



Ohio Valley Environmental Coalition

Supporting Organized Voices and Empowered Communities Since 1987

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We at the Ohio Valley Environmental Coalition and our members, not only as an organization but as citizens of the state of West Virginia, submit the following comments on the proposed changes to the Water Quality Standards rule as part of the Triennial Review.

First and foremost, we are concerned about what these changes mean for our numerous streams in our state, as well as for impacts to human health. The U.S. EPA recently made recommendations for safe limits of 94 chemical pollutants based on the latest scientific information. However, WVDEP has chosen only to adopt 56 of these 94 updated limits. With the wide variety of potential industrial big polluters like coal, oil and gas, and petrochemicals, we urge the WVDEP to adopt all of the 94 recommended limits to protect human health. The majority of streams in West Virginia are already impaired in some way, mostly by industries. Our waterways are an important component in everyday life for West Virginians. They run through a vast number of our communities and are used for recreation and sport. Some in these communities rely on the aquatic life in those streams for food sources. However, a vast majority of bodies of water in the state have fish consumption advisories. This is outlandish.

The revision that would allow for Overlapping Mixing Zones would only exacerbate this issue on top of the failure to adopt the full 94 recommendations of safe chemical pollutant levels. These mixing zones will create toxic “hot spots” in our waterways. Language must be added to the rule that requires evaluation of potential human health impacts caused by cumulative effects and interactions between different pollutants, as recommended by EPA, prior to approval of any overlapping mixing zone. Furthermore, there should be required signage that warns the public of high levels of pollutants in the body of water that are harmful to human health, and that contact with the water or consumption of fish harvested in the area could have severe health impacts. The signage should also include graphics that depict the toxicity of the water for individuals who cannot read English.

Also, the implementation of the “Cancer Creek” bill passed by the WV Legislature in 2017 is a farce. The new method this legislation requires called the harmonic mean is not adequate for protecting us from toxins with short-term exposure risks. Instead, the consequence will be more toxins and cancer-causing chemicals allowed in our water. For the health and safety of the public, the WVDEP must use discretion to apply a more protective method for calculating discharge limits for pollutants known to have short-term exposure risks. The WVDEP must do its job to require more protections of human health when it comes to water quality.

In conclusion, one must ask why the WVDEP would choose to weaken water quality standards. It seems WVDEP is making all of these changes only to benefit the big industry polluters and not the public at large. These changes give a green-light to these corporations to continue to impact our waterways. The WVDEP needs to act to protect the people before the profits of industry. With a state like West Virginia, with the abundance of water resources and industries that impact them, simply relying on federal water quality standards is not enough. Most federal standards are not stringent enough to regulate an area as unique as ours, and the WVDEP should act accordingly and apply stronger, not weaker, standards.