

**Harbor TMDL Oversight Group Meeting**  
November 20, 2007  
(Draft)

The meeting was convened at EPA offices at 10:00. Participants included Kevin Bricke, Maureen Krudner, Bob Nyman, Shadab Ahmad, Jeff Reading (on phone) Deb Hammond, Barbara Hirst (on phone), Phil O'Brien, Dick Draper, Phil DeGaetano, and Robin Miller.

The minutes from the previous meeting were approved.

Nutrients

Robin Miller presented an overview of the four previously approved tasks (1, 2, 3, and 8) within the overall scope of work for completing the nutrients TMDL. These tasks included development of loadings tabulations, estimates of MS4 load reductions, performing two regional SWEM simulations, and project control activities including preparation of reports, presentations and making information available on the web.

She then provided an overview of the other four tasks within the overall scope (4, 5, 6, and 7). These items were then discussed by the group. It was decided that there would be no specific reference to in-stream aeration within task 4. For task 5, the focus will be on determining the appropriate mix of actions for the sub region. For task 6, the three phase runs will be defined at a later date. For Task 7, will include a level of effort for response to comments.

It was suggested that, to the extent possible, the contractor also attempt to estimate MS4 load reductions for pathogens as they are assembling similar information for carbon and nitrogen. Barbara Hirst suggested adding three additional runs as contingencies.

**Robin Miller will revise these four tasks to reflect the discussion and Nyman will distribute to the Nutrient Work Group and TMDL oversight group for review.**

Kevin Bricke then discussed a proposed staged approach to nutrient management. He cited the program developed for the Long Island Sound as an analog. That program started with a nutrient cap, followed by implementation of low cost options and finally, full implementation of the TMDL. **Nyman will confirm that NYC is working on information for additional low cost reductions. He will also share EPAs comments to the NJHDG on their cost analysis work.** The NJHDG are addressing those comments and will be submitting a final report in February 2008.

There was discussion about whether a cap would be done on a voluntary basis or through permits. The cap could also be done regionally or harbor-wide. Phil DeGaetano pointed out that in the case of LIS, the low DO was well documented and probably more severe than in the Harbor. **Wayne Jackson was asked to take the lead on documenting the relevancy of DO levels in the harbor and the need for improvements. The states were to designate individuals within three weeks to assist in the documentation.**

A nutrient cap could be included as part of the overall TMDL implementation plan. **Kevin Bricke will provide a draft write-up for internal review.**

### Pathogens

Nyman provided a quick update on the funding for the pathogens work. He noted that a new work assignment was signed by the Hudson River Foundation the previous week.

### Toxics

It was noted that BAFs need to be developed and that toxic pollutants for which TMDL analyses will be conducted need to be selected.

Maureen Krudner reviewed the revised proposal for the toxics sub-work group. Jeff Reading related his Delaware Estuary experience regarding pollution minimization. EPA indicated which staff would be participating and asked that the states do the same. Simon Litten will be the NYS designee. **NJ will submit names within three weeks. The proposal will then be distributed to the HEP Management Committee for review.**

Non state and EPA meeting participants were then asked to leave the room while the rest of the group discussed funding issues related to contracting.

The meeting was then adjourned.