilities. TDEC has identified 4,450 miles of streams impaired for nutrients, out of 60,000 total stream miles. TN's nutrient reduction framework in 2015, with a nutrients taskforce established in 2019. The stakeholder taskforce is under the Dept. of Agriculture, and includes several working groups - Goals & Metrics - Data & Monitoring, BMPs & Pilots for Urban Runoff, Municipal Wastewater, Agriculture, and nature-based solutions, and Communication & Outreach. They are currently developing a roadmap for updating TN's Nutrient Reduction Framework.

### **Member Updates and Interstate Water Quality Issues**

#### ***Illinois***

Scott Twait reported the following:

#### **Moving**

We are moving to a new building in August.

#### **PFAS Permit Progress**

As of 5/30/24 the NPDES permit program is issuing permits that have PFAS monitoring requirements (quarterly) and requirements for BMPs/PMPs. The count includes the major municipal, major industrial, as well as the minor industrial facilities within the targeted industrial SIC codes.

- 10 NPDES permits - issued with PFAS requirements.
- 37 NPDES permits - renewals that are out on public notice with PFAS requirements being proposed.

#### **2024 IR**

The draft report has been completed and is undergoing internal review and editing before posting. Illinois EPA is planning to post the Impaired Waters of Illinois Draft 2024 Integrated Water Quality Report for a 30-day Public Comment Period on June 17, 2024. The Final Date for Agency to Receive Comments is July 16, 2024.

#### **Nutrient limits in Permits**

As part of a lawsuit and settlement, the municipal majors, NGOs, and the Agency developed a framework to get all facilities to a phosphorus limit of 0.5 mg/L.

- Those facilities using chemical addition have until 2025.
- Those facilities using biological phosphorus removal have until 2030.
- Those facilities using biological nutrient removal (phosphorus and total nitrogen have until 2025
- Of the 214 municipal major permits
  - o Approximately 200 include a future 0.5 mg/l limit.
  - o 81 have a current 1.0 mg/l limit.

#### **Nutrient Assessment and Reduction Strategy (NARP)**

As part of a lawsuit and settlement, the municipal majors, NGOs, and the Agency developed a framework to look for downstream impairments and risk of eutrophication (ROE). If an impairment



is found downstream or a ROE is found, the permittee must perform a NARP to address and fix the impairment or ROE.

- 27 Facilities with NARPs due December 2023 – Not including watershed groups.
  - 10 of the 27 did not submit – these facilities are under enforcement with CAS – most will be given a CCA to submit their NARP by the end of 2024.
    - I believe 8 of these 10 just need more time - It's not like they did nothing up until December 2023.
- Approximately 40 NARPs are due by December 2024.
  - We also have the following Watershed NARPS – Des Plaines River Watershed, DuPage River/Salt Creek, North Branch Chicago River, Fox River Study Group, Lower Des Plaines River – We also have the PARP by MWRDGC.

Also:

Illinois has 214 municipal major POTWs

- 67 facilities are currently developing a NARP
- 58 Non-NARP (no impairment nor risk of eutrophication)
- 86 facilities are members of a watershed group (Chicago Metro Area)
  - Include future NARP requirements

## ***Indiana***

Brad Gavin reported on the following items:

### **Drinking Water PFAS Sampling**

Update on Phase 3 (>10,000 population served):

- Six systems to date contain a detection above the proposed MCL
- Phase 3 sampling should wrap up this month
- All PFAS sample results will be posted on our IDEM website at:  
<https://www.in.gov/idem/resources/nonrule-policies/per-and-polyfluoroalkyl-substances-pfas/>.

### **Watershed Assessment and Planning**

- IDEM plans to continue funding two continuous monitors operated by ORSANCO using 205j funding as part of this year's grant application to EPA.
- IDEM loves ORSANCO's one-page summaries for the pools on the Ohio River. In January, IDEM followed ORSANCO's example and created a one-page summary for a lake sampled in 2019. IDEM is taking pictures in the lab now to help with future summaries.
- IDEM's final version of the 2024 Integrated Report (including the 303(d) list) was uploaded to ATTAINS on March 29, 2024. It is available on the IDEM [Integrated Report](#) and [303\(d\)](#) webpages. U.S. EPA issued a partial approval/disapproval of the list on May 17 and will public notice their determination soon.
- In November IDEM began a study in the Blue River and Indian Creek watersheds in the Ohio River basin. Water chemistry will be collected monthly for 1 year, pesticides (including neonicotinoids) are sampled monthly through October and macroinvertebrates will be sampled one time in July or August 2024. This watershed study is in support of Purdue University's project proposal to the Natural Resources Conservation Service's (NRCS) Regional Conservation Partnership Program (RCP), titled "Farmers Helping Hellbenders Initiative."
- The Indiana Department of Health has updated the Fish Consumption Guidelines including revisions to the fish advisories in the Ohio River basin (Indiana Ohio River tributaries). IDOH is still working on updating the mainstem Ohio River advisories based on ORSANCO's recommendations. If anyone has questions regarding these postings, please reach out to Tim Fields ([TFields@idem.in.gov](mailto:TFields@idem.in.gov)).

- IDEM's Fish Tissue program will be sampling in the Lower Wabash River Basin in 2024 (from Lafayette to the confluence with the Ohio River). This sampling will begin in August. In 2025, the Ohio River Basin tributaries will be sampled. For more information or specific requests please reach out to Tim Fields ([TFields@idem.in.gov](mailto:TFields@idem.in.gov)).
- IDEM and ORSANCO have an overlapping site on the Tippecanoe River upstream of SR 18 that will be sampled this summer for the National Rivers and Streams Assessment (ORSANCO) and the Stream Regional Monitoring Network (IDEM); however, Dylan Brown (IDEM) is working with Ryan Hudson (ORSANCO) to coordinate sampling, so the events are at least two weeks apart. IDEM conducted spring macroinvertebrate sampling on April 30 and will be sampling fall macroinvertebrates from September 1st – 14th depending on weather and availability of field staff. IDEM will also be sampling fish community between August 23rd and September 6th, again depending on weather conditions and staff availability.
- IDEM finished probabilistic monitoring in the Great Miami River Basin for 2023 and will be sampling in the Upper Wabash River Basin for 2024. Probabilistic monitoring includes sampling at 38 sites for water quality (3 events spring, summer, and fall), E. coli (once a week for 5 consecutive weeks), diatoms, macroinvertebrate, and fish communities. IDEM is currently in the 5th cycle of probabilistic monitoring in the State of Indiana.

### **Water Quality Standards**

- IDEM is evaluating its WQS triennial review priorities (which include adopting EPA's 2018 aluminum criteria, updating human health methodology, eventually determining the need for neonicotinoid criteria and evaluating EPA's 2013 ammonia criteria, etc.). The public hearing on IDEM's list of WQS initiatives will likely be this fall.
- We are working on updating our selenium fish sampling guidance document due to EPA finalizing the technical support document for selenium.
- The N-STEPS nutrients project with EPA and TetraTech is ongoing. We are currently working on gathering all our nutrients-related water chemistry data, fish, macroinvertebrates and diatom datasets so that the contractor can start reviewing the data and assist IDEM in evaluating potential relationships between nutrient levels and aquatic life impacts.

### ***Kentucky***

Katie McKone reported the following:

During the public comment period on the 2024 303(d) list and prioritization framework for impaired waters, we received a comment regarding the development of a bacteria TMDL for the Ohio River, with appropriate recognition of CSO communities and their long-term pollution control plans. The comment urges Kentucky to develop a TMDL using its statewide approach. The Kentucky Division of Water will need to appropriately address this comment, and in order to do so, we'd like to request ORSANCO coordinate a meeting with the appropriate EPA regions and Kentucky DOW to discuss the current draft TMDL and options for Kentucky's development of TMDLs for bacteria impaired segments along the Ohio River.

### ***New York***

Damianos Skaros reported the following:

I would like to thank the ORSANCO board for the many accomplishment and ongoing efforts the organization continues to perform. While New York State's footprint within the watershed is limited to the upper headwaters, our environmental efforts have been strong throughout the Empire State.

A few New York efforts that I'd like to highlight during this session are as follow:

- New York State has initiated a strong commitment to Chautauqua Lake and the Allegheny Watershed. The commitment will involve direct funding for environmental studies related to water quality,

nutrient loading, HAB management and planning efforts.

- As directed under Governor Hochul’s 2024 State of the State address, one of the environmental initiatives taken on by the New York State Department of Environmental Conservation (NYSDEC) is the development of numeric Phosphorus guidance values, which will be further developed this year (2024).

New York State Harmful Algal Bloom System (NYHABS) is live and operational and used as a resource for HAB awareness, and tracking purposes. New Yorkers, including trained citizens can send reports of HABs to DEC electronically via a simple user- and mobile phone-friendly form. DEC and DOH evaluates HABs reports and once confirmed, reports are posted to the NYHABS page. The system features an interactive map of current and archived bloom locations to help keep New Yorkers informed about potential HABs. Link to NYHABS -

<https://dec.ny.gov/environmental-protection/water/water-quality/harmful- algal-blooms/notifications>

- Public notices have provided guidelines on the Environmental Bond Act and updates. These notifications will guide the funding eligibility for the Bond Act opportunities.  
<https://environmentalbondact.ny.gov/pages/archived-eligibility-guidelines>
- The 2024 Water Quality Improvement Program (WQIP) and Non- Agricultural Nonpoint Source Planning and MS4 Mapping Grant (NPG) grant programs have been announced and the application period is open through July. The Water Quality Improvement Project program is a competitive, statewide reimbursement grant program that funds projects that directly improve water quality or habitat, promote flood risk reduction, restoration, and enhanced flood and climate resiliency, or protect a drinking water source (<https://dec.ny.gov/get-involved/grant-applications/wqip-program>). The Non-Agricultural Nonpoint Source Planning and MS4 Mapping Grant (NPG) is a competitive, reimbursement grant program that funds planning reports for nonpoint source water quality improvement projects and mapping of Municipal Separate Storm Sewer Systems (MS4s). The program aims to prepare nonpoint source projects for construction and application for implementation funding, and to encourage and support cooperation among regulated MS4s to complete mapping of their stormwater system (<https://dec.ny.gov/get-involved/grant-applications/non-agricultural-nonpoint-source-planning-ms4-mapping- grant>).

## **Ohio**

Melinda Harris reported on the following items:

### **Water Quality Monitoring and Assessment**

- 2024 field season is almost underway. We are conducting surveys in the following Ohio River Basin watersheds:
  - Upper Scioto and Olentangy River watersheds in Central Ohio
  - Central Ohio River tributaries (Cross Creek, Short Creek, Wheeling Creek, McMahon Creek, Captina Creek, Sunfish Creek and other direct Ohio River tributaries)
    - Sampling in 2024 will focus on recreation use, drinking water reservoirs, unverified beneficial use designations and sampling around the Buckeye Reclamation Landfill. Sampling in 2025 will focus on aquatic life use attainment, drinking water reservoirs, fish tissue, sediment, and chemistry sampling.
- Ohio EPA’s Final 2024 Integrated Water Quality Monitoring and Assessment report was approved by U.S. EPA Region 5 on April 19, 2024.
- TMDL development for the East Fork Little Miami River watershed continues. The draft Preliminary Modeling Results (Step 4 of 5 in the process) was released in March 2024. This TMDL addresses impairments in the watershed and Harsha Lake.

## Water Quality Standards

- Currently working on:
  - Variances – draft rule language currently in sign off for Interested Party Review
    - Revisions include updates consistent with U.S. EPA’s 2015 fed variance requirements, update of multiple discharger mercury variance, and addition of a new multiple discharger variance for ammonia for lagoon systems
  - WQS aquatic life criteria updates - Revisions being considered at this time include updating the ammonia and selenium criteria, and the addition of new criteria including acrolein, carbaryl, diazinon, nonylphenol, tributyltin, barium, fluoride, peracetic acid, and strontium.
  - Stream & River Nutrient Assessment Procedure (SNAP) – Currently out for Early Stakeholder Outreach until June 28. This new rule will contain the methodology used by Ohio EPA to determine if a stream or large river is impaired or threatened by nutrients.

## H2Ohio Rivers Fund

- PFAS sampling of 151 large river sites across the state started in fall 2023 and has resumed for the season. The contractor will finish in 2024.

## *Pennsylvania*

Kevin Halloran reported on the following:

1. 10th Triennial Review of Water Quality Standards proposed rulemaking published in the PA Bulletin in October 2023. DEP presented the draft final-form rulemaking for the 10th triennial review of water quality standards to the Agricultural Advisory Board (AAB) in April and the Water Resources Advisory Committee (WRAC) in May. WRAC voted to support the final-form rulemaking to the Environmental Quality Board (EQB). DEP expects to present this rulemaking at the August 13th EQB meeting. If adopted by the EQB, DEP will present the final-form rulemaking to the Independent Regulatory Review Commission (IRRC) at their next meeting.
  - 17 new or updated WQ Criteria
    - 14 Human Health (HH) 1,4 – Dioxane, 2,4-D, Chloroform, Barium, Boron, Methyl ethyl ketone, 1,2,3-trichloropropane, 1,2,4-trimethylbenzene, 1,3,5-trimethylbenzene, Xylene, Acetone, Formaldehyde, Metolachlor, Resorcinol
    - 3 Aquatic Life (AL) Cadmium (updated), Carbaryl (new), Tributyltin (TBT)?
    - Minor definition revisions.
2. DEP presented the draft final-form rulemaking for some updates to our site-specific water quality criteria regulations (Chapter 93, section 93.8d) to the Water Resources Advisory Committee (WRAC) in May and will be presenting to the Agricultural Advisory Board (AAB) in June. WRAC voted to support presentation of the final-form rulemaking to the EQB, and DEP expects to present this rulemaking to the EQB in the 4th quarter of 2024.
3. DEP presented a draft proposed rulemaking for some stream redesignations for High Quality Waters (HQ) to the Agricultural Advisory Board (AAB) in April 17. The Department expects to present this proposed rulemaking at the August 13th EQB meeting. If adopted by the EQB, the DEP anticipates publication in the Pennsylvania Bulletin in the quarter of 2024. Upon publication, the public comment period for the proposed rulemaking will open for 45 days, and the EQB will hold at least one public hearing to receive testimony and comments on the proposed rulemaking.
4. 2024 Integrated Report is on our website for review: [Integrated Water Quality Report-2024 \(pa.gov\)](https://www.pa.gov)

5. PFAS update: public water suppliers all sampling, started putting sampling requirements in NPDES permits.
6. The grant award winners for the \$5 million Environmental Mitigation Community Fund related to the Shell Chemical COA penalty were awarded and can be viewed on our website.
7. East Palestine Derailment. To date PADEP has completed all sampling. We will take over NS sampling of private wells under the agreement with DOJ.  
 Private Water wells: 189 samples at 71 properties  
 Soil Samples: 187 samples at 91 properties  
 Surface Water Samples: 23 samples at 23 locations Public Water Supplies: 31 samples at 16 locations NS GW Monitoring Wells: 17 samples at 3 locations

We released an Interim report on our website. Currently conducting an after-action review.

## *Virginia*

Jeffrey Hurst reported the following:

- Since our last meeting, Virginia DEQ has released the Draft 2024 305(b)/303(d) Water Quality Assessment Integrated Report on April 22, summarizing water quality conditions in Virginia from Jan. 1, 2017, to Dec. 31, 2022. Findings in this draft report can be found at:  
<https://www.deq.virginia.gov/our-programs/water/water-quality/assessments/integratedreport>
- Water Quality Standards (9VAC-25-260) – the Public comment period for our Notice of intended regulatory action ended March 27, 2024. Rulemaking to adopt site specific selenium aquatic life criteria is progressing for four streams in Virginia which are tributaries to Knox Creek (Big Sandy watershed) in Buchanan County. The Regulatory Advisory Panel has finished their work this spring, and we expect that to go before our State Water Control Board later this summer.
- Virginia DEQ has updated, amended and overhauled our stormwater program with amendments to our Erosion and Stormwater Management Regulation (9VAC-25-875), our the Virginia Runoff Reduction Method, total phosphorous loading, best management practices for water quality compliance, and other technical corrections. The new amendments and regulations become effect July 1, 2024.
- Virginia Section 319(h) Nonpoint Source Implementation Program opened their Request for Applications (RFA) on June 7, 2024 and this RFA process closes on August 30, 2024. This RFA supports implementation of U.S. Environmental Protection Agency (EPA)-approved NPS Implementation Plan (IP) and related Best Management Practice (BMP) installation, information and outreach, and water quality monitoring. Range: \$75,000-\$300,000 per agreement, for up to three years. A webinar for interested applicants will be held July 17, 2024. For more information, please visit:  
<https://www.deq.virginia.gov/our-programs/water/water-quality/nonpointsource-management/funding-grant-and-project-resources>
- Virginia DEQ's Non-Point Source program just completed the Implementation Plan (IP) for the South Fork Holston River (Tennessee River sub-watershed), and EPA has now approved that implantation plan, making that watershed eligible for 319h funding.
- Nonpoint Source Management Plan update: The current five-year plan expires 9/30/2025. Currently meeting with agency partners and internally to update the next 5-year plan. Draft expected

to be completed June 2024 and submission to EPA by Sept 2024, with final approval anticipated in May 2025.

- DEQ Nonpoint Source Implementation Best Management Practice (BMP) Guidelines for 319(h) funded projects are being updated with feedback from a subcommittee of current subrecipients. Anticipate an effective date of 7/1/2024 and the next update will be done in 2026.
- The Virginia drought watch advisory previously issued for the Big Sandy watershed has been lifted since our last meeting. The current drought conditions map indicates a normal drought status throughout Virginia --<https://www.deq.virginia.gov/Home/Components/News/News/225/16#!/>
- In May 2024, Virginia DEQ began a Total Dissolved Solids (TDS) special water quality study at the request, and in support of Virginia Department of Energy's (VDE) existing TDS TMDLs in the coalfield region of Southwest Virginia, which would be the Big Sandy River watershed, and Upper Tennessee River watershed. Each of the streams identified in the special study were assessed as not supporting the aquatic life use, based on Virginia Stream Condition Index (VSCI) data. TDS and sediment have been identified as the most probable stressors to these watersheds. Targeted monitoring at the pourpoint (outlet) of each watershed is necessary to confirm the overall TDS and TSS loads are not exceeding applicable TMDL allocations and endpoints. The goal of this special study is to collect monthly TDS, TSS, anions dissolved metals, and flow measurements for a period of two years to establish total TDS and TSS loads for each of the targeted watersheds. Standard field parameters and seasonal benthic macroinvertebrate data will also be captured.
- Some new Virginia General Assembly legislation that will have us working on amendments to our NPDES regulations for licensed operator and remote monitoring requirements, amendments to our Biosolids regulations to address additional on-site and alternate storage requirements, and PFAS source water protection requirements for potential sources.

### ***West Virginia***

Scott Mandirola reported the following:

Past Legislative Session was successful for the DEP. The primary legislation that may impact the Ohio River, was HB 5045 CO2 sequestration bill and the UIC rule, both aid in getting Class 6 primacy which is important to the Hydrogen Hub and future development. DEP has submitted its UIC primacy package to EPA for approval.

### **WQS triennial review proposal for the 2025 legislative session:**

- E Coli is being proposed for change from fecal
- Addition of an alternative aquatic life use based on the completion of a UAA
- Addition of 7 HH criteria currently not in the rule. 54 of the 96 2015 EPA updates were included in the last TR, these 7 new parameters are currently in permits because there is RP based on the NPDES permitting guidelines for the particular Industrial Codes.
- Public Hearing and comment Period will be noticed by the end of next week to gain input from the public proposed changes.

### **NPDES Fee rule is being updated:**

- 75% increase, hasn't been increased for Industrial permits since 1999, municipalities since 1992.
- If no fee increase the program will run out of money by August 2025

**Permit actions:**

- Chemours reissuance for Washington works facility is in, the company is modifying the application currently.
- Chemours has a second permit out of Public notice for a second PFA production line which should be issued shortly. Three carbon bed treatment is required on this line to achieve 99.999 percent removal for GenX and PFOA .

**PFAS Protection Act status:**

- USGS contract testing 106 additional finished water sources.
- WV has received a 1 million dollar grant from EPA to do public outreach for emerging pollutants in disadvantaged communities (PFAS). It has been awarded, the first meetings are being held with the participating NGO'S to begin holding outreach meeting in the communities.
- Reporting of PFAS use by industries completed on 12/31/23. The 6 industries that have reported the use or manufacture of PFAS compounds are being notified this week that their permits have been modified to include quarterly monitoring for PFAS, as per the Act.

EPA has overlisted additional streams for impairment on WV submission of the integrated report.

***US Army Corps of Engineers***

Erich Emery reported the following:

James Schray with the Corps' Huntington District presented the Corps' proposed drought contingency operating priorities yesterday. He asked that TEC members provide any comments to James by the end of the month, as requested by Mr. Schray.

Dr. Patrick Ray presented at the February meeting on the effects of reservoir flow augmentation on Ohio River low flows during times of drought. They are now working on identifying and characterizing the benefits associated with the reservoir low flow, flow augmentation such as relates to permitting, etc. That work is expected to be completed by February, 2025.

***US Geological Survey***

Pete Cinotto reported the following:

USGS Ohio River Supergages (water-quality gages located where the Ohio River contacts KY at Ironton, OH; at the mouth of major KY tributaries, and at the mouth of the Ohio at Olmsted, Ill) received appropriated funding (\$500K) that, along with contributions from other partners, will sustain them.

TNC is working to establish a Mississippi river "Sentinel System" that will encompass the Ohio River and, specifically, help to address navigation-related data and information.

USGS, USACE, and the USCG are, specifically, interested in improving data and safety at McAlpine Locks and Dam in Louisville (included in the TNC proposal, but we're also working separately on this).

The USGS Ohio-Kentucky-Indiana Water Science Center (not including other USGS water science centers such as the Pennsylvania Water Science Center that operates gages upriver) operates 23 gages on the Ohio River main stem including 8 with water-quality of some kind and 2 supergages as noted above ('supergages' have more extensive water-quality data than a typical USGS gage - located on the mainstem at Ironton, Ohio and Olmsted, Illinois).

The Ohio River station at Old Shawneetown, Illinois, was being discontinued (key forecast point for the NWS); however, (post meeting) it now appears that USGS has found funding through various local partners to continue operation of this site.

The Federal Priority Streamgauge (FPS) reprioritization varied state by state and was enacted in November of 2023. There were no budget cuts to this program that provides federal funds to help support operation of a national streamgauge network at critical locations; however, inflationary pressure will now, consequently, decrease the size / effectiveness of the program. Other budget cuts / impacts of note include the National Water Quality Program (-\$4.080M); Groundwater and Streamflow Information Program (-\$4.582M); and Water Availability and Use Science Program (-\$7.0M). Local impacts include such things as the loss of two climate response network groundwater-observation wells in Kentucky, and so forth.

### ***US Environmental Protection Agency***

David Pfeifer reported the following:

On June 10, the U.S. Environmental Protection Agency published aquatic life screening values for short-term exposures to two widely distributed rubber-tire compounds, 6PPD-quinone (6PPD-q) and 6PPD. Tribal, state, and local governments can use these screening values to characterize monitoring data and help protect aquatic organisms from these chemicals. The EPA's screening values are based on the latest scientific knowledge about the short-term (acute) toxicity of 6PPD-q and 6PPD to aquatic organisms, including sensitive salmonid species, in freshwaters of the U.S. The chemical 6PPD-q has been found to be highly toxic, quickly killing some fish in short-term exposures, especially coho salmon, an endangered species in Central California and threatened species in parts of northern California and Oregon. While the available data did not fulfill the EPA's requirements for deriving national recommended water quality criteria for 6PPD-q and 6PPD in freshwaters or estuarine and marine waters, the agency derived acute screening values for freshwaters using available data on the short-term toxicity of these chemicals. These screening values are estimates of the concentrations of 6PPD-q and 6PPD that support protection of freshwater aquatic communities from acute effects. The EPA's screening values are not regulations, nor do they impose any legally binding requirements. View the EPA's [screening values for 6PPD and 6PPD-q](#) and [other work](#) on 6PPD-q.

- In April 2024, EPA finalized three significant actions under the Agency's PFAS Strategic Roadmap.
  - On April 10, EPA finalized **national drinking water standards** to protect communities from PFAS exposure. This rule sets limits for five individual PFAS (PFOA, PFOS, PFNA, PFHxS, and GenX chemicals) while also addressing four PFAS chemicals where found as part of a mixture (PFNA, PFHxS, PFBS, and GenX). The final rule will reduce PFAS exposure for approximately 100 million people, prevent thousands of deaths, and reduce tens of thousands of serious illnesses. The new limits in this rule are achievable using a range of available technologies and approaches, and EPA will be working closely with state co-regulators in supporting water systems and local officials to implement this rule. Public Water Systems will be required to conduct their initial monitoring by April 26, 2027 and required to make any necessary capital improvements and comply with the new limits by April 26, 2029.
  - Additionally, on April 19, EPA finalized a **rule to designate PFOA and PFOS as hazardous substances** under CERCLA. This designation enables EPA to use one of its strongest enforcement tools to compel polluters to pay for or conduct investigations and cleanup, rather than taxpayers. The rule was published on May 8, 2024, and it will be effective on July 8, 2024. In addition to the final rule, EPA issued a separate **CERCLA enforcement discretion policy** making clear that EPA will focus enforcement on parties



who significantly contributed to the release of PFAS chemicals into the environment, including parties that have manufactured PFAS or used PFAS in the manufacturing process, federal facilities, and other industrial parties.

- Also in April 2024, EPA released updated **interim guidance on the destruction and disposal** of PFAS-containing materials -- building on an earlier document the Agency issued in 2020. The updated guidance reflects the latest, best available science to provide information that managers of PFAS wastes can use to evaluate the most appropriate destruction, disposal, or storage method among those currently available. The guidance also recommends that decision-makers prioritize the use of technologies with the lowest potential for environmental release, to better protect people and communities from PFAS exposures. EPA is taking public comment on the revised interim guidance until October 15.
- Back in 2022, EPA released draft **Aquatic Life Water Quality Criteria** for PFOA and PFOS and asked for public comments. The public comment period on these draft documents closed in early July 2022, which included a 30-day extension. Since then, EPA updated the documents to address comments and is currently evaluating recently published toxicity data to be included in the final PFOA and PFOS Aquatic Life Water Quality Criteria. EPA hopes to finalize the documents in the near future but the exact timing is unknown.
- Upcoming actions: EPA expects to propose rules later in 2024 to address discharges from PFAS manufacturers and from metal finishers, while also pursuing a rulemaking for landfills, releasing a risk assessment for PFAS in biosolids and carrying out a new Publicly Owned Treatment Works (POTW) influent study.

### ***US Coast Guard***

LT. Mike Franke-Rose reported the following:

**January 26** – A pollution incident occurred from an uninspected barge at mm 11 on the TN River near Paducah KY. The 275' barge with 16 tanks had approximately 270,000 gallons of oily waste that was sheening the area. RP is in final stages of cleaning all the tanks to FOSCR standards. Sector has initiated an investigations team and has conducted overflights on the Ohio to identify shipyards and fleeting areas to inspect for similar cases.

**April 9-11** – Clean Waterways in Cincinnati

**April 23-24** – The National Response Team and Regional Response Team meeting took place in St. Louis to discuss response efforts with the EPA outlined in the NCP.

**May 7-9** – Regional Response Team 3 in Virginia Beach VA

**May 12-16** – International Oil Spill Conference in New Orleans

**May 28-31** – We hosted a Shoreline Cleanup Assessment Technique course in Nashville in conjunction with our NOAA Scientific Support Coordinator Adam Davis.

**May 29- 30** – Regional Response Team 4 meeting in Gautier MS

**June 6** – Conducted a GIUE at TransMontaigne Louisville

The USCG Director of Emergency management and NOAA Director of Office of Response and Restoration signed an interagency agreement to use Emergency Response Management Application and the USCGs Common Operating Picture for environmental response.

### **Future Outlook:**

**July 10** – Owensboro Spill Group Full Scale Exercise.

Upcoming GIUEs: MSU Paducah, MSU Huntington, and MSD Nashville.

**August 26-30** – We’re hosting an Inland Rivers Oil Spill Response Course in Murray KY for those interested.

Continue to work with EPA and State Partners on the Kentuckiana and Great Rivers Subarea Contingency Plan.

**Quarterly Data Review:** In Q1 2024, units responded to 2,466 pollution incident reports, conducted 475 marine environmental protection sorties totaling 5,721 hours across 7,021 miles; and mitigated the impacts of 35,679 gallons of oil discharged into U.S. Waters; and prevented the potential discharge of 104,540 gallons of oil into U.S. waters.

I will be transferring out next month going to Environmental Management Grad school and replaced by LTJG Connor Sullivan ([Connor.T.Sullivan@uscg.mil](mailto:Connor.T.Sullivan@uscg.mil)). CWO4 Dana Fleming will still be our continuity of operations and expertise ([dana.l.fleming@uscg.mil](mailto:dana.l.fleming@uscg.mil)) or (502) 376-2344.

***Chemical Industry Advisory Committee***

Kathy Beckett reported the following:

The Chemical Advisory Committee met on May 1. The agenda was to review the particulars from the February meeting so we could begin to brief industry representatives on Topics topic 9 for the Commission. We invited Jason Heath and others from the ORSANCO staff to join in that briefing and discussion. Among the issues of importance and well received was the work of the Commission to look at climate impacts, PFAS and emergency response is clearly an issue that we applaud the efforts of the Commission and finally environmental justice is always important.

***Power Industry Advisory Committee***

Cheri Budzynski reported the following:

**ELG Rule:**

| Wastestream        | Subcategory                   | Requirements  |
|--------------------|-------------------------------|---|
| FGD Wastewater     | Not Closing                   | P: Chemical Precipitation + Membrane Filtration<br>F: Zero Discharge Systems                                |
|                    | EGUs Permanently Closing 2028 | P: Surface Impoundments<br>F: Surface Impoundments  |
|                    | Early Adopters Closing 2034   | P: Chemical Precipitation + Biological Treatment + Ultrafiltration<br>F: 2020 Rule Limitations as Permitted |
| BA Transport Water | Not Closing                   | P: Dry Handling or Close-Loop Systems<br>F: Dry Handling or Close-Loop Systems                              |
|                    | EGUs Permanently Closing 2028 | P: Surface Impoundments<br>F: Surface Impoundments  |
|                    | Early Adopters Closing 2034   | P: High Recycle Rate Systems<br>F: 2020 Rule Limitations as Permitted                                       |
| CRL                | Not Closing                   | P: Chemical Precipitation<br>F: Zero Discharge Systems  |
|                    | EGUs Permanently Closing 2028 | P: Chemical Precipitation<br>F: Chemical Precipitation  |
|                    | Early Adopters Closing 2034   | P: Chemical Precipitation   |

|                          |  |  |
|--------------------------|--|--|
|                          |  | F: Reserved; Chemical Precipitation after Closure                        |
| <b>Legacy Wastewater</b> | Not Closing  | P: Best Professional Judgment<br>F: Best Professional Judgment; Reserved |
|                          | EGUs Permanently Closing 2028                                | P: Best Professional Judgment<br>F: Best Professional Judgment           |
|                          | Early Adopters Closing 2034                                  | P: Best Professional Judgment<br>F: Best Professional Judgment           |
|                          | Legacy Wastewater Discharged from Surface Commencing Closure | P: Best Professional Judgment<br>F: Chemical Precipitation               |

### **CCR Legacy Rule:**

EPA announced final changes to the CCR regulations for inactive surface impoundments at inactive electric utilities, referred to as “legacy CCR surface impoundments.” Within tailored compliance deadlines, owners and operators of legacy CCR surface impoundments must comply with all existing requirements applicable to inactive CCR surface impoundments at active facilities, except for the location restrictions and liner design criteria. Previously non-regulated coal ash dump sites (associated with coal-fired power plants) are no longer exempted and cannot be grandfathered from the new regulations. In this final rule, EPA established groundwater monitoring, corrective action, closure, and post-closure care requirements for all CCR management units (regardless of how or when that CCR was placed) at regulated CCR facilities.

### **GHG: The Power Plant GHG Rule codifies four primary EPA actions:**

1. Updates to current GHG emissions standards (promulgated in 2015 under CAA Section 111(b)) for *new and reconstructed* stationary combustion turbines (generally **natural gas-fired**), in which EPA continues to rely upon carbon capture and sequestration (CCS) for baseload units and no longer relies on co-firing low-GHG hydrogen.
2. GHG emission guidelines under CAA Section 111(d) for *existing* fossil fuel-fired steam-generating EGUs (generally **coal-fired**) that rely upon EGU retirements or CCS.
3. Updates to current GHG emissions standards (promulgated in 2015) for *modified* fossil fuel-fired steam-generating EGUs (generally **coal-fired**) that mirror guidelines for existing EGUs.
4. A repeal of the Trump-era Affordable Clean Energy (ACE) Rule.

### **MATS:**

EPA also issued a final rule strengthening and updating the Mercury and Air Toxics Standards for coal-fired power plants, tightening the emissions standard for toxic metals by 67% and finalizing a 70% reduction in the emissions standard for mercury from existing lignite-fired sources (i.e., brown coal burning sources).<sup>14</sup> Following EPA’s latest assessment of available control technologies, EPA is also limiting the non-mercury hazardous air pollutants (HAP) metals from existing coal-fired power plants by significantly reducing the emission standard for filterable particulate matter to two-thirds reduced rate, which is a surrogate emission standard to control non-mercury HAP metals.<sup>15</sup> In addition, EPA will require continuous emission monitoring systems to provide real-time data to regulators, facility operators, and the public to ensure compliance. This is the most stringent update since the Obama administration first issued the Mercury and Air Toxics Standards in 2012; EPA anticipates that the rule will reduce the mercury emissions from lignite by more than two-thirds.

**March 29, 2023:** Proposed Rule: Supplemental Effluent Limitations Guidelines and Standards for the Steam Electric Power Generating Point Source Category. The final rule is expected in April 2024.

**May 18, 2023:** EPA proposed changes to the Coal Combustion Residual regulations for inactive surface impoundments at inactive electric utilities, referred to as "legacy CCR surface impoundments."

EPA is stepping up its use of enforcement actions to address what the agency says is "widespread noncompliance" with its existing coal ash rules' mandates governing site closure and groundwater remediation.

#### ***Public Information Advisory Committee***

Betsy Mallison Bialosky reported the following:

PIACO met on May 1 virtually to brainstorm our strategic communication plan. We identified strengths and potential weaknesses and threats, as well as potential plan goals. These communication goals may include perception of the Ohio River, joint messaging, social media, podcast, easily digestible interviews. We met our new members from Pennsylvania and Ohio and they jumped right in to help with the plan.

Staff is meeting with all of the public information staff of all of the member states. These meetings are instrumental in learning what the states' priorities are and to get to know them. These relationships are crucial during big crisis events like the East Palestine derailment.

PIACO thanks Dave Bailey for his guidance and attention over PIACO's many years.

#### ***Watershed Organization Advisory Committee***

Heather Hulton VanTassel reported the following:

Thank you for the time and consideration when it comes to hearing from the Watershed Organizations across the Ohio River Basin.

We would like to share some updates relevant to this commission. We applaud WVDEP in their recent effort towards PFAS reduction efforts. WVDEP has convened work to achieve the goals of an EPA awarded Environmental Justice Government-to-Government Grant addressing PFAS contamination in WV communities. In 2022, USGS published a report for a statewide study led by WVDEP and WV Department of Health and Human Resources that found PFAS levels in 136 communities that exceed limits established by EPA Drinking Water Health Advisories for four PFAS (PFOA, PFOS, PFBS and HFPO-DA/Gen-X). These funds will support work mandated by the 2023 PFAS Protection Act and are being performed in tandem with West Virginia Rivers Coalition (lead CBO) and 19 partner organizations. This grant funds WVDEP to work with civic groups, local businesses, water utilities, county health departments and other stakeholders to design and implement community driven PFAS Action Plans that will outline steps to remediate contamination sources and protect drinking water quality. The first 12 Action Plans will be complete by the end of 2024.

We also thank ORSANCO for taking the lead on understanding the PFAS contamination across the basin and implications for future improvements on this emerging issue. We recommend that ORSANCO conduct similar investigations on microplastics in our source water as an additional emerging contaminant based on recent scientific studies connecting microplastics to negative health impacts.

We look forward to helping advocate for the Ohio River Basin Restoration Plan and federal designation as a collective. We thought that this year's ORBA day on the hill had more traction, had positive interactions with Members of Congress, and we look forward to continuing to push these efforts forward.

We recommend that surveys regarding availability are conducted prior to scheduling meetings where WOAC members are expected to be present. We also recommend that anything needed for review or oversight of the Watershed Advisory Committee have adequate time to review and comment on. Our

group is still reviewing the EJ Committee's pilot project. However, we thank ORSANCO for taking the necessary steps to work towards environmental justice with relation to ORSANCO'S scope of work and will continue to support these efforts.

### ***Water Users Advisory Committee***

Chris Bobay reported the following:

The Water Users committee last met on May 21 and 22, 2024.

### **EPA Site Visit**

Working with our friends at EPA, Greg Carroll and Tom Speth, we were fortunate to organize a tour for 20 committee members and ORSANCO staff. We spent the afternoon touring EPA's Andrew W. Breidenbach Environmental Research Center and discussing current research topics with EPA staff. The Drinking Water Pilot Plant consisted of a full Home Plumbing System with various pipe materials and fixtures. PFAS treatment is a major focus for EPA right now. We visited the labs for Small Scale Stirring Tests, Column Tests, and Membrane Experiments. We also visited analytical labs for lead and PFAS monitoring. Ongoing validation and improvement of PFAS analytical methods will be critical for water systems going forward under the new PFAS Rule. We also visited the Pb Pipe Forensics Laboratory where we got to see corrosion control studies, pipe loop studies, and historical research on pipe scales from pipes harvested from all over the country.

### **River Update**

Day two of our meeting focused on regular business. Facilities report no major issues on the river. Seasonal transition is underway. Spring run-off brought our first detections of atrazine this year. Atrazine is an agricultural herbicide. Atrazine is a regulated drinking water contaminant that requires routine monitoring and treatment. Some Water Users also reported a significant nuisance odor event due to heavy run-off in April.

### **ODS Network**

ORSANCO staff reported that 15 of 16 ODS sites were operational (working to resolve a clogging issue with the GC unit at Pittsburg). The GC installation at the Chemours (site 17) is on pause until gas lines can be installed. Donated GCMS instruments from Pittsburg and Louisville have been repurposed or parted out to support existing network installations. The Redhawk project to improve database management and alert notifications is progressing. ORSANCO updated the Committee on the status of congressional funds for improvements to the ODS network.

The Committee decided to forego convening a separate workgroup to develop NextGen ODS recommendations, but instead, has decided to keep this as a top priority for the Committee's regular business. We began the process of assessing gaps in both network coverage and capacity, looking at best-most-practical options for moving forward. We discussed the need to expand our analytes list, upgrade/replace older assets, and invest in portable GC units that can be deployed during incident response. More to come on this topic.

### **Source Water Protection**

Sam Dinkins discussed a recent EPA webinar that included details of the river modeling effort in response to the East Palestine (OH) train derailment. GCWW reports that APG Polytech effluent limits for 1,4-dioxane are expected to be implemented by mid-July. Expected to see 100-fold reduction.

### **Facility Updates**

PA American Water is installing 42 new YSI sondes to improve source water monitoring and emergency response. USACE is removing locks and dam at mile 23 of the Monongahela. Evansville Water has

completed 60% design on a new WWTP. Paducah Water has completed preliminary study and assessment of GAC treatment for PFAS removal. Louisville has completed its research of PAC treatment for PFAS removal.

### **Regulatory Updates**

The final PFAS Rule was published to the Federal Register on April 26th. EPA maintained the Hazard Index framework from the proposed rule, as well as individual MCLs for PFOA, PFOS, PFHxS, PFNA, and GenX. Water systems have until June of 2027 to complete initial monitoring and until April 2029 to implement PFAS treatment and comply with the new MCLs. For systems that completed UCMR5 monitoring in 2023, data are now being public noticed in their Consumer Confidence Reports which are published annually by July 1. The second year of UCMR5 monitoring is underway. Data are published online to EPA's UCMR5 Data Finder.

Still awaiting the final Lead and Copper Rule Improvements. Many Committee members are working hard to implement LCRR which is enforceable in October. Water systems are required to submit an inventory of pipe materials (regardless of ownership) for all service lines connected to the distribution system. Systems must also notify all customers with lead, galvanized, or unknown pipe materials by October.

### **Next Meeting of WUAC**

The Committee will meet again on September 17 and 18 if anyone would like to join us.

### ***POTW Advisory Committee***

Reese Johnson reported the following:

The POTW Advisory Committee held a hybrid meeting on Thursday, May 23<sup>rd</sup> at ORSANCO headquarters with representatives of 5 POTWs on the Ohio participating and ORSANCO staff in attendance. Our topics included:

1. Stacey Cochran, ORSANCO, gave us an update on their ongoing pilot with the PROTEUS water quality sensor. It is a new technology to quickly measure BOD, so many POTWs are interested in its performance.
2. Erich Emery, USACE, presented to us the presentation he gave to TEC last February regarding his Low Flow Study of the Ohio, asking for POTW partners to help by responding to what the potential impacts would be to them. Louisville MSD and MSD of Greater Cincinnati volunteered and were following up offline.
3. Open discussion centered on PFAS. Several POTWs are doing voluntary monitoring at various points (influent, effluent, solids). Really good transfer of information regarding movement on the federal level, including the list of WWTPs being considered for PFAS sampling next year, and the benefit of PFAS reporting on the Toxic Release Inventory, which will help us know where in our watersheds would be good places to start.

Next meeting we will be discussing the recent USEPA guidance on CSOs,

### **Next Technical Committee Meetings**

The next Technical Committee meeting will be in Charleston, WV, on October 8-9, followed by Covington, KY, on February 11-12.

**Comments by Guests**

There were no comments by guests.

**Adjournment**

The 235<sup>th</sup> meeting of the ORSANCO Technical Committee was adjourned by Proxy Commissioner Mandirola at 11:53 a.m. on Wednesday, June 12, 2024.

Approved:

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Proxy Commissioner Scott Mandirola

DRAFT

## **Roster of Attendance**

### ***Technical Committee***

|  |                               |
|--|-------------------------------|
| Chairman                                   | Commissioner Scott Mandirola  |
| Illinois                                   | Scott Twait                   |
| Indiana                                    | Brad Gavin/Gabrielle Ghreichi |
| Kentucky                                   | Katie McKone                  |
| New York                                   | Damianos Skaros               |
| Ohio                                       | Melinda Harris                |
| Pennsylvania                               | Kevin Halloran                |
| Virginia                                   | Jeffrey Hurst                 |
| West Virginia                              | Scott Mandirola               |
| US Army Corps of Engineers                 | Erich Emery                   |
| US Coast Guard                             | LT Mike Franke-Rose           |
| US Environmental Protection Agency         | David Pfeifer                 |
| US Geological Survey                       | Pete Cinotto                  |
| Chemical Industry Advisory Committee       | Kathy Beckett                 |
| Power Industry Advisory Committee          | Cheri Budzynski               |
| Public Interest Advisory Committee         | Betsy Mallison Bialosky       |
| POTW Advisory Committee                    | Reese Johnson                 |
| Water Users Advisory Committee             | Nicole Tremblay               |
| Watershed Organizations Advisory Committee | Heather Hulton VanTassel      |
| NPDES Subcommittee                         | Brad Gavin                    |
| ORSANCO Chief Engineer                     | Richard Harrison              |
| Staff Liaison                              | Jason Heath                   |

### ***Commissioners/Proxies***

Douglas Conroe, George Elmaraghy, David Flannery, Toby Frevert, Sarah Gaddis, Bruce Herschlag, John Hoopingarner, Tiffani Kavalec, John Kupke, John Lyons, David Miracle, Ron Potesta, Lou Wallace, Mike Wilson

### ***Staff***

Ryan Argo, Stacey Cochran, Jennifer Coldiron, Sam Dinkins, Tracey Edmonds, Richard Harrison, Jason Heath, Sarah Segars, Annette Shumard, Adam Scott, Lila Ziolkowski

### ***Guests***

|                         |  |
|-------------------------|--|
| Samantha Phillips Beers | Steptoe & Johnson PLLC                             |
| Karina Bynum            | Tennessee Department of Environment & Conservation |
| Rich Cogen              | Ohio River Foundation                              |
| Frances Crable          | National Wildlife Federation                       |
| Ed Hammer               | US EPA   |
| John Hirschfield        | Westlake Chemical                                  |
| Mekayle Houghton        | Cumberland River Compact                           |
| Tiffani Kavalec         | Ohio EPA   |
| Rayna Laiosa            | The Chemours Company                               |
| Jim Lazorchak           | US EPA   |
| Sarah Lehmann           | US EPA   |
| Chris Lorentz           | Thomas More University                             |
| Jordan Lubetkin         | National Wildlife Federation                       |
| Capt. Heather Mattern   | US Coast Guard                                     |
| Mark Noll               | Ohio River Way                                     |
| Nick Reif               | KY Division of Water                               |
| Annalisa Rocca          | Ohio Environmental Council                         |
| Jim Schray              | USACE Huntington District                          |
| Daymond Talley          | Louisville MSD                                     |
| Jit Weir                | IDEM   |
| Bruce Whitteberry       | Greater Cincinnati Water Works                     |