

Compliance Bulletin

Common Semi-Annual Selenium Fish Tissue Compliance Monitoring and Reporting Questions and Errors



The purpose of this compliance bulletin is to provide clarification on Selenium Fish Tissue Compliance Monitoring and Reporting.

When does the first required semi-annual fish tissue monitoring season commence?

Permittees must begin collections of fish tissue samples in the first full sampling season after permit approval. Sampling seasons run from **August 1 through October 1 for summer and December 1 through March 1 for winter**. It is allowable to collect samples prior to permit approval. Once a permit modification to institute fish tissue limits has been submitted, permittees may collect samples during the season at the approved location(s) while permit review is ongoing if desired.

In which months are semi-annual DMR submittals due?

Sampling seasons run from August 1 through October 1 for summer and December 1 through March 1 for winter. Summer sample results should be submitted in December DMRs. Winter sample results should be submitted in June DMRs. Additionally, required collection reports summarizing all results from fish tissue surveys must be electronically submitted in ESS within 90 days of sample collection. Permit conditions detail these reporting deadlines and submittal requirements that are instituted to allow adequate time for collection, analysis, review, and reporting of collected compliance data. **If DMR results have been reported incorrectly (e.g. winter results in December DMRs) those results will need to be reported again in the appropriate submittal month to restore proper submittal timeframes.** If semi-annual samples are collected prior to permit issuance, DMR entry will not be possible until approval but results will still be used in future reviews for monitoring frequency changes.

Which analytical results must be reported in DMR submittals?

The highest analytical result (dry weight, mg/kg) obtained from any individual composite or re-analysis of a composite must be reported in DMRs when multiple species are collected. The weighted average of two composites must be reported if only one species is collected. Collection of more than the required number of composites is not recommended for semi-annual tissue sampling. **The maximum value (or weighted average if only one species is available) is the only result that needs to be submitted in DMRs. The minimum and average do not need to be entered into the system.**

Clarification on averaging of composites:

The guidance document only allows for averaging of composites when a single species is present. Additional composites of sampled species will not be averaged when multiple species are present. For example, if 3 Creek chub composites and 3 Blacknose dace composites are collected only the highest result of each composite will be used. This practice places unnecessary pressure on resident fish populations and should not be performed. Additionally, individual composites may not be reanalyzed and averaged. The highest result of any analysis or reanalysis will be the representative value for that composite.

Which inspectable unit are tissue results reported on in DMRs?

The analytical result from the approved fish tissue monitoring station must be reported on **each outlet** with fish tissue limits. If multiple fish tissue stations exist for a permit, ensure that the appropriate analytical result (as described above) are reported for all outlets assigned to each station.

If you have questions on this bulletin or related subjects please contact Kevin Seagle with the WVDMR Biological Assessment Unit for assistance at kevin.d.seagle@wv.gov or call (304) 414-3731.