

Compliance Bulletin

Division of Mining and Reclamation: West Virginia Selenium Chronic Aquatic Life Standard Implementation Revision 4



west virginia department of environmental protection

In order to develop protective permit limits for selenium, a bioaccumulation factor (BAF) for specific water bodies may be obtained using selenium fish tissue concentration along with water column selenium information.

Additionally, permittees may now utilize fish tissues to directly demonstrate compliance with the tissue standard through semi-annual collection and analysis of fish tissue samples.

- Discharging outfalls with aqueous selenium RP may be assigned fish tissue limits upon request by permit applicant.
- Instream compliance points will be assigned as designated compliance monitoring locations for outfalls being assigned fish tissue limits.
- A baseline fish-tissue study must be conducted at the agency approved compliance point and submitted in the permit application.

- Semi-annual monitoring of fish tissue will commence at instream compliance points upon permit approval.
- Tissue samples must be collected in designated summer and winter seasons.
- This policy change also shortens the 3-year requirement to reanalyze fish tissue at reissuance for the BAF approach. Under the new guidance, BAF determination must be made at reissuance if previous determination is older than 1-year.

Click on the following link to view the implementation document:

[West Virginia Selenium Chronic Aquatic Life Standard Implementation - Rev. 4](#)

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