BIENNIAL STRATEGY REVIEW SYSTEM
Chesapeake Bay Program

Narrative Analysis

TOXIC CONTAMINANTS POLICY AND PREVENTION
AUGUST 2020 SRS QUARTERLY REVIEW

The narrative analysis summarizes the findings of the logic and action plan and serves as the bridge between the logic and action plan and the quarterly progress meeting presentation.

1. Examine your red/yellow/green analysis of your management actions. What lessons have you learned over the past two years of implementation?

The Toxic Contaminants Policy and Prevention management strategy has employed five management approaches over the past two years. A brief description of what was accomplished and what was learned:

1. Regulatory Programs – Leveraging Clean Water Act Total Maximum Daily Loads (TMDLs) remains the major strategic element. The polychlorinated biphenyls (PCB) story map shows widespread impairments and active TMDL programs in the jurisdictions. Some areas listed as impaired for PCBs have no TMDLs active or planned. Implementation of management actions under established TMDLs is limited. Jurisdictions follow unique paths in designing and implementing PCB TMDLs including modeling tools. The jurisdictions continue PCB monitoring including fish tissue. No synthesis of that data is available.

2. Voluntary Programs – A GIT Funding report on the feasibility of reducing the amount of PCBs still in service (electrical equipment, caulks, paints) across the watershed concluded that a greater mass exists in fluorescent light ballasts (FLBs) than in electrical transformers. Indicates a legitimate strategy shift to focus on the controlled removal of FLBs possibly in schools and in collaboration with the sustainable schools outcome.

3. Education and Awareness – GIT Funding project for this management approach, the fish consumption infographic, is complete. Roll-out and promotion of use by partners will continue.

4. Science and Research – GIT Funding report on the effect on PCB releases following upgrade of wastewater treatment plants concluded that PCBs are reduced through upgrades; however, PCBs are not destroyed but rather partition to the biosolids. The report raises questions about the disposal of biosolids and the potential for cycling PCBs back into the environment.

5. PCB Consortium – Partners requested that analysis of the feasibility of a cooperative inter-jurisdiction PCB consortium be delayed until after WIP III. Subsequently staff time has not allowed this assessment to begin. The Toxic Contaminants Workgroup (TCW) believes this approach has substantial potential benefits and intends to pursue it in the coming planning cycle.

No new factors influencing achievement of this outcome have been identified.

2. Regardless of how successful your short-term progress has been over the past two years, indicate whether we are making progress at a rate that is necessary to achieve the outcome you are working toward. The example graph below illustrates this concept.

- The toxic contaminants indicator maintained by CBP has shown a trend of increasing extent of impairments as established by the watershed jurisdictions. In the last update, the percent of tidal water segments with full or partial overlay of a toxic contaminant impairment went up from 78% to 82%.
- There is no data available to establish a trend in either direction regarding the concentration of PCBs in fish tissue.

3. What scientific, fiscal and policy-related developments will influence your work over the next two years?

- A fiscal development relates to the settlement of a class-action lawsuit against Bayer (Monsanto) Corp. Some of the settlement funds will be directed to localities in the Chesapeake watershed including Baltimore Back River and DC Potomac/Anacostia. The strategic question is how can the CBP partnership leverage the funds and help to ensure that the PCB remediation activities are efficient and informed by the partnership's agencies. There is also an opportunity for sharing lessons learned and best practices across the jurisdictions as the remediation activities are conducted as well as inter-jurisdiction coordination in shared sub-watersheds such as the Anacostia. The TCW response to this development is to make workgroup meetings a place for sharing, updates, learning and promoting coordination among jurisdictions. It is an example of possible work to be tracked and supported by a PCB consortium.

4. Based on your response to the questions above, how will your work change over the next two years?

- Unlike last cycle when a factor and management approach were added, TCW does not envision adding new major elements but rather to work within the existing management approaches regulatory, voluntary, awareness and education, science, and PCB consortium. All proposed activities for the coming planning cycle fit within the existing management approaches.

5. What, if any, actions can the Management Board take to help ensure success in achieving your outcome?

- Allocate more staff and financial resources to move PCB TMDLs forward
- Use existing permit controls (MS4, wastewater) to gain more low-detection data
- Find co-benefits with N/P/S reductions
- Consider a stronger partnership consortium