



Water Quality Standards 2017 Triennial Review

Category A

(1) The Secretary of the Department of Environmental Protection shall consider, for the 2017 triennial review, potential alternative applications for the Category A drinking water use designation to the waters of the state, taking into consideration stream flow, depth, and distance to a public water intake;

Category A Proposal

For purposes of setting limits in permits, the Category A criteria in Appendix E shall apply at the point of discharge (subject to any mixing zone developed in accordance with Section 5) unless the permittee demonstrates that there is no public water supply intake that would be affected by the discharge. A public water supply intake is affected by the permittee's discharge when substances discharged by the permittee would exceed the criteria in Appendix E at the point of intake, or at some other point established by the Director at a distance not to exceed one-half mile upstream of the intake. The permittee may establish the location of the nearest public water supply intake using the Bureau of Public Health list of public water supplies, and by performing a survey of downstream water users.

Net Limits

(2) The Secretary of the Department of Environmental Protection shall propose, for the 2017 triennial review, changes to water quality standards that will allow net limits in permits;

Bacteria Criteria

(3) The Secretary of the Department of Environmental Protection shall propose, for the 2017 triennial review, establishing criteria for *E. coli* as the State's bacteria parameter, in lieu of the fecal coliform standard, and propose setting the *E. coli* criterion as a monthly geometric mean, and evaluate allowing an exception for wet weather exceedances of *E. coli*;

Mixing Zones

(4) In subsection 5.2.j, following the words “5.2.e and”, strike the words “and 5.2.h.2”, and insert in lieu thereof “, 5.2.h.2 and 5.2.h.5”, and otherwise eliminating the spatial limitations on mixing zones for human health criteria where such limitations were established for the protection of aquatic life.

Stream Flows

(5) Strike all of subsection 8.2.b., and insert in lieu thereof the words “8.2.b. The design flow for carcinogens shall be the harmonic mean flow for the protection of human health, and for noncarcinogens the design flow for the protection of human health shall be the harmonic mean flow, the 30Q5 or other design flow that is representative of the human health exposure time for that substance”

Other Changes

We would also urge the DEP to consider amendment of other, related rules, such as the NPDES permitting regulations, 47 CSR 10