

OHIO RIVER VALLEY WATER SANITATION COMMISSION

MINUTES
234th Meeting of the Technical Committee
Embassy Suites RiverCenter
Covington, KY
February 6-7, 2024
Chair Scott Mandirola, Presiding

Call to Order

The 234th meeting of the ORSANCO Technical Committee was called to order by Commissioner Mike Wilson, filling in for Chair Mandirola, at 1:00 p.m. on Tuesday, February 6, 2024. All eight states, three federal agencies, and all six advisory committees were represented (for Roster of Attendance see on page 15). Commissioner Wilson welcomed all to ORSANCO's dual in-person and virtual meeting of the Technical Committee.

Minutes of 233rd Committee Meeting

ACTION: Motion passed to accept the minutes of the 233rd Technical Committee meeting.

Chief Engineer's Report

Director Harrison reported that Annette Shumard is leading ORSANCO's environmental justice effort, along with the Commission's ad hoc EJ committee. We are trying to ensure that ORSANCO's programs are reaching EJ communities, and to secure funding from USEPA. We are also forming a stakeholder advisory group, and looking to hold a fall festival in the greater Cincinnati area. He remarked that staff has pulled together a map for the entire Ohio River Basin of impaired waterbodies, which will be used as a tool for explaining the need for a restoration plan and funding for the basin. The Commission's Program and Finance Committee will be meeting in April with a budget to be presented for the Commission's approval at the June meeting.

Great Lakes to Gulf: Tracking Nutrient Trends in the Mississippi River Basin

Dr. Alejandra Botero-Acosta, with National Great Rivers Research and Education Center, and Maxwell Burnette, with University of Illinois, presented on the following. The Great Lakes to Gulf Virtual Observatory (GLTG) is an interactive, geospatial application that provides user-friendly access to water quality information from the Mississippi River and its tributaries. This presentation showed the GLTG platform showcasing nitrogen trends and the other layers and data available. They also discussed the methodology of the trends analysis and highlight lessons learned from our work on nutrient trends analysis in the Mississippi River Basin. It is noted that for the most part, improving trends for nutrients (nitrogen) have been identified.

An Assessment of the Influence of Reservoirs on Ohio River Low Flow & a Discussion of the Benefits and Costs

Erich Emery provided an introduction to the following Corp of Engineers' study. Dr. Patrick Ray, Gaurav Atreya, and Tolulope Odunola, with the University of Cincinnati, presented on the following US Army Corps study. The US Army Corps of Engineers has teamed with engineers from the University of Cincinnati on a study of the influence of USACE reservoirs on Ohio River low flow. USACE reports to Congress on the value of flood damages avoided. This project aims to develop similar quantifications of services provided during periods of low flow, such as contaminant dilution, navigation passage, sewerage assimilation, water supply, and hydropower generation (among others).

Kentucky Communities Are Embracing Their Local Waterways and Basin Coordinators Have a Seat at the Table

Many communities across Kentucky are looking for opportunities to develop outdoor recreation and are looking towards their local creeks as part of this effort. This gives Basin Coordinators from Kentucky Division of Water a unique opportunity to be involved in these conversations at the community-level by helping with watershed management plans, developing flood mitigation strategies, and working to reduce nonpoint source (NPS) pollution runoff. One example is Maysville, Kentucky, and according to Mayor Debra Cotterill, “We’ve had our backs to the creek for too long, and now it’s time to turn around and face it.” As part of this investment effort, Maysville is currently focusing on Limestone Creek and working on multiple endeavors to restore the creek to its historic, natural beauty. In this presentation, Brian Storz with the Kentucky Division of Water, Licking River Basin Coordinator, discussed the role of Basin Coordinators, our liaison activities between local communities and the state, and specifically, the Maysville Limestone Creek revitalization efforts.

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

The 305b workgroup met on January 25th to review the 2024 draft Biennial Assessment of Ohio River Water Quality Conditions (305b Report). ORSANCO continues to employ the weight of evidence approach when applying the accepted methodologies to these assessments, while recognizing that some states use independent application of criteria. The workgroup reviewed and approved the assessments of the four defined uses; Aquatic Life, Contact Recreation, Public Water Supply and Fish Consumption. The 2024 designated impaired river miles for each use were consistent with the 2022 Biennial Assessment previously endorsed by TEC. Staff will be preparing a report based on the assessments that were presented, and will also reconvene the 305b Workgroup to discuss addressing inconsistencies between ORSANCO and states’ assessments for the Ohio River.

PCBs Trends in Fish Tissue

Staff provided a summary of a temporal trends analysis of PCB concentrations in Ohio River Channel Catfish tissue. The analyses completed over the prior years demonstrate that PCB concentrations and associated "Do Not Eat" consumption advisories have decreased in Channel Catfish over the last 30 years. The draft report details the methods and conclusions further and has been reviewed by the BWQSC members and colleagues. TEC was asked to provide comments on the draft report prior to submission to a peer-reviewed journal.

Broad Scan Survey Interim Results

Staff presented an overview of the 2023 BroadScan Survey (BSS) preliminary results. The 2023 BSS was a repeat effort of a survey completed in 2012 and was requested by Commission member states to examine ambient river water under differing flow conditions, for priority pollutants not routinely monitored under ORSANCO core programs. Findings will be included in FY2024 Monitoring strategy document and a draft report of Final Report of Findings prepared for the June 2024 TEC meeting.

ORSANCO’s Contact Recreation/Bacteria Trends and Monitoring Project

Staff reported on the Contact Recreation/ Bacteria Monitoring program sampling efforts and also the historical dataset that is available and used to produce the Bacteria Trends Report. Staff presented an update to the 2018 Bacteria Trends report which spans over 2001-2022 and focuses on *E.coli* Geometric Mean at all historical sites. Precipitation data was also included as a recommendation from the October Technical Meeting. A side-by-side comparison study of the Colilert Method and real-time Proteus Instrument will begin April 2, 2024 and continue through the end of the season which is October 29, 2024. This study is funded by a WV 604b grant and a summary report of this data will be generated after the season has ended. Staff will be preparing a report based on trends analyses presented at the meeting.

Waterbody Impairment Compilation Maps for the Ohio Basin

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. This information will be valuable for the Ohio River Basin Restoration Initiative. Staff asked TEC to review the information for accuracy before it is made public. Staff will also make similar requests of the non-ORSANCO states in the basin, and report back at the next TEC meeting.

ORSANCO's Response to the E. Palestine Derailment Using EPA's River Spill Model

US EPA has periodically provided funding since the 1990's for the development and updates of an Ohio River spill time-of-travel model. Staff gave a presentation on the use of this model during the response to the February 2023 East Palestine train derailment incident. ORSANCO utilized the Ohio River spill model to predict spill plume transport and provide drinking water utilities and response agencies plume travel-time estimates throughout the response.

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. This included an update on an active period for the Organics Detection System Program which included instrumentation upgrades at three monitoring stations and relocating the Maysville site to the Thomas More University Field Station. Brief updates were also provided on discussions to potentially extend ORSANCO's source water protection activities to the upper Ohio River tributary basins and a follow-up to the chronic benzene detections observed in the Beaver River watershed.

ORSANCO Biological Programs Update

The BWQSC met on January 17th to review 2023 survey results and recalibration of the biological indices. Biological staff members presented the recalibrated fish and macroinvertebrate indices that were approved by the subcommittee for use in the assessment of future pool survey data. Staff also detailed potential projects for the coming year including investigating functional diversity measures, expanding contaminants tracking to include lower trophic levels, and continued efforts relative to nutrient criteria. The subcommittee will meet again in the spring to prioritize these projects, approve the 2023 pool assessments, and finalize plans for the 2024 field season.

Monitoring Strategy Update

Staff provided an update on the work of the Monitoring Strategy Subcommittee. They will be meeting next week to address a number of monitoring issues that will culminate in a revised monitoring strategy document this fall aimed at providing future direction for ORSANCO's monitoring programs. Staff requested input from TEC on the current set of monitoring issues being addressed.

Member Updates and Interstate Water Quality Issues

Illinois

Scott Twait reported the following:

Staffing Changes

The Bureau Chief, Sanjay Sofat has retired. He has taken a job with the Farm Bureau as a Legislative Liaison.

Triennial Review

On January 19, 2024, the "Summary and Agency Statement" was posted on the Agency's website at:

This completes this portion of the Triennial Review. Based on the evaluation of the online survey, public comments and USEPA comments, extensive discussion within IEPA, and extensive discussions with USEPA, the Agency will be working on the following topics over the next three years:

- Propose Updates to Subpart F: Procedures for Determining Water Quality Criteria (35 Ill. Adm. Code 302.210)
- Evaluate Designated Recreational Uses: - Chicago Sanitary and Ship Canal from the confluence of Bubbly Creek to the confluence of the Calumet-Sag Channel - South Fork of the South Branch Chicago River (Bubbly Creek)
- Address US EPA Disapprovals for Chicago Area Waterway System (CAWS)\Recreation (R2008-009(A)) - Upper North Shore Channel from the Wilmette Pumping Station to Northside Water Reclamation Plant - Calumet River from Lake Michigan to the O'Brien Lock and Dam - Chicago Sanitary and Ship Canal from its Confluence with the Calumet-Sag Channel to its Confluence with the Des Plaines River - Lower Des Plaines River from its Confluence with the Chicago Sanitary and Ship Canal to the Brandon Road Lock and Dam

Since the second bullet point has been identified as an EJ issue, the WQS Section will be working with EJ Officer during the next three years to ensure that the EJ issues are addressed.

Nutrient Loss Reduction Strategy

The 2023 Biennial Report was released in early December and a stakeholder meeting was held January 25, 2024. The State had an interim goal for point source reductions of nitrate-nitrogen of 15% and phosphorus of 25% by 2025. As of now, the point source reduction is 34%. However, the 2017-2021 five-year average nitrate-nitrogen loads increased 4.8% and total phosphorus loads increased 35% compared to the 1980-1996 baseline. River flow, or water yield, was 23% higher than the baseline. We still working to meet our goals.

Indiana

Brad Gavin reported on the following items:

Drinking Water PFAS Sampling

Phase 3 (>10,000 population served):

- Phase 3 results included 69 of the 85 systems. Approximately 686 total samples were collected during Phase 3 initial sampling.
- 24 of the systems contained detectable levels of a PFAS compound in finished drinking water. 15 of those systems contained a detection of PFOS or PFOA above the interim health advisory level.
- Four systems to date contain a detection above the proposed MCL (PFOA at 9.3 ppt max).
- Based on the results from Phase 3 initial sampling, 18 systems were chosen to be resampled by IDEM staff to verify the sampling results. The resampling is currently underway.

Phase 4 (surface water sampling):

- IDEM is starting to prepare for Phase 4. IDEM will be sampling surface water bodies that are used for drinking water.

- 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

- On February 1, 2024, IDEM posted Indiana’s draft 303(d) list, beginning a 45-day comment period, which includes assessments of ORSANCO’s 2016-2020 data.
- This draft 303(d) list is available at: <https://www.in.gov/idem/nps/watershed-assessment/water-quality-assessments-and-reporting/section-303d-list-of-impaired-waters/>
- 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) will be sampled monthly from April through October and macroinvertebrates will be sampled one time in 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 (RCPP), titled “Farmers Helping Hellbenders Initiative.”
- The Gupta Dam, a low head dam on Indian Creek in the Ohio River Basin was recently removed.
- The Indiana Department of Health will soon be updating Fish Consumption Guidelines including revisions to the fish advisories in the Ohio River basin (Indiana Ohio River tributaries). If anyone is interested in these updates in advance of posting, please reach out to Tim Fields (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).
- The Indiana Department of Transportation was able to remove the massive log jam on the US-150 bridge in the [Blue River at Fredericksburg in Washington County](#) on November 15, 2023. This site was important to IDEM for many reasons: outstanding state resource water, USGS stream gauge established in 1968, fixed station site with water samples collected monthly since 1973, and part of the U.S. EPA Stream Regional Monitoring Network (RMN). The Stream RMN is a project meant to help determine thermal, biological, and hydrological baselines to help quantify and detect long-term changes in the conditions of high-quality streams. IDEM deployed two instream thermologgers to continuously track changes in water temperature and deployed a weather station to monitor air temperature and precipitation early summer 2023. The log jam, however, impacted IDEM’s ability to sample the biological community (macroinvertebrates and fish) and get a good representative sample of the water quality in 2023; but now that the log jam has been removed, sampling for the Stream RMN on the Blue River can start in 2024. IDEM has two other Stream RMN sites in the State on the [Tippecanoe River at SR 18 in Carroll County](#) and [Vernon Fork Muscatatuck River at CR 60 South in Jennings County](#). The [dashboard](#) for the RMN weather stations shows measurements for temperature, precipitation, and barometric pressure. This information may give the ORSANCO crew finishing the National Rivers and Streams Assessment sampling in 2024 an idea of where to sample this summer.
- The Indiana Water Monitoring Council released the “[Indiana 2023 Water Report](#)” in December 2023. The Indiana Water Report is a publication that summarizes important water-related monitoring and research happening in Indiana. The Indiana Water Report is intended to help those working to manage water resources in Indiana do so more effectively and with a fuller understanding of how their efforts fit into the larger picture and to support great communication and collaboration wherever possible.

Water Quality Standards

- IDEM is going to initiate our Triennial Review this spring.
- IDEM was recently approved to start a Nutrients N-STEPS project with EPA and TetraTech this year. This goal of the project is to reevaluate existing numeric nutrient thresholds to improve IDEM's nutrient assessment process for streams. This project will involve analyzing additional DRP/DO data IDEM collected in past years in addition to all nutrient and biological data that might be relevant to nutrient impacts on aquatic life.

Legislative

- Wetlands, HB 1383; Clarifies various wetland definitions. Eliminates certain wetland rulemaking requirements. Provides that certain wetland activity requires state authorization. Clarifies the compensatory mitigation that must be offered to offset certain wetland activity. Makes conforming changes and technical corrections.

Kentucky

Katie McKone reported the following:

305(b)/303(d) Program:

EPA recently released its [2022 - 2032 Vision for the Clean Water Act Section 303\(d\) Program](#). The Kentucky Division of Water is following recommendations and guidelines expressed in EPA's 303(d) program vision by outlining a framework by which the Division will implement these program goals over the next eight years. The Division intends to solicit public comment on this framework before finalization and submittal to EPA.

In conjunction, the Division is currently preparing to public notice the 2024 303(d) List of Impaired Waters requiring a TMDL. We anticipate completing this process before the next TEC meeting in June.

Nutrients:

The [2023 Hypoxia Task Force Report to Congress](#) is out and includes updates from Kentucky, surrounding states, and federal partners. EEC met with representatives from federal and state agencies of the Hypoxia Task Force in Fayetteville, Arkansas in December of 2023. Kentucky provided an update on their nutrient progress and engaged other agencies and organizations. Nutrient workgroups will resume in March of 2024 with a focus on stakeholder input for the final round of Gulf Hypoxia Program funding. Related to this group, the Nutrients & Public Agencies Workgroup will be held on Wednesday, March 20th at the USGS office in Louisville

The Division is distributing a KY Nutrients Newsletter quarterly; the first 2024 nutrient newsletter is available at the [provided link](#), where you can also find information on how to join the distribution list.

PFAS:

The Department is

- Continuing to sample drinking water for PFAS and provide support to water systems in addressing PFAS in drinking water
- Working to incorporate PFAS monitoring into Ambient monitoring programs beyond fish tissue and the associated surface water sampling
- Investigating potential groundwater impacts due to PFAS. Sampling has occurred at some state-lead old dry cleaner sites, old metal plating facilities, and orphan landfills
- Considering domestic use wells and potential PFAS impacts
- Offering to collect and analyze samples from public wastewater treatment plants that would like to volunteer to get PFAS data to assist with their long-term planning in light of potential future federal regulatory updates

Drinking Water:

Lead and Copper Rule Improvements are out for comment. The proposed rule would push back deadlines on corrosion control treatment requirements. It's a topic of interest due to required use of orthophosphate by water systems, which was something ACWA (Association of Clean Water Administrators) had commented on. This has been discussed in our Lead in Drinking Water Corrosion Control Subgroup with KPDES staff, looking at ways to ensure receiving systems are aware of the increased orthophosphate in the scenario where public water systems are required to use corrosion control treatment.

Other Division Updates:

The Division's Watershed Management Branch has been focused primarily on project funding.

- FFY22 OSG funds (Sewer Overflow and Stormwater Reuse Municipal Grant) have been allocated. Working on a competitive call for applications for FFY23 funding. This grant has a requirement to work in rural and/or disadvantaged communities
- FFY23 SWPAP funds (Source Water Protection Assistance Program) have been allocated. The Division will announce FFY24 competitive funding in Spring/Summer. These are smaller grants given to communities to protect source water

The Division is working to update its comprehensive surface-water monitoring strategy for the upcoming field season. Our ambient rivers network will be focusing on the Salt/Licking Rivers Basin Management Unit. Our probabilistic biological monitoring program will be completing a 7th year of a statewide survey. Our intensive survey program continues to provide monitoring needs across the Division that support various priorities, projects, or initiatives related to NPS, success, assessment and listing, and TMDL development. We'll be coordinating again with ORSANCO this year to collect extra metals samples in the Newburgh pool.

New York

Damianos Skaros reported the following:

Within the Ohio Basin in Western New York, DEC has been providing assistance to local stakeholders regarding HABs detection, identification, monitoring, and education. There has been a strong emphasis on nutrient loading monitoring and reduction through the CAFO permit program, local municipal treatment plants, and private septic systems rehabilitation funding opportunities. New York is working on development of PFAS limits for drinking water and wastewater treatment plant biosolids. The Sole Source Aquifer Protection program has been focusing on monitoring for groundwater protection. Significant funding is available for municipal entities for nutrient reduction activities including critical infrastructure needs.

Ohio

Melinda Harris reported on the following items:

Water Quality Monitoring and Assessment

- Studying planning for the 2024 field season underway
- Draft 2024 Integrated Water Quality Monitoring and Assessment report was released February 6th for public comment. The draft report is available here: <https://epa.ohio.gov/divisions-and-offices/surface-water/reports-data/ohio-integrated-water-quality-monitoring-and-assessment-report>
 - Updates of note include:
 - Ohio River
 - Aquatic life use assessment of the Ohio River – segments assessed for the first time and in full attainment

- The Greenup to Meldahl segment previously impaired for PWS due to HABs is now in attainment based on new data

Summary of results for human health, recreation and public drinking water supply beneficial uses

	Human Health (fish tissue)	Recreation	Public Drinking Water Supply
Ohio River Assessment Units			
Not being used for PDWS	-	-	4
Attains	0	4	4
Insufficient information	0	0	2
Not assessed	0	0	0
Impaired	10	6	0
Total Ohio River considered	10	10	10

- Released Biological and Water Quality reports for the Sugar Creek and Tuscarawas River watersheds.

Water Quality Standards

- Completed several WQS rule packages including minor updates and revisions as part of the state required five-year rule review
- Completed clarifications to Ohio’s biocriteria narrative language and created a new rule that details use in determining water quality based effluent limits in NPDES permits
- Currently working on:
 - Variances – draft rule language currently in internal 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.

H2Ohio Rivers Fund

H2Ohio Rivers Initiative was funded in the state biennium budget. Ohio EPA received \$7.5 million each year. For this year:

- PFAS sampling of 151 large river sites across the state started in fall 2023 and will finish in 2024. So far sampling results have not exceeded U.S. EPA’s draft aquatic life criteria for PFOA or PFOS.
- Partnering to fund dam removals on the Great Miami River in Troy and Piqua
- Salt Reduction Grants – RFP closed Jan 31 – request far exceeded available funding. As of Monday, we have received **240** applications requesting **\$13.8 million in funds for equipment and storage improvements**.
- ODNR is also completing projects including dam removals and statewide mussel survey in 2024.

Other Updates

Ohio Nutrient Reduction Strategy update is underway (meetings started in December) and is expected to wrap up this fall. Regional round table stakeholder meetings are scheduled for February, March and April.

Pennsylvania

Kevin Halloran reported on the following:

ORSANCO 2/6/24 Tech Meeting

1. 10th Triennial Review of Water Quality Standards proposed rulemaking published in the PA Bulletin in October 2023. Public comments closed. PADEP reviewing comments. We anticipate presentation of the final-form rulemaking to the EQB sometime in the 2nd quarter of 2024.
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) (new)
Minor definition revisions.
2. 2024 Integrated Report is on our website for review: Integrated Water Quality Report-2024 (pa.gov)
3. The \$5 million Environmental Mitigation Community Fund related to the Shell Chemical COA penalty is open for applications until February 29.
4. East Palestine Derailment.
To date PADEP has completed most sampling, continuing to conduct additional rounds of samples at a few private well locations and will continue to split sample with NS at monitoring well locations.
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.
Conducting an after-action review currently.

Virginia

Jeffrey Hurst reported the following:

Stormwater update:

- Virginia DEQ has completed a significant initiative to modernize and streamline its construction stormwater management and erosion & sediment control guidance, manuals and handbooks, some of which date back to 1992, and consolidate them into a single handbook. Virginia DEQ has also revised the Virginia Runoff Reduction Method (VRRM) to align with the new handbook. DEQ will be putting both the new Virginia Stormwater Management Handbook and updated Virginia Runoff Reduction Method out for public comment, beginning February 26, 2024.

TMDL and Water Quality Sampling:

- Virginia DEQ is in the planning stages of correcting an error with our stream naming convention for those stations in the 6A sub basin. These stations have been misidentified as belonging in the Tennessee Big Sandy basin and they are actually in the Ohio Basin. As ORSANCO relies on STORET and the Water Quality Portal, we wanted to make you aware that our 6A stations will at some point be converted to 9A stations and 9- stations will become 9B.

- Virginia DEQ is prioritizing approximately 240 river miles in the Ohio River Basin for Total Maximum Daily Load (TMDL) or Advance Restoration Plan development through 140 river miles of the Upper Tennessee and New River basins, which have exceedances of Virginia’s water quality standards for temperature and/or impairments to benthic macroinvertebrate communities. Additionally, DEQ will address recreation use impairments in approximately 100 miles of the New River basin due to exceedances of Virginia’s bacteria water quality standards. Virginia will also be working with EPA and West Virginia to develop a TMDL to address polychlorinated biphenyl (PCB) impairments in approximately 22 miles of the New River basin (Bluestone).
- Virginia DEQ is developing a special study for measuring TSS, TDS, and flow at the watershed outlets of 8 TDS impaired watersheds within the Big Sandy and Clinch-Powell (Upper Tennessee River) drainage systems. The effort will assist Virginia Energy (formerly Department of Mines, Minerals and Energy) with more accurate tracking of the Waste Load Allocations (WLAs) for the 8 mining impacted watersheds.
- Virginia DEQ is completing work on the development of the 2024 305(b)/303(d) Water Quality Assessment Integrated Report (IR) and tentatively expects to release a draft report this Spring 2024.
- Virginia DEQ is awaiting EPA review and approval for the developed TMDL Implementation Plan (IP) on the South Fork Holston River (Upper Tennessee) watershed addressing bacteria.
- Virginia DEQ’s current Nonpoint Source Management Plan expires on September 20th, 2024. We are currently meeting internally and with agency partners to update the next 5-year plan. DEQ anticipates a draft Nonpoint Source Management Plan to be completed by April 2024 and submission to EPA by Sept 2024, with final approval anticipated in March 2025.
- Virginia DEQ’s Nonpoint Source Implementation Best Management Practice (BMP) Guidelines for 319(h) funded projects are being updated with feedback from a subcommittee of current sub-recipients. DEQ anticipates an effective date of July 1st, 2024 and the next update will be done in 2026.
- And finally, at the last meeting, I updated this committee on our Selenium Criteria petition which has now progressed to rule-making. The rulemaking package to amend the Water Quality Standards regulation was approved by the Governor's Office on January 24, 2024. This rulemaking is in response to a petition request to update the Water Quality Standards regulation to incorporate site specific selenium criteria as a special standard for select tributaries to Knox Creek (Big Sandy Watershed) in Buchanan County. The 30-day public comment period for the Notice of Intended Regulatory Action (NOIRA) is scheduled to be published in the Virginia Register on February 26, 2024, and run through March 27, 2024.

West Virginia

Scott Mandirola reported the following:

Legislative session is under way, the main bill by DEP that main impact the Ohio River, HB 5045 CO2 sequestration bill to aid in getting primacy which is important to the Hydrogen Hub and future development.

WQS triennial review now underway for the 2025 legislative session.

- E Coli is being proposed for change from fecal
- Trout water definition change may be proposed

- Holding public Hearing and comment to gain input from the public on things they may want to be changed.

Permit action

- Chemours reissuance for Washington works facility is in
- Chemours has a second permit out to Public notice for a second PFAS production line

PFAS Protection Act status

- USGS contract to test 106 additional finished water sources has been signed and should start shortly
- WV has received a 1 million dollar grant from EPA to do public outreach for emerging pollutants in disadvantaged communities (PFAS). It has not been awarded yet so is slowing us down on action plans
- Reporting of PFAS use by industries completed on 12/31/23 and has been compiled. There are 6 industries that have reported the use of manufacture of PFAS compound and these companies will be given quarterly monitoring by the DEP.

WV has submitted our integrated report to EPA, they are questioning our use of family level vs genus level taxonomy for aquatic life impairment determinations. They are proposing to overlist.

US Army Corps of Engineers

Erich Emery reported the following:

- Our Division Office Water Management team - conducted low flow operations on the Ohio River from 30-MAY to 8-AUG and again from 23-AUG to 29-DEC.....a total of 200 days! A new record for the Ohio.
 - What does that mean for us.....During low flow ops, our team and the water management teams in the river districts increase communication and coordination and provide model runs and forecasts through the weekends. We try to coordinate the movement of water down the mainstem to minimize wave development. Our low flow ops on the mainstem DO NOT include changes to the releases being made by the reservoirs, it's focused on providing up-to-date forecasts to inform and support navigation of the lower Ohio.
- Additionally, our Division office is updating the Ohio River Drought Contingency Plan. That effort is being led by our Huntington District. As we move forward with that update we'll work with you all to get input from ORSANCO staff, member states, ORBA and others as appropriate. I will link up ORSANCO staff with Jim Schray in our Huntington office and then go from there to coordinate.

Power Industry Advisory Committee

Krystina Garabis reported the following on behalf of Cheri Budzynski:

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.

Watershed Organization Advisory Committee

Heather Hulton VanTassel reported the following:

WOAC recognizes and commends ORSANCO's efforts in understanding novel and emerging contaminants. We commend ORSANCO for taking the lead, and we encourage these efforts around emerging contaminants, such as ORSANCO's work with PFAS. When it comes to water quality monitoring emerging contaminants, our groups are interested in learning more about what data ORSANCO is collecting or plans to collect on microplastics and/or nanoplastics. It would seem like an appropriate fit for ORSANCO to analyze the grab samples it is already collecting as a part of its monitoring work. As more studies show the ubiquity of plastics in our waterways, we would like to recommend ORSANCO work towards being at the forefront of thinking and creating solutions about how to monitor for microplastics and reduce exposure as an emerging contaminant. This is particularly important as the Ohio River is a major home to plastic producers and plastic pollution sources.

The watershed organization's advisory committee would also like to make recommendations regarding the Environmental Justice work of ORSANCO. First, we thank ORSANCO for the efforts and consideration that has gone into working towards expanding education efforts in communities that are disproportionately experiencing environmental harm. Education is important, and that work is key to long-term relationship building with communities. We must also recognize that EJ work is not just education in outreach, rather the education should be coupled with sharing possible actions that community members can take to help correct issues that continue to allow environmental harm to their communities.

In addition, it is our understanding that much of the environmental justice work the U.S. EPA is funding right now is through the lens of the Justice 40 initiative, where at least 40 percent of the benefits of the funding goes to disadvantaged communities. Any environmental justice work should be designed so the financial benefits of the program directly support those impacted communities, which requires programs that go beyond just education and outreach and helps communities access funds. Taking this lens into account could increase chances of ORSANCO receiving funds.

There are some areas that the advisory group believes ORSANCO is positioned to go beyond watershed education: 1) internally evaluate the infrastructure improvements planned to assure EJ communities are prioritized, 2) offer solutions and actionable steps to community members to address and mitigate known water quality issues in their communities and 3) increase monitoring efforts in EJ communities. As ORSANCO's efforts grow in EJ work, prioritizing an internal DEI staff person with expertise in addressing EJ issues should be considered.

We understand that these recommendations take resources and staff time. These recommendations that we shared are for consideration as ORSANCO grows their monitoring efforts and EJ work. Again, we thank you for the time and opportunity to hear from watershed organizations.

Water Users Advisory Committee

Chris Bobay reported the following:

Our committee last met virtually on January 23, 2024.

River Update

Facilities report no major issues on the river. Seasonal transition underway. After several months of low flow, early January rains brought higher flows and significant bed scour, resulting in much higher bacteria loads.

ODS Network

ORSANCO staff continue to work diligently to support GC installations at the Chemours Facility and the Thomas More University Field Station. Two used GCMS instruments from Pittsburg and Louisville were donated to ORSANCO with the hope they can be repurposed to existing stations within the ODS network. ORSANCO staff plan to implement proficiency testing to improve data confidence and QA/QC.

We are actively recruiting participants for the Next Generation ODS work group. Hoping to have our first kick-off meeting in the next few months to review the current network model, do some initial gap analysis, and discuss various options going forward. Will have more to report in future meetings.

Spill Response/Preparedness

This week marks the anniversary of the Ohio River response to the East Palestine train derailment. Spill response/preparedness training continues to be an emphasis for our Committee. ORSANCO staff did a demonstration of the web-based RSMS spill travel model with discussion of model assumptions and limitations. The current model has served us well for many years, with timely and accurate estimates of time of travel and arrival at water intakes. The Committee is interested in future model development to better account for different spill types and dispersion/decay factors.

West Virginia American Water conducted a tabletop training exercise at their Huntington facility. The training scenario centered around an incident involving a tanker truck release of 3,000 gallons of diesel to a storm drain that went directly to the river immediately upstream of the city's water intake. A summary of the training was shared with Committee members and prompted a good discussion on the tabletop process, training objectives and injects, and initial observations.

Regulatory Updates

On the regulatory front, many water systems just finished up the first year of UCMR5 PFAS and lithium monitoring. Most of that data has been published online to EPA's UCMR5 Data Finder. 25% of PWS detected Lithium above the health-based levels. 15% of PWSs reporting PFOS above the proposed MCL and 12% reporting PFOA levels above the proposed MCL.

Public comment periods recently closed for the proposed PFAS rule and the Lead and Copper Rule Improvements (LCRI). Committee members have been working closely to submit comments. Final rules for both are expected later this year. 2021 Lead and Copper Rule Revisions (LCRR) will be enforceable in October 2024. States and water systems are busy with implementation of LCRR and will now have to pivot to LCRI. Many systems are actively working with their States to submit project proposals, hoping to secure federal funding for treatment and distribution infrastructure improvements to comply with these rules.

Source Water Protection

Last week, committee members submitted comments on the proposed new outfall for the Chemours facility, requesting effluent limits be set for all six regulated PFAS, and that limits be based on either the most recent drinking water HALs or the proposed drinking water MCLs.

As reported in previous meetings, several committee members joined up to intervene in the NPDES permit appeal process for APG Polytech in 2021. A final settlement was reached in late 2023 that will uphold 1,4-dioxane permit limits and set a clear timeline for compliance. This is a big win for Ohio River water quality and source water protection. We expect to see significant reductions in river dioxane levels (an order of magnitude).

Public Information Advisory Committee

Betsy Mallison Bialosky reported the following:

PIACO met yesterday and received updates on the FORE programs outreach including the aquarium, River Sweep and education program. We met our new member, Sara Sgantas, from the Northern Kentucky Water District.

In 2023, there were 121 Sweeps with more than 4,500 volunteers, 902 tires and 85 tons of trash collected. The River Watchers education program is in seven schools and the riverboat program reaches 547 students.

We discussed the five-year communications and public involvement strategic plan which is currently being developed. The education and outreach plan is done. We also discussed a new marketing plan for the River Sweep season which runs from March 1 to October 31. We reviewed the social media footprint on Facebook and Instagram and would encourage you all to become followers.

ORSANCO and FORE will host a conservation job fair on Feb. 13 from 3-7 pm and we welcome your attendance at this event, if you are in town.

POTW Advisory Committee

Reese Johnson reported the following:

Held a POTW Advisory Committee meeting at ORSANCO on Jan 25th (hybrid). There were 16 participants representing 7 utilities and ORSANCO. At that meeting we learned about ORSANCO's River Sweep Program and discussed ways to expand those activities in concert with wastewater utilities' activities, and most importantly stormwater management utilities. Jason updated us on the ongoing work to update ORSANCO's Monitoring Strategy. We also got a look and our hands on the new Proteus sensor that ORSANCO will be piloting this year. I presented the information I shared with the TEC last meeting on the Cincinnati Smart Sewers. Lastly, the meeting provided an opportunity for MSD of Greater Cincinnati and SD1 of Northern Kentucky to rejuvenate their MOU around sharing water quality data to support modeling of the shared piece of the Ohio River.

Chemical Industry Advisory Committee

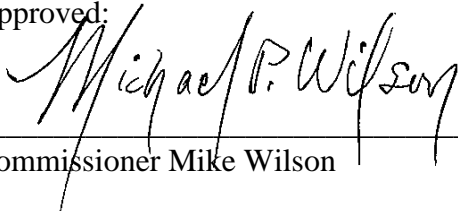
Kathy Beckett reported the following:

The Chemical Industry Advisory Committee met in January and is in its formative stages. We have a robust e-mail and contact reach that includes approximately 40 individuals who were alerted about today's meeting so they could begin to engage and learn about the issues of importance that you are engaged in and expects in the next meeting the Committee will have a more substantive report and response to issues that are important to our group relative to the good work of the Commission.

Adjournment

The 234th meeting of the ORSANCO Technical Committee was adjourned by Commissioner Wilson at 12:10 a.m. on Wednesday, February 7, 2024.

Approved:



Commissioner Mike Wilson

Roster of Attendance

Technical Committee

Chairman	Commissioner Wilson for Scott Mandirola
Illinois	Scott Twait
Indiana	Brad Gavin/Gabrielle Ghreichi
Kentucky	Katie McKone
New York	Melanie Wright/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	Not Present
Chemical Industry Advisory Committee	Kathy Beckett
Power Industry Advisory Committee	Cheri Budzynski/Krystina Garabis
Public Interest Advisory Committee	Betsy Mallison Bialosky
POTW Advisory Committee	Reese Johnson
Water Users Advisory Committee	Chris Bobay
Watershed Organizations Advisory Committee	Heather Hulton VanTassel
ORSANCO Chief Engineer	Richard Harrison
Staff Liaison	Jason Heath

Commissioners/Proxies

Douglas Conroe, George Elmaraghy, David Flannery, Toby Frevert, John Hoopingarner, Tiffani Kavalec, John Kupke, John Lyons (virtual), David Miracle, Ron Potesta, Anne Vogel, Mike Wilson

Staff

Ryan Argo, David Bailey, Bridget Borrowdale, Alexis Brandenburg, Elizabeth Burton, Nick Callahan, Daniel Cleves, Stacey Cochran, Sam Dinkins, Tracey Edmonds, Emilee Harmeling, Richard Harrison, Jason Heath, Ryan Hudson, Annette Shumard, Adam Scott, Sarah Segars, Bridget Taylor, Rob Tewes, Rachel Toney, Jamie Tsiominas, Greg Youngstrom, Lila Ziolkowski

Guests

Gaurav Atreya	University of Cincinnati
Don Bialosky	PADEP
Bill Boria	PIACO
Dr. Alejandra Botero-Acosta	National Great Rivers Research and Education Center
Maxwell Burnette	
Karina Bynum	TDEC
Michael Callinan	USCG
Rich Cogen	WOAC
Krystina Garabis	Shumaker, Loop & Kendrick, LLP
Ellen Gilinsky	National Great Rivers Research and Education Center
Pete Goodmann	Louisville Water
Kent Johnson	ILEPA
Laura Kammin	National Great Rivers Research and Education Center
Jim Lazorchak	US EPA
Jordan Lubetkin	National Wildlife Federation
Tolulope Odunola	University of Cincinnati
Dr. Patrick Ray	University of Cincinnati
Nick Reif	KY Division of Water
Annalisa Rocca	Ohio Environmental Council
Brian Storz	KY Division of Water
Diane Tancl	EPA Region 5