

Surface Water Quality Triennial Standards Review 2008-2011 – Follow-Up Actions for Topics in Groups D & E

Follow-Up Actions for Topics in Group D (Priority topics that WDNR is not currently able to address due to specific barriers)

Topics	Follow-up actions needed prior to standard development or revision
Bacteria Water Quality Standards	→ Wait for the EPA to promulgate rules on bacteria (expected in 2012).
Whole Effluent Toxicity (WET)	→ Follow-up actions will depend upon EPA's position on this issue.

Follow-Up Actions for Topics in Group E (Topics that are not a priority for addressing in the 2008-2011 cycle)

1) Need For More Data, Analysis or Research	
Topics	Follow-up actions that would increase topic viability for the 2011-2014 cycle
Biocriteria	→ Refine the biotic indices developed for the natural communities proposed in the Assessment Methodology Project before moving forward with rule promulgation.
Blue-Green Algal Toxin Water Quality Criteria	<p>→ Initiate, in collaboration with the Department of Health & Family Services, a comprehensive review of the toxicity of specific algal toxins to determine if surface water quality criteria should be calculated for the protection of humans and domestic animals.</p> <p>→ Feasibility of implementing a BGA testing program also needs to be improved for this effort to be viable. For instance, development of an accurate rapid assessment test for BGA toxin is needed, and a demonstration that meaningful county testing programs could be implemented.</p>
Dissolved Oxygen Water Quality Criteria	→ Refine existing dissolved oxygen criteria to protect fish and other aquatic life in the new proposed natural communities for rivers and lakes, and develop a list of representative aquatic species for each of the proposed natural communities.
Methylmercury Water Quality Standard	<p>→ Despite the fact that EPA published human health criteria and related guidance for methylmercury, more research is needed to determine the extent of the problem in Wisconsin and potential impact to humans. Because the EPA criteria are based on fish tissue concentration data, it is probable that this effort would require data collection in Wisconsin waters to link concentrations in fish tissue to concentrations in the water. This could provide a translator mechanism that would allow us to use data obtained through Wisconsin's fish consumption monitoring program to infer methylmercury concentration in the water.</p> <p>→ Implications of adopting a methylmercury standard on various DNR programs must also be considered; for instance, impacts to 303(d) listing processes, permitting, etc.</p>
Nitrogen Water Quality Criterion	→ Gather adequate information applicable to Wisconsin waters in order to effectively develop meaningful criteria or implementation procedures.
Perfluorinated Surfactants (PFOS) Water Quality Criteria	→ Initiate a comprehensive review of the toxicity of PFOS and PFOA to determine if water quality criteria should be calculated for the protection of humans, fish, and other aquatic life.

Pesticide Water Quality Standards	→ Complete a comprehensive review to identify which pesticides and metabolites need to be evaluated in surface waters and which should have water quality criteria developed to ensure adequate protection of humans, fish, and other aquatic life.
Polybrominated Diphenyl (PBDE) Water Quality Criteria	→ Perform a comprehensive review of the toxicity of PBDEs to determine if water quality criteria should be calculated for the protection of humans, fish, and other aquatic life.
Turbidity Water Quality Standard	→ Gather additional information to determine if turbidity is the best indicator to address sediment-related water quality issues. Note: The MPCA is examining the possibility of changing their turbidity criteria to TSS criteria because of accuracy issues with turbidity data.

2) Data Assumed to be Available – Thorough Analysis Needed to Complete Standard Revision

Topics	Follow-up actions to be taken when the issue becomes a priority
General review of variances in NR 104	→ This issue is addressed in a more comprehensive and robust way through the completion of the Assessment Methodology effort; if the Assessment Methodology is fully implemented, it will not only set the stage for improvements in local water quality, but will also begin to address the need to update the variance waters in NR 104.
Implementation of narrative standards	→ The main concern here is the effort to see phosphorus managed more aggressively than currently allowed under NR 217, which has been at the core of many recent petitions by Midwest Environmental Advocates. To address this need, WDNR is moving forward with a numeric standard for phosphorus, which will be a more effective and clear-cut way to address this concern than through narrative standards.
Mixing Zones	→ As a part of the federal Great Lakes Water Quality Initiative of 1995, EPA requires states to eliminate mixing zones altogether for certain bioaccumulative pollutants. To be consistent with federal law, Wisconsin must revise its mixing zone provisions to eliminate such mixing zones.
Wasteload allocations for WI & Fox Rivers	→ A review of the allocation formulae should be undertaken to determine whether changes to the allocations of BOD for concerned rivers (or segments thereof) is appropriate or needed. → Other changes in the rule relating to transfers of allocation or allocations of reserve capacity also are in need of evaluation.
5/10 Biochemical Oxygen Demand (BOD) Policy	→ The BOD effluent limitations of 5 mg/L and 10 mg/L for summer and winter, respectively, need to be reviewed. Though current regulations sometimes require levels below 10 mg/L in the summer, water quality biologists have questioned whether these low levels are necessary in all cases for protection to fish and other aquatic life species. → In addition, the methodology for calculating BOD limits is based on small stream models that were prepared for Wisconsin streams in the 1980s. The methodology —referred to as the “26-lb. Method”— is guidance available to staff who calculate effluent limitations. This guidance needs to be evaluated to determine if there are alternatives that should be considered on a case-by-case basis and whether or not the 26-lb. method should be codified.