



**Minutes of the
May 23, 2019 Meeting of the
Water Resources Advisory Committee (WRAC)**

Call to Order, Introductions and Attendance –Kent Crawford called the meeting to order at 9:30 am on Thursday, May 23, 2019 in Room 105 of the Rachel Carson State Office Building, Harrisburg, PA. Participation in this meeting of 13 members represents a quorum.

The following committee members were present:

Myron Arnowitt, PA Clean Water Action
Kent Crawford
Andrew Dehoff, Susquehanna River Basin Commission
Theo Light, Shippensburg University
Gary Merritt, NSG
Dean Miller, Pennsylvania Water Environment Association
Stephen Rhoads
Steve Tambini, Delaware River Basin Commission
Charles Wunz, Wunz Associates

The following committee members were present (via phone/WebEx):

Jenifer Christman, Western Pennsylvania Conservancy
Shirley Clark, Pennsylvania State University
Jeff Hines, York Water Company
Sara Whitney, Pennsylvania Sea Grant

The following committee members were not present:

Harry Campbell, Chesapeake Bay Foundation
John Jackson, Stroud Water Research Center
Cory Miller, UAJA/PDMA
Jeff Shanks, Waste Management

The following DEP staff members were present:

Thomas Barron, Bureau of Clean Water
Heidi Biggs, Bureau of Clean Water
Sam Boden, SouthCentral Regional Office
Bill Brown, Bureau of Clean Water
Brian Chalfant, Policy Office
Laura Edinger, Policy Office
Matt Kundra, Bureau of Clean Water
Josh Lookenbill, Bureau of Clean Water
Rodney McAllister, Bureau of Clean Water
Patrick McDonnell, Office of the Secretary
Shawn Miller, Bureau of Clean Water
Mike Morris, Bureau of Clean Water
Kristen Schlauderaff, Bureau of Clean Water
Dustin Shull, Bureau of Clean Water



Steve Taglang, Bureau of Clean Water
Gary Walters, Bureau of Clean Water
Tom Wertz, Bureau of Clean Water
Rebecca Whiteash, Bureau of Clean Water
Diane Wilson, Bureau of Clean Water

The following guests were also present:

Michelle Elliot, IRRC
Jodie Gasky, PACA
Matt Genchur, White Township
Rachel Gleason, PCA
Grant Gulibon, PA Farm Bureau
Beth Kern, Chesapeake Energy
Ankita Mandelia, Chesapeake Bay Foundation
Kyla O'Connor, SRBC
Alex Ridyard, Philadelphia Water Department
Erik Ross
Curtis Schreffler, USGS

Review and Approval of Minutes from March 28, 2019 Meeting – Kent Crawford pointed out an error on page 4. Andrew Dehoff made a motion to approve the amended minutes. Steve Tambini seconded the motion. The motion was approved by unanimous vote.

DEP's Secretary Remarks - Patrick McDonnell – Office of the Secretary, first thanked WRAC members for their assistance as volunteers. He then addressed four topics/questions provided by WRAC members:

1. Q: What is the status of the change in the Manganese (Mn) standard?

A: Act 40 of 2017 requires the Environmental Quality Board (EQB) to propose a regulation that moves the point of compliance for the Mn criterion from the point of discharge to the point of all existing or planned surface potable water supply withdrawal. Staff are considering peer-reviewed literature on the topic and will recommend an update in the water quality standard for Mn.

2. Q: PFAS: Need to address a water quality standard; Related issues regarding determining if current NPDES facilities are discharging PFAS into surface water

A: Water and grease resistant materials may have PFAS. Governor Wolf established a PFAS Action Team in September 2018 to address:

- Drinking Water Maximum Contaminant Levels
- DEP Laboratory Capabilities for PFAS
- Clean-up of PFAS contaminated soils and groundwater
- DEP/USGS partnership to conduct surface water monitoring for PFAS

3. Q: What specific compliance and enforcement tools will DEP deploy in the foreseeable future to ensure that the agricultural community moves to substantial, in-the-water, compliance with its nutrient and sediment reduction obligations?

A: Phase 1: DEP and County Conservation Districts ensure farmers have plans in place. Phase 2: DEP and County Conservation Districts ensure farmers are implementing plans. PAG-01 and PAG-02 will help DEP get compliance. There is a need for additional resources around compliance and enforcement.

4. Q: With the release of the Department's Climate Action Plan and with the work conducted by Penn State University on the impacts of climate change on Pennsylvania, especially in regard to precipitation, intensity, runoff, and other impacts, what role will WRAC and possibly the State Water Planning Commission have going forward relative to climate change?

A: Governor Tom Wolf signed an executive order establishing the first statewide goal to reduce carbon pollution in Pennsylvania, which also establishes the GreenGov Council to boost green and sustainable practices in state government. The commonwealth will work to achieve a 26 percent reduction of greenhouse gas emissions by 2025 and an 80 percent reduction by 2050, from 2005 levels. The Climate Change Action Plan includes strategies for both mitigation and adaptation. The Climate Story Map walks people through the impacts. WRAC members can help by getting the word out on the action plan and story map.

Pennsylvania's Phase 3 Watershed Implementation Plan – Nicki Kasi-Chesapeake Bay Office – discussed Pennsylvania's efforts to work with neighboring states to clean up our shared waters that run to the Chesapeake Bay with the Phase 3 Watershed Implementation Plan (Phase 3 WIP). There is a new focus in Pennsylvania on accomplishing local water quality and other local environmental restoration goals through the planning efforts of the Phase 3 WIP. Pennsylvania's 2025 goals include:

- Reduction of nitrogen by 34 million pounds per year
- Reduction of phosphorous by 0.7 million pounds per year
- Reduction of sediment by 531 million pounds per year

There is a new focus in Pennsylvania on improving local water quality and other local environmental restoration goals through the planning efforts of the Phase 3 WIP. There is very little low-hanging fruit since very little of the loads come from a source covered by a permit that can easily be established, monitored, and enforced. Wastewater was successful because enforceable goals were established and put into permits where compliance is easily measured and penalties taken accordingly. The same can be done for nonpoint source and it will require large amounts of funding and human resources. There is a gap and different revenue sources are being studied. There is a phased implementation planned with Phase 1 possibly starting in September, 2019. Public comments on the Phase 3 WIP are due on June 7, 2019. The WIP explains what will be done and the accompanying documents explain how it will be done.

Susquehanna and Juniata Rivers Aquatic Life Use Assessment – Josh Lookenbill – Bureau of Clean Water, indicated that the Susquehanna River from the confluence of the Juniata River to the state Route 462 bridge near Columbia and the Juniata River from the confluence of the

Raystown Branch to the mouth does not meet the aquatic life use based on DEP's Continuous Physicochemical Assessment Method, and DEP's Semi-wadeable Large River Macroinvertebrate Assessment Method. The Continuous Physicochemical Assessment Method has identified high pH as a cause of impairment for both rivers. DEP is currently evaluating the source of impairment. At this time the source of the impairment will be listed as unknown. There is insufficient information upstream or downstream of these delineations to make assessment determinations using these methods currently. From 2012 through 2017 DEP staff have implemented continuous instream monitoring (CIM) at 2 locations on the lower Susquehanna River and at 3 locations on the Juniata River. DEP staff have also collected 57 benthic macroinvertebrate samples from 2 locations on the lower Susquehanna River and 30 samples from 6 locations on the Juniata River.

Science of Manganese – Kristen Schlauderaff-Bureau of Clean Water – explained that Act 40 of 2017 requires the EQB to propose a regulation moving the point of compliance for the Mn criterion from the point of discharge to the point of all existing or planned surface Potable Water Supply (PWS) withdrawal, as an exception in 25 Pa. Code Section 96.3(d). Exceptions in Section 96.3(d) are for specific PWS criteria. The current Chapter 93 Mn criterion of 1.0 mg/L (developed in the 1960's) is for protection of the PWS use. DEP has an obligation to review and update water quality standards to reflect current scientific knowledge and understanding (i.e. updated national recommendations, published scientific literature, etc.). There was an Advanced Notice of Proposed Rulemaking (ANPR) - January 27, 2018, to solicit data and information on Mn. Aquatic life criteria are not being developed at this time. Approximately 60 human health related scientific studies and/or scientific references were provided by the following commenters: United States Environmental Protection Agency (EPA)(7); PennFuture (40); Manganese Interest Group (12).

Concurrent with the ANPR, DEP:

- Conducted an independent literature search and review.
- Reviewed scientific references as they were received through the ANPR.
- Evaluated existing EPA health advisories, risk assessment information and national recommendations for Mn.

Mn Rulemaking Timeline:

- Must go through our Regulatory Process
- Presentation of draft Annex at July 25th WRAC meeting
- Presentation to Ag Advisory Board at August 29th meeting

DEP provided a list of scientific references on Mn studies. If WRAC members have any additional references, they should provide them to Kristen by June 21, 2019.

Triennial Review Draft Annex-Thomas Barron-Bureau of Clean Water, presented WRAC members with the draft annex for their review and approval to move it forward to the EQB. Strike through in the text represents changes from proposed to final. Text that is capitalized and underlined represents new language.

Gary Merritt made a motion to approve moving the Draft Annex forward to the EQB. Andrew Dehoff seconded the motion. The motion was approved by unanimous vote.

General Discussion –

Action Items

1. DEP presentations requested by WRAC members:
 - a. Impairment of the Susquehanna River. (Presented on 5/23/19)
 - b. The Science of Manganese. (Presented on 5/23/19)
 - 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. (Presented on 5/23/19)
 - b. Emerging Contaminants.
 - c. Water Allocation Permit Applications.
 - d. Act 162 of 2014 Implementation Plan.
 - e. Design Standards for Wastewater Facilities.
3. WRAC members should provide additional Mn references to Kristen Schlauderaff by 6/21/19.

Future WRAC meeting dates include:

- July 25, 2019
- September 26, 2019
- November 21, 2019

Public Comment – No comments from the Public.

Adjourn- A motion was made for the meeting to adjourn by Stephen Rhoads and was seconded by Theo Light. The meeting adjourned at 12:30 pm.