



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
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Philadelphia, Pennsylvania 19103-2029

Mr. Gary Walters
Division of Water Quality Standards
Bureau of Clean Water
Pennsylvanian Department of Environmental Protection
P. O. Box 8774
Harrisburg, Pennsylvania 17105-8774

SEP 12 2016

Dear Mr. Walters,

Thank you for the opportunity to review Pennsylvania's draft *2016 Integrated Water Quality Monitoring and Assessment Report* (IR). The U.S. Environmental Protection Agency (EPA) appreciates the additional effort put forth by the Pennsylvania Department of Environmental Protection (PADEP) staff to generate Microsoft Access IR tables to allow for electronic review of Pennsylvania Integrated Report lists. Please find comments below from EPA on your draft 2016 IR.

Nutrient Impact Assessment Protocol

On January 19, 2016, PADEP informed EPA that the nutrient assessment protocol for wadeable streams will not be included in the final assessment methodologies for the 2016 IR to allow further data collection and refinement. EPA's National Rivers and Streams Assessment has identified nutrient related chemicals (nitrogen and phosphorus) as the leading stressors to stream/river biological integrity in the United States. PADEP's nutrient assessment methodology is an important component of PADEP's assessment program and will allow for the identification of nutrient impaired waters in the Commonwealth. EPA encourages PADEP to continue working on the nutrient assessment methods to allow an updated methodology to be available for the 2018 IR.

Part C3.4. Excluding the Fishable and Swimmable Uses

Since 1991 when the DRBC studies were completed for primary recreation on the Delaware River, control of Combined Sewer Overflows (CSOs) is specifically regulated under the Clean Water Act. Delaware River communities are required to control CSOs through development and implementation of Long-Term Control Plans and actions will be taken by the City of Philadelphia to address CSOs and meet water quality standards. The presence of CSOs alone does not warrant removal of primary recreation use. We encourage PADEP to reevaluate whether primary recreation use is being achieved.

Part C3.4 of the IR does not address the aquatic life uses attainment of the Delaware Estuary. EPA has been working with DRBC and the States to upgrade water quality standards in Zones 3, 4 and 5 to address existing aquatic life uses. Available data provides overwhelming evidence that fish propagation is an existing use and not adequately protected by the current designated use. Please add information to C3.4 that includes Delaware Estuary aquatic life issues.



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Recreational Use Assessments

EPA commends PADEP on efforts to assess waters for the recreational use. The number of stream miles assessed for the recreation use has increased greatly over the last two IR cycles. From 2012 to 2016, assessed streams miles for recreational use has increased from 4,994 miles to 18,356 miles. EPA appreciates the effort put forth by PADEP staff to complete the recreational use assessments.

Potable Water Supply Assessments

On March 1, 2016, PADEP and EPA staff participated in a conference call with the Chester Water Authority to discuss water quality issues in Octoraro Watershed. Chester Water Authority noted the need to change their source water supply from the Octoraro Creek to the Susquehanna River when in-stream nitrate values are at 8.5 mg/L to ensure compliance with the 10.0 mg/L nitrate drinking water standard. EPA suggests PADEP modify your Potable Water Supply Use assessment methods for nitrate to lower the impairment threshold from 10.0 mg/L to 8.5 mg/L to ensure adequate protection of drinking water sources and human health.

Susquehanna River

EPA acknowledges the on-going immense efforts put forth by PADEP on assessing the Susquehanna River and its tributaries. PADEP initiated a large scale investigation into the sources and causes of smallmouth bass disease and mortality in 2012, and the study continues today. EPA appreciates the effort PADEP has put forth undertaking the CADDIS process to identify the most probably stressors impacting smallmouth bass health. EPA encourages PADEP to continue to evaluate potential stressors on smallmouth bass and to work with other state agencies to look at potential near term actions that can be taken to minimize stressors to smallmouth bass health. EPA notes that PADEP determined in the draft 2016 IR that conventional water quality data demonstrated attainment of numeric water quality criteria in the Susquehanna River study areas and preliminary analysis of fish and macroinvertebrate community data do not indicate negative impacts to aquatic life.

EPA notes the Juniata River has moved from Category 2 (attaining) to Category 3 (unassessed; inadequate data) for the 2016 IR cycle. EPA is concerned with the continued delay on assessing the aquatic life use of the Susquehanna River. EPA encourages PADEP to continue data collection efforts on both the Susquehanna River and Juniata River to allow a full assessment of aquatic life use for these two important waterbodies. EPA reminds PADEP that an impairment cause does not have to be identified to list a waterbody as impaired on Pennsylvania's 303(d) list. A waterbody may be listed as impaired with an unknown cause and appropriate pollutant(s) can be determined during the Total Maximum Daily Load (TMDL) development process. If available data and information provide sufficient evidence of an aquatic life use or recreational use impairment of the Susquehanna River, EPA suggests the waterbody be listed as "cause unknown" until an appropriate pollutant(s) can be determined.

EPA acknowledges PADEP's efforts to develop assessment methods for both fish and macroinvertebrates for large rivers. EPA technical staff are available to provide any assistance PADEP staff may need during the methodology development process. EPA anticipates the aquatic life use of the Susquehanna River will be fully assessed for the 2018 IR.



Red Clay Creek

In their 2016 Integrated Report, the Delaware Department of Natural Resources and Environmental Control (DNREC) has noted elevated DDT levels in Red Clay Creek at the Pennsylvania/Delaware state line in both ambient water quality samples and fish tissue. EPA requests PADEP work with DNREC to assess potential DDT impairments and work together to develop a TMDL or TMDL alternative that addresses the sources of DDT in the watershed as needed.

Category 4a

Dunkard Creek is listed in Category 4a for siltation. EPA does not have any record of a siltation TMDL being approved for Dunkard Creek. If a siltation impairment for Dunkard Creek has not been approved by EPA, the impairment cause should be added to Category 5.

Implementation of EPA's Long-Term Vision for the 303(d) Program

EPA appreciates the efforts put forth by PADEP to identify priority waters under the Long Term Vision for the 303(d) Program. Below are comments related to individual projects outlined under PADEP Prioritization Framework.

Octoraro Creek

Past versions of draft Octoraro Creek TMDL's that were not finalized were written to only address the impaired aquatic life use designated use for nutrients. For future Octoraro TMDLs, EPA requests PADEP also include the potable water supply nutrient impairment to ensure drinking water is properly protected for customers of Chester Water Authority.

Chiques Creek

On October 28, 2015, EPA approved PADEP's request to withdrawal the nutrient and siltation TMDLs for Chiques Creek, with the expectation that the impaired waterbodies would be re-listed in Category 5. In PADEP's rational to withdraw the TMDLs for nutrients and siltation, PADEP expressed plans to work with watershed stakeholders to develop a TMDL or TMDL alternative by March 2016 (which has passed) that would address nutrients and sediment and meet water quality standards. The IR reflects that a TMDL alternative to address nutrients and sediment for Chiques Creek Watershed is planned and are listed in Category 5alt. The dates reflect when a TMDL will be done, and the dates range from 2008-2029. Please correct the IR to reflect when priority TMDL alternatives are planned. Since the withdrawn TMDL identified both nutrients and siltation as impairments for Chiques Creek, EPA expects the Chiques Creek TMDL alternative project to also address both nutrient and siltation impairments within the watershed be done as soon as possible.

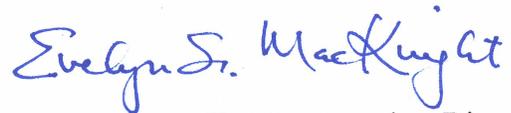
Municipal Stormwater Discharge Permits (MS4s)

Part B2.2 (e) of the draft IR notes PADEP is working on finalizing Pennsylvania's second Phase II MS4 general permit. The Phase II MS4 general permit was issued as final on June 30, 2016.



If you have any questions or need any clarification, please contact Bill Richardson at 215-814-5675 or richardson.william@epa.gov.

Sincerely,



Evelyn S. MacKnight, Associate Director
Office of Standards, Assessment and TMDLs

