

# Potomac Watershed Water Quality Nutrient Trading

Point Source Status

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# Why Water Quality Trading

- Chesapeake Bay Agreements-1983 & 87
- WV initial participation in the Chesapeake Bay Process-late 1999
- Water Quality Initiative-2001-result of Chesapeake 2000 Agreement
- MOU-June 2002

# MOU

- To cooperate to achieve nutrient and sediment reduction targets to achieve goals by 2010 to remove the Bay and its tribs from the list of impaired waters
- To provide for inclusive, open and comprehensive public participation
- To collaborate on the development and use of innovative measures e.g. effluent trading, implementing mechanisms, and expanded interstate agreements to achieve necessary reductions

# Regulatory Responsibilities

- CBF Petition-December 2003—to compel EPA to enforce the CWA-requires limits in permits
- 40CFR131.10(b) requires that states take into consideration the quality of downstream waters
- 122.4(a) & (d) prohibits issuance of NPDES permits when the conditions of the permit do not provide for compliance with the req. of the CWA including applicable WQ requirements of all affected states

# Implementing Regulatory Responsibilities

- NPDES Permitting Approach for Discharges of Nutrients in the Bay Watershed—December 2004
- Virginia's WQS—June 2005
- Maryland's WQS—August 2005
- WV's Tributary Strategy—November 2005
- WV's TS Implementation Plan –December 2005-Revised June 2007

# 2004 Permitting Approach

- When Maryland d WQS effective-include TS requirements in new & reissued permits
- Consider annual load limits vs. monthly/weekly/daily limits
- Incorporate compliance schedules consistent with the TS
- Consider use of Watershed permits including interstate
- Explore opportunities for Trading

# WV's Point Source Tributary Strategy

- Include monitoring for TP and TN
- Funding dependent, limit annual discharges on contributing existing sewage sources and require offset for new sources
- Require annual limits of contributing industrial sources
- Seek funding for upgrades and expansions
- Cooperate in nutrient trading

# WV Potomac Drain Permits Universe

- Individual >50,000 gpd—64
- Sewage GP--105
- Industrial SW--114
- Construction SW--668
- Collection Systems--7
- HAU's--10

# WV Potomac Drain Permits Universe

- Landfills/ Leachate—10
- Mining—12
- Carwash--8
- Water Plants--13
- Small Storm Sewer System--2
- LA/Sludge/Septic Disposal—3
- Others--3

# Existing Operations Limitations/Conditions

- Effluent Monitoring—began 2/2004
- Beginning 11/2005--50,000 gpd and greater—annual loading limits for N & P for Sewage based on 5/0.5 and Design Flow or equivalent for Industrials
- 1 yr to complete Plan of Action to result in compliance schedule to achieve annual loading requirements

# New/Expanding Operations

- Loading limitations established similar to Existing Operations, but
- Requires identifying offsets to entire loading in concert with Trading Guidance

# WV Potomac Watershed Impaired Streams

- Shenandoah/Hardy-----2
- Shenandoah/Jefferson-----4
- Potomac Direct Drains-----25
- Cacapon-----5
- North Branch Potomac-----13
- South Branch Potomac-----25









