

**Comment Response Document
Regarding the Total Maximum Daily Load of Polychlorinated Biphenyls in the Piscataway
Creek and Mattawoman Creek Tidal Fresh Chesapeake Bay Segments, Prince George's
and Charles Counties, Maryland**

The Maryland Department of the Environment (MDE) has conducted a public comment period of the proposed Polychlorinated Biphenyls (PCBs) TMDL for the Piscataway Creek and Mattawoman Creek Tidal Fresh Chesapeake Bay Segments. The comment period was from August 15, 2018 to September 14, 2018. MDE received two sets of written comments.

Below is a list of the commenters, their affiliations, the date comments were submitted, and the number referenced to the comments. In the pages that follow, comments are summarized along with MDE's responses.

List of Commenters

Author	Affiliation	Date	Comment Number
Ms. Jillian Adair	U.S. Environmental Protection Agency Region 3	August 27, 2018	1
Mr. Jerry Maldonado/Mr. Mark Sievers	Prince George's County Dept of Environment/Tetra Tech	Sept. 13, 2018	2-9

Comments and Responses

1. The commenter states please clarify why the TMDL report narrative notes a percent load reduction of 5 percent applied to non-regulated watershed runoff and NPDES regulated stormwater runoff, but the percent load reduction for both of these sources in Piscataway Creek is listed as 6.1 percent in Table ES-1 and Table 17. If due to rounding, please note as a footnote to the tables.

Response: The TMDL allocations were presented incorrectly as it was assumed the MOS was calculated as 5% of the TMDL and apportioned out to all source sectors except WWTPs. However the TPAR TMDL states that an explicit MOS of 5% was applied to each source category with the exception of WWTPs. The MOS has now been applied correctly and results in a 5% reduction to non-regulated watershed runoff and NPDES regulated stormwater runoff. All tables have been corrected in the document.

2. The commenter states MDE acknowledges that Prince George's County has already developed a PCB restoration plan for the TPAR TMDL. (Prince George's County included Piscataway and Mattawoman in its 2015 local waterbody PCB restoration plan using the allocations provided in the TPAR TMDL.) In Section 6 (page 39), they also acknowledged that the Prince George's County will not need to do specific restoration plans for the Piscataway and Mattawoman.

Response: MDE acknowledges that the County will not need to develop specific restoration plans for the Piscataway Creek and the Mattawoman Creek as reductions were not assigned to stormwater discharges.

3. The commenter states please clarify the language in section 6, page 39 regarding restoration plans. The text mixes verb tenses and it is unclear if changes need to be made to the existing TMDL restoration plans for PCBs. Below is the text from page 39 of the PMC TMDL.

- “Prince George’s and Montgomery County Phase I MS4s have developed PCB TMDL implementation plans to address stormwater WLAs assigned in the TPAR TMDL. These plans will incorporate source tracking and identification of PCB contamination within the Anacostia River watershed. MDE is also providing assistance to Phase I MS4 counties in the development of these PCB TMDL implementation plans and monitoring strategies. PCB TMDL implementation plans will not be required for the Piscataway Creek and Mattawoman Creek watersheds as no NPDES regulated stormwater PCB load reductions were assigned by the TPAR TMDL.”

Response: MDE has revised the language in Section 6, page 39 to clarify the language regarding restoration plans. Changes do not need to be made to the existing TMDL restoration plans for PCBs.

4. The commenter states the County agrees with MDE’s statement (Section 6, page 39) that the permit requirement for treating 20 percent of the untreated impervious area will help reduce PCB loads from entering waterbodies through preventing legacy PCB-contaminated soil/sediment erosion and trapping PCBs sorbed to soils in BMPs. Prince George’s County assumes that any necessary regulated stormwater load reduction can be accomplished through existing county programs and our MS4 permit requirements.

Response: MDE cannot support the County’s assumption that existing county programs and MS4 permit requirements will be sufficient to fully achieve any necessary regulated stormwater load reductions. However, the required reductions to regulated stormwater PCB loads from the Mattawoman Creek and the Piscataway Creek watersheds do not have to be addressed directly as they can be achieved through reductions in atmospheric deposition.

5. The commenter states Prince George’s County recommends that MDE take lead in atmospheric deposition load reductions as part of its clean air programs. This will allow for a regional approach to achieving the atmospheric deposition load reductions.

Response: MDE believes the primary source of PCB loadings to the atmosphere is PCB volatilization from contaminated soils, surface water, and PCB containing materials/equipment; and not atmospheric emissions from the burning of PCB containing materials (e.g., waste incinerators). Therefore, it is unlikely MDE’s clean air programs would be an effective regulatory mechanism for reducing atmospheric depositional loadings.

6. The commenter the TPAR TMDL acknowledges that tidal exchanges could be a source of PCBs in the tidal areas of the Piscataway and Mattawoman (PMC TMDL, section 4.1, page 21). In section 5.2 (page 32) of the PMC TMDL, MDE states that “the upstream load reductions [from the Potomac River] were also necessary in order to achieve TMDL endpoints within the Piscataway Creek and Mattawoman Creek, as they led to a reduction in loadings to the Piscataway Creek and Mattawoman Creek from tidal exchanges with the mainstem of the Potomac River.”

Section 6, page 39, indicates that there is a sediment contamination remediation effort in the Anacostia River. MDE acknowledges that this remediation could reduce downstream transport of PCBs, reducing levels in the tidal portions of the Piscataway and Mattawoman. Are there plans to monitor these waterbodies and reassess this TMDL following the completion of this effort?

Response: The PCB listings for the Mattawoman Creek and the Piscataway Creek are based upon fish tissue data. MDE collects fish annually throughout the state in support of the Fish Consumption Advisory Program. All waters for which fish consumption advisories/listings have been assigned are monitored under a State-wide cycling strategy. There is no specific plan at this time to reassess these listings following the completion of the Anacostia sediment remediation effort however these listings will be reassessed for the Integrated Report following the next collection under the Fish Consumption Advisory Program.

7. The commenter states Prince George’s County agrees with the use of fish tissue approach used by MDE in the determination of the TMDL. Has MDE investigated the chances of those fish accumulating the PCBs from the Potomac River and migrating to the Piscataway and Mattawoman? Table B-1 shows low levels of PCBs in the nontidal portions of each watershed, especially in the Mattawoman.

Response: MDE acknowledges that fish collected in the Piscataway Creek and the Mattawoman Creek have a home range that would allow them to travel and potentially bioaccumulate PCBs from the Potomac River. However there is no way to distinguish whether the PCB levels in the fish tissue are strictly due to bioaccumulation in one water body versus the other. While the PCB levels in the water column of the non-tidal portions of the Creeks are low, the tidal concentrations all exceed the TMDL endpoints and human health criteria. The listing basis is for fish species that reside in the tidal portion of the Creeks.

8. The commenter states Section 5.4.2 text is not consistent with Table 17. The text states that “[t]he TPAR TMDL also applied a reduction of 5% to PCB loads from NPDES Regulated Stormwater (See Section 5.2 of the TPAR TMDL for more information) (Haywood 2007).” Table 17 shows a 6.1% reduction for the Piscataway WLA.

Response: See Response to Comment 1.

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9. The commenter states Section 5.5 text is not consistent with Table 17. The text states that “[t]o provide further assurance an explicit MOS [margin of safety] of 5% was applied to each source category except for WWTPs (Haywood 2007).”

-The MOS for the Piscataway on Table 17 is 5% of the TMDL total, which includes the WLA for the WWTP. The MOS is 2.9, while it should be 2.39 if the WWTP WLA was removed from the TMDL. The calculation of MOS in the TPAR TMDL was calculated to be 5% of the TMDL total without the WLA for the WWTP.

Response: See Response to Comment 1.