



Maryland
Department of
the Environment

Triennial Review of Water Quality Standards

Public Hearing

3:00 p.m.

June 13, 2017

Maryland Department of the Environment
Montgomery Business Park

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Triennial Review of Water Quality Standards

Purpose:

1. Opportunity for public comment (will accept written comments for the record)
2. MDE to provide clarifying answers to questions on the proposed amendments.

Overview

- Summarize proposed changes to regulations
- Please hold comments and questions until the end



Regulations affected

-COMAR 26.08.02 (Water Quality): Regs .03-1, .03-3, .04-1, and .08

-COMAR 26.08.09 (Public Bathing Beaches): Regulations .01, .04, .06, .07, and .08



Updating Recreational Water Quality Criteria

- Regulation affected: COMAR 26.08.02.03-3A.(1)
- This action is required by the Beach Act



Updating Recreational Water Quality Criteria

		Geometric Mean (counts/100 mL)	Statistical Threshold Value (counts/100 mL)
Indicator	Enterococci (fresh or marine) - culturable	35	130
	E. coli (fresh)-culturable	126	410

- The geometric mean of samples taken over a 90-day period shall not exceed the steady state geometric mean values for the given indicator
- 10 percent of samples taken over a 90-day period shall not exceed the statistical threshold value



Update BEACH regulations to describe the use of the Beach Action Value

- Regulation affected: COMAR 26.08.09.01B
- Also BEACH Act requirement
- Proposed language:
 - “Beach Action Value” (BAV) means the value the approving authority uses to issue beach notifications and is defined as follows:
 - BAV is 235 colony forming units (cfu) using E. coli indicator at freshwater beaches.
 - BAV is 104 cfu using Enterococci indicator at marine beaches.



Update BEACH regulations for consistency with updated criteria and BAV

- Regulations affected
 - 26.08.09.04: Drinking water at beaches
 - specified *Permitted* Beaches instead of Beaches
 - 26.08.09.06: Sanitary Quality of Permitted Beaches
 - References to recreational criteria replaced to be consistent with new BAV terminology
 - 26.08.09.06: Public Notifications
 - References to water quality standards replaced with BAV term



Update BEACH regulations which describe the use of the BAV

- Regulations affected: COMAR 26.08.09.07B
 - (3) *Evaluation of water quality using Beach Action Values (BAV).*
 - (a) Sampling events shall consist of at least three *indicator* bacteria samples per sampling event.
 - (b) In addition to the application of *BAV*, the approving authority may consider other factors, including the results of sanitary surveys, prior rainfall, and other environmental conditions in making public health decisions.



Added Text to clarify the table describing Use Classification

- Regulation affected: 26.08.02.08
 - Rock Run and Roaring Rock were inaccurately codified as Class III and are being moved to Class III-P

Water	Latitude	Longitude	Limit
Rock Run and all tributaries (Cecil County)	39.613544	-76.126972	Upstream of mouth
Roaring Run (Carroll County) and all tributaries	39.510061	-76.887278	Upstream of mouth



Added Text to clarify the table describing Use Classification

- Regulation affected: 26.08.02.08
 - Bucks Run stream in Garrett County is being updated from a Class I to a Class III stream based on the presence of trout **AND** water temperatures that meet the Class III criterion

Water	Latitude	Longitude	Limit
Bucks Run and all tributaries	39.721831	-79.24282	



Incorporate minor corrections to the boundaries for applying fresh versus marine/estuarine criteria

- Regulations affected: 26.08.02.03-1B.(3)(t)
- (t) Chesapeake Bay Proper (Sub-Basin 02-13-99) boundary is a line connecting Booby Point (39.284206 north latitude, -76.381400 west longitude) with Handy's Point (39.291944 north latitude, -76.181388 west longitude).



Changes to Tier II High Quality Water Designations

- Tier II Water Identification Rules
 - Use all available MBSS sites on a stream reach
 - If more than one station is available, average the BIBI scores and FIBI scores
 - If averages are equal to or above the Tier II threshold of 4.00, the segment is designated as Tier II on the “pending” list until the Triennial Review



Changes to List of Tier II (High Quality) Waters

- Regulation affected: 26.08.02.04-1
 - 29-number of Tier II segments that were added to list based on Benthic and Fish IBI scores greater than or equal to 4
 - 19-number of Tier II segments that were removed from the list of Tier II high quality waters



Changes to List of Tier II (High Quality) Waters

- Reasons why 19 Tier II stream segments are proposed for removal from the list:
 1. Tier II streams identified twice under two different names (segment itself is still Tier II but now under the correct name) (*4 segments*)
 2. Corrected GPS coordinates moved Baseline Station(s) off the Tier II segment (*3 segments*)
 3. Stream Delineation error (*1 segments*)
 4. Errors in the Baseline Data: Corrected IBI(s) do not meet Tier II Designation threshold
 - » IBI calculation corrected (*8 segments*)
 - » Vetting determinations were reversed (*3 segments*)



Triennial Review Timeline

- July 10th: Public comment period ends



Submitting comments

- **Please submit comments to:**

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