

WATER RESOURCES TECHNICAL COMMITTEE
Business Meeting – November 13th, 2008

GENERAL UPDATES – PROGRAMS, LEGISLATION, & ACTIVITIES

Next Generation Biofuels: Taking the Policy Lead for the Nation

A report of the Chesapeake Bay Commission and the Commonwealth of Pennsylvania – September 2008

This publication presents 10 regional and 10 state-specific recommendations on how to enter the cellulosic era in a way that ensures both economic growth and environmental stewardship. It includes information on how the competitive advantages of the Chesapeake Bay Region — an extensive supply of forest and agricultural crop residues, favorable conditions for growing perennial grasses, and the existing volume of municipal solid wastes — have the potential to establish the region as a national leader the development of cellulosic biofuels. By using a new set of feedstocks independent of food crops that can be grown sustainably with greater environmental benefits for our lands and waters, this report lays out a proposed roadmap for developing the next generation of biofuels.

To view the report: <http://www.chesbay.state.va.us/Publications/nexgen%20biofuels1.pdf>

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Chesapeake Bay Program's (CBP) Principal Staff Committee Meeting

The Bay Program's Principals' Staff Committee (PSC) met in COG's Training Center on Monday, September 23, 2008. The PSC is currently chaired by Maryland's DNR Secretary John Griffin. From a policy perspective, the most important issue covered was the summary of the "Findings and Options" from the Reasonable Assurance Workgroup. This is a critical piece related to the development of the Bay TMDLs. He proposed recommendations for discussion are summarized as:

- **Adopt EPA's TMDL/Reasonable Assurance Framework**
All 6 States and DC are "In" the TMDL
 - Differing Scale of Allocations for Tidal vs. Non-Tidal
 - Revise Tributary Strategies
 - ID Existing Programmatic Capacity for Implementation
 - ID Gaps
 - Commit to Gap Filling
 - Develop Short-Term Milestones
 - Track/Monitor/Assess progress at set times
 - Accept Contingency Requirements
- **Set New Clean-Up Deadline at 2020**
 - 2020 deadline based on modeling info
 - More distant deadline based on monitoring info
- **Set Milestones at 2-Year Intervals**
 - Meshes with budget cycles and 303(d) list cycle
- **Agree to Need for Contingency Requirements**
 - Refine specific contingency requirements by 2009 EC
 - Contingency requirements could vary by jurisdiction

These are to be discussed in greater depth during the October 22, 2008 PSC Conference Call. Appropriate updates will be provided at the WRTC meeting. These will likely be in the form of policy decisions to be made at the November 20 EC meeting.

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Restoring Clean Water and the Chesapeake Bay: A Plan for America's Next President

A report by the Chesapeake Bay Foundation – September 2008

This publication presents recommendations in seven issue areas for the next president to use in establishing the restoration of the Chesapeake Bay as a national and international model of environmental restoration. The recommendations in the report include:

- **Give authority to the Chesapeake Bay Program** by directing the EPA to ensure compliance with Bay-wide TMDL; asking Congress to strengthen the role and authorities the EPA may exercise to achieve Bay restoration.
- **Create a Clean Water Trust Fund** that will generate \$10 billion annually in federal assistance for wastewater treatment and sewage system replacement and upgrade.
- **Amend existing treatment requirements** to include a technology-based limit for total nitrogen output and update other technology requirements.
- **Limit construction site runoff** with rigorous Environmental Protection Agency pollution reduction guidelines.
- **End highway discharge pollution** by asking Congress to enact a reauthorization of federal programs establishing a goal of zero pollution discharge from federally assisted highways and provides significant, dedicated funding.

To view the report: http://www.cbf.org/site/PageServer?pagename=state_sub_dc_blueprint

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Potomac River Spill Water Supply Partners' Response Training and Exercise

The Potomac Drinking Water Source Protection Partnership, EPA Region 3, and the U.S. Department of Transportation sponsored a Potomac River spill water supply partners' response and training exercise on September 16th and October 21st, at Fairfax Water's Griffith Treatment Plant in Lorton, VA. The first day of the exercise included lessons learned from the 1993 Colonial Pipeline spill, an overview of the major water utility emergency response plans, an overview of the RICCS system, and an overview of the state and federal oil spill response capabilities. The second day was a facilitated tabletop exercise that tested the region's emergency response and communication plans for the water supply in the Metropolitan Washington region in response to a hypothetical pipeline rupture near the major water intakes on the Potomac River that serve Maryland, Virginia, and the District of Columbia. Participants included:

- Major water utilities in the Metropolitan Washington region;
- Local, state and federal emergency responders;
- Private industry;
- Other interested stakeholders.

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George Washington University Pesticide Project

COG staff Steve Bieber and Heidi Bonnaffon have partnered with George Washington University's (GW's) Departments of Environmental and Occupational Health and Sociology with funds from DDOE to research the most common pest problems and pesticides being used in all eight Wards of DC. DC funded the research due to concerns with health issues related to residential pests as well as concerns arising from the use of pesticide products. One of the goals of the project is to assess perceptions of pesticide safety and attitudes towards pesticide applications. Preliminary findings are available now, and a final report of the findings will be available in January 2009.

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Virginia Biosolids TAC

Virginia's Department of Environmental Quality has formed a Technical Advisory Committee (TAC). The TAC will advise DEQ on potential changes in the biosolids use regulations governing land application that DEQ inherited from the state Health Department when it assumed program oversight in January. To date, two meetings have been held. The process is expected to continue through March 2009.

To view the regulatory notice <http://townhall.virginia.gov/L/viewaction.cfm?actionid=2625>

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Virginia Stormwater Regulations

On Sept. 24, Virginia's Soil and Water Conservation Board approved a set of draft changes to the state's stormwater management program regulations that would, among other things, require all local governments under the jurisdiction of the Chesapeake Bay Preservation Act to assume administration of the construction permitting program. The Virginia Municipal Stormwater Association provided written testimony asking the Board to delay those aspects of the regulations dealing with the technical criteria for compliance. Department of Conservation and Recreation staff told the Board that elements of the program that have not, as yet, been completed, such as a handbook of acceptable BMPs and an economic analysis of the costs of compliance by an outside expert, would be ready before the draft regulations are finalized. DCR staff said it intends to have a set of final regulations for the Board to consider at its September 2009 meeting.

To view the regulatory notice <http://townhall.virginia.gov/L/ViewChapter.cfm?chapterid=1145>

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Maryland Stormwater Regulations

The Maryland Department of the Environment has begun the formal process of adopting modified stormwater management regulations and changes to the 2000 Maryland Stormwater Design Manual., in particular, a revision of the technical criteria in chapter 5. Both of these, plus other related materials, can be viewed at the following web site:

<http://www.mde.state.md.us/Programs/WaterPrograms/SedimentandStormwater/swm2007.asp>.

The updates are designed to meet requirements under Maryland's Stormwater Management Act of 2007. Officially, the changes will be posted in the Maryland Register on November 21, 2008. The 30-day comment period will close Dec. 22, 2008. A public hearing will be held at MDE Dec. 8, 2008.

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