

Making Impairment Decisions: Independent Application vs. Weight Of Evidence Approaches

Technical Committee Meeting
October 12-13, 2010
Agenda Item 10

Objectives

- 1) Summary of states' approaches to making impairment decisions.
 - Independent Application vs. Weight of Evidence.
- 2) Discussion of a unified interstate approach.
 - Important issue for many reasons including consistent message for the Ohio River.
 - Outcomes drive need for TMDLs and ultimately discharge permits.

Background

- Inability to achieve consensus among states in the impairment decisions for the Ohio in 2010.
- Driven by aquatic life criteria violations for Iron indicating impairment with corresponding biological data (fish population) indicating full support.
- Weight of Evidence – 2 data sets providing conflicting information regarding impairment, use data having strongest correlation with impairment.
 - Allows for professional judgment.
- Independent Application – If any one of multiple data set indicates impairment.
 - Conservative approach in US EPA's assessment guidance.

Summary of States' Approaches

Weight of Evidence

- IL
- OH
- PA
- Caveats
 - OH – does not include Ohio River on 303(d) List.

Independent Application

- IN
- KY
- WV
- Caveats
 - IN – WOE for competing bio data. Cooperated with 305b workgroup (temp & DO) for consistency purposes.
 - KY – WOE for non-priority pollutant issues.
 - WV – WOE where 2 indicators for a pollutant (Hg).

Outcome Needed

- Direction on development of a policy for Ohio River assessments.