

## **TMDL Program Priorities Frequently Asked Questions**

In order to assist in the understanding of the TMDL Program priorities, this FAQ document has been assembled to answer the following four questions:

1. What is the difference between a “EPA Formal Priority” and a “DEQ Internal Priority”
2. What are the differences between a TMDL, TMDL/TMDL-alt, TMDL Revision, Natural Condition, and Stressor Analysis report type?
3. What happens after a Stressor Analysis is completed?
4. Why do I see waterbodies on the TMDL Program priorities list that already have a TMDL developed?

It is DEQ’s intent to clearly present the TMDL Program priorities for both public review and public use. For any additional questions related to the TMDL Program priorities, please contact:

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## **Questions and Answers**

1. **What is the difference between a “EPA Formal Priority” and a “DEQ Internal Priority”**
  - As part of the [303\(d\) Program Vision](#), EPA tasked states with prioritizing impaired waterbodies for TMDL or TMDL alternative development. These prioritized waterbodies are submitted to EPA and progress towards addressing these waters is measured by EPA annually. The list of prioritized waterbodies that is submitted to EPA is what DEQ considers “EPA Formal Priorities.” These waterbodies can only be addressed by a TMDL, TMDL alternative, or TMDL revision. Therefore, natural conditions reports and stressor analyses cannot be EPA formal priorities. Furthermore, formal priorities are impaired waters that are prioritized with a high level of confidence that resources (e.g., time, funding, data, etc.) allow for completion of TMDL, TMDL alternative, or TMDL revision reports during the 2016-2022 time period. Because natural conditions reports and stressor analyses could not be prioritized formally with EPA, and because DEQ intends to address impaired waters that may require more time than is allowed during the 2016-2022 priority window, there is the additional set of priorities classified as “DEQ Internal Priorities.”
2. **What are the differences between a TMDL, TMDL/TMDL-alt, TMDL Revision, Natural Condition, and Stressor Analysis report type?**
  - Each waterbody that is prioritized on the 2016-2022 TMDL Program priorities list will have some sort of report developed for it. Below are descriptions of the different types of reports that will be developed to address the priority waters.

1. “TMDL” report type: According to the Clean Water Act, all impaired waters must have a Total Maximum Daily Load (TMDL) developed to address the water quality impairment. A TMDL describes the total amount of a pollutant that a waterbody can assimilate and still be healthy (i.e., meet water quality standards). A TMDL report documents the process that goes into developing the load reductions necessary to restore the waterbody. Waterbodies on the priority list with a “TMDL” report type will have a TMDL developed for the pollutant that is causing the water quality impairment.
2. “TMDL/TMDL-alt” report type: In some cases, plans that do not fit the mold of a traditional TMDL may restore water quality faster than a TMDL. These types of reports are called TMDL alternatives. Knowing whether or not a TMDL alternative will restore water quality faster than a TMDL is a case by case decision. While DEQ has identified a number of waterbodies as good candidates for TMDL alternatives, the ultimate decision on whether or not to pursue a TMDL or TMDL alternative will be made by DEQ staff in conjunction with the technical advisory committee for the water quality study at the onset of the project. Therefore, these potential TMDL alternative candidates are shown on the priorities list with a report type of “TMDL/TMDL-alt.”
3. “TMDL Revision” report type: TMDL reports can be characterized as a snapshot in time. Because land uses change and point sources open and close, the load reductions necessary to restore water quality may need to be revised after the TMDL is approved by EPA. Therefore, waterbodies on the priority list with a report type of “TMDL Revision” are waterbodies that have a TMDL that needs to be revised due to changes in the watershed.
4. “Natural Condition” report type: All waterbodies in the Commonwealth of Virginia have water quality standards. Sometimes, the water quality standards that are applied to a waterbody need to be revised due to the unique characteristics of that waterbody. For example, swamp waters are often characterized as having low dissolved oxygen because of the high amounts of decomposing organic matter and the slow movement of water. When traditional water quality standards are applied to swamp waters that are unaffected by human development, these swamp waters can be incorrectly identified as impaired. To revise the water quality standards, a natural conditions report must first be developed. Following EPA approval of the natural conditions report, a rule making process will begin that will ultimately reclassifying the swamp water so that it can be compared to the proper set of water quality standards. Therefore, waterbodies on the priority list with a report type of “Natural Condition” will have natural conditions reports developed to address their hypothesized misclassification.
5. “Stressor Analysis” report type: In some cases, waterbodies are identified as impaired based on water quality standards that describe a condition but not what is causing that condition. For example, DEQ staff frequently sample the biological community to assess the health of a waterbody’s aquatic life. When the data show that the community of organisms is stressed, the waterbody is identified as impaired even though the cause of the stress to the biological community is unknown. This is when a stressor analysis report is developed. In a stressor analysis, all available data is analyzed in order to determine what is causing the impairment.

### 3. What happens after a Stressor Analysis is completed?

- Stressor analyses are developed to identify the cause(s) of a known water quality issue. When each stressor analysis is completed, the path forward is always a case by case decision. However, generally there are 4 different outcomes of a stressor analysis:

1. The stressor analysis identifies a pollutant that is causing the impairment. In this case, a TMDL or a TMDL-alternative will be developed to address the water quality impairment.
2. The stressor analysis identifies a non-pollutant stressor as the cause of the impairment. In this case, a TMDL cannot be pursued because TMDLs can only be developed for pollutants. Depending on what the non-pollutant stressor is, a TMDL-alternative may be developed. For example, in cases where development has altered the patterns of flow through a waterbody, a TMDL-alternative may be developed.
3. The stressor analysis identifies the impairment to be due to natural conditions. In this case a natural conditions report would be developed.
4. The stressor analysis cannot confidently identify any stressors that are causing the impairment. In this case, more data may be collected, but there will be no report developed until the cause of the impairment can be identified.

**4. Why do I see waterbodies on the TMDL Program priorities list that already have a TMDL developed?**

- There are two reasons why a waterbody on the priorities list may have a TMDL already developed for it:
  1. The TMDL needs to be revised. In this case, the “Report Type” for the priority will be “TMDL Revision.”
  2. The TMDL has already been completed but is waiting for EPA approval. The time it takes for a TMDL to be developed can vary based on a number of factors including the complexity of the watershed, the type of impairment, or the stakeholders involved. In general, the TMDL development process is a 2 year process that begins with the first public meeting and ends with EPA approval. Typically, the actual TMDL development process takes about 1 year. The last year in the TMDL process entails an informal review by EPA prior to review by the State Water Control Board. Following State Water Control Board approval, EPA conducts a formal review and then issues a decision on approval. Because State Water Control Board meetings are quarterly, DEQ typically submits TMDLs for review and approval at two of the annual meetings. Therefore, it is likely that you may be aware of a TMDL that has been developed, but is pending State Water Control Board and/or EPA approval.