



## POTOMAC RIVER BASIN DRINKING WATER SOURCE PROTECTION PARTNERSHIP

Meeting Minutes for April 28, 2010

Location: ICPRB, Rockville, MD

### Attendees

#### Utilities

DC WASA:

Rich Giani

Fairfax Water:

Melissa Billman

Traci Goldberg

Greg Prelewicz

Washington Aqueduct:

Miranda Brown

Shabir Choudhary

Anne Spiesman

WSSC:

Plato Chen

Mohammad Habibian

City of Rockville:

Judy Ding

#### State and Local Government

DDOE:

Shaw Nawaz

MDE:

Lyn Poorman

PADEP:

Patrick Bowling

VADEQ:

Jason Ericson

WVDHHR:

Dave Smith

#### Federal and Regional Agencies

EPA Region 3:

Vicky Binetti

Ellen Schmitt

EPA HQ:

Marjorie Copeland

ICPRB:

Karin Bencala

Cherie Schultz

Curtis Dalpra

Carlton Haywood

National Park Service:

Doug Curtis

University of the District of Columbia:

Tolessa Deksissa

University of Maryland:

Mark Dubin

## **Reports from Workgroups:**

### 1. Ag Workgroup – Miranda Brown, Washington Aqueduct

The first call with the Ag Advisory Committee was held in April. The workgroup continues to look for representatives from West Virginia, NRCS, and soil and conservation districts for the committee. Contact Miranda Brown or Ellen Schmitt (EPA R3) if you have suggestion. This call provided the committee members with background information on the Partnership and on what we have done on the *Crypto* issue, what we are looking to do now, and to explain the assistance the workgroup is hoping the committee can provide.

The workgroup is now planning a face-to-face meeting with the Advisory Committee to finalize the *Crypto* message that the workgroup has drafted. They hope to hold the meeting this summer and to bring in some of the committee members to present to the Partnership.

M. Brown, E. Schmitt, and Daphne Pee (Mid-Atlantic Water Program) are finalizing a presentation for the Penn State webinar series, Manure du Jour. The purpose is to provide information on the link between *Crypto* and drinking water and to gather information from participants on the best way to present this information to other audiences.

Current Ag Advisory Committee members:

- Dr. Rob Atwill, UC-Davis (veterinarian and extension faculty working on *Crypto* with farms in CA)
- Ed Blouin, Watershed Agricultural and Forestry Program, New York City DEP
- Dr. John Currin, Virginia-Maryland Regional College of Veterinary Medicine, VA Tech (veterinarian and extension faculty working with cattle and dairies)
- Dr. Sarah Dinh, Penn State Cooperative Extension (extension agent working with dairies)
- Dwight Dotterer, MD Department of Agriculture Resource Conservation, Patuxent Area
- Dr. Ronald Fayer, USDA-ARS Beltsville Agricultural Research Center (pathogen specialist)
- Dr. Guy Hohenhaus, MD Department of Agriculture (state veterinarian)
- John Rhoderick, MD Department of Agriculture Resource Conservation

### 2. Disinfectant By-product Precursor – Mohammad Habibian, WSSC

Nothing to update.

### 3. Early Warning/Emergency Response – Carlton Haywood, ICPRB

There are potentially funds available through the EPA to conduct a training exercise or to write an emergency response plan. E. Schmitt recommends that the workgroup contact EPA Region 3's Patty Kay Wisniewski to discuss what the money could be used for. The money does not have to be used in this fiscal year, but we should have a general sense of what we want to do so it can be written into project plans. There is no matching requirement, except for in-kind participation.

One idea for the money is to address one or more of the issues raised in the After Action Report that followed the Potomac River Spill Table Top Exercise in the fall of 2008. Other ideas are to conduct an exercise where equipment manufacturers are invited to demonstrate and test what their equipment can do or start working on an early warning plan (figure out what needs to be detected, what locations, what data to collect, how information can be disseminated, etc). The workgroup will start brainstorming ideas.

4. Urban Issues – Greg Prelewicz, Fairfax Water

Road Salts

A letter was drafted supporting the proposed MD Road Salt Management regulation. It explained the link between road salt use and water quality and encouraged the addition of language that would protect water intakes. The letter was distributed to Partnership members to submit as desired.

MWCOG held a meeting in April to review the response to this winter's snow.

The workgroup would like to continue the dialogue with the states to learn about the effectiveness of the alternative anti- and de-icing techniques they have been testing.

National Capital Region Land Conservation Act of 2009

MWCOG has recently endorsed the bill. A House hearing before the Subcommittee on National Parks, Forests and Public Lands was held on April 27. Patrick Noonan of The Conservation Fund and the Friends of the John Smith Chesapeake Trail spoke in support of the bill. His testimony is available here:

[http://resourcescommittee.house.gov/images/Documents/20100427/parks/testimony\\_noonan.pdf](http://resourcescommittee.house.gov/images/Documents/20100427/parks/testimony_noonan.pdf)

Tracking Regional Issues

Chesapeake Bay – The states have to provide the EPA with preliminary watershed implementation plans by June 1. The EPA is holding a series of webinars on the TMDL.

Sediment in Potomac reservoirs – Sedimentation and capacity loss in the basin's reservoirs appears to be occurring at a faster rate than was originally predicted. Hypotheses as to why this is happening are that surface mines above Jennings Randolph have not been fixed to the extent planned and that the rapid development occurring in Little Seneca's catchment area is contributing to the sedimentation. In the 2010 water demand and reliability report just released by ICPRB's CO-OP section, it is recommended that activities driven by DWSPP be considered as a way to mitigate this problem through watershed protection measures. It was suggested that the agencies which might be conducting watershed management and planning in the areas above the reservoirs be contacted. WSSC reports that this is not a major issue for Little Seneca because of the forebays that have been capturing sediment since the reservoir was constructed. These forebays are currently full, but WSSC is looking into dredging them soon. Contact ICPRB's Cherie Schultz ([cschultz@icprb.org](mailto:cschultz@icprb.org)) for more information on this issue.

Water Quality Standards Workshop

The workgroup will hold a workshop, Leveraging Water Quality Standards for Source Water Protection in the Potomac River Basin, as the information session following the next quarterly meeting on July 21, 2010. A key product of this meeting will be a comparison table of each of the basin states' water quality standards.

5. Reaching Out – Curtis Dalpra, ICPRB

C. Dalpra used this winter's snow as an opportunity to let reporters, water suppliers, and wastewater treatment plants know about the Partnership's activities. The workgroup will track the blogging effort being run by MWCOG to raise awareness of water issues. Rich Giani (DCWASA) is involved with this project and will contact the organizers to start the discussion over whether or not there is overlap with our efforts or if there is a role for DWSPP to play.

6. Emerging Contaminants – Pat Bowling, PADEP

### Tracking Chemical Regulation

The Safe Chemicals Act of 2010 was introduced by Senator Lautenberg in April. This bill would address the problems in the Toxic Substances Control Act of 1976 that have long been recognized. The workgroup will track the progress of this bill, but will not develop a formal white paper as the issue transcends the basin and should be addressed on a national level. The workgroup will follow the efforts of national organizations (AMWA, AWWA, NACWA) on the issue and work with them if needed. The workgroup will draft a letter of support for the intent of the Safe Chemicals Act of 2010 that could potentially be sent to the bill's sponsors and the area's representatives by the Utility Committee. This letter would not specifically endorse the act, but would applaud the key points that the Partnership finds valuable, such as the burden of proof being shifted from the federal government to chemical manufacturers, and the collection and public availability of data. It will also suggest they look into the question of any unforeseen impacts the bill might have on the ability of water suppliers to obtain chemicals required for the water treatment process and address how to handle the many chemicals that are already in use.

Lautenberg's press release on the legislation:

<http://lautenberg.senate.gov/newsroom/record.cfm?id=323863>

### EC Information Session

The workgroup continues to develop a plan for a future information session that would potentially cover both how the EPA targets chemicals to regulate via studies and the new drinking water strategy that has been outlined by the EPA. The group has thought of inviting EPA's Dr. Glassmeyer who could discuss the potential uses of the current Emerging Contaminant Sampling Program and how the Partnership could help shape future studies. Vicky Binetti (EPA R3) has contacted the EPA's Tom Carpenter and Eric Burneson in the Office of Ground Water and Drinking Water who are working to develop this strategy. They are interested in speaking either just to Partnership members or to a wider audience, but are not available for the July 21 quarterly meeting. The workgroup will continue to work with them to determine the appropriate format and time for a session.

### Pharmaceutical Take-Back

Some members of the workgroup continue to be engaged on this project, but the Government Committee has taken the lead for now.

### WRF Project #4169 (Water Utility Framework for Responding to Emerging Contaminant Issues)

Dr. Habibian reported that the consultants have changed, the framework is being revised, and the workshop dates have not been selected.

### EC Announcements

The Potomac Conservancy has launched a campaign (<http://www.potomac.org/site/FishMystery>) to increase funding to further investigate the intersex fish issue in the Potomac.

NACWA and AMWA released a joint document "Pharmaceuticals in the Water Environment" ([amwa.net/galleries/default-file/Pharmaceuticals\\_draftfinal.pdf](http://amwa.net/galleries/default-file/Pharmaceuticals_draftfinal.pdf)).

#### 7. Government Committee – Jason Ericson, VA DEQ

The committee continues to work with EPA Headquarters and Region 3 on a pharmaceutical take-back event in the Potomac basin. They are currently looking into the regulations that each state will have to follow to put on the event and for interested partners to volunteer or supply in-kind support if possible. They hope to have a date and locations finalized by the next quarterly meeting. The committee will continue to be involved with the event's logistics and with outreach efforts.

**MD Road Salt Management Bill (House Bill 903) Update** – Lyn Poorman, MDE

MDE did not support the bill as it was originally introduced due to the financial impact it would have on the agency. The bill has since been updated to require the State Highway Administration to publish a guidance document on how to manage road salts, for which MDE (likely the Stormwater Management Program) is to provide technical assistance. This document is to be posted on the SHA website by October 2011. L. Poorman will talk to the program manager for the nonpoint source program about how the Partnership, via the Urban Issues workgroup, could participate in the development of the manual. The text of the bill can be found here: <http://mlis.state.md.us/2010rs/billfile/HB0903.htm>

**Announcements**

**Hydrofracking legislation** – Traci Goldberg, Fairfax Water

A staff member from Congressman Moran's office contacted Fairfax Water asking if anyone is concerned about hydrofracking in the Potomac basin. Those at the meeting generally agreed that it is a concern but that there is not enough information available to talk specifically about local risks. EPA R3 is holding conference calls on the Marcellus Shale issue and is looking at the issue overall. The EPA is currently doing a study of the effects of the process on drinking water. Other water supply basins (including NYC) have been able to restrict hydrofracking activities in their basins. At some point, the EPA may become involved in oversight of the industry.

P. Bowling suggested the Ground Water Protection Council (<http://www.gwpc.org>) as a good resource for information. He indicated that the main concern is the disposal of the frack water which is in large quantities (millions of gallons are used in the process) and which can contain a number of chemicals, including surfactants, biocides, and scale/corrosion inhibitors. The return (flowback) water also may contain high levels of total dissolved solids (TDS), Ba, Sr, and naturally occurring radioactive material. While the issues related to disposal (spills, leaks, and dumping included) are of the greatest concern, water availability can also be an issue since water is required in such large quantities. There is also a concern that groundwater sources of drinking water could become contaminated as a result of improper gas well drilling or construction procedures.

P. Bowling, E. Schmitt, and V. Binetti will put together a summary of the issues and concerns to provide background information for the Partnership.

For more information:

PA DEP fact sheet and FAQs on Marcellus shale:

<http://www.elibrary.dep.state.pa.us/dsweb/Get/Document-77964/0100-FS-DEP4217.pdf>

[http://www.dep.state.pa.us/dep/deputate/minres/oilgas/new\\_forms/marcellus/MarcellusFAQ.pdf](http://www.dep.state.pa.us/dep/deputate/minres/oilgas/new_forms/marcellus/MarcellusFAQ.pdf)

GWPC Reports (also available on GWPC website):

Modern Shale Gas Development in the United States: A Primer -

<http://www.gwpc.org/e-library/documents/general/Shale%20Gas%20Primer%202009.pdf>

State Oil and Natural Gas Regulations Designed to Protect Water Resources -

[http://www.gwpc.org/e-](http://www.gwpc.org/e-library/documents/general/State%20Oil%20and%20Gas%20Regulations%20Designed%20to%20Protect%20Water%20Resources.pdf)

[library/documents/general/State%20Oil%20and%20Gas%20Regulations%20Designed%20to%20Protect%20Water%20Resources.pdf](http://www.gwpc.org/e-library/documents/general/State%20Oil%20and%20Gas%20Regulations%20Designed%20to%20Protect%20Water%20Resources.pdf)

**Philadelphia Emergency Response Exercise** – Ellen Schmitt, EPA R3

An emergency response exercise took place in Philadelphia over the week of April 26. The scenario is a dirty bomb, 30-90 days after the explosion. Philadelphia Water, the wastewater treatment plant, and PA DEP are all participating in a scenario playing out the day of the explosion. A summary of the exercise should be available soon.

Liberty RadEx Press Release:

<http://yosemite.epa.gov/opa/admpress.nsf/90829d899627a1d98525735900400c2b/28c5b280d311903a8525771100525103!OpenDocument>

Source Water Collaborative event in Delaware Basin – Ellen Schmitt, EPA R3

Source Water Collaborative members are organizing forums to promote source water protection at the local level. The forums are focused on two watersheds, the Salmon River Falls Watershed and the Delaware River Basin. The event will focus on water resource sustainability by connecting actors, issues, and needs. More information on this event follows the meeting summary.

New UDC Master's Program - Tolessa Deksissa, UDC

The UDC's College of Agriculture, Urban Sustainability and Environmental Sciences (CAUSES) has launched a science master's program in water resources management. Contact Tolessa Deksissa (tdeksissa@udc.edu) if you are interested in being an advisory member or mentor or if you have internship opportunities.

### **Information Session**

Potomac Riverkeeper Ed Merrifield spoke to the Partnership about a new message the group will be using, "The best drinking water comes from a healthy river." He is interested in working with the Partnership and/or individual organizations on this issue. Feel free to contact Ed at ed@potomacriverkeeper.org or 202-222-0707. His presentation will be made available soon.

### **Upcoming Partnership meetings:**

July 21, 2010

Annual Meeting - October 12, 2010

## **SWC Strategic Forums: Helping Build Local & Regional Collaboratives for Source Water Protection**

### **Delaware River Basin Forum (tentatively scheduled March 2011)**

The Delaware River Basin Forum (working title: *Our Water. Our Decision*) will be a one-day, basin-wide event to identify and address issues impacting water resource sustainability for the 14 million people who rely on surface and ground water in the basin. The format of the event will reflect a theme of regional-local connectedness: a central session in Philadelphia, where panelists “set the stage” by framing current and forecast influences on water resources basin-wide, interacting with “satellite” forums in distributed locations (7 to 10) in Delaware, New Jersey, New York and Pennsylvania where stakeholders convene to deliberate local issues and needs. The goals of the Forum are to:

- Heighten awareness of issues and decisions affecting water resource sustainability (quality and quantity) in the Basin;
- Connect basin-wide and local actors, issues and needs; create framework for ongoing collaboration (“Community of practice”) engaging basin-wide and local officials, planners, water suppliers and other stakeholders and practitioners; and
- Support the theme of connectedness using tools such as remote conference, a Forum/community website

### **Salmon Falls Watershed Collaborative (Forum scheduled for October 2010)**

The Piscataqua Region Estuaries Partnership (PREP) is convening a Salmon Falls Watershed Collaborative. The project aims to improve watershed planning and management to protect water supply sources in the Salmon Falls River watershed. The project aims to coordinate source water protection efforts of two states (New Hampshire and Maine) through collaboration among local, state, and federal agencies that integrates shared efforts for watershed protection (e.g., planning commissions, land trusts, watershed associations, water systems, town governments). The project will provide support and direction to build capacity for long-term collaborative actions that protect and sustain high quality drinking water in the Salmon Falls River watershed. The project includes collaborative planning for a one-day forum, development of a stakeholder generated white paper, and implementation of select source water protection actions based on stakeholder priorities identified through the workshop and in the white paper.

Success ultimately will be measured by the extent that:

- (1) organizations are motivated to work individually and in partnership with others on watershed protection
- (2) truly effective solutions and actions are identified as priorities for implementation
- (3) resources are available and used to implement those priorities