

STATUS OF PATHOGEN TMDL WORKGROP

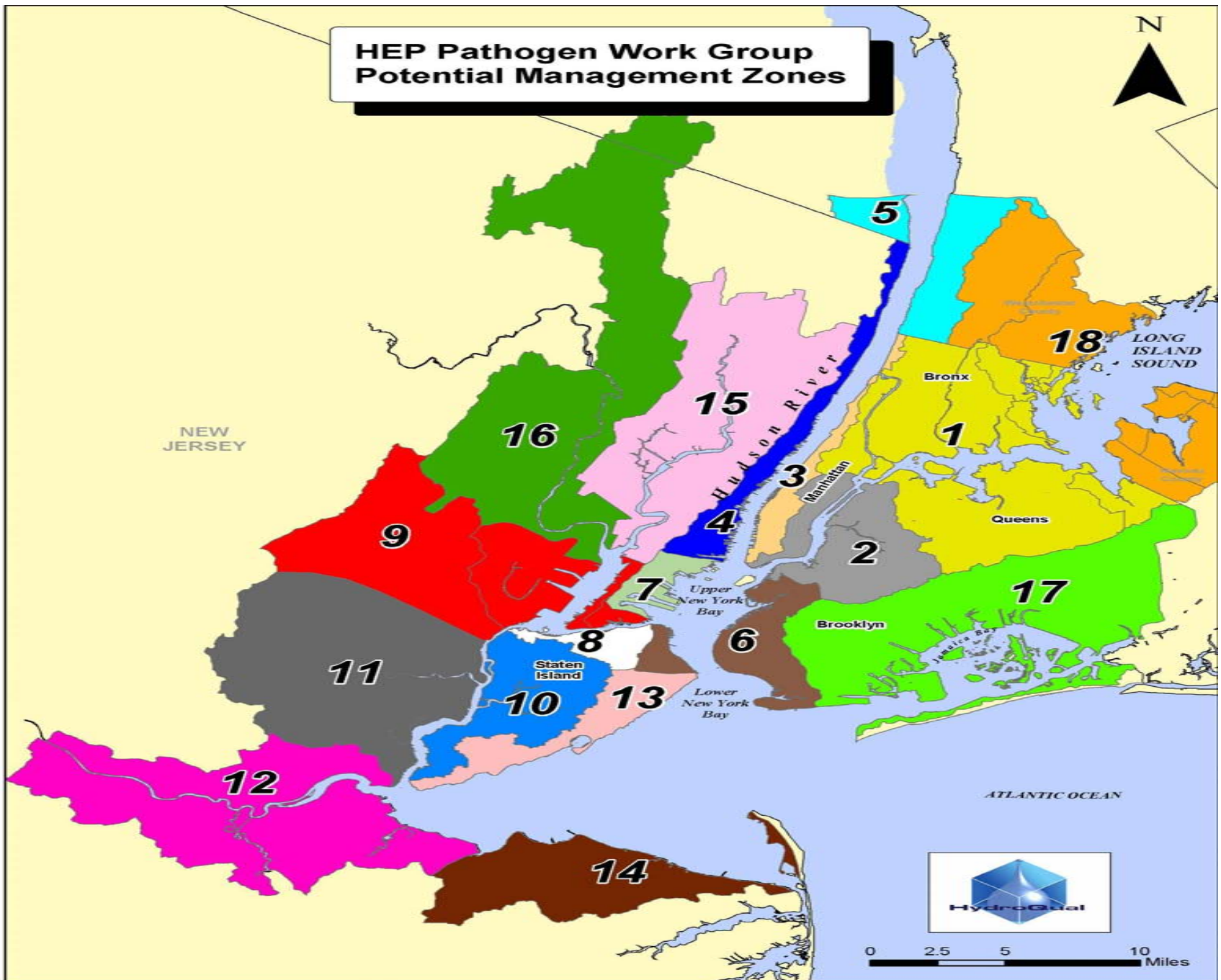
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**Felix Locicereo
EPA, Region 2
(212) 637-3775**

Proposed Primary Contact Recreation-based Criteria

- **USEPA's *Beach Act Criteria***
 - **35 col/100 mL of Enterococci Criterion** - is implemented as an average ranging from a 30 Day Maximum Geometric Mean to a Seasonal (May to Sept.) Average.
 - **EPA's Current Beach Act Criteria** – allow a State to choose any averaging period between the 30 Day Max. Geo. Mean and the Seasonal Average. As long as the State's chosen averaging period falls within this range, EPA considers the State's criterion to be protective of Primary Contact Recreation.

HEP Pathogen Work Group Potential Management Zones



Waterbody	35 ENTEROCOCCI PER 100 mL		
	30 Day Max Average	Seasonal Average	End Points Met
East River Zones 1,2	Attained*	Attained	30 day max/Seasonal
Hudson River Zones 3,4	Attained	Attained	30 day max/Seasonal
Harlem River Zones 1,3,4	Attained*	Attained	30 day max/Seasonal
Upper Bay Zones 6,7	Attained	Attained	30 day max/Seasonal
Lower Bay Zones 6,13	Attained	Attained	30 day max/Seasonal
Kill Van Kull Zones 8,9	31% Red.	Attained	Seasonal
Upper Arthur Kill Zones 8,9	91% Red.	Attained	Seasonal
Arthur Kill Zones 10,11	100% Red.	Attained	Seasonal
Passaic River Zone 16	100% Red.	61% Red	Neither
Hackensack River Zone 15	100% Red.	Attained	Seasonal
Newark Bay Zones 8,9,15,16	100% Red.	Attained	Seasonal
Raritan River Zone 12	100% Red.	Attained	Seasonal
Raritan Bay Zones 14	46% Red.	Attained	Seasonal

* Attained when the 30% reductions expected from NYC CSO Consent Order implementation is applied.

Nov. 24, 2009 Pathogen Oversight Group Meeting

- **NYSDEC & NJDEP** – support the use of the Seasonal Average in all waters.
- **NYSDEC & NJDEP** – requests that HydroQual determine whether water quality standards supporting direct shellfish harvest are attainable in the Raritan Bay, Sandy Hook Bay and the Hudson River.
- **NEXT STEPS** – results of the Oversight meeting will be discussed with the Pathogen Workgroup, and senior management