Region 1

Hot Topics

Bay State Wind Submits Air Permit Application

- On May 9, Bay State Wind submitted an outer continental shelf (OCS) Air Permit application in support of the deployment of two floating Light Detection and Ranging (FLiDAR) buoys and one metocean buoy for wind energy development on the OCS. Bay State's application indicates the met buoys will be decommissioned in July 2019. As a result, Region 1 anticipates Bay State will withdraw the application in late summer prior to permit issuance.

Region 1 Staff Attend Asthma Events

- On May 14, Region 1 staff attended the Asthma Regional Council Climate Change & Asthma Summit in Boylston, MA. This event was co-sponsored by organizations supported by an EPA grant to Health Resources in Action and the NE Asthma Regional Council. On May 16, Region 1 provided information on asthma to over 300 patients and visitors at the World Asthma Day Community Health Fair at Boston Children's Hospital.

Region 1 Hosts Training on Municipal Stormwater Financing

- On May 14, Region 1 provided training to over 90 individuals through a Soak up the Rain Webinar on *Reaching Public Consensus: Stormwater Funding in Ashland, MA*. Municipal staff from Ashland, MA shared their experiences developing and implementing a stormwater enterprise fund to support their stormwater management program. Follow up assistance will be provided to participants including answers to questions asked during the webinar.

Region 1 Issues CWA Order to Town of Spencer, MA for Copper Violations

- On May 15, Region 1 issued a Clean Water Act administrative order to the Town of Spencer, MA for violations of the copper effluent limits contained in its NPDES permit. Spencer owns and operates a wastewater treatment facility that discharges pollutants to the Cranberry River. The order requires the Town to meet its copper limit by undertaking construction upgrades at the treatment plant.

Region 1 Hosts Sustainable Material Management Webinar

- On May 9, Region 1 hosted the EPA Sustainable Materials Management Web Academy Webinar on EPA's Waste Reduction Model in conjunction with HQ ORCR staff. The webinar included 525 participants from industry, education, consulting, and federal, state and local governments.

Upcoming Major Decisions and Events

Office of Inspector General Continues Risk Communication Audit at Coakley Landfill Site, NH

- The Office of Inspector General (OIG) is continuing their audit on EPA's Communication of Human Health Risks. The Coakley site in North Hampton, NH is one of the sites being evaluated. OIG has notified Region 1 their intent to move to the next review phase and will conduct a site tour on Monday, June 3. OIG has also notified the Region they may conduct public listening sessions at select sites being evaluated; though they have not decided yet whether to hold a listening session specifically related to Coakley.

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Region 2

Hot Topics:

Senator Gillibrand Introduces Legislation to Force EPA to Set Maximum Levels in Drinking Water for PFAS

- On 5/15 U.S. Senator Gillibrand introduced legislation (co-sponsored by U.S. Senator Shelley Moore Capito, R-W.Va.) to force EPA to set maximum levels in drinking water for the emerging contaminant PFAS. The Senate Environment and Public Works Committee with hold a legislative hearing on chemical pollution 5/22.

Limetree Terminals TPDES Permitting

- On 5/14 Region 2 discussed the status of the TPDES permit for the facility. Region 2 will exchange additional information to further understand the status of the TPDES permit, given the permit expired but DNER transferred permit coverage to Limetree. The divisions are evaluating the applicable regulations for transferring permit coverage after an existing permit expired. DPNR has not received a permit application.

PROMESA Update

- On 5/9 the Financial Oversight and Management Board for Puerto Rico (FOMB) announced it designated all 78 municipalities on Puerto Rico as "covered territorial instrumentalities" subject to the requirements of the Puerto Rico Oversight, Management and Economic Stability Act (PROMESA). The FOMB selected an initial group of 10 municipalities as being responsible for submitting a 5-year fiscal plan and budget for the Board's review and approval. The 10 municipalities must submit their fiscal plans by 6/7 and the FOMB expects to certify them by 6/28. On 5/9 the FOMB certified a 2019 fiscal plan for the Commonwealth. The plan includes a number of changes from the 10/18 certified plan, based on new information and fiscal priorities.

Arsenic Mine, Kent, NY

- Interim actions are currently underway on four site-related properties – and interim actions have been completed on one property. Region 2 is working on documentation for nomination to the NPL but the site may not make it into the materials for the spring update scheduled for 5/24. EPA attended two homeowner-only availability sessions on 5/14 with ATSDR, NYSDEC and NYSDOH. The afternoon session was attended by a representative from U.S. Senator Gillibrand's office. Issues discussed included: health impacts, property values, taxes and the timing of the remedial process if the site were to be listed. The meetings were well received.

Rolling Knolls, Superfund Site, Chatham, NJ

- A CAG meeting was held on 5/13. Region 2 provided a general PRP and enforcement overview. PRP's attorney provided background on performing PRP's and their role in the project. The next meeting will take place in July. At that meeting, Region 2 will outline general remedial options being considered in the Feasibility Study. Internal comments on the Department of Interior report are due by 5/17.

Nassau County, NY Judicial Settlement

- From 2008 to 2010, Region 2 inspected 33 Nassau County underground storage tank facilities on Long Island and identified widespread UST violations. As a sole-source aquifer, Nassau County's violations were concerning – and Region 2 issued a complaint on 3/31/11. The complaint was settled on 9/27/12.

The CAFO included a $400,000 penalty and two SEPs. The county failed to implement important parts of injunctive relief required by the CAFO and failed to complete either SEP. As a result, Region 2 referred this case to DOJ on 9/30/15. The EDNY negotiated a Consent Judgment (CJ) to resolve this case. Nassau agreed to pay a penalty of $427,500, perform injunctive relief and complete the SEPs. The CJ concurrence package is being assembled for signoff by RA Lopez. The CJ may be released to the County Legislature for approval either on 5/20 or 7/1.

Hudson River PCBs Superfund Site

- On 5/14 RA Pete Lopez and staff attended the first meeting of the Community Advisory Group since EPA's April 11 announcement of decisions on the Five-Year Review (FYR) and the Certification of Completion of the Remedial Action. Representatives of the NYSDEC and the NYS Attorney General's office were also present. The RA and other EPA representatives made presentations and fielded questions. Several CAG members expressed appreciation to EPA regarding the FYR decision and EPA's work on the abandoned Old Champlain Canal segments (part of the ongoing Hudson Floodplains RI/FS). The meeting was cordial and productive, with follow-up meetings planned.

Upcoming Major Decisions and Events

Newtown Creek Superfund Site, New York, NY

- At a CAG meeting on 5/15, Region 2 presented on the role of modeling and multiple lines of evidence. NYSDEC discussed some of the upland sites bordering the creek, that serves as the boundary between Queens and Brooklyn. The draft Administrative Order on Consent and Scope of Work for Operable Unit 3 were submitted to the PRP group, with an accompanying preliminary discussion on 5/14.

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Region 3
Hot Topics

Wilmington Brownfields Area-Wide Plan Completed, Wilmington, DE

- The City of Wilmington has finalized their redevelopment plan for four priority Brownfield sites in the Northeast Neighborhood/Brandywine Riverfront area of this city. Besides extensive public outreach efforts, they also coordinated with the Delaware Department of Transportation and the Wilmington Area Planning Council to incorporate the design of new roadway alignments in the same area. The final plan proposes connecting people with community resources, waterfront open space and potential new development on vacant properties. The plan will also help to serve as a catalyst for increased community education around the environmental and community value of the Brandywine River as natural resource. The plan makes the connection between efforts to improve environmental quality, especially for the river, and economic development and land-based activities. The City is already moving forward with the plan's recommendations and has applied for an EPA Brownfields Assessment Grant along with pursuing other funding sources.

Allegheny County Completed Redevelopment and Renewed Loan Program, Oakmont, PA

- On September 1, 2010 Brownfields Revolving Loan Fund grant recipient, Allegheny County, provided a $1 million loan to Edgewater Properties LLC to clean up the former Edgewater Steel RCRA Corrective Action site along the Allegheny River in Oakmont, PA. The 35-acre site was cleaned up and transformed into *Edgewater at Oakmont*, a residential community with townhouses and single-family residences. The housing development, complete with yards and porches that are affordably priced, is to include over 200 upscale homes and adjacent commercial, retail, and office space, much of which is already completed and occupied. Allegheny County plans to continue their success with the principal and interest of the $1 million loan that has been repaid.

EPA Approves and Conditionally Approves Pennsylvania Rule Addressing RACT for the 1997 and 2008 Ozone Standards

- On May 9, 2019, EPA published a final rulemaking notice (FRN) in the Federal Register approving in part and conditionally approving in part a state implementation plan (SIP) submitted by the Commonwealth of Pennsylvania. The SIP submittal addresses reasonably available control technology (RACT) for major sources of nitrogen oxides (NO_X) and volatile organic compound (VOC) for the entire state of Pennsylvania. This rule is required to meet the Clean Air Act's (CAA) requirement to have rules in place to control emissions from major sources not otherwise subject to control technique guidelines. EPA held a 30-day public comment period during which EPA received significant comments from Connecticut, Maryland, New Jersey, New York, the Sierra Club, GenOn Energy, Olympus Power, Friends of Pennsylvania, and other anonymous commenters.

- The FRN approves portions of Pennsylvania's "Additional RACT Requirements for Major Sources of NO_X and VOCs," (the RACT II Rule) and conditionally approves the remaining portions based on Pennsylvania's commitment to submit additional enforceable measures that meet RACT. Pennsylvania must submit additional SIP revisions by May 9, 2020 to meet their commitment otherwise the portions that are conditionally approved automatically become disapproved.

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EPA joins WV for Joint Coordination Meeting at Stonewall Jackson Dam

- On May 8-9, EPA staff from convened at the Stonewall Jackson Dam for a joint coordination meeting with WV Department of Environmental Protection, WV Division of Natural Resources, Fish and Wildlife Service, and Army Corps of Engineers Huntington and Pittsburgh Districts. This event covers issues such as staffing updates, program-specific initiatives, Regulatory Guidance Letters, Endangered Species Act changes; enforcement actions and concerns among regulatory stakeholders for the CWA, Section 404 program in West Virginia. Interest was expressed in changes related to Waters of the United States.

Upcoming Major Decisions and Events

Regional Administrator Cosmo Servidio has the following events and meetings scheduled

- May 22 Meeting with Tommy Wells, Director, DC Department of Energy & Environment regarding Anacostia River Cleanup

Region 4

Hot Topics

Westside Lead Investigation (Atlanta, GA)

- *Key Message:* The Region is coordinating with the City of Atlanta, Georgia Environmental Protection Division, and ATSDR to address potential lead contamination in soil at residential properties on the westside of Atlanta. This area is undergoing a significant economic shift due to the expansion of the Atlanta Beltline and the new Mercedes Benz Stadium. We will begin door to door outreach to conduct lead soil sampling at the identified residential properties. Once sampling results are finalized, we will hold a community meeting. We anticipate that this will receive press and political interest.

Upcoming Major Decisions and Events

White House Opportunity and Revitalization Council

- The Acting Regional Administrator will be traveling to Orlando on May 20th and Tampa on May 21st to support the national opportunity zone effort hosted by the White House Opportunity and Revitalization Council (WHORC). Scott Turner, Executive Director of WHORC, will also be present. This event will include multiple roundtables and tours with various external stakeholders in each respective area. Closed Press.

Proposed rule for Relaxation of the Federal Reid Vapor Pressure Gasoline Volatility Standard

- Atlanta, Georgia was published on May 14, 2019, with a 30-day comment period.

The Denbury Consent Decree was published in the Federal Register on May 14, 2019, with a 30-day comment period.

Florida Final authorization was published in the Federal Register on May 10, 2019.

Meridian CWA Consent Decree was forwarded to the Department of Justice on May 14, 2019 for lodging.

Paducah Formal Dispute Resolution for the C-400 Removal Notification SEC level dispute – May 31, 2019

Paducah Formal Dispute Resolution for the Engineering Evaluation/Cost Analysis SEC level dispute - May 31, 2019

Region 5

Hot Topics

Illinois Congressional Delegation Has Requested EPA to Inspect All Region 5 EtO Facilities

- Key Message: In a May 15 letter to RA Stepp, the delegation asked EPA "to immediately begin an EtO emissions inspection at all Region 5 facilities, for both fugitive and stack emissions, and make these inspection data publicly available."

Region 5 is coordinating with OCIR and OAQPS on a response

- The letter was signed by Sens. Durbin and Duckworth, and Reps. Lipinski, Schneider, Foster, Casten and Underwood.

Region 5 to Meet with Elected Officials to Discuss Lake County, Ill., EtO Concerns on May 20

- Key Message: EPA and Illinois EPA are coordinating their efforts to respond to two EtO emissions sources in Lake County—Vantage and Medline. This meeting will provide elected officials an opportunity to receive updates.

- Vantage, a chemical plant in Gurnee, installed additional control equipment earlier this month and is continuing to evaluate strategies to reduce its fugitive emissions. Medline, a sterilizer in Waukegan, has applied for a construction permit from Illinois EPA to install additional control equipment, and the application is currently under review by the state. In addition, the Lake County Health Department will begin monitoring for EtO near each source on June 1, with EPA providing technical assistance.

US Steel Discharge to Lake Michigan in Portage, Ind.

- Key Message: The Region is working with Indiana to ensure the incident is fully investigated.

- On May 9, US Steel reported a discharge of process wastewater to Burns Ditch, just upstream of Lake Michigan. According to initial reports from IDEM, the incident was due to equipment failure resulting in the release of potential chromium-bearing wastewater into the facility's wastewater treatment plant. The issue was resolved by May 10 and preliminary sampling results indicate that no permit effluent limits were exceeded during the event, including limits of hexavalent and total chromium. US Steel reported that the wastewater contained cleaning solution for steel pickling lines, not chromium-bearing pickle liquor.

- In April 2017, a failed expansion joint on a process wastewater pipeline within the facility resulted in the discharge of hexavalent chromium and total chromium to Burns Ditch. The matter was referred to the U.S. Department of Justice, and a consent decree with US Steel, EPA, IDEM, DOJ and other federal partners was lodged in April 2018 to address violations and recover response costs.

Region 5 Removal at AB Specialty Silicones, LLC in Waukegan, Ill.

- Key Message: The AB Specialty Silicones site has been released by the coroner and fire marshal, safety evaluations are underway, and removal activities continue.

- Safety evaluations are underway to identify areas of concern that will require mitigation to allow for safe entry into the plant for an assessment of any ongoing or potential releases of CERCLA hazardous substances from above-ground storage tanks, drums and totes. EPA is coordinating with the Chemical Safety Board (CSB) and OSHA to ensure all parties are aware of what actions are being taken to mitigate imminent threats and to ensure the preservation of evidence. Removal actions continue along the storm sewer system and its eventual outfall to a drainage ditch, wetlands area and Osprey Lake. Containment boom has been deployed, and active recovery measures are underway while longer-term tactics are developed. On May 3, a massive explosion at facility left four workers dead and could be felt for miles.

EPA to Announce $26 Million Cleanup of Grand Calumet River in Northwest Ind.

- Key Message: The cleanup will begin this month on Lake George Canal in the cities of East Chicago and Hammond, Ind.

- The waterway is part of the Grand Calumet River Area of Concern on Lake Michigan, identified by the United States and Canada as one of 43 toxic hotspots in the Great Lakes basin. Work will be funded through a cost-sharing partnership with the East Chicago Waterway Management District, Atlantic Richfield Co. and BP Products North America. EPA anticipates the cleanup will be completed in 2020.

Franklin, Ind., Public Write-in Campaign Received by EPA Emergency Response Team

- Key Message: The ERT has received about 50 postcards from members of the public seeking "comprehensive testing and an action plan" for Franklin, Ind. Region 5 is coordinating with ERT and will be taking the lead in responding to residents.

- Franklin residents feel that EPA is not doing enough to address perceived widespread contamination in the community and believe that they "qualify for the special response team." In Franklin, EPA's focus in on the Amphenol corrective action while Indiana Department of Environmental Management takes the lead on a couple other contaminated sites. Last week the Office of the Inspector General hosted a public meeting in Franklin to receive comments about EPA's risk communications at the site.

State of Illinois is Not Fully Implementing Drinking Water Primacy Requirements

- Key Message: Next week the Region will send the state a Corrective Action Plan laying out the findings from the joint Public Water System Supervision (PWSS) program review.

- A final report of the joint file review and enforcement verification of Illinois' PWSS Program was transmitted to Illinois on Feb. 4, 2019. The Public Water System Supervision program is administered by the Illinois EPA and Illinois Department of Health. While both IEPA and IDPH accomplish a great deal to protect public health with severely limited resources, the region found instances where the state is not implementing or partially implementing primacy requirements. This was particularly true with the Non-Community Program, which is led by IDPH. This has been a long-standing issue due to the state's severely limited resources. The state has been made aware of the incoming Corrective Action Plan and is expected to make commitments on how they plan to address each of the findings.

EPA to Announce Great Lakes Restoration Initiative Request for Applications

- Key Message: The RFA covers $14 million in Great Lakes Restoration Initiative (GLRI) grant funding. The announcement details are being coordinated by Region 5, OW and OPA.

- The RFA is expected to include the following categories: riparian restoration to reduce runoff to the Maumee River; green infrastructure to reduce stormwater runoff; manure management to reduce nutrient runoff from farms; accelerating adoption of nutrient management through farmer-led outreach and education; and water quality trading and other market-based approaches for phosphorus reduction. Work in all five categories will yield nutrient and runoff reductions to the Great Lakes and their tributaries. EPA expects to fund about 30 projects in total.

HUD/White House Council on Opportunity and Revitalization Council Visited Chicago May 14-15

- Key message: COS Kurt Thiede participated in a series of round tables with local Chicago investors, businesses and non-profit leaders hosted by the White House Council on Opportunity and Revitalization.

- The Council's Executive Director, Scott Turner, was pleased by the regional EPA presence at the sessions and our willingness to add value to conversation about the role of federal government in supporting local revitalization efforts.

- The new HUD/White House Council on Opportunity and Revitalization is visiting cities across the nation with Qualified Opportunity Zones (QOZs) to build relationships with various key stakeholders. These visits include a series of roundtable discussions and site visits with public officials, including elected office holders; QOZ developers, investors, entrepreneurs and bankers; community activists and leaders in the non-profit sector and in education.

Residential Sampling Initiated in Glendale, Wis.

- Key Message: Soil sampling of the residential properties at the Bridgewood Lane Area site began the week of May 13.

- EPA, along with Wisconsin DNR, began residential soil sampling at the Bridgewood Lane Area site the week of May 13 following previous sampling of the school, public rights-of-way and baseball fields. EPA identified 26 targeted residential properties potentially impacted by lead contaminated fill. After the removal site evaluation is completed in the neighborhood and analytical results received, potential next steps will be evaluated.

EPA/IDEM to Hold Joint Public Comment Period for Safety-Kleen System PCB Permit Renewal/Modification

- Key Message: Safety-Kleen's East Chicago, Ind., facility is seeking a permit modification for their treatment technologies and to renew their storage approval. The public comment period is expected to begin next week.

- Safety-Kleen has had a PCB Approval from EPA since 1998 to treat PCBs in used oil and for commercial storage. The facility treats the PCBs in used oil using hydrotreatment. This process is preferred to incineration because the oil is recycled and there are no air emissions. On June 4, 2019, a joint EPA/IDEM public meeting and hearing will be held in East Chicago, Ind. It is anticipated that there will be significant interest in this decision. The Safety-Kleen facility is near the Indiana Harbor CDF which was granted PCB-disposal approval in 2018 despite some community opposition.

Upcoming Major Decisions and Events

Region 5 to Host Follow-up Meeting with State Farm Bureaus on May 16

- Key Message: On May 16, Region 5 met with the six state farm bureaus to provide updates on Agency activities and to gain more knowledge on pressing issues that may be affecting the agricultural sector.

- This meeting is a follow-up meeting to a December 2018 meeting with the farm bureaus. Agenda items include updates on EPA priorities, discussions on nutrients and water management practices, livestock NPDES permitting programs, and crop protection regulations.

Region 5 to Host National Water Division Directors' Meeting May 22-23

- Key Message: The meeting brings together senior leadership from the Office of Water and regional water division directors to discuss critical policy issues, current budget matters, and strategic approaches to ensure water program goals are met.

- Key topics to be discussed during the meeting include America's Water Infrastructure Act (AWIA), the Water Reuse Action Plan (WRAP), performance measurements, and nutrients/water quality trading. As lead region for the Office of Water for FY17-19, Region 5 is organizing the meeting.

Bubbly Creek Briefing with Representative Dan Lipinski (IL-03) May 22

- Key Message: Representative Dan Lipinski has requested an in-person briefing with EPA, the Corps, and DOJ (not attending).

- EPA Region 5 will participate in the meeting, in person, and by phone. The meeting is expected to be similar to the previous briefing that took place in September of 2018, where the parties discussed the status of the restoration/remediation activities, as well as finalization of an agreement for the South Fork of the South Branch of the Chicago river, i.e. Bubbly Creek.

RA Stepp and COS Thiede Traveling to DC May 22-23 to Attend RA Meeting

Region 6

Hot Topics

B.F. Goodrich Site, Miami, Oklahoma

- On May 9, EPA and officials from the Oklahoma Department of Environmental Quality (ODEQ) met with the City of Miami officials, the Ottawa County Commissioner, and representatives from the Miami Emergency Management, Miami Risk Management, Miami public schools, and Miami Community Development to discuss the emergency removal action at the former B.F. Goodrich tire plant. EPA also met with officials from the Local Environmental Action Demanded Inc., a community advocacy group.

Denka Performance Elastomer, LaPlace, Louisiana

- EPA and Denka Performance Elastomer continue to discuss the need for continuous monitoring of chloroprene concentrations at its facility in LaPlace, LA.

Georgia-Pacific Crossett Consent Decree, Arkansas

- The Department of Justice has not filed the motion to enter the consent decree, originally planned for May 10, because of potential modifications requested by Georgia-Pacific Crossett. Discussions are ongoing about possible modifications on the consent decree lodged on December 14, 2018. The potential modifications will require public notice and comment before final entry.

Eagle Picher Carefree Battery Superfund Site, Socorro, New Mexico

- On May 16, EPA plans to attend a meeting held by New Mexico State Senator Gabriel Ramos at the Eagle Picher Site in Socorro, NM. The New Mexico Environment Department, the City of Socorro, and the New Mexico Institute of Mining and Technology (New Mexico Tech) plan to discuss ongoing and planned site work; communication between government entities and New Mexico Tech; and available resources for community involvement.

Indorama GMAP survey with NEIC, Lake Charles, Louisiana

- On May 23, EPA and NEIC inspectors will perform a GMAP survey in and around the Indorama Ventures Olefins, LLC, Lake Charles Facility. The facility was shut down in 2001 but was purchased in 2015 by Indorama and has been undergoing construction since then to restart operations at the facility. Since December 2018, the facility has experienced several incidents in which benzene-laden waters were released from the facility. EPA and LDEQ continue to receive reports of benzene odors in the area.

Texas Title V Petition Resolution Letter

- By May 24, EPA plans on responding to TCEQ's June 2018 letter and subsequent discussions on how to resolve long-term EPA objections to Texas Title V air permits.

Unregistered Pesticide, Lewisville, Texas

- On May 28, EPA and the Texas Department of Agriculture (TDA) plan to conduct a FIFRA inspection at the Bachman Water Treatment Plant in Dallas, Texas. Because zebra mussel is a common issue across the United States, the Region is working with OECA and OPPTS on outreach to the regulated community.

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Upcoming Major Decisions and Events

St. Bernard Parish, Louisiana

- By May 21, Region 6 anticipates final action on the supplemental notice of proposed rulemaking for the SO2 attainment demonstration for St. Bernard Parish. RAIN, a carbon calciner, and LDEQ have agreed on new emissions and operating limits.

Arkansas NAAQS Major Source Permitting SIP Revision, Arkansas

- By May 24, Region anticipates a proposed action for ADEQ's NAAQS major NSR/Regulation19 and 16 regulatory revisions. EPA received a request from ADEQ on April 3 withdrawing several pending SIP revisions related to GHGs.

Houston Area Ozone Exceptional Events, Texas

- By May 24, Region 6 intends to act on TCEQ's initial notification of potential exceptional events for ozone on July 26 and 27 and August 23 and 24, 2018, in the Houston/Galveston/Brazoria Area.

DFW 2008 Ozone Attainment Demonstration, Texas

- By May 29, Region 6 intends to finalize an action to bump up the DFW area from moderate to serious for the 2008 Ozone NAAQS.

Houston/Galveston/Brazoria 2008 Ozone Attainment Demonstration, Texas

- By May 29, Region 6 intends to reclassify the HGB area from moderate to serious under the 2008 ozone NAAQS. The public comment period closed on February 22

Albuquerque 2nd Set of Air Permit SIP Revisions, New Mexico

- By May 30, Region 6 intends to propose approval on second set of pending air permit related SIP revisions from Albuquerque/Bernalillo County on changes to the their NSR rules to exempt gasoline dispensing facilities and emergency RICE engines from permitting.

Oklahoma Annual update, Oklahoma

- By June 18, Region 6 anticipates final approval of miscellaneous revisions to the Oklahoma SIP regulations. The Region received adverse comments on the proposal and is working through the responses with OGC.

- **May 20** NMED/EPA Leadership Retreat, Santa Fe, New Mexico
- **May 21-22** EPA Small Drinking Water Systems Workshop, Addison, Texas
- **May 22-23** National RA Meeting, Washington, DC
- **May 29** TCEQ/EPA Leadership Retreat Austin, Texas

Region 7
Hot Topics

Intergovernmental Outreach on Ethylene Oxide (EtO) in Jackson, Missouri – Outreach Event

- Key Message: Region 7 and MoDNR met with federal, state and local elected officials on May 13, in Jackson, Missouri, to discuss the EPA's National Air Toxics Assessment relating to Ethylene Oxide from Midwest Sterilization. The meeting went well and included the Mayor, Alderman, Chamber of Commerce, MoDNR and staffers from Senator Blunt's office. Next steps are to discuss the best way to engage the broader community on this issue and timing.

- As a result of the EPA's National Air Toxics Assessment, EPA Region 7 and Missouri Department of Natural Resources are working together to evaluate and address two Missouri plants which report ethylene oxide emissions.

- EPA Region 7 and MoDNR have since been actively working with both facilities to gain a better understanding of how ethylene oxide is used, analyzing current information and discussing voluntarily emission reductions.

- While the assessment efforts continue in Jackson and Verona, the EPA and MoDNR will be meeting with federal, state and local elected officials, as well as, local community leaders, organizations and members of the public. The EPA and MoDNR will work together to ensure the emissions from the two facilities meet all air permitting requirements and that public health and the environment are protected.

Superfund Cleanup Completion at American Zinc & Lead Smelting Site

- Key Message: EPA has completed work on a 20-year long Superfund removal cleanup action at the American Zinc and Lead Smelter Site in Caney, KS

- The American Zinc and Lead Smelter Site is a former lead and zinc ore smelting operation that operated in Caney, KS from 1907-1920. Results of soil and surface water analyses conducted in 1990-1992 indicated elevated levels of heavy metals at the site including, but not limited to, lead, zinc, and cadmium.

- Starting in 1999, the Responsible Party conducted a Superfund removal cleanup action that included excavating soils in the former smelter area (currently the Caney High School and athletic fields) and creating an on-site repository pursuant to an Administrative Order on Consent. The action also included long-term maintenance of the repository including leachate collection.

- In 2018, KDHE was awarded long-term care of the site during a bankruptcy settlement involving the Responsible Party. KDHE and Kansas Department of Wildlife, Parks, and Tourism negotiated a Long-Term Care agreement with and Environmental Use Control which was filed in April 2019.

- Due to the transfer of the Post Removal Site Control to KDHE, the site has been transitioned to state oversight and EPA has officially completed and closed the cleanup action.

Union Pacific Rail Car Derailment and Fuel Release Response

- Key Message: On May 9, EPA Region 7 responded to a rail car derailment near Buffalo, KS that involved the release of over 1800 gallons of lube oil and based on the progression of the cleanup subsequently delegated the remediation oversight to the state.

- On Tuesday, May 8, a Union Pacific train derailed near Highway 39, approximately two miles south of Buffalo, Kansas. Nineteen cars derailed from the train through a corn field. One of the rail cars contained lube oil, which had a release of 1,893 gallons from one of its 3 compartments.

- The oil release threatened tributaries to the Buffalo River and EPA on-scene coordinators responded to the scene on May 9.

- After assessing the incident and related response actions, EPA determined that threats to waterways had been mitigated sufficiently and that longer-term remedial actions (soil cleanup) would be overseen by the state of Kansas.

National Rollout and Regional Amplification for National Priorities List Update

- Key Message: By adding Sporlan Valve Plant #1 in Washington, Missouri, to the National Priorities List EPA's action will clean up the site, protect the health of the local community, and return the site to safe and productive reuse.

- EPA announced the addition of seven hazardous waste sites to the Superfund Program's National Priorities List (NPL) on May 13. These additions represent commitments from the Agency to advance cleanups to protect communities across the country.

- The Sporlan Valve Plant #1 site is now a vacant lot in the middle of a residential area.

- Trichloroethylene (TCE) was used at the former facility as a degreaser and industrial solvent. A release of TCE to the ground occurred, potentially over several decades, resulting in contaminated soil and groundwater beneath the facility.

- EPA Region 7 Superfund Division has been working with the Mayor and other local officials who were supportive of the designation and seek to redevelop a cleaned-up site.
- The region issued a news release and called interested reporters, resulting in a news article in the St. Louis Post-Dispatch, and a story by the Associated Press.

Upcoming Major Decisions and Events

- On May 20, the Regional Administrator will be touring flood impacted areas in southwest Iowa and EPA's response activities. The RA will travel to flood impacted areas in southwest Iowa on May 20 to observe EPA flood response activities being conducted by the regional Superfund program. The half-day tour will be conducted be EPA Superfund management and emergency response staff. The purpose of the tour is to familiarize the RA with the Iowa flood impacts and related response work and will not include any meetings with state or local representatives.

- On May 23, Regional Administrator Jim Gulliford will be attending the Regional Administrators Face-to-Face Meeting.

Region 8

Hot Topics

North Dakota Department of Environmental Quality issued press release about manganese in drinking water

- NDDEQ recommended levels of manganese that should not be exceeded in drinking water based on EPA Health Advisory levels. The State is requiring 11 small public water systems to directly notify the public served of manganese levels in drinking water above health advisory levels. The advisories recommend infants and the general population not drink the water where levels exceed corresponding health advisories.

Colorado Smelter Superfund Site, Pueblo, Colorado

- Attorneys from the Sargent Shriver National Center on Poverty Law and Northwestern University requested an interview with EPA to discuss what is being done on the ground at the Colorado Smelter Site. The Shriver Center/Northwestern group is working on a report on environmental contamination and federally assisted housing that will highlight the work being done around the country. They have mapped the overlay of federally assisted housing with Superfund sites across the country. Superfund Remedial management has reached out to HQ to coordinate the regional response.

Upcoming Major Decisions and Events

A Delegation from the Brazilian Water Quality Agency will visit Region 8 May 20

- Representative from the Brazilian federal water quality agency will visit Region 8 to learn about how we monitor and manage nutrient and mining water quality impacts. Presentations on the use of Water, Superfund and NEPA statutes to protect water quality will be followed by locally hosted tours of Denver stormwater mitigation projects, the Metro Wastewater Reclamation District treatment plant and Barr Lake and Milton Reservoir.

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Region 9

Hot Topics

Pacific Island Territories

- Guam Governor Lou Leon Guerrero met in San Francisco with federal agencies to discuss her priorities for Guam and ways to strengthen our partnership.

- We at EPA met with USDA to pursue options for funding a new Guam EPA office to replace their dilapidated workspaces.

- We finalized two consent orders with the American Samoa Shipyard Services to address CWA and RCRA violations at its Satala Shipyard and an inland facility. The order will drive strengthened onsite pollution-prevention practices and removal of 80 drums of hazardous waste.

Upcoming Major Decisions and Events

- Marine Debris: next Monday, RA Mike Stoker will meet with representatives of The Ocean Cleanup, a Netherlands-based organization which has deployed a curved boom in the outer Pacific Ocean to trap and collect marine debris. They are returning to update us on repairs to the boom and next steps, as part of the RA's priority regarding oceans and marine debris.

- Tribes: RA Mike Stoker will welcome tribes to the quarterly Tribal Operations Committee meeting next week in the San Francisco Regional Office. He'll meet with elected tribal leaders, present TAS awards to the Navajo Nation and Goshute tribes, and host an all-day plenary session as part of the three-day convening. He'll meet with the Pechanga Tribal chairman regarding a specific CAA monitoring station issue which affects their attainment status. We appreciate the participation of OITA and OW colleagues in various workshops.

- Emergency preparedness: RA Mike Stoker will meet with CA Office of Spill Prevention and Response leaders in the Regional Office next Wednesday.

- CAA: the RA will sign a Federal Register notice proposing to approve the South Coast AQMD (CA) attainment plan for the 2008 8-hour ozone standard. The plan includes updated attainment demonstrations for the 1979 1-hour and 1997 8-hour ozone standards we are approving in this action.

- Urban Waters/Brownfields: we are hosting a technical assistance charette for the City of Phoenix and local partners focused on the Salt River/Rio Salado corridor on May 20-22.

Region 10

Hot Topics

Oregon Legislature Passes Environmental Rollback Bill

- On Tuesday May 14th the Oregon Senate passed HB 2250, sending the bill to the Governor for further action. She is expected to sign it into law. The new law will require the Oregon Department of Environmental Quality and Oregon Health Authority to assess changes to federal policies under the Clean Air Act, Clean Water Act, and Safe Drinking Water Act since January 19th, 2017, and to determine whether such changes are "significantly less protective" to public health or environment. In such cases the agencies would then have to recommend or take actions to ensure that Oregon's standards are at least as protective as the previous federal standards. Certain industry and environmental opponents to the bill have expressed concern about resource scarcity at ODEQ and OHA and impact on already existing responsibilities of the two agencies.

Fairbanks $PM_{2.5}$ Serious Area Attainment Plan released for Public Comment

- On May 14 the Alaska Department of Environmental Conservation released the Fairbanks $PM_{2.5}$ Serious Area Attainment Plan for public comment as part of the state's regulatory process. As the area did not attain the $PM_{2.5}$ standard by December 2015, it was reclassified to serious nonattainment in June 2017 which triggered the requirement for a new plan. This serious area nonattainment plan will need to meet all of the Clean Air Act planning requirements including evaluating Best Available Control Measures/Technologies and selecting all that are technologically and economically feasible. The public comment period is open through July 26, 2019. http://dec.alaska.gov/air/anpms/communities/fbks-pm2-5-proposed-regulations .

- Region 10 will review the plan and coordinate with headquarters to develop a comment letter to submit during the comment period.

Upcoming Major Decisions and Events

Region 10 Administrator to Meet with Members of Congress While in DC

- On May 22nd, Regional Administrator Chris Hladick will meet with up to eight members of Region 10's Congressional delegation or their senior staff. The meetings are still being confirmed, but we expect the RA will meet with members from each Region 10 state including Senator Lisa Murkowski (AK), Congressman Mike Simpson (ID), Congressmen Greg Walden and Peter DeFazio (OR) and Congressman Derek Kilmer (WA) and Congresswoman Cathy McMorris Rodgers (WA). Region 10 is coordinating with OCIR on these visits.

City of Nampa Idaho Pisces Award Ceremony

- On May 20th Region 10's Idaho Office Director will present the Mayor of Nampa and the public works staff with EPA's 2018 Pisces Award. The Award recognizes performance and innovation in using the State Revolving Fund to create environmental success. Nampa is being recognized for their major treatment plan upgrade, using the CW-SRF program administered by Idaho DEQ to secure $165 million in financing. This financing package is estimated to save the City nearly $40 million over other financing options.

- Puget Sound Georgia Basin International Airshed Meeting: On May 22 and 23 Region 10 will host the spring 2019 Puget Sound Georgia Basin International Airshed meeting. This meeting provides an opportunity for air quality managers and scientists from different agencies in our joint airshed to meet and discuss issues of mutual interest. The Canada-US Air Quality Agreement dates back to 1991 and the IAS PSGB was formalized in 2002. The meeting will focus on topics including: wildfires and their health impacts, climate change, port projects, regional haze, environmental impacts of cannabis production, regional sulfur dioxide issues, and low-cost sensors.

Office of Air and Radiation

Hot Topics

Tracking SIP Actions

- Total Number of SIPs submitted to Regions in FY 2019: 197
- Total Number of SIP Submittals with Final Action taken by the Regions in FY 2019: 169
- Total Number of Pending SIPs: 786

Packages for Signature

- Revision to Appendix P to 40 CFR Part 51, Concerning Minimum Emission Reporting Requirements in SIPs
- Extension of Start Date for Revised Photochemical Assessment Monitoring Stations

Packages at (or soon to be at) OMB for Review

- PM2.5 Precursor Demonstration Guidance
- Reclassification of Major Sources as Area Sources Under Section 112 of the Clean Air Act (Proposed Rule)
- Vehicle Test Procedure Adjustments for Tier 3 Test Fuel (Proposed Rule)
- Prevention of Significant Deterioration (PSD) and Nonattainment New Source Review (NSR): Project Emissions Accounting (Proposed Rule)
- 2020 Ozone Depleting Substances Phaseout Rule (Proposed Rule)
- Amendments Related to Marine Diesel Engine Emission Standards (Proposed Rule)
- ACE (Final Rule)
- RFS: Standards for 2020 and Biomass-Based Diesel Volume for 2021, Response to the Remand of the 2016 Standards, and Other Changes (Proposed Rule)
- Exceptional Events Guidance: Prescribed Fire on Wildland that May Influence Ozone and Particulate Matter Concentrations – in OP
- RFS Reset (Proposed Rule) – in OP

Upcoming Major Decisions and Events

- No updates to report

Office of Chemical Safety and Pollution Prevention

Hot Topics

Rulemakings at OMB

- Regulation of Persistent, Bioaccumulative, and Toxic Chemicals Under TSCA Section 6(h), NPRM
- Review of the Dust-Lead Hazard Standards and the Definition of Lead-Based Paint, Final Rule
- Ag WPS Revision to Application Exclusion Zone (AEZ) Requirements, NPRM

Rules/Guidance Out for Public Comment

- TSCA Section 8 (a) Chemical Data Reporting Revisions: closes June 24
- Procedures for Review of CBI Claims for the Identity of Chemicals on the TSCA Inventory: closes June 24
- Draft Guidance for Plant Regulators, Including Plant Biostimulants: closes July 28
- Draft Revised Method for National Level Endangered Species Risk Assessment Process for Biological Evaluations of Pesticides: closes July 1

Past Events

- On May 15-16 HQ and regional EPA representatives met with Pollution Prevention (P2) grantees in Denver. EPA provided insight into changes in reporting. Participants also learned about innovative field implementation approaches and issues.

Upcoming Major Decisions and Events

Mercury Inventory Reporting Rule Webinars

- OCSPP will host webinars May 21 & 23 for reporters under the rule, which requires manufacturers, importers, and others using mercury in manufacturing to submit data through EPA's online Mercury Electronic Reporting application. EPA will compile the information in triennial U.S. inventories of mercury supply, use, and trade.

PBPK Workshop on Risk Assessment

- Dr. Cecilia Tan (OPP Senior Physical Scientist) will present three lectures at a "Physiologically Based Pharmacokinetic (PBPK) Workshop on Risk Assessment" on May 23-24 in Seoul, South Korea. The workshop is sponsored by the Republic of Korea's Ministry of Food and Drug Safety (MFDS). Workshop participants will include practitioners, researchers, students, and government workers.

Training on Evaluating Toxicology Information Using Modern Science

- The Physicians Committee for Responsible Medicine (PCRM) and the Institute for In Vitro Sciences (IIVS) Training have partnered to host a training on evaluating toxicology information using modern science on May 21-22 in Gaithersburg, MD. The training is part of the New Approach Methodology (NAM) Use for Regulatory Application (NURA) series. The goal of NURA is to unite industry, government, academia, and other interested stakeholders to promote regulatory NAM development and implementation via training and focused events. OPP's Dr. Monique Perron will present on opportunities for bridging and waiving studies for pesticide registration, highlighting the significant progress that OPP has made toward adopting non-animal approaches and study waiver processes.

Office of the Chief Financial Officer

Hot Topics

On Thursday, the House Appropriations Subcommittee passed their FY 2020 budget bill along party lines

- The bill provides a total of $9.52 billion in funding for EPA – $672 million above the 2019 enacted level and $3.42 billion above the President's Budget request.
- Large increases were proposed for the Clean Water and Drinking Water State Revolving Funds, Geographic Programs, Environmental Justice, and scientific and regulatory work on per- and polyfluoroalkyl substances.
- No amendments were offered.
- OMB intends to send a letter to the Hill this week expressing their position on the funding levels.
- The bill will now advance to the Full House Appropriations Committee markup on May 22 at which time amendments will likely be offered.
- OCFO is working with agency program offices to finalize the Senate Appropriations Subcommittee FY 2020 Budget Hearing transcript and inserts. OCFO continues to work with OCIR, OGC and the programs to prepare responses to the Questions for Record from the SAC and HAC.

Upcoming Major Decisions and Events

- On May 17, OCFO will brief the Acting Deputy Administrator/Chief of Operations on results of the FY 2019 strategic reviews and risk assessments and proposed topics for the upcoming June 25 OMB/EPA Strategic Review. OCFO will provide the 11 strategic objective "dashboards" and draft June 25 agenda to OMB on May 23 for review.
- OCFO is working with the Office of Continuous Improvement on EPA's response to the Cross-Agency Priority (CAP) 6, Shifting from Low Value to High Value Work, due to OMB on May 24. This the first of twice-yearly government-wide reporting of key agency actions taken to reduce burden and improve efficiency and effectiveness of operations. EPA's input may potentially be available to the public on www.performance.gov in the future.

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Office of the Congressional and Intergovernmental Relations

Hot Topics

- May 21- Senate Committee on Energy and Natural Resources will hold a full committee hearing to Examine Renewable Energy and Energy Efficiency Efforts in the United States

- May 21 - Senate Committee on Agriculture, Nutrition, and Forestry is scheduled to hold a hearing on Climate Change and the Agriculture Sector

- May 21 -House Committee on Energy and Commerce's Subcommittee on Oversight and Investigations will hold a hearing to examine the EPA's work to address mercury and other air toxic emissions. EPA has been invited to provide a witness.

- May 21 - House Science, Space, and Technology's Subcommittee on Investigations and Oversight will hold a hearing entitled, "The Need for Resilience: Preparing America's Transportation Infrastructure for Climate Change."

- May 22 – Hearing before the House Transportation and Infrastructure Subcommittee on Water Resources and Environment regarding EPA's FY20 budget. Barry Breen (OLEM) and Benita Best-Wong (OW) to testify

- May 22 – Legislative Hearing before the Senate Environment and Public Works Committee on PFAS bills (no EPA witness)

Upcoming Events

- May 21 – SEPW briefing request on nutrient pollution efforts w/OW

- May 22 (tent.) – Kildee (MI) call on groundwater testing bill w/OW

- May 22-23 - EPA staff from the Office of Water and OIR will participate in the Club 20 Annual Meeting as the organization hosts thirty or more civic leaders from Western Colorado to meet with elected and appointed Federal Agency officials to discuss issues of interest to their region. EPA staff will provide updates and overviews on: (1) EPA's Water Quality and Water Quantity Priorities-focusing on rivers and watersheds interests of the coalition; (2) EPA's Water Reuse Action Plan; and, (3) WIFIA. Brit Carter, Director of Intergovernmental Relations, will lead the EPA contingent.

- May 22-Briefing for Congressman Dan Lipinski (D-IL) on the Bubbly Creek restoration plan. (EPA HQ & R5, U.S. Army Corps of Engineers)

Office of Enforcement and Compliance Assurance

Hot Topics:

Policy Against Using Enforcement as Retaliation Against Regulated Entities

- On May 10, 2019 during the EPA's observance of the National Small Business Week, OECA Assistant Administrator Susan Bodine sent a memorandum affirming OECA's policy and practice against using enforcement as retaliation against regulated entities. OECA has now reaffirmed this policy three times in the past twenty years, showing that OECA recognizes the importance of small businesses feeling free to comment to the EPA or to the Small Business Administration's Office of the National Ombudsman regarding without fear of retaliation. OECA is not aware of a single instance of retaliation in the history of the EPA's enforcement and compliance assurance program. Each year the Small Business Administration Office of the Ombudsman rates each government agency, and the existence of a non-retaliation policy is part of the rating criteria. EPA has received an "A" rating every year since 2005.

Draft Policy for Enhancing Regional-State Planning and Communication on Compliance Assistance Work in Authorized States

- On May 13, 2019, OECA's "Draft Policy for Enhancing Regional-State Planning and Communication on Compliance Assistance Work in Authorized States" was published in the Federal Register for a 30-day public comment period. The policy sets out expectations and procedures for enhancing planning and communication on civil enforcement work between EPA and States that are implementing Federal environmental programs and updates an interim guidance published by OECA in January 2018.

Upcoming Major Decisions and Events

- No updates to report this week.

Office of General Counsel

Hot Topics

***Waverley View Investors, LLC v. U.S.*, No. 18-1785 (Fed. Cir. May 5, 2019)**

- New Decision: In a short *per curiam* decision, the Federal Circuit affirmed a Court of Federal Claims finding of a limited physical taking resulting from the government's placement of groundwater monitoring wells at a property adjacent to a government-owned Superfund site.

***CBD v. EPA et al.*, Nos. 19-1315, 19-1316, 19-1317, 19-1318 (D.D.C. filed May 7, 2019)**

- New FOIA Litigation: Center for Biological Diversity (CBD) filed four Freedom of Information Act (FOIA) lawsuits in the District of Columbia against EPA. Three of the cases involve other named federal defendants, including Department of the Interior, Council on Environmental Quality, Department of Agriculture, and Department of Commerce. The complaints against EPA and other federal agencies allege that the agencies failed to timely respond to FOIA requests which generally relate to pesticide use or usage data, a February 2018 meeting on a Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) Memorandum of Agreement, and CropLife America meetings. The case against EPA alleges that the Agency failed to respond to a FOIA request relating generally to a biological opinion on chlorpyrifos, diazinon, and malathion registrations.

New NOI

CBD submitted a notice of intent to sue (NOI) under the Clean Air Act. The NOI alleges that EPA failed to fulfill its mandatory duty to promulgate a Federal Implementation Plan to address deficiencies with permitting rules for lead for the Northern Sonoma County Air Pollution Control District in California.

Upcoming Major Decisions and Events

- No updates to report

Office of International and Tribal Affairs

Hot Topics

US Chamber of Commerce Meeting on G7

- OITA held a call with the US Chamber of Commerce to discuss the outcomes from the G7 Environment Ministers Meeting (EMM). The Chamber has been an active participant in G7 engagement with the private sector on resource efficiency and was interested in learning more about US contributions to the meeting. Chamber representatives will be meeting with French President Macron in early July as part of France's Business 7 (B7) engagement and will discuss similar topics to those discussed at the EMM. EPA provided an overview of the G7 EMM outcomes, including the resource efficiency section of the joint communique, U.S. stakeholder presentations on marine litter, and G7 initiatives that the US joined. The Chamber would like to continue its involvement in the G7 Alliance for Resource Efficiency, and participate in further discussions about resource efficiency in the G20 meeting in June and G7 meetings in 2020 under the U.S. leadership.

CAFTA-DR Marine Litter Workshop

- OITA facilitated a marine litter workshop for CAFTA-DR countries, which includes Costa Rica, Honduras, Nicaragua, Guatemala, Dominican Republic, and El Salvador. The workshop included presenters from the Global Partnership on Marine Litter – Caribbean Node, Florida Department of Environmental Protection, Biscayne Bay National Park marine litter coordinator, NOAA's Marine Debris Program, and USAID's Municipal Waste Recycling Grant Program in Southeast Asia. EPA gave feedback to the CAFTA-DR countries and also discussed the Trash Free Waters program and lessons learned from implementation in Jamaica, Panama, and Peru. At this meeting, the CAFTA-DR countries decided to convene a small working group on marine litter to begin coordinating efforts and sharing information.

U.S.-Korea Free Trade Agreement (KORUS)

- OITA participated in the third meeting of the Environmental Cooperation Commission and Environmental Affairs Council under the U.S.-Korea Free Trade Agreement. EPA reported on environmental cooperation activities under the current workplan, which included participation in the KORUS Air Quality measurement project and the Asia Pacific Mercury Monitoring Network, and OCSPP DAA participation in a chemicals management seminar in Seoul. There was also discussion on marine litter, environmental justice, and environmental conflict management. The Parties approved a new workplan, that includes cooperative activities on sharing best practices on cleaner sources of energy, sustainable water technology, and use of innovative environmental technology.

Upcoming Major Decisions and Events

- **May 22** – The Administrator will be meeting with Saskatchewan Premier from Canada to discuss regulatory issues relating to the energy sector.

- **May 21** – OITA will be attending a meeting with the Brazilian President of the Institute of Environmental and Renewable Natural Resources (IBAMA) to hear about Brazil's enforcement, regulatory development, sustainability issues.

Office of the Land and Emergency Management

Hot Topics

Coal Combustion Residuals (CCR)

- On May 6, the CCR Phase 2 proposed rule package was submitted to OMB for an expedited EO 12866 review.

Clean Air Act 112(r) Risk Management Program (RMP)

- A briefing for the Administrator is scheduled.

Ongoing major Superfund NPL sites.

- We are working with Region 4 on Oak Ridge, Region 9 on Edwards Air Force Base, Region 10 on Portland Harbor, and Region 5 on Kalamazoo.

CERCLA 108(b) Financial Assurance (next three sectors).

- The Industry 1 NPRM is scheduled to go to OP next week for approval to send to OMB. This rule has a court-deadline for signature of July 2, 2019.

PFAS

- PFOA and PFOS contaminated groundwater guidance. The public comment period concludes on June 10, 2019.
- Working on inclusion as "hazardous substances" under CERCLA.
- E-Manifest.

Upcoming Major Decisions and Events

- No updates to report

Office of Mission Support

Hot Topics

EPA Receives Briefing from Department of Homeland Security on Continuous Diagnostics and Mitigation Progress

- The Department of Homeland Security's Continuous Diagnostics and Mitigation Project Management Office briefed EPA's Chief Information Officer on the significant progress that EPA has made in the deployment of CDM capabilities. The agency will continue to work closely with DHS to identify appropriate cybersecurity solutions. The CDM ensures personal privacy data from EPA's network to DHS does not include any Personally Identifying Information or information about specific department or agency computers, applications or user accounts.

Upcoming Major Decisions and Events

Federal Employee Viewpoint Survey

- The EVS will be available for employees to complete starting Thursday, May 16, 2019 through June 27, 2019. The EVS definitions video will help promote a common understanding of survey terms. The EVS continues to be a platform for employees to share their opinions and perceptions regarding their work experiences. The rollout of the findings will be released by OPM in August.

Regional Meeting Next Week of National Program Reviews and Town Halls

- The Office of Mission Support senior leadership will meet with Regions 2 and 3 next week for their program reviews, Customer Experience Town Halls, and OMS relevant topics. This is part of a national campaign to engage every region and program office to identify potential efficiencies, opportunities for enhancements, savings and areas for collaboration across the spectrum of OMS services. While in Region 2 they will visit the Edison Environmental Center Laboratory.

Headquarters Space Consolidation Project

- Moves around the Federal Triangle complex will begin this summer to accommodate the move of staff from the Potomac Yard facility next spring. OMS has been working with the NPMs on the plans for this project. The annual cost avoidance is $12.5M.

Office of Policy

Hot Topics

Active Interagency Reviews from OMB	
Subject	OMB Due Date
USDA/APHIS NPRM (Pass-back): Movement of Certain Genetically Engineered Organisms, aka Part 340	05/17/2019
Committee for Purchase… NPRM: Significant Revisions of Part 51, Committee for Purchase From People Who Are Blind or Severely Disabled	05/21/2019
DOT Notice: Buy America(n) Guidance on Waiver Requests Based on Non-availability and Protocol for Situations Involving Multiple Buy America(n) Requirements	05/21/2019
DOT/PHMSA NPRM: Hazardous Materials: Liquefied Natural Gas by Rail	05/24/2019
DOI.BLM NPRM: Non-Energy Solid Leasable Minerals Royalty Rate Reduction Process	05/28/2019
HHS/CDC Notice (Pass-back): Childhood Lead Poisoning Prevention: Blood Lead Reference Value Update	N/A
DoD/ACE NPRM (Pass-back): Natural Disaster Procedures: Preparedness, Response, and Recovery Activities of the Corps of Engineers	N/A

Documents Sent to the OFR from May 10-14, 2019		
FRL #	Title	Date Sent to FR
9993-90-Region 4	Air Plan Approval; Kentucky: Jefferson County Process Operations	05/16/2019
9993-89-Region 4	Air Plan Approval; Georgia: Permit Exemption for Fire Fighting Equipment	05/16/2019
9993-17-Region 7	National Oil and Hazardous Substances Pollution Contingency Plan; National Priorities List: Partial Deletion of the Omaha Lead Superfund Site	05/16/2019
9994-00-OAR	Proposed Information Collection Request; Comment Request; Registration of Fuels and Fuel Additives - Health-Effects Research Requirements for Manufacturers; EPA ICR No. 1696.10, OMB Control No. 2060-0297	05/16/2019
9991-41-Region 8	Colorado: Final Approval of State Underground Storage Tank Program Revisions and Codification	05/16/2019
9991-42-Region 8	Colorado: Final Approval of State Underground Storage Tank Program Revisions and Codification	05/16/2019
9992-38-OCSPP	Pesticide Product Registration; Receipt of Applications for New Active Ingredients	05/15/2019
9992-39-OCSPP	Pesticide Product Registration; Receipt of Applications for New Uses	05/15/2019
9992-90-OCSPP	Lambda-Cyhalothrin; Receipt of Application for Emergency Exemption, Solicitation of Public Comment	05/15/2019
9993-69-Region 2	Approval of Air Quality Implementation Plans; New York; Cross-State Air Pollution Rule; NOx	05/15/2019

	Ozone Season Group 2, NOx Annual, and SO2 Group 1 Trading Programs	
9993-24-OCSPP	Product Cancellation Order for Certain Pesticide Registrations	05/15/2019
9993-86-OMS	Part B Permit Application, Permit Modifications, and Special Permits (Renewal)/ICR 1573.15	05/15/2019
9993-68-Region 2	Approval of Air Quality Implementation Plans; New York; Cross-State Air Pollution Rule; NOx Ozone Season Group 2 , NOx Annual and SO2 Group 1 Trading Programs	05/15/2019
9993-70-Region 2	Approval of Air Quality Implementation Plans; New Jersey; Determination of Attainment for the 1971 Sulfur Dioxide National Ambient Air Quality Standard; Warren County Nonattainment Area	05/15/2019
9993-95-Region 3	Approval and Promulgation of Air Quality Implementation Plans; District of Columbia; Approval of the Redesignation Request for the Washington, DC-MD-VA 2008 8-Hour Ozone National Ambient Air Quality Standard Nonattainment Area	05/15/2019
9991-84-OCSPP	Notification of Submission to the Secretary of Agriculture; Protection of Human Research Subjects	05/14/2019
9993-74-Region 4	Air Plan Approval; TN; Volatile Organic Compounds Definition Rule Revision for Chattanooga	05/14/2019
9993-73-Region 4	Air Plan Approval; Kentucky: Jefferson County Definitions and Federally Enforceable District Origin Operating Permits	05/14/2019
9993-83-Region 4	Air Plan Approval; NC: Revision to I/M Program & Update to Charlotte Maintenance Plan for the 2008 8-Hour Ozone NAAQS	05/14/2019
9993-71-Region 4	Air Plan Approval; GA and TN; Interstate Transport (Prongs 1 and 2) for the 2010 1-Hour NO2 Standard	05/13/2019
9993-75-Region 10	Air Plan Approval; OR; 2015 Ozone NAAQS Interstate Transport Requirements	05/13/2019
9993-03-OCSPP	Pesticides; Draft Revised Method for National Level Endangered Species Risk Assessment Process for Biological Evaluations of Pesticides; Notice of Availability and Public Meeting	05/13/2019
9993-77-Region 1	New Hampshire: Proposed Authorization of State Hazardous Waste Management Program Revisions	05/13/2019
9993-27-Region 7	Approval of Missouri Air Quality Implementation Plans; Redesignation of the Missouri Portion of the St. Louis-St. Charles-Farmington, MO-IL 2012 PM2.5 Unclassifiable Area	05/13/2019
9993-72-Region 4	Air Plan Approval; Kentucky; Interstate Transport (Prongs 1 and 2) for the 2010 1-Hour NO2 Primary Standard	05/13/2019

9991-49-OCSPP	Glufosinate Ammonium; Pesticide Tolerances [Olive, Stone Fruit (crop group 12-12), Tree Nuts (crop group 14-12) and Soybean Hull	05/10/2019
9993-16-OCSPP	Interim Registration Review Decisions and Case Closures for Several Pesticides; Notice of Availability	05/10/2019
9993-61-OCSPP	TSCA Inventory Notification (Active-Inactive) Requirements; Availability of a Signed Action Identifying Chemical Substances for Inactive Designation	05/10/2019
9993-59-OCSPP	Pesticides; Draft Guidance for Pesticide Registrants on Plant Regulator Label Claims, Including Plant Biostimulants; Extension of Comment Period	05/10/2019
9993-45-OAR	National Emission Standards for Hazardous Air Pollutants: Surface Coating of Metal Cans and Surface Coating of Metal Coil Residual Risk and Technology Reviews	05/10/2019
9993-63-Region 5	Air Plan Approval; Indiana; Regional Haze Plan and Prong 4 (Visibility) for the 2006 and 2012 PM2.5, 2010 NO2, 2010 SO2, and 2008 Ozone NAAQS	05/10/2019

Upcoming Major Decisions and Events

Local Foods, Local Places in Illinois

- On May 22-23, staff from the Office of Community Revitalization will be in Peoria, Illinois for a technical assistance workshop focused on improving health, protecting the environment, and growing the economy through local foods.

EJ in Oklahoma

- On May 21-23, staff from the Office of Environmental Justice will be in Anadarko, Oklahoma to support city, tribal, and community leaders with environmental and economic revitalization strategies that include addressing brownfield properties.

Asian American Pacific Islander Forum

- On May 22, Office of Environmental Justice senior staff will participate in a House Committee on Natural Resources forum to recognize and discuss the contributions of the Asian American and Pacific Islander community to the environmental and conservation movements.

Peer Review Workshop

- On May 23, staff from the National Center for Environmental Economics will attend Indiana University's School of Public & Environmental Affairs Peer Review Workshop to present a peer review summary of a chapter for a new book commissioned by the school for EPA's 50th anniversary.

Office of Research and Development

Hot Topics

The ORD and Region 6 2019 Small Drinking Water Systems Meeting

- Will be held on May 21-22 in Addison, Texas. This workshop is follow-up to one of the suggestions that was made at our August 2018 meeting with Region 6 states and Oklahoma tribes at the EPA lab in Ada, Oklahoma. The meeting will feature presentations from ORD scientists on a variety of topics related to small drinking water systems. Becky Keogh, President of the Environmental Council of the States (ECOS) and Director of Arkansas Department of Environmental Quality, will provide the states' perspective on the challenges and science needs of small drinking water systems.

ORD Scientist is a 2019 prestigious Arthur S. Flemming Award Winner

- ORD's own Dr. Rebecca Dodder has been selected as one of only 12 employees from across the federal government for a prestigious Arthur S. Flemming Award. Dr. Dodder is being recognized for her work to improve understanding of the links between the production and use of energy and their full impacts on public health and the environment. Her innovative thinking has led to real-world approaches to addressing complex energy challenges. She has also dedicated her time and considerable creativity to sharing her work and serving as EPA ambassador for clean air research to students and local communities. "Generate," an educational board game Rebecca developed, turns exploring the complexities of balancing energy costs and environmental impacts from an intimidating challenge into in a fun and engaging learning opportunity. Generate has now been used by tens of thousands of students and educators across the globe.

Protection of Human Research Subjects

- On May 10th, following FIFRA section 25(a)(3), EPA delivered the draft final rule, entitled Protection of Human Research Subjects to the Secretary of the U.S. Department of Agriculture and its Office of Pest Management Policy. Written comments from USDA must be submitted to EPA within 15 days. Copies were also distributed to the Committee on Agriculture, Nutrition, and Forestry in the U.S. Senate and to the Committee on Agriculture U.S. House of Representatives.

Department of State Support

- ORD provided scientific and technical support to the U.S. Department of State, on the differences between the World Health Organization's AirQ+ software tool for health risk assessment of air pollution and U.S. EPA's Environmental Benefits Mapping and Analysis Program – Community Edition for the development of an overview document for Embassy staff to facilitate discussions with local governments on tools available to evaluate the potential implications of improving air quality on public health.

Upcoming Major Decisions and Events

Update to Centers for Disease Control and Prevention (CDC)

- Blood Lead Reference Value Today ORD is participating in an interagency meeting to discuss CDC's proposed update to the blood lead reference value (BLRV), which is defined as the 97.5th percentile of the National Health and Nutrition Examination Survey's (NHANES) blood lead distribution in children.

Research Update: Groundwater Sampling in Massachusetts

- As part of a cross-ORD collaboration with Region 1 and USGS, ORD will collect groundwater samples in Falmouth, Massachusetts during the first week of June. Region 1 is working under the Southeast New England Program (SNEP) to address the impacts of coastal nitrogen and USGS is partnering on groundwater research. As part of the SNEP, monitoring wells have been installed in the sampling area. This area was chosen for monitoring because sewage disposal in the area is being converted from septic tanks to centralized treatment.

- The researchers are investigating contaminants of emerging concern (CECs) such as pharmaceuticals, PFAS, endocrine disrupting chemicals and microorganisms. Three rounds of sampling have already been conducted from monitoring wells in the watershed before and during the centralized treatment conversion. The June 2019 sampling and the sampling planned for next year will provide data on the time needed for CECs to decrease in groundwater when sources of contamination are eliminated

Association of Schools and Programs of Public Health (ASPPH) Interviews (May 1-31)

- EPA offices (HQ and Regions) may interview ASPPH Environmental Health Fellows for fall placement during the month of May. EPA established the partnership with ASPPH in 2003 to prepare the future public health workforce by providing masters and doctoral-level hands-on training experiences for recent public health graduates. Since its inception, 126 early-career public health professionals have trained at EPA through this program. For more information, contact Michaud.jayne@epa.gov.

Research Collaboration with Office of Superfund Remediation and Technology Innovation (OSRTI)

- Next week ORD will collaborate with OSRTI on measurements of lead and arsenic in soils at some of Florida's Superfund sites. OSRTI is visiting ORD scientists in Gulf Breeze, Florida, to work on an XRF (X-Ray Fluorescence) Analyzer, which uses a non-destructive analytical technique to determine the elemental composition of soil and sediment samples by measuring the fluorescent X-ray emitted from a sample. This equipment will aid studies of lead and arsenic bioavailability at Superfund sites by allowing rapid measurements of total lead and arsenic in contaminated soils.

Office of Water

Hot Topics

Oil and Gas White Paper

- Yesterday, the EPA released a draft study that takes a holistic approach at how the Agency, states, tribes, and stakeholders view the current state of regulation and management of wastewater from the oil and gas industry and provides insight into how this wastewater might be returned to beneficial use in the water cycle. The Office of Science and Technology conducted a robust outreach effort to gather input from state, tribal, industrial, academic, environmental, public health, and other entities for the study. In October 2018, the EPA met with individual entities and hosted a national public meeting to allow stakeholders an additional opportunity to provide input. The draft study was developed using the feedback the Agency received from those engagements. Input from interested stakeholders will be received through July 1, 2019 via email. The EPA plans to finalize the study later in 2019 after considering the input.

Beaches Environmental Assessment and Coastal Health (BEACH) Act Grants

- On May 23, the EPA regions will issue press releases announcing the Agency's awards of up to $9.24 million across 39 states, territories, and tribes to develop and implement beach monitoring and notification programs. Under the BEACH Act, the EPA awards grants to eligible state, territorial, and tribal applicants to help them and their local government partners monitor water quality at coastal and Great Lakes beaches.

Final Recommended Advisories for Toxins Associated with Harmful Algal Blooms (HABs)

- As early as next week, OW plans to sign the final *Recommended Human Health Recreational Ambient Water Quality Criteria or Swimming Advisories for Microcystins and Cylindrospermopsin*. States may consider using the recommended values as the basis for adopting new or revised water quality standards or swimming advisories for notification purposes in recreational waters to protect the public from these two HAB toxins.

Upcoming Major Decisions and Events

2019 Animal Agriculture Discussion Group (AADG) Meeting

- Next week, OW staff and Regional Agriculture Advisors will meet with representatives from USDA, states, and the animal agriculture industry for AADG's spring meeting. OW Senior Policy Advisor, Jessica Kramer, will speak to the group about market-based approaches and water quality trading efforts. The AADG's purpose is to foster partnerships and develop a shared understanding of issues affecting livestock operators and environmental protection. Other topics to be discussed include animal agriculture education and outreach, technology innovation.

Water Infrastructure Finance and Innovation Act (WIFIA) DC Information Session

- Next week, the Office of Wastewater Management will hold the third and final WIFIA information session in Phoenix, AZ. These in-person sessions proceed the team's April 30 webinar for all interested parties. Prospective borrowers seeking WIFIA credit assistance under the third round must submit a letter of interest (LOI) by July 5, 2019. Open press.

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