To: Hamjian, Lynne[Hamjian.Lynne@epa.gov]; Brown, Rudy[Brown.Rudy@epa.gov]
Cc: Cote, Mel[Cote.Mel@epa.gov]
From: Brochi, Jean
Sent: Wed 7/20/2016 2:13:33 PM
Subject: FW: Morning Clips - CT and RI congressional delegations support ELIS form WSJ

FYI

From: Shore, Berry
Sent: Wednesday, July 20, 2016 9:38 AM
To: R2 EPA Region 2 (EPA Staff)
Subject: Morning Clips

Rhode Island, Connecticut lawmakers favor new disposal site

Associated Press

Updated July 19, 2016 12:17 a.m. ET

Wall St. Journal

The Connecticut and Rhode Island congressional delegations have reached out to the U.S. Environmental Protection Agency in support of a proposed rule to designate a dredged material disposal site in Eastern Long Island Sound.

The lawmakers sent a letter to the EPA Monday expressing the importance of "preserving and protecting the environment" in the region.

They argue that transporting dredged materials to other sites, like the Rhode Island Disposal Site, will increase carbon emissions from ships and the risk of dredged material spills.

The EPA determined a new site was necessary in the Long Island Sound region following a U.S. Army Corps of Engineers plan issued in January. Two dredging disposal sites in the area will be closed.

The periodic dredging of harbors and channels is essential to safe navigation.

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Weekly Update: Nine More Zika Cases on STT

By Kelsey Nowakowski — July 20, 2016

St. Croix Source

On Tuesday the V.I. Department of Health confirmed nine new cases of Zika on St. Thomas, bringing the total number of cases in the territory to 56.

With these additional reports, St. Thomas now has 38 confirmed cases. Last week the number of cases on St. Thomas doubled, jumping from 15 to 29. To date, 18 of the 56 confirmed Zika cases have occurred on St. Croix, and St. John has had none.

Since the start of the outbreak, Health has tested 797 pregnant women for Zika in the territory. Nine of these women are presumptive positives for Zika, meaning that they were likely infected with the virus but additional testing is needed to confirm.

“Based on current research, greater than 90 percent of all pregnant women who test presumptive positive for Zika will deliver an infant free from the development of microcephaly,” Health Commissioner Michelle S. Davis said in Tuesday's news release.

Zika’s most common symptoms are fever, rash, joint pain and red eyes, which can make it difficult to distinguish from dengue. Health urged anyone with those symptoms to get tested at one of the 12 free testing centers listed below.

David said Health will host a series of public forums on Zika, the first of which is will be from 5:30 to 7:30 p.m. Tuesday, July 26, on at the University of the Virgin Islands St. Croix campus.

Health also plans clinician seminars on St. Thomas and St. Croix, at which attendees will hear from infectious disease specialists. The first seminar will be from 8 to 9:30 a.m. July 28 at the Schenider Regional Medical Center's Cancer Center on St. Thomas.

“This will be a great opportunity for the public, including pregnant women and their partners, to learn more about Zika, the techniques they can use to reduce becoming infected, and ask questions,” Davis said.

According to Health, one additional case of dengue was reported on St. John this week. There have been 23 cases of dengue this year – 13 on St. Croix, eight on St. Thomas and two on St. John.

In June the World Health Organization officially recommended that women in areas with local Zika transmission delay becoming pregnant since it confirmed that Zika can cause microcephaly, a condition marked by abnormal smallness of the head and stunted brain development. Zika also puts unborn babies at risk of other illnesses, such as eye defects, hearing loss and impaired growth

According to the WHO, eleven countries have reported evidence for person-to-person transmission from a man to a woman, likely through a sexual route, including vaginal and anal, and likely oral sex.

For this reason, Health is encouraging people to use condoms during sexual intercourse, since the virus can be passed between male and female sexual partners. Until last week there was only evidence that men could pass the virus to sexual partners, but the Centers for Disease Control and Prevention recently found that women can spread the virus sexually too.

The Virgin Islands has not reported any sexually transmitted cases of Zika, because when the disease is circulating locally it’s difficult to tell whether a case was transmitted through sexual contact or through the bite of a mosquito. Zika stays in semen longer than blood and a man can pass it to his female or male sex partners.

With the assistance of an Emergency Operations Center, which is staffed with CDC and Health personnel, the Zika response team as a whole has given 227 presentations throughout the territory to educate about Zika. It's conducted 18 on St. John, 78 on St. Thomas, 131 on St. Croix.

According to the Department of Health, people can protect themselves and their families from mosquito bites by following these four cautionary measures that start with a D:

– Dress: Wear protective clothing such as long sleeves, long pants and light colors;

– Drain: Get rid of water containers in and around your home;

– Defend: Use repellant on exposed skin and treat clothes with one of several EPA-approved repellants;

– Discuss: Spread the word about the simple things you can do to make a difference.

Health is continuing to offer free Zika testing for pregnant women regardless of whether they are showing symptoms, and educational materials are being distributed in English and Spanish. Prevention tools such as mosquito nets, insect repellent and condoms are being given free of charge to pregnant women at the following locations:

On St. Croix

– Department of Health MCH Clinic,

– Department of Health WIC Clinic,

– Juan F. Luis Hospital and Medical Center,

– Frederiksted Health Center.

On St. John

– Health Care Connection,

– Myrah Keating Smith Community Health Center.

On St. Thomas

– Department of Health MCH Clinic (Pediatric,)

– Department of Health Community Health Clinic (Prenatal,)

– Roy Lester Schneider Hospital,

– East End Medical Center.

Local information about the Zika virus can be obtained by calling the Department of Health Emergency Operations Center at 340-712-6205. More general information about the Zika virus is available toll free at 1-800-CDC-INFO.

Health is also partnering with several labs and clinics throughout the territory to provide free virus testing for anyone showing symptoms. The department said that anyone turned away from testing or told to pay for testing can call Health, since it has agreements in place with several facilities. These places should not charge for Zika testing:

On St. Croix:

– Acute Alternative Medical Group, 772-2883,

– Beeston Hill Clinical Lab, 773-4990,

– Clinical Laboratory Inc, (Sunny Isle), 778-5369,

– Frederiksted Health Care, Inc,, 772-0260,

– Gov, Juan F, Luis Hospital & Medical Center, 778-6311,

– Primary Care PLLC, 718-7788.

On St, John:

– Myrah Keating Smith Community Health Center, 693-8900.

On St. Thomas:

– Community Medical Laboratory, 776-7444,

– Cranston/Dottin Biomedical Lab, 774-6256,

– Doctors Clinical Laboratory, 774-2760,

– Havensight Medical Laboratory, 774-5515,

– Roy Lester Schneider Hospital, 776-8311.

Zika Hurting Tourism, Officials Say

By Bill Kossler

July 19, 2016

St. Croix

The regional outbreak of the Zika virus has hurt, but not crushed, V.I. tourism, Tourism Commissioner Beverly Nicholson-Doty told senators during budget hearings Tuesday.

"After experiencing a comeback year in 2015 for overnight visitors, we started off 2016 with a no-warning invader in the form of Zika," Nicholson-Doty said. The impact has been "significant" but "were not devastating." she said.

"Unfortunately, the residual impact of this lingering challenge has impacted booking pace," the

commissioner said.

Overall, 368,205 stay-over visitor arrived from January to May 2016, a 0.9 percent decrease from the same period last year. While cruise arrivals are up two percent, to 947,521, total cruise arrivals are projected to be down by 13 calls, or two percent, by the end of the year, she said.

Air arrivals are actually up by 7.5 percent for St.Croix, but down by 2.7 percent for St. Thomas-St. John. But St. Croix was starting at a much lower level, with around 6,100 weekly visitors in peak season, versus 23,000 visitors per week during peak season for St. Thomas/St. John.

Nicholson-Doty presented the department's budget of $28.28 million. Of that, $23.39 million is from hotel room occupancy tax revenues in the Tourism Advertising Revolving Fund to cover marketing and promotional expenses of $24 million. Most of that is a pass-through to public relations and advertising firms. Another $1.39 million is to support carnival activities on each island. Another $2.6 million is for the Tourism Department's operational expenses and the remaining $290,000 is to be distributed to an array of activities as grants for other activities, under the miscellaneous portion of the budget, she said.

VW sued by NY over pollution linked to diesel cheat device

NJ.com

By ERIK LARSON and KARTIKAY MEHROTRA, BLOOMBERG NEWS |

Last updated: Wednesday, July 20, 2016, 1:21 AM

NorthJersey.com Wire Service

Volkswagen AG is facing new lawsuits by New York and at least two other states that might cost the company hundreds of billions of dollars for cheating on pollution control tests.

The suits include claims that former VW Chief Executive Officer Martin Winterkorn and other top company executives orchestrated an elaborate coverup when the scam came to light, New York Attorney General Eric Schneiderman said. New York's complaint was filed Tuesday in

state court in Albany, the attorney general said.

"This was a widespread conspiracy involving many, many people," Schneiderman said at a press conference. "The top brass knew" they were in violation of state and federal laws, he said.

VW's legal woes are far from over, as evidenced by the states' suits and ongoing criminal probes, despite its $15.3 billion settlement with regulators and customers in June. The German company admitted in September to using so-called defeat devices to systematically rig environmental tests since 2009. The devices hid the fact that its diesel vehicles were emitting far more pollutants than allowed under U.S. law.

Volkswagen wasn't taking the states' claims seriously, which is why the lawsuits were pursued, Maryland Attorney General Brian Frosh said at a press conference. Penalties against the company might run into the hundreds of billions of dollars, he said.

The allegations "reveal a culture of deeply rooted corporate arrogance, combined with a conscious disregard for the rule of law or the protection of public health and the environment," Schneiderman said. "Substantial penalties must be imposed on the Volkswagen companies, above and beyond the amount they have to pay to make American consumers whole."

The suit names VW's Audi and Porsche units, as well as their U.S. divisions. According to the complaint, numerous VW employees destroyed incriminating evidence after they were tipped off by a senior in-house lawyer in Germany and then repeatedly failed to disclose to regulators the true reason for the discrepancies.

VW is cooperating with the U.S. Department of Justice, the Environmental Protection Agency and the California Air Resources Board on a "national resolution" of all remaining environmental issues, Jeannine Ginivan, a spokeswoman for the carmaker, said in a statement.

There were six variations of the defeat device installed by VW and Audi starting in 2008, with Porsche implementing them later, according to Schneiderman's office. VW used the devices even after the EPA began looking into the software to determine its purpose, according to the complaint.

VW tried to cover up the problem through sham recalls that the company knew wouldn't meet the required standards and then only confessed to the defeat devices "when they knew the regulators had the goods on them," according to Schneiderman's statement.

Schneiderman's press conference included a blow-up poster of an internal email from Mark Gillies, a spokesman for VW in the U.S. to Oliver Schmidt, director of VW's environmental and engineering office in August 2004.

"Audi's V6 has exactly the same issue as VW diesels, but not public yet. They have not been caught," the email read.

Study: Fracking may worsen asthma for nearby residents

By LINDSEY TANNER, Associated Press

12:52 p.m. EDT July 19, 2016

Ithaca Journal

CHICAGO - Fracking may worsen asthma in children and adults who live near sites where the oil and gas drilling method is used, according to an 8-year study in Pennsylvania.

The study found that asthma treatments were as much as four times more common in patients living closer to areas with more or bigger active wells than those living far away.

But the study did not establish that fracking directly caused or worsened asthma. There’s also no way to tell from the study whether asthma patients exposed to fracking fare worse than those exposed to more traditional gas drilling methods or to other industrial activities.

Fracking refers to hydraulic fracturing, a technique for extracting oil and gas by injecting water,

sand and chemicals into wells at high pressure to crack rock. Environmental effects include exhaust, dust and noise from heavy truck traffic transporting water and other materials, and from drilling rigs and compressors. Fracking and improved drilling methods led to a boom in production of oil and gas in several U.S. states, including Pennsylvania, North Dakota, Oklahoma, Texas and Colorado.

Johns Hopkins University researcher Sara Rasmussen, the study's lead author, said pollution and stress from the noise caused by fracking might explain the results. But the authors emphasized that the study doesn't prove what caused patients' symptoms.

More than 25 million U.S. adults and children have asthma, a disease that narrows airways in the lungs. Symptoms include wheezing, breathing difficulties and chest tightness, and they can sometimes flare up with exposure to dust, air pollution and stress.

Previous research has found heavy air pollution in areas where oil and gas drilling is booming.

The new study was published Monday in JAMA Internal Medicine.

The researchers noted that between 2005 and 2012, more than 6,200 fracking wells were drilled in Pennsylvania. They used electronic health records to identify almost 36,000 asthma patients treated during that time in the Geisinger Health System, which covers more than 40 counties in Pennsylvania. Evidence of asthma attacks included new prescriptions for steroid medicines, emergency-room treatment for asthma and asthma hospitalizations.

During the study, there were more than 20,000 new oral steroid prescriptions ordered, almost 5,000 asthma hospitalizations and almost 2,000 ER asthma visits.

Those outcomes were 50 percent to four times more common in asthma patients living closer to areas with more or bigger active wells than among those living far away.

The highest risk for asthma attacks occurred in people living a median of about 12 miles from drilled wells. The lowest risk was for people living a median of about 40 miles away.

Dr. Norman H. Edelman, senior scientific adviser for the American Lung Association, called the study “interesting and provocative.” But he said it only shows an association between fracking

N. Rockland schools: All water fountains lead-free: Twenty-two sinks were marked as off-limits, according to the district.

By Kimberly Redmond, News

7:07 p.m. EDT July 19, 2016

The Journal Newss, lohud.com

No elevated lead levels were detected in drinking fountains at schools in the North Rockland School District, but 22 sinks were shut off after testing revealed levels above the safe water standards set by the Environmental Protection Agency, according to school officials.

Four sinks were turned off at Haverstraw Elementary school, six at James A. Farley Elementary School, two at North Rockland High School, four at Stony Point Elementary, two at West Haverstraw Elementary School and one at Willow Grove Elementary School. All samples drawn at Thiells Elementary School and Fieldstone Middle School fell within the EPA's acceptable range of less than 20 parts per billion, Superintendent Illeana Eckert said.

ROCKLAND: What's next after all those lead tests?

Altogether 420 samples from sinks and fountains across the eight district schools were drawn by Rockland BOCES Health and Safety Division technicians, according to Eckert.

The district contracted in May with Rockland BOCES Health and Safety Division to test sinks and fountains in the eight North Rockland schools. Technicians drew 420 samples.

The sinks will be retested to determine if the source is the plumbing or an accumulation in the aerators. After that, retests will be performed and if the samples are still high, officials will develop a plan for remediation, Eckert said.

Officials in the North Rockland School District, like many school districts across the state, said they were prompted to voluntarily test after seeing the contamination crisis that unfolded in Flint, Michigan and schools in Newark, New Jersey. In most schools, just a handful of fixtures were turned off after higher-than-normal levels were detected and officials are now using the summer recess to put corrective action plans into effect.

Maryland joins 2 other states in suing VW

07/19/2016

Times Union Online

The lawsuits, announced Tuesday, allege the German automaker and its affiliates broke state environmental laws by selling vehicles equipped with software that concealed true emissions in order to pass government tests. In a statement Volkswagen says it is "regrettable" that states are suing while it is in talks with authorities about a national resolution over the emissions scandal. Volkswagen says it's "regrettable" that states are filing lawsuits over diesel emissions cheating while it is still in discussion with U.S. federal and state authorities.

The lawsuits, announced Tuesday, allege that Volkswagen and its affiliates defrauded buyers by selling more than 40,000 vehicles that were equipped with software that concealed the true level of emissions in order to pass government tests. The attorneys general of New York and Massachusetts argue that did not resolve claims regarding violating state environmental laws and did not cover all the affected vehicles.

The lawsuits, announced Tuesday, allege that Volkswagen and its affiliates defrauded buyers by selling more than 40,000 vehicles that were equipped with software that concealed the true level of emissions in order to pass government tests.

EPA opposes developer's plans in East Rutherford

By LINDA MOSS, STAFF WRITER |

July 19, 2016

The Record

EAST RUTHERFORD — The U.S. Environmental Protection Agency and at least three environmental protection groups have asked the Army Corps of Engineers to deny a developer's request to dump fill in the Berry's Creek Canal as part of the construction of a 197-unit apartment building in the Meadowlands.

In addition to the EPA, the Hackensack Riverkeeper, the New York/New Jersey Baykeeper and the New Jersey chapter of the Sierra Club filed comments with the corps asking that agency not to grant the permit requested by BNE Real Estate Group of Livingston.

That company is looking to build a five-story, 328,000-square-foot apartment building adjacent to The Monarch, its 316-unit multifamily complex across from MetLife Stadium, off Route 3 east in East Rutherford.

In her agency's letter to the corps, EPA Regional Administrator Judith Enck said the proposed project "may have substantial and unacceptable adverse impacts on the New Jersey Meadowlands, an aquatic resource of national importance."

"By sending a letter like that, they're saying, 'Don't issue this permit,' " said Bill Sheehan, head of the Riverkeeper group. "It was very good that the EPA chimed in on that."

Allowing property owners to fill wetlands for commercial purposes "could potentially lead to a significant amount of the existing wetlands in the district disappearing," according to the joint filing by the Riverkeeper and the Baykeeper.

"The proposed project represents a real step backward for the New Jersey Meadowlands and directly conflicts" with the state's master plan for the area, the filing said. The Sierra Club also filed a comment opposing fill being allowed to be discharged into the Meadowlands, arguing that it would make the region even more vulnerable to flooding.

BNE Real Estate, which couldn't be reached for comment on Monday, is seeking approval to discharge roughly 26,000 cubic yards of fill material into 2.62 acres of "estuarine emergent wetlands" in the Berry's Creek Canal, a tidal tributary of the Hackensack River. To place the fill, BNE Real Estate wants to install an 830-foot-long steel retaining wall.

'Flood of problems'

In opposing the developer's plans, the EPA and the environmental groups cited the importance of protecting the Meadowlands, which supports migratory bird species and is an ecosystem with fish, invertebrates and plants. Pollution, flooding, diminished habitat areas and unclosed landfills in the Meadowlands are already threats to wildlife, and "eliminating wetlands through filling could exacerbate these problems," the Riverkeeper and Baykeeper filing said.

"This is especially urgent in a post-Superstorm Sandy world, where the capacity for wetlands to alleviate storm damage and flooding is widely known and where this region was especially hard hit," the filing said.

In its comments, the Sierra Club said, "This project would cause a flood of problems."

The Riverkeeper-Baykeeper filing also noted that Berry's Creek is a known contaminated site polluted with "mercury and other heavy metals," and the EPA won't have a final cleanup plan for the area until 2018. The proposed filling activity "would disrupt any cleanup," according to the comments by the Riverkeeper and Baykeeper.

Under the Clean Water Act, the secretary of the Army, acting through the Chief of Engineers, is authorized to issue permits for the discharge of dredge or fill into designated waters. In making such decisions, the corps solicits and weighs comments from the public and state and federal agencies.

If the corps were to decide to issue a permit to BNE Real Estate over the EPA's objections, there is a multistep process to resolve such disputes, but ultimately the EPA has veto power.

The federal agency's comments opposed to BNE Real Estate's permit "is the first step necessary in case the EPA chooses to invoke a dispute resolution outlined with the corps," said Elias Rodriguez, an EPA spokesman.

Officials at the corps declined to comment.

BNE Real Estate has said it will set aside 10 percent of its 197 proposed apartments for affordable housing, to help East Rutherford meet its requirements.

But the EPA said, "The project location does not need to be constrained to the proposed site in order to be consistent with what [the] EPA believes is the basic project purpose — to provide residential housing opportunities in the region."

The agency also said the apartment building doesn't need to be built near water.

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