Region 1

Hot Topics

Northeast Gateway Deepwater Port (LNG) CAA Permitting
On May 21, R1 met with representatives of the Northeast Gateway LLC and its parent company Excelerate Energy to discuss planned expanded ship-to-ship fuel transfer operations involving carrier vessels at the Northeast Gateway Deepwater Port located about 13 miles offshore in Massachusetts Bay. The meeting covered the air permitting obligations related to LNG transfers at the port.

BOEM Coordination on Cumulative Impacts of Offshore Wind
On May 20, R1 joined the Bureau of Ocean Energy Management for its interagency coordination call where BOEM presented the results of an eagerly anticipated cumulative impacts study to inform the NEPA process for offshore wind projects off the North Atlantic Coast.

Brownfields Steering Committee Meetings for Vermont Opportunity Zones
R1 met with two grantees working in Opportunity Zones (OZ). First, R1 met with the Northeastern Vermont Development Association on May 12, on their coalition assessment grant which has funded projects in the St. Johnsbury OZ. Second, Region 1 met with the Northwest Region Planning Commission on May 18, for both their assessment and revolving loan fund grants targeting work in the St. Albans OZ.

Affordable Housing Project on the Move in Lewiston, Maine Opportunity Zone
On May 21, the Androscoggin Valley Council of Governments in Maine agreed to provide funding from their Brownfields revolving loan fund for an affordable housing redevelopment at the Pine and Blake Street Site. The site directly abuts an Opportunity Zone in Lewiston, and this commitment is critical to the underwriting process for other funders and investors involved in the project.

EPA Settles Clean Air Act Action against Dartex Coatings in North Smithfield, Rhode Island
On May 14, R1 filed a Consent Agreement and Final Order against a North Smithfield coating and laminating facility owned by Dartex Coatings, LLC for violating a Rhode Island state implementation plan (SIP) permit under the Clean Air Act. Dartex agreed to pay a penalty of $316,000.

R1 Holds Annual NPDES Meeting with State Partners
On May 20, R1 met with representatives from all six R1 states' water permit teams; topics included COVID-19 impacts on state operations, PFAS in wastewater, NPDES eRule implementation and beta testing of the new NPDES Data Sharing Dashboard.

Upcoming Major Decisions and Events

Maine Water Quality Standards
On May 27, R1 anticipates signing final decisions revising its 2015 actions regarding water quality standards for Maine's tribal waters. This action will reverse EPA's prior findings (including that Maine's fishing designated use must be interpreted to mean "sustenance fishing" in tribal waters to protect the fishing rights reserved to the tribes under the Maine Indian Claims Settlement Acts). EPA is now finding that Maine's existing fishing designated use adequately protects the tribes' fishing rights in tribal waters.

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R1 Attends Virtual Town Meeting for Raymark Superfund Site
On May 27, R1 will participate in the next Community Advisory Group (CAG) meeting for the Raymark superfund site in Connecticut. Region 1 is working closely with the Town to develop presentation materials and held a "dry-run" on May 21, to ensure the presentation is delivered flawlessly.

Region Prepares to Hold Virtual Public Hearing for the Chlor-Alkali Superfund Site in New Hampshire
On June 10, R1 will host its first virtual Superfund Public Meeting/Hearing. The case team has been running through multiple dry runs with IT support to address any issues related to the virtual format. Region 1 believes we will be able to receive all oral comments during the hearing.

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Region 2

Hot Topics

Norlite, Cohoes NY
On May 15, we finalized a consent agreement with Norlite resolving a CAA enforcement action *unrelated* to its incineration of firefighting foam. Norlite burns hazardous waste to fuel its kilns producing shale aggregate, but failed to conduct required performance testing on one of its two kilns and had exceeded the applicable emissions limits on thousands of occasions from 2012-2014. Norlite also exceeded its limits for chromium, arsenic, and beryllium emissions on at least one occasion. We issued a compliance order, and Norlite came into compliance. The agreement this week resolves Norlite's liability through a penalty payment of $150,000. We are preparing to issue a press release on this settlement. There is a high degree of interest because of the company previous burning of PFAS-containing firefighting foam, which has ceased.

Court Order in Litigation for CWA Violations on Shinnecock Nation Territory
On May 13, a magistrate judge in the EDNY issued an Order directing defendant Gordon Smith to appear on June 24, to show cause why a default should not be entered against him, based on his failures to respond to EPA's 2017 Request for Information, his failure to respond to the Government's motion, and his failure to comply with orders of the court. At the request of the Shinnecock Indian Nation, the U.S. commenced this action in 2018 against Mr. Smith, a member of the Nation, for CWA violations. On November 19, 2019, the district court judge adopted the magistrates recommendation and (1) ordered Smith to cease discharging pollutants into waters adjoining his property in Shinnecock Territory; and (2) required him to provide written responses to the information request. Despite multiple requests by DOJ and a January 28, court 2020 order that provided Smith with "one final opportunity" to respond to the information request by February 21, or face court action, including sanctions, Smith has not responded.

Levine Reservoir Improvement Project Memorandum of Agreement (MOA)
The MOA has now been signed by R2 RA Pete Lopez and NJ state environmental and historic preservation officials; and the National Park Service is expected to sign the MOA by May 22. It will then go for signature to the City of Paterson, the Passaic Valley Water Commission (PVWC), and consulting entities. However, on May 18, PVWC raised certain objections to MOA provisions. This matter is of particular interest to Sen. Booker and Rep. Pascarell.

Disposition of Disinfectant Tablets from Russia:
R2 continues to engage with OSCSPP, OECA and FEMA regarding the March 30, delivery -- and ongoing storage – of 4 tons of disinfectant tablets that were donated, along with other supplies, by the Russian government (reportedly after a phone call between the Presidents of Russia and the US). The tablets are currently being stored in a warehouse at or near JFK airport under Customs and Border Protection control. The tablets are labeled entirely in Russian and are unregistered pesticides under FIFRA, for which FEMA has not identified a use or recipient. Options for future disposition of the product include: (a) finding a use and recipient, followed by a state or FEMA requesting an emergency exemption from registration under FIFRA (FEMA personnel have indicated that they do not plan to apply for this); (b) finding a non-pesticidal use for the product; (c) returning the tablets to Russia, or (d) destroying them. All policy options raise further issues.

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COVID-related FIFRA Issues
In the past week R2 issued two Notices of Refusal of Admission to companies for importing unregistered disinfectant products, and one Notice of Warning and Detention for importing unregistered antimicrobial wipes.

Upcoming Major Decisions and Events

Puerto Rico RCRA Subtitle C Program Authorization

On May 27, RA Pete Lopez and staff will meet with the Secretary of the PR DNER to discuss plans for PR taking delegation of the RCRA Subtitle C solid waste program. This is critically important, given PR's solid waste management crisis.

Norlite
On May 28, R2 and ORD will meet with NYSDEC for a "deep dive" on stack testing and/or modeling for PFAS emissions from the company's incineration of PFAS firefighting foam (currently suspended); see first item above.

Superfund Site CAG Virtual Meetings
Community Advisory Groups for several high-profile Superfund sites will meet next week – Gowanus Canal (May 26); Hoosick Falls (May 27); and Hudson River (May 28).

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Region 3

Hot Topics

EAB approves $210,000 Administrative Settlement with Bloom Energy Corporation Resolving Alleged RCRA Subtitle C Violations in PA and MD; Company to Conduct Nationwide Compliance Audit

On May 12, the Environmental Appeals Board (EAB) issued a Final Order ratifying the Consent Agreement between EPA and Bloom Energy Corporation, settling alleged violations of RCRA Subtitle C hazardous waste regulations at three of Bloom's customer facilities. Bloom uses canisters containing catalyst to filter the natural gas used in its fuel cells which, after use, are hazardous for benzene. The alleged violations involved the alleged failure to prepare required manifests for the shipment of hazardous waste benzene from Bloom customer locations in Philadelphia, PA, Fort Meade, MD and Windsor Mill, MD. In addition, EPA cited Bloom for failing to adequately respond to EPA's requests for information. The order requires Bloom pay a $210,000 penalty; conduct a nationwide audit to determine if other facilities generated similar violations and apply agreed-upon penalty amounts to violations found. R3 filed with the EAB due to this audit's national scope. MDE and PADEP were notified of this action and had no objections. R3 coordinated with HQs to ensure national coverage of the settlement.

R3 issues Advisory Letter to First Line Tech LLC for pesticide violations, false coronavirus disinfection claims (VA)

On May 4, R3 issued a FIFRA Advisory Letter to First Line Technology LLC of Chantilly, VA for the offering for sale and distribution on their website an unregistered pesticide, "Dahlgren Decon", that makes claims for disinfection, including for use against coronavirus. Along with making chemical/biological decontamination claims, Dahlgren Decon makes claims that it can be used against coronavirus. According to EPA records, this product is not registered as a pesticide, nor does it appear on EPA's *List N: Disinfectants for Use Against SARS-CoV-2*. The letter informs First Line Technology LLC of the requirement to ensure that their products follow all applicable state and federal regulations and encouraged the company to take steps to bring their products into compliance with FIFRA.

R3 issues Advisory Letter to PhoenixAIRE, LLC for pesticide violation, false coronavirus disinfection claims (VA)

On May 14, R3 issued a FIFRA Advisory Letter to PhoenixAIRE, LLC of McLean, VA for the offering for sale and distribution on their website a misbranded pesticide device, "AirPHX", that makes public health claims for disinfection, including for use against coronavirus. Along with making "unrelenting infection control" claims, AirPHX also makes additional claims that it can be used in response to the coronavirus outbreak. Because the Agency does not review the safety or efficacy of pesticidal devices, confirmation cannot be provided that such products might be effective against the spread of COVID-19; hence, their exclusion from EPA's *List N: List of Disinfectants for Use against SARS-CoV-2*. The letter informed PhoenixAIRE, LLC of the requirement to ensure that their products follow all applicable state and federal regulations and encouraged the company to take steps to bring their products into compliance with FIFRA.

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Grantee Highlights Success in P2 Case Study
The University of Delaware Industrial Assessment Center (UDEL-IAC), the newest grantee in R3 EPA Pollution Prevention (P2) program, prepared a case study for the R3 P2 program and to help support the marking of the 30th Anniversary of the P2 Program for headquarters. UDEL-IAC performed an energy, water, and waste reduction audit for United Cocoa Processors, Inc., in Newark, Delaware. United Cocoa's 93,000 square foot plant manufactures cocoa liquor, press cake, and fine cocoa powder from cocoa beans they roast. UDEL-IAC prepared recommendations in a report to United Cocoa for reducing energy and water usage. United Cocoa successfully implemented recommendations including utilizing flash steam for hot water, insulating steam heater pipes, and upgrading production and office lighting to LED fixtures. As a result of these projects, the plant realizes electric savings of 485,820 kWh/year, natural gas savings of 2,055 MMBTU/year and water savings of 530,000 gallons/year.

Approval and Promulgation of Air Quality Implementation Plans; Virginia; Emissions Statement Certification for the 2015 Ozone National Ambient Air Quality Standard
On May 15, a federal register notice (FRN) published approving a state implementation plan (SIP) revision submittal from Virginia. In this final rulemaking action, EPA is approving Virginia's emissions statement program certification for the 2015 ozone National Ambient Air Quality Standard (NAAQS). The Notice of Proposed Rulemaking (NPRM) published on February 10, and one comment was received in support of the action. The effective date of the rulemaking is June 15.

Paden City PCE Outreach and Coordination, Paden City, WV
EPA continues to coordinate with the West Virginia Department of Health and Human Resources (WVDHHR), the West Virginia Department of Environmental Protection (WVDEP) and the Agency for Toxic Substances and Disease Registry (ATSDR), participating in regular coordination calls in response to public health concerns. Paden City's air stripper drinking water treatment system has been installed and is functional; WVDHHR expects to receive the first round of water quality test results during the week of May 18, as they continue the optimization process. On May 19, EPA will mail 577 factsheets to residents and businesses with information about EPA's site assessment and removal assessment efforts in advance of the field work. Site assessment field work, including the installation of groundwater monitoring wells, is expected to begin the week of June 1 and continue throughout the summer. EPA is also working with WVDHHR, WVDEP and ATSDR to coordinate a joint virtual public information session to further engage Paden City residents.

Hidden Lane Superfund Site, Loudon County, Virginia
The National Remedial Action Priority Panel met on Monday, May 18, to determine which Superfund Sites across the country will receive funding to start new remediation actions in FY 2020. The Superfund Site Remediation Branch has learned that the Hidden Lane Site will receive funding to start the remedial action for the construction of the waterline for the Site. The waterline will connect 124 properties whose residential well were contaminated or potentially contaminated with TCE. The remedial design of the waterline is planned for completion in June 2020. The SEMD RPMs and ORC are currently negotiating the terms of a Superfund State Contract (SSC) for VA's 10% cost share of the waterline construction. Discussions have been initiated for agreements with the Loudon Water Authority on operation and maintenance of the water line and Loudon County related to easements required for the waterline. Finalization of these agreements and the SSC are planned to be completed by early Summer.

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U.S. District Court Approves Modification of 2008 CWA Consent Decree with ALCOSAN on Reducing Sewer Overflows

On May 14, the federal district court in Pittsburgh granted DOJ's motion to modify the 2008 Consent Decree (Modified CD) requiring Allegheny County Sanitary Authority (ALCOSAN) in Pittsburgh to reduce sewer overflows into the Allegheny, Monongahela, and Ohio Rivers. The Modified CD is designed to reduce sewer overflows by an estimated 6.6 billion gallons per year. The parties to this Modified CD include ALCOSAN, DOJ, EPA, the Pennsylvania Department of Environmental Protection (PaDEP), and the Allegheny County Health Department (ACHD). The CWA violations at issue in this matter occur primarily during wet weather, which overloads ALCOSAN's combined sanitary and storm water sewers, causing overflows discharge through a network of outfalls. Under the 2008 Consent Decree, ALCOSAN paid a $1.2 million penalty and was ordered to develop and implement a plan for controlling sewage discharges by 2026. ALCOSAN developed a draft plan in coordination with the 83 municipalities it serves and submitted the plan to regulatory agencies in 2013. At the time, ALCOSAN's estimated implementation cost was $3.6 billion. The Modified CD gives ALCOSAN and its customer municipalities the ability to pursue an integrated green infrastructure approach. Successful implementation of green measures by customer municipalities (with resulting flow reductions) could enable ALCOSAN to reduce the amount of gray infrastructure, such as pipes and tunnels, that it must construct. The Modified CD also extends ALCOSAN's deadline for building improvements to its sewer system. ALCOSAN is now required to complete the first phase, referred to as the "interim measures," by 2036, at an estimated cost of $2 billion. The modification was available for review and public comment for 60 days, and more than 300 comments were received.

Dunkard Creek Aquatic Life Kill Recovery & Assessment Joint Meeting Between West Virginia and Pennsylvania was hosted by the Field Services Branch on May 4

Biologists from Pennsylvania Department of Environmental Protection, Pennsylvania Fish & Boat Commission, West Virginia Division of Environmental Protection, West Virginia Department of Natural Resources and EPA R3 participated in the virtual technical meeting. The overall objective of the meeting was to allow biologists from Pennsylvania and West Virginia to have an open discussion on restoration activities implemented to improve water quality and re-establish aquatic life in Dunkard Creek following the 37-mile aquatic life kill in 2009. State biologists shared their study designs, restoration work, and monitoring results from Dunkard Creek. The key outcome of the meeting was that while the fish and mussel communities are improving, they have not yet recovered to pre-kill levels. The state agencies, with assistance from Region 3 biologists, will coordinate an evaluation of stressors within Dunkard Creek to better understand the causes of reduced mussel survival, and will work together to develop a joint storyboard report on the recovery of Dunkard Creek.

Childcare Webinar a Success!

On May 14, approximately 283 participants from across the nation attended the Mid-Atlantic Center for Children's Health and the Environment's (MACCHE) Webinar for childcare providers on potential environmental hazards in childcare settings. At least 17,572 children will benefit from the discussions held on how to minimize potential environmental exposures to children in early care settings. About 67 childcare providers were from R3 states with 2,798 children in their care. Childcare licensing staff, nurse consultants and others that work with childcare providers were also in attendance and will potentially expand the reach of this information. OCTEA funded MACCHE to hold this webinar to further regional efforts in meeting national priorities in lead poisoning and healthy learning environments. There were more than 600 people registered for the webinar, so the recorded webinar will be promoted to these individuals to watch at their leisure

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Upcoming Major Decisions and Events

Nothing to Report.

Region 4

Hot Topics

COVID-19 activities
R4 Atlanta offices began the 7-day closure on Thursday, May 21. An All Hands meeting was held on Wednesday, May 20, to notify regional staff of the upcoming closure. Regional leadership meets multiple times per week to coordinate responses to COVID-19 issues and to prepare the regional reopening plan.

Sterigenics (Cobb County, GA)
GAEPD terminated its Consent Order, finding the facility had met all terms and conditions, which included installation of equipment and development & implementation of a Work Practice Plan. The facility continues to operate as a result of the judicial stay of the county's action.

Oak Ridge Reservation, TN (DOE)
EPA is working to address DOE Oak Ridge risk assessment calculations for surface water levels protective of humans potentially ingesting fish from Bear Creek on the Oak Ridge Reservation. Staff are developing a response and compromise position related to DOE's reply to technical comments and corrected calculation of surface water values. The next emerging issue team meeting is planned for May 22, at which EMDF ROD issues will be discussed.

BF Goodrich, Calvert City, KY
BFG Respondents invoked Force Majeure provisions under the RD AOC on May 12, citing the following COVID-19 complications: coordination issues with the active chemical plants; travel and lodging issues for subcontractors; lack of PPE; and coordination of H&S requirements among the State, active chemical plant, and multiple consultants and subcontractors. Field work (for pre-design investigations required for the barrier wall; hydraulic control system; and pond closures) scheduled to begin on June 15th will be delayed for two months and will likely result in a corresponding two-month delay in the completion of FY21 RD Completion targets.

FL Assumption
Internal review of the draft Biological Assessment provided by FDEP is in process, with comments requested by FDEP by May 28. FDEP is still waiting for comments from the Florida Fish and Wildlife Commission (FFWC) on the Endangered Species Act MOU and will provide the draft MOU to EPA for review as soon as they have seen FFWC's edits.

Yazoo Backwater Area
R4 attended a May 19, teleconference with the U.S. Army Corps of Engineers and other cooperating agencies to discuss the update to the 2007 Final Supplement for the Yazoo Area Pump Project Final Environmental Impact Statement (FSEIS). Project history, current project schedule, and proposed methods to measure environmental impacts were discussed. R4 is continuing to respond to FOIA requests from the National Wildlife Federation and U.S. Representative Bennie Thompson (MS 2nd District) related to the Yazoo Pumps.

Seal Shield FIFRA SSURO
R4 issued a Partial Termination to the SSURO as the company has since revised its website to remove all pesticide claims used to market its products and has certified that it is now in compliance with the

requirements of FIFRA. The Partial Termination will allow Seal Shield to sell and distribute the products that were formerly unregistered pesticides. However, the misbranded pesticide device remains subject to the SSURO.

Upcoming Major Decisions and Events

May 27-May 28	R4 is finalizing plans for Administrator Wheeler's visit to Atlanta. Currently, events with the GA Department of Agriculture, GA Farm Bureau, CDC, Coca-Cola, and Atomic Entertainment (a developer/Brownfields recipient) are being planned.

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Region 5

Hot Topics

R5 Preparing to Respond Following Dam Failures on the Tittabawassee River
EPA is working closely with FEMA and other federal and state agencies to help the people of the Midland area recover from flooding caused when two dams failed after heavy rains. EPA is prepared to assist the State of Michigan in assessing and responding to any public health and environmental impacts from the Tittabawassee River Superfund Site and Dow's Midland facility due to the ongoing flooding. EPA emergency response personnel will be deployed to the area if requested by FEMA or the State.

The dams that failed are located upstream of the Dow's Midland facility. Michigan EGLE is the lead environmental agency overseeing the facility. EPA is coordinating with Michigan EGLE to evaluate any releases from the facility. At this time, Dow has reported no chemical releases to the river.

Downstream of the Dow facility is the Tittabawassee River, Saginaw River and Bay Superfund site. EPA's cleanup plan for this site requires Dow to conduct post-flood assessment to determine if there is recontamination or if the constructed cleanup remedies have been damaged. EPA's assessment following a major flood in 2017 determined that impacts to the Superfund site were minimal and Dow completed necessary, minor repairs as required.

City of Flint Approves Funding for Backup Water System
On May 11, the Flint City Council approved the $14.7 million low-bidder construction contract for a drinking water secondary water source pipeline. This project is funded by the $100 million Water Infrastructure Improvements for the Nation (WIIN) Act and is part of a plan submitted pursuant to the EPA enforcement order.

The 5.5-mile pipeline will connect Flint to Genessee County as a back-up drinking water source. Once final contracts are in place, construction should begin soon with a current schedule to complete construction by the end of 2020.

Department of Justice Lodged a Consent Decree for Marinette Superfund Settlement
On May 13, a remedial action consent decree requiring Wisconsin Public Service Corporation (WPSC) to implement the selected remedy for the Site and pay oversight costs was lodged by the Department of Justice.

The former Marinette manufactured gas plant facility was constructed between 1901 and 1910 and operated through 1960. A variety of contaminants have been found in the soil, groundwater, soil vapor, and adjacent sediment samples. Once the Consent Decree is entered by the federal court and following completion of the remedial design, WPSC will be required to implement the selected remedial action, valued at $7.6 million.

Environmental Justice Groups Raise Concerns regarding Flooding in Centreville, Ill.
On May 20, R5 environmental justice staff met with their Illinois EPA state partners to discuss concerns raised by environmental justice groups regarding chronic flooding concerns in Centreville, Ill. Region 5 intends to follow up with community leaders next week to share the next steps to help understand and resolve the issues.

R5 received an e-mail from Earthjustice requesting a meeting to discuss chronic flooding and the corresponding discharge of raw sewage. On May 18, R5 met with representatives from Earthjustice, Natural Resources Defense Council (NRDC), and the community to hear their concerns surrounding insufficient action taken by local government and a lack of enforcement from Illinois EPA. R5 is committed to working with state and local leaders to better understand the issue.

Michigan Environment, Great Lakes and Energy (EGLE) Starts Temporary Layoffs
Michigan EGLE will begin temporary layoff days with 50 percent of EGLE staff being off on either Monday or Friday of each week. As a result, EGLE may be required to request additional EPA assistance for some activities on Mondays and Fridays.

EGLE expects these temporary layoffs to last for the next ten weeks and will be reevaluating near the end of July. EGLE's PEAS hotline for reporting releases will still operate on normal schedule, however field responses may be slower or absent in some cases. Region 5 remains committed to supporting our State partners during these unprecedented times.

General Iron Scrap Metal Plant Explosion on the North Side of Chicago
On May 18, two explosions occurred during metal shredding operations at the General Iron plant on the north side of Chicago. No injuries were reported, and the facility was ordered to close by the city. R5 has not been contacted for assistance but has been in touch with the Illinois EPA.

The facility is highly controversial in Chicago. It is located in a gentrifying neighborhood where residential development is replacing existing industry. Last year R5 took enforcement action and the company agreed to install additional pollution controls to reduce air emissions.

A new owner has announced plans to move operations to a new facility on Chicago's south side in 2021. The agreement for this move requires General Iron to ensure a safe and manageable relocation and to maintain its operating agreement with the city. R5 has received a letter from Illinois senators raising environmental justice concerns surrounding the relocation.

Thief River Falls, Minn., Pursuing Federal Funds to Move Water Treatment Plant
As a result of sediment flushing upstream, Thief River Falls is pursuing federal funds to move their drinking water treatment plant to improve water quality issues. The city has raised their water quality and sediment discharge issues to state and federal agencies. R5 is prepared to assist state and local partners to resolve the issues.

The city of Thief River Falls obtains its drinking water from surface water drainage basin that has been heavily altered by ditching to facilitate agricultural land uses. In addition, the U.S. Fish and Wildlife Service operates the Agassiz National Wildlife Refuge (ANWR) approximately 24 miles upstream from the intake and manages the 61,500 acres within the ANWR for wildlife management. The city's treatment plant struggles to stay in compliance with turbidity and other parameters when the ANWR conducts annual flushing of refuge sediment to improve pool level adjustments for waterfowl.

R5 Hosts Virtual Regional Tribal Operations Committee (RTOC)
On May 19, R5 and the Regional Tribal Caucus held a virtual RTOC meeting. COVID-19 was a top priority for the meeting. Additional discussions involving the essential environmental program services and investments in tribal program resilience took place. Region 5 reiterated the commitment of the

EPA and the entire federal governmental in helping our tribal partners maintain protections for public health and the environment during these difficult times.

R5 was joined by leadership from the American Indian Environmental Office (AITO) and Office of Indian and Tribal Affairs (OITA). Region 5 will have its next virtual RTOC on June 18 to follow up on previous discussions.

Upcoming Major Decisions and Events

Nothing to Report.

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Region 6

Hot Topics

COVID-19
R6 is coordinating closely with our state and tribal environmental and public health agencies as well as EPA HQ offices to elevate and address challenges quickly. State environmental agencies continue to telework and tentative reporting has them entering Phase 1 on June 1. A percentage of LDEQ employees started returning to the workplace this week and the Governor announced Phase 1 beginning Friday, May 15. To date, no Region 6 employee has tested positive for Covid-19.

Globe Union Plant, Garland, Texas
R6 will begin contacting residents and community leaders to share data on elevated lead levels in onsite soils and along a surface drainage pathway from the Globe Union plant. Property owners will be asked to sign access agreements to allow additional samples to be collected along an adjacent creek. Current data shows about 58 residential properties to be potentially impacted. Data will be available on EPA's public website. Globe-Union is a former battery manufacturing plant that operated from the 1950s to 1995, produced lead oxide batteries.

Denka Performance Elastomer, LaPlace, Louisiana
EPA continues to coordinate with DuPont to obtain access to DuPont-owned property for two of the SPod monitors (Levee and Acorn St/Hwy 44) and access has not be granted. Access is crucial to the deployment of the new continuous monitoring system at the same location of existing air monitors. EPA continues Phase I deployment of the continuous SPod air monitors around the Denka facility. Phase I includes calibration of the continuous air monitors and adjustments of VOC trigger levels for the SPod monitors. Analyses of air samples from Phase I are being reviewed and compared to sample data collected from the periodic air monitoring network.

Chevron Questa Mine Superfund Site, Quest, New Mexico
NMED Secretary has requested a meeting to discuss EPA's proposed action at the Chevron Questa Mine Site in New Mexico. EPA is preparing a Proposed Plan to amend the ROD for the Chevron Questa Mine Site to address CWA requirements. These releases are currently addressed through a National Pollutant Discharge Elimination System (NPDES) permit. EPA is working with NMED Surface Water Bureau to finalize discharge requirements for inclusion in the Proposed Plan. Although progress has been made on the discharge requirements, additional and technical analysis for anti-degradation requirements is required prior to issuance of the Proposed Plan which will affect the projected schedule to brief the Administrator. Water samples collected by Chevron for the technical analysis are currently being processed by the analytical laboratories. The estimated issuance of the Plan is now September 2020, with the Administrator briefing scheduled in August 2020. COVID 19 may continue to impact these dates.

Los Alamos National Laboratory, Los Alamos, New Mexico
R6 has received a response from the Los Alamos National Laboratory to our April 7, letter to them regarding their proposed plans for the Flanged Tritium Waste Container venting operations. The letter outlines that the proposed operations do not initiate formal Tribal consultations under DOE's policy and describes efforts that have been made by DOE to communicate with the Tribes regarding the

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venting operation. Region 6 is reviewing modifications to the operations submitted by LANL and expected to approve LANL's venting operations as they move Tritium containers for offsite shipment and disposal. Tribal government interest has been high.

TCEQ Title V Program, Texas
By May 26, R6 will respond to a May 11, letter received from the Texas Commission on Environmental Quality (TCEQ) proposing programmatic changes to their Clean Air Act Title V permitting program. The change is to address issues identified in petition orders and title V objections related to the incorporation by reference of permits by rule (PBRs). R6 is consulting with OAQPS on an agency response to TCEQ. The proposal relies on state guidance however it falls short of changing state regulatory requirements needed to prevent permit objections by outside parties.

Barksdale Airforce Base, Louisiana
EPA is reviewing a Draft Final Work Plan for off-base private drinking water well sampling for per- and polyfluoroalkyl substances (PFAS). Previous on-base PFAS sampling at Barksdale identified approximately 13 PFAS source/spill areas. On-base PFAS groundwater contamination is associated with these source/spill areas. No off-base groundwater sampling for PFAS was previously conducted. Approximately 6 off-base private drinking water wells in a downgradient direction, which is southward from the base, have been identified for sampling. These wells are located within about 2 miles of the base. The Air Force is obtaining permission from the well owners to sample these wells and plans to start sampling in early June 2020. Sampling personnel will not enter homes to collect samples but will collect samples from well heads or outdoor spickets. EPA plans to complete its review of the work plan by May 22.

Jean Lafitte National Historical Park and Preserve, Jefferson Parish, Louisiana
Bayou aux Carpes was designated as a CWA 404(c) site, i.e., a project site for which EPA invoked its CWA 404 (dredge and fill) permit veto authority in 1985 and has since become part of the Jean Lafitte National Historical Park and Preserve. The Corps is proposing to remove or modify the shell plug located at the mouth of Bayou aux Carpes. The project has been approved and funded under the auspices of the RESTORE ACT. EPA is awaiting additional information from the Corps of Engineers regarding the final placement of the shell pug material. It is anticipated that the letters and accompanying technical reviews should be finalized by May 22.

Chaco Canyon, Farmington, New Mexico
By May 28, R6 must provide comments to BLM/BIA regarding the Chaco Canyon draft EIS. The Draft EIS assesses the potential environmental effects on the Chaco Canyon/BLM-BIA Farmington Resource Management Plan Amendment in accordance with NEPA. The Planning Area of the Proposed Resource Management Plan Amendment is located in San Juan, Rio Arriba, McKinley, and Sandoval Counties in New Mexico, and encompasses approximately 4,200,000 acres of land, including approximately 1,900,000 acres of Tribal surface land, 1,300,000 acres of BLM-managed land, across 17 Navajo Nation chapters, individual Indian allotments, and numerous Chapter House residents. Chaco Canyon is an important traditional site to many Tribes in New Mexico.

PFAS, New Mexico
On April 24, the United States Judicial Panel on Multidistrict Litigation announced that a hearing on the transfer will be held on May 28, in Washington, D.C. The State of New Mexico opposes the transfer, PFAS manufacturers support it, and the United States does not take a position. On July 24, 2019, the State of New Mexico brought a civil action against the United States generally and the

United States Department of the Air Force, specifically, pursuant to the New Mexico Hazardous Waste Act and RCRA, to address environmental issues at Cannon and Holloman Air Force Bases, resulting from PFAS present in "aqueous film-forming foam." The litigation is before the U.S. District Court, District of New Mexico. Another federal district court, in South Carolina, presides over multi-district litigation (MDL) established in December 2018 with 125 consolidated PFAS cases, involving claims concerning the manufacture and use of AFFF. At issue is whether the New Mexico litigation should be transferred to the AFFF multi-district litigation.

Upcoming Major Decisions and Events

Beaumont/Port Arthur 1997 8-hour Ozone NAAQS, Beaumont/Port Arthur, Texas
By May 29, EPA intends to approve a proposed action for a Texas SIP revision in addressing the second 10-year maintenance plan for the Beaumont/Port Arthur 1997 8-hour ozone NAAQS maintenance area

Texas Regional Haze Final Action
On June 5, R6 anticipates concurrence on the federal register notice and signature on transmittal memo sending the final action on the Texas Regional Haze BART Rule to the EPA Administrator for signature before the end of June. This final action on a Federal Implementation Plan must be signed by the Administrator. On November 1, 2019, the Regional Administrator signed the Texas Regional Haze BART Supplemental Notice of Proposed Rulemaking. The public comment period ended on January 13.

May	US/Mexico Border Palmview Wastewater Announcement with Congressman Cuellar (Virtual Event)

Region 7

Hot Topics

R7 Laboratory is Supporting the Superfund and Emergency Management Division with Short Turn-Around Analysis of Drinking Water Samples
R7 Laboratory is Supporting the Superfund and Emergency Management Division with Short Turn-Around Analysis of Drinking Water Samples
Description:

- SEMD resampled a drinking water well in Madison County, Missouri due to high concentration levels of metals.
- SEMD requested short turn around time (10 days) of nine water samples for drinking water levels for total arsenic, lead, copper, aluminum, iron, manganese, zinc, and vanadium.

R7 Issued Press Releases For Local Foods, Local Places Assistance Announcements
R7 Issued a Press Releases For Local Foods, Local Places Assistance Announcements
Description:

- The York County Development Corporation in York, Nebraska and the Mattie Rhodes Center in Kansas City, Missouri are two of 16 organizations across the nation to receive assistance to help boost economic opportunities for their local farmers, while promoting clean air, safe water, open space, and healthy food choices.

R7 Issued a Press Release Describing the Settlement of Clean Air Act Violations with Two Agriculture Storage and Supply Businesses.
R7 issued a press release describing settlement with two agriculture storage and supply business to resolve alleged violations of Clean Air Act regulations.
Description:

- The facilities are located in Kansas and Iowa.
- Post-settlement, the facilities should: ensure their anhydrous ammonia storage is designed in compliance with recognized and generally accepted good engineering practices; implement procedures to maintain the ongoing mechanical integrity of the process equipment; certify compliance audits at least every three years; update the Risk Management Plan at least once every five years; timely update the RMP with emergency contact information and accidental release history; accurately define the location points of release to determine off-site impacts to the population; and include a five-year accident history of all accidental releases from covered processes that resulted in injuries in the RMP.

R7 Superfund and Emergency Management Division Held a Virtual Public Meeting for the Plating Inc. Superfund Site (Great Bend, Kansas)
R7 held its first virtual public meeting on May 19, to receive comments on the proposed plan for the preferred remedy at the Plating Inc. Superfund Site in Great Bend, Kansas.
Description:

- Following extensive preparation, Region 7 hosted its first virtual public meeting on Tuesday, May 19, to present and take comment on the proposed preferred remedy for the Plating Inc Superfund National Priorities List site located in Great Bend, Kansas.
- The goal of the remedial action in the proposed plan is to prevent human exposure to contaminated soil and groundwater and to prevent further migration of groundwater contamination above maximum contaminant levels, as defined by the Safe Drinking Water Act.

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The preferred alternatives as outlined in the proposed plan are building demolition; soil excavation, treatment and disposal; and groundwater monitored natural attenuation. The estimate for the cleanup is $3,437,800 and the estimated time to reach remedial action objectives is three years.

- The public meeting went smoothly and was held using Adobe Connect. Approximately a dozen community members, including residents and city officials, participated in the meeting. In addition, several R7 staff and members of R7 state environmental agencies observed the meeting.
- The May 19, public meeting was recorded by the city and will be rebroadcast on the local Great Bend Government access channel through the end of the 30-Day public comment period which runs until June 5.

R7 SEMD Completed the Five-Year Review of the LaBounty Superfund Site (Charles City, Iowa)

R7 completed the sixth five-year review report for the LaBounty Superfund site in Charles City, Iowa and the remedy was found to be protective of human health and the environment.

Description:

- The LaBounty Superfund site is approximately eight acres on the western edge of the Cedar River in Charles City, Iowa. The site was used from 1953 to 1977 by Salsbury Laboratories, Inc., as a manufacturer of veterinary pharmaceuticals for the disposal of sludges containing various compounds and metals.
- The remedial action was completed by 1986 under a consent order to install a protective cap over the contaminated material and a subsurface groundwater diversion wall upgradient of the chemical fill. The site was deleted from the National Priorities List in 1993.
- The conclusion of the five-year review found that the remedy at the site is protective of human health and the environment. Although arsenic persists at high concentrations in the downgradient wells the groundwater is not currently used at the site. Institutional controls remain in place that prohibit the use of or contact with the groundwater for drinking purposes on the site.

R7 Completed the Five-Year Review of the Shaw Avenue Dump Superfund Site (Charles City, Iowa)

R7 completed the fourth five-year review report for the Shaw Avenue Dump Superfund site in Charles City, Iowa and the remedy was found to be protective of human health and the environment.

Description:

- The Shaw Avenue Dump Superfund site is approximately 24 acres on the southeastern edge of Charles City, Iowa along the Cedar River. The site was used from 1949 to 1964 by Salsbury Laboratories, Inc., as a manufacturer of veterinary pharmaceuticals for the disposal of sludges and liquid wastes containing various compounds and metals.
- The remedial action was completed by May 1992 with the excavation and off-site disposal of the chemical fill and contaminated soils. The chemical fill operable unit was partially deleted from the NPL in 2019. The remaining portion of the site on the NPL is the residual groundwater contamination being monitored with a well network.
- The conclusion of the five-year review found that the remedy at the site is protective of human health and the environment. Although arsenic persists at high concentrations in the downgradient wells the groundwater is not currently used at the site. Institutional controls

remain in place that prohibit the use of or contact with the groundwater for drinking purposes on the site.

Upcoming Major Decisions and Events

Nothing to Report.

Region 8

Hot Topics

Silver Bow Creek/Butte Area Superfund Site Consent Decree
On May 20, the Butte Silver Bow Commissioners voted 10-2 to approve the CD. The CD will be presented to the parties for their signature, including the Montana Governor and Atlantic Richfield. After the parties have signed off, the CD will be lodged with the U.S. District Court for Montana, and the Court will issue an order to take public comment for 30 days. The Court will then determine whether to accept the CD, modify it, or reject it.

MPLX Appealed the Part 71 Operating Permit Issued by R8 on April 13, for the Wonsits Valley Compressor Station
Located in Uintah County, Utah, Wonsits utilizes two emission control devices for emissions from a large dehydration unit. The dehydrator is subject to the applicable requirements of 40 CFR part 63, subpart HH (*National Emission Standards for Hazardous Air Pollutants from Oil and Natural Gas Production Facilities*). Wonsits is also subject to a consent decree entered that includes control requirements for the dehydration unit. Wonsit's disagrees with EPA's regulatory analysis that both control devises for the dehydration unit are subject to subpart HH. The EAB has ordered the EPA to submit a response brief and certified index of the administrative record by June 15.

R8 to Issue Four NPDES Permits to Merit Energy on the Wind River Reservation
The Water Division will issue four NPDES permits to Merit Energy (Merit) for the discharge of produced water on the Wind River Reservation. The Wyoming Department of Environmental Quality (WDEQ) and Wyoming governor have recently shown interest in how R8 permits these discharges. The facilities discharge into the Boysen Reservoir watershed, which receives produced water discharges from other WDEQ and EPA-issued NPDES permits. Going forward, R8 and WDEQ have agreed to evaluate a watershed approach to permitting in the Boysen Reservoir watershed.

City of Sheridan, Wyoming Water Utility was Cyber-Hacked for Ransom on May 18
One of the public water system's database systems was hacked and monitoring data was encrypted and held for ransom. The incident did not disrupt the water supply. The lead water operator reacted quickly to remove the infected device(s) from the network and immediately tasked the City's IT staff to recover the encrypted data. R8 sent the water operator an EPA-developed Incident Action Checklist to help identify actions to address the situation. R8 also informed the Department of Homeland Security's Cybersecurity and Infrastructure Security Agency (DHS CISA) of the incident. DHS CISA plans to visit the facility in the near future to assist in increasing the resilience of the data system and prevent future cybersecurity threats. Wyoming Department of Homeland Security reported the incident to the Federal Bureau of Investigation (FBI) for criminal investigation. The City will also determine if further criminal investigation is needed.

R8 plans to send an informational letter to the Crow Tribe of Montana regarding Mighty Few Express Center, a tribally owned, defunct gas station
In order to formally assess compliance for Mighty Few Express Center, EPA must first determine the status of the facility's Underground Storage Tank (UST). Mighty Few Express Center burned down during construction in November 2016 before it could sell fuel to the public. According to the tribal environmental director, the UST was never filled with product; however, the EPA inspector observed liquid through the fill port during a 2019 inspection of the facility. The facility may be subject to

temporary tank closure requirements within the federal UST regulations. The tribal informational letter is in accordance with R8 Guidance for Compliance Monitoring, Compliance Assistance, and Enforcement Procedures in Indian Country.

R8 Issues Referral to the Department of Justice Regarding Five Natural Gas Processing Plants Owned by DCP Operating Company, LP et al
On May 15, R8 referred violations of Clean Air Act leak detection and repair (LDAR) requirements by DCP Operating Company, LP et al. at five natural gas processing plants in Colorado: the Greeley, Roggen, Kersey/Mewbourn, Platteville, and Ladder Creek plants. Four of the five plants are located in a serious nonattainment area for ozone. The EPA inspected the Greeley, Platteville, Roggen, and Kersey/Mewbourn plants in 2014 and 2015 and followed up with CAA section 114 requests for information to DCP in 2016. The EPA referred LDAR claims under applicable new source performance standards, 40 C.F.R. part 60, subparts OOOO and KKK.

Regional Administrator led a call with the Colorado Asian Chamber of Commerce. The call focused on disinfecting public places and safely reopening businesses during the COVID pandemic. The meeting included speakers from EPA R8, the Agency for Toxic Substances Disease Registry, Centers for Disease Control, Office of Research and Development, and the Colorado Department of Public Health and Environment.

Upcoming Major Decisions and Events

May 28	R8 staff will participate virtually in the twice-yearly coordination meeting the Wyoming Governor's Small Water System Task Force. The meeting will include representatives from the Wyoming Departments of Environmental Quality, Agriculture and Health; the State Engineer's Office; several County Health officials; the Wyoming Association of Rural Water Systems; the Midwest Assistance Program; and the Wyoming Public Service Commission (PSC) along with the EPA's Drinking Water Section and Enforcement Program. Topics on the agenda include 2020 Sanitary Survey and Microscopic Particulate Analysis site visits, issues involving particular Wyoming drinking water systems, discussions of drinking water rules for specific instances in Wyoming and staff changes in the attending agencies.

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Region 9

Hot Topics

Camp Pendleton
On May 15, EPA signed the Navy's Site 33 ROD, which addresses a groundwater plume of perchloroethane (PCE) and its degradation by-products in an area of approximately 2.5 acres. The source was a gun cleaning area on a concrete pad with a drain discharge. The selected remedy is monitored natural attenuation and land use controls for groundwater and vapor intrusion. This ROD follows several significant removal actions which removed contaminated soil and injected a biosubstrate into the groundwater to enhance the degradation of PCE, which has already significantly reduced to levels close to the MCL remedial goal.

Omega Chemical Corporation (Whittier, CA)
On May 20, EPA announced a proposed $6,521,025 settlement with 145 parties to clean up contaminated groundwater at the Omega Chemical Corporation Superfund Site. This latest settlement, which is subject to a 30-day public comment period, has been concluded with parties that each sent one to three tons of waste to the former recycling company. The settlement is expected to provide funding for ongoing cleanup activities at the site and for the approximately four-mile groundwater plume that extends into the cities of Whittier, Santa Fe Springs and Norwalk, California.

National Science Foundation Grant to Navajo University
Navajo Technical University (NTU) was awarded a $2.5 million grant to support STEM instruction and research capacities by the National Science Foundation. The grant will help expand NTU's engineering department by introducing a bachelor's program in Environmental Engineering that focuses on uranium mine remediation and mitigation. Tetra Tech, US EPA's technical contractor for assessment work on Navajo abandoned uranium mines, has provided grant application development support to Navajo Technical University for the past several years, and this is the first successful award under that partnership.

Humboldt Ocean Disposal Site Expansion Rulemaking
Our draft proposed rule to expand the size and capacity of the Humboldt Open Ocean Disposal Site (HOODS) has been submitted for publication in the Federal Register (FR). A 30-day public review period will begin when the FR notice is published. A draft Environmental Assessment and other supporting documents will be available for public review simultaneously, via www.regulations.gov as well as the Region 9 Ocean Dumping website. HOODS is at capacity after 25 years of use and expanding it is necessary so that dredging can continue to provide for safe navigation in the Humboldt Bay area. We expect the final rule will be effective before the end of the year so that the expanded disposal site is ready for dredging in 2021.

Arizona Nonpoint Source Pollution Plan Approval
Last week, we approved Arizona's 5-Year Nonpoint Source Plan for the state fiscal years 2021 to 2026. The plan describes how Arizona Department of Environmental Quality (ADEQ) programs will work together, and with other partners, over the next five years to identify, prioritize, and address nonpoint source pollution issues. EPA's approval of the state's plan enables Arizona to receive additional 319 grant funds to implement the plan. In this plan, ADEQ focuses on reducing metals and E. coli impairments, but will address other NPS impairments as needed.

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Upcoming Major Decisions and Events

Coordination with Army Corps on CWA Implementation
This week, we are meeting with the Sacramento, San Francisco, and Los Angeles Army Corps of Engineers Regulatory Division Chiefs on CWA Section 404 program coordination. Key topics will include implementation of the Navigable Waters Protection Rule and new CWA Section 401 water quality certification regulations.

Critical Incident Stress Management (CISM) Webinar Training
R9 is hosting a Critical Incident Stress Management (CISM) webinar training for Response Support Corps (RSC) across the Agency. The training session will be held June 11, 11:00-12:00 PDT. It will be recorded to be used for future sessions.

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Region 10

Hot Topics

Clean Water Act Section 401 Actions on Lower Columbia/Snake River Federal Dams NPDES Permits

On May 15, EPA received an objection and a request for public hearing from Oregon DEQ on EPA's draft NPDES permits for Lower Columbia federal dams. This objection was in response to EPA's request to Oregon for a Clean Water Act Section 401 review, required for permits that may affect downstream waters. The letter calls for the permits to implement temperature controls for the dams from the Columbia River temperature TMDL issued on May 18th, controls for total dissolved gas, and other measures. On May 7th, the Washington Department of Ecology also responded to EPA's request for final 401 certification on the Lower Columbia/Snake River dams with conditions requiring EPA to include similar temperature TMDL and Total Dissolved Gas requirements as well as other conditions.

Upcoming Major Decisions and Events

EPA Establishes Temperature TMDL for Columbia and Lower Snake Rivers

On May 18, EPA established a temperature TMDL for the Columbia and Lower Snake Rivers pursuant to an agreement with Plaintiffs in Columbia Riverkeeper v. Pruitt. EPA was required to establish the TMDL under a court order. The TMDL establishes temperature targets for point sources, certain tributaries, and the nonpoint impacts from dams on both rivers. Pursuant to EPA's regulations, EPA will take public comment for 60 days and may revise the TMDL if the public comments warrant changes. Unless and until it is revised, the TMDL issued on May 18, is in effect for Clean Water Act purposes.

Washington Water Quality Criteria for Toxics Updates

On May 26, EPA will file its opposition to the State of Washington's motion for summary judgment and cross-motion in the lawsuit challenging EPA's 2019 approval of the state's human health criteria for toxics. On May 14, the Lower Elwha Klallam Tribe and the Northwest Indian Fisheries Commission, which represents 20 Western Washington treaty tribes, sent letters to Administrator Wheeler requesting that EPA delay the effective date of the rule given the state's litigation noted above.

Clean Air Act Title V Permit Renewal for Northwest Pipeline's Pocatello Compressor Station (ID)

On May 18, R10 reissued a Title V Air Operating Permit to Northwest Pipeline for their Pocatello Compressor Station. The facility is located on the Shoshone-Bannock Tribe's Fort Hall Indian Reservation in southeast Idaho. The Pocatello Compressor Station is a major source because it has the potential to emit more than 100 tons per year of NOX and CO and more than 10 tons per year of the Hazardous Air Pollutant formaldehyde. Region 10 received no comments during the 30 day comment period on the draft permit renewal.

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Federal Register Publication re: Proposed Fairbanks PM2.5 Nonattainment Area Finding (AK)

On May 19, the Federal Register notice was published proposing to (1) find that the Fairbanks, Alaska PM2.5 Serious nonattainment area failed to attain the 2006 24-hour PM2.5 federal National Ambient Air Quality Standard and (2) deny the State's request to extend the Serious area attainment date. Details of this action were communicated to all stakeholders upon publication. Finalization is expected by the end of June. The Finding of Failure to Attain triggers additional planning obligations for the state and a five percent plan is now due by December 31.

Approval of Transformer Technology's Commercial Storage Approval for PCBs (OR)

R10 has received a notice that Transformer Technologies in Salem, Oregon intends to continue activities under their current PCB commercial storage approval, which expires May 27. The facility submitted its application for re-issuance of their current approval. Consistent with national program guidance, Region 10 issued a letter affirming that Transformer Technologies has satisfied conditions of their current approval by providing EPA with the notice cited above, and that they may continue to operate under that approval.

Alaska 2018 Integrated Report - EPA Action

R10 expects to take action over the next two weeks to approve Alaska's 2018 Integrated Report, submitted by Alaska DEC in March 2020. The submission of this list is critical to meet a June 30th court-ordered deadline for EPA to take action on the delisting of the last two listed segments of the Crooked Creek watershed related to the 1992 303(d) list. EPA offered tribal consultation on the submittal, and while two tribes/tribal organizations participated in the informational call scheduled on April 22, we did not receive any requests for formal government-to-government consultations.

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Office of Air and Radiation

Hot Topics

- **Packages for Signature:**
  - Protection of Stratospheric Ozone: Listing of Substitutes under the Significant New Alternatives Policy Program (Proposed Rule)
  - Rubber Tire Residual Risk and Technology Review (Final Rule)
  - Lime Manufacturing Plants Risk and Technology Review (Final Rule)
  - Plywood and Composite Wood Products Risk and Technology Review (Final Rule)
  - Anti-backsliding Determination for Renewable Fuels and Air Quality (Proposed Determination)

- **Packages at OMB for Review:**
  - Boiler MACT (Proposed Rule: RECEIVED February 7)
  - Biogenic CO2 (Proposed Rule: RECEIVED February 24)
  - Granting Petitions to Add n-Propyl Bromide to the List of Hazardous Air Pollutants (Final Notice: RECEIVED February 24)
  - Cost Benefit Rule (Proposed Rule: RECEIVED April 10)
  - Control of Air Pollution from Aircraft and Aircraft Engines: Proposed GHG Emission Standards and Test Procedures (Proposed Rule: RECEIVED May 1)
  - 2021 RFS Rule (Proposed Rule: RECEIVED May 13)
  - Amendments Related to Marine Diesel Engine Emission Standards (Final Rule: RECEIVED May 15)
  - Miscellaneous Organic NESHAP Risk and Technology Review (Final Rule: RECEIVED May 15)

- **Packages Heading to OMB Soon**
  - Prevention of Significant Deterioration (PSD) and Nonattainment New Source Review (NNSR): Reconsideration of Fugitive Emissions (Proposed Rule)
  - NSPS for GHG Emissions from New, Modified, and Reconstructed Stationary Sources: EGUs (Final Rule)
  - Oil and Gas Sector Reconsideration (Final Rule)
  - Oil and Gas Sector Review (Final Rule)

Upcoming Major Decisions and Events

Anti-backsliding Determination for Renewable Fuels and Air Quality
On or before May 29, in response to a consent decree deadline and as directed by the Clean Air Act's "anti-backsliding" provisions under Section 211(v), EPA will release the "anti-backsliding" proposed determination and underlying study. In accordance with these provisions, EPA has considered how required renewable fuel volumes under the Renewable Fuels Standard program impact air quality as a result of changes in vehicle and engine emissions. EPA is also required to determine whether additional measures should be implemented to address any adverse air quality impacts. EPA is proposing that no additional fuel control measures are necessary.

Release of Final Policy Assessment for the Ozone NAAQS
As early as next week, EPA will publish the final draft of the *Policy Assessment for the Ozone National Ambient Air Quality Standards*. A draft version of this Policy Assessment (PA) was released for public comment and review by the Clean Air Scientific Advisory Committee (CASAC) on October 31, 2019. The draft PA, in addition to the draft Integrated Science Assessment (ISA) were reviewed by the CASAC at a public meeting in early December 2019. The final PA serves to ''bridge the gap'' between the currently available scientific information, characterized in the final ISA, as well as quantitative analyses of air quality, exposure and risk, and the judgments required of the Administrator in determining whether to retain or revise the existing ozone NAAQS.

Web update with EtO background data
On Tuesday, May 26, OAR will post additional "background" ethylene oxide (EtO) data --collected from monitors in the National Air Toxics Trends Stations (NATTS) network and the Urban Air Toxics Monitoring Program (UATMP)– to EPA's Air Quality System (AQS) database. AQS is the Agency's official repository of air quality monitoring data. Language will also be added to the ethylene oxide website indicating that the data are available and noting that the average concentration across sites from the nine months from October 2018 to June 2019 is similar to the six-month average from previously published data covering October 2018 to March 2019.

Renewable Fuel Standard Section 610 Review
As early as next week, OAR anticipates posting the results of our review, pursuant to section 610 of the Regulatory Flexibility Act (5 U.S.C. 610), for the rulemaking "Regulation of Fuels and Fuel Additives: Changes to Renewable Fuel Standard Program" which finalized in March 2010 (75 FR 14669, March 26, 2010). Conclusion of the review will be announced in the Spring 2020 Regulatory Agenda.

Air Trends Report
On May 27, OAR will issue its annual report on air quality, tracking our nation's progress in improving air quality since the passage of the Clean Air Act. "Our Nation's Air: Status and Trends Through 2019" documents the considerable improvements in air quality across America since 1970. The report will show that between 1970-2019, the combined emission the six criteria pollutants declined 77%, while the U.S. economy grew 285%. National average concentrations for 5 of the 6 pollutants were at the lowest levels ever recorded, and PM2.5 was at the second lowest level (after 2016).

Web Tools for NAAQS Attainment Info
As early as next week, OAR/OAQPS is planning to post two web-based tools to share information with the public on areas that were designated as nonattainment for one or more National Ambient Air Quality Standards (NAAQS). OAQPS developed these tools to make it easier for state and local partners, as well as the public, to access information about nonattainment areas and progress in attaining and maintaining the air quality standards. These tools are making good on EPA's commitment to provide accessible and transparent information related to air quality – helping states, localities, and other stakeholders track air quality progress through nonattainment area status information.

Additional Virtual Public Hearings on the PM NAAQS Proposal
OAR will be holding two additional virtual public hearings on May 22 (half day) and 27 (full day), on the proposed action titled "Review of the National Ambient Air Quality Standards for Particulate

Matter," which was signed on April 14, 2020. These two virtual public hearings are in addition to the two initial virtual public hearings on May 20 and May 21. To date, there are almost 300 public speakers registered for these virtual public hearings, with more than 200 people registered to listen.

Virtual Public Hearing on Fuels Regulatory Streamlining Proposal
Next week, OAR will be holding a public hearing for the Fuels Regulatory Streamlining rule on Thursday, May 28. Industry has been actively engaged throughout the development of this action and, as a result, a significant number of speakers is not expected for the hearing.

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Office of Chemical Safety and Pollution Prevention

Hot Topics

COVID-19 Updates:

List N: Disinfectants for Use Against SARS-CoV-2
This past week, OCSPP added 3 new products to List N, bringing the total to 423. This week, OCSPP also started receiving existing product submissions with actual SARS-CoV-2 efficacy data to qualify these products for List N. This new action is the first step toward registrants of products currently on List N being able to make label claims *specifically for use against SARS-CoV-2*, which none of the products on List N can claim at this time. Currently, OCSPP has 15 such submissions in house.

Providing Flexibilities for Agricultural Employers (Respiratory Protection Statement)
Soon, OCSPP and OECA plan to issue a joint statement outlining options for respirator use, when required on a pesticide label. These potential flexibilities are in response to the COVID-19 public health emergency, to address reported shortages of certain respirators and related services and supplies. The prioritized options that are always available encourage use of alternative pesticide products that do not require respirators or, if needed, selection of more protective gear. The temporary flexibilities are modeled after recent OSHA enforcement guidance that provided: 1) modifications to annual respirator fit-testing requirements; 2) guidance for extended use or reuse of certain respirators; and 3) allowance of respirators certified in other countries that provide similar respiratory protection.

Upcoming Major Decisions and Events

Methyl Mercaptan – Registration of New Active Ingredient
On May 22, OCSPP plans to issue a FIFRA registration for Methyl Mercaptan, a new biochemical active ingredient that is found in the blood and brain of humans and other animals, as well as in plant tissues. The proposed product is intended to be applied in closed irrigation systems by trained applicators to mitigate gopher damage to irrigation lines and crops. Methyl Mercaptan (a gas) does not present any toxic concerns to human health and the environment.

TSCA SACC Peer Review Virtual Meeting on Perchloroethylene Draft Risk Evaluation
May 26-May 29, EPA will hold a public, virtual meeting of the Toxic Substances Control Act Science Advisory Committee on Chemicals (TSCA SACC) to peer review the draft risk evaluation for perchloroethylene.

Sheep Fat - New Active Ingredient
OCSPP will soon open a 15-day public comment period to take comment on its proposal to register a new biochemical active ingredient derived from fat tissues of sheep. Sheep fat is naturally occurring and has long been a part of the human diet. The proposed product is intended for use as an animal repellent against deer, rabbits, elk, and moose to prevent browsing. Sheep fat does not present any toxic concerns to human health and the environment, or birds, wild mammals, fish, plants or insects.

Trichoderma atroviride strain SC1 - New Active Ingredient
OCSPP will soon seek public input on a proposal to register a biopesticide product containing the new microbial active ingredient Trichoderma atroviride strain SC1 (T. atroviride SC1) for use on

grapevines and almond trees to control fungal wood and canker diseases. This product's proposed use to protect pruning and grafting wounds would fill a unique segment of the market and provide growers with a valuable tool to use in integrated pest management programs. T. atroviride SC1 is a naturally occurring fungus that obtains nutrients from dead organic matter and inhabits soil in plant roots. T. atroviride SC1 is not expected to be toxic to human health and the environment. OCSPP is proposing to establish a tolerance exemption for residues of T. atroviride SC1 in or on all food commodities when used in accordance with label directions.

TSCA Inventory Update

The week of June 1, OCSPP will make a routine update to the TSCA Inventory, the list of all existing chemical substances manufactured, processed, or imported in or into the U.S. This biannual update to the public TSCA Inventory is part of EPA's regular posting of non-confidential TSCA Inventory data. The next regular update of the Inventory is planned for early 2021.

Pending Publication, Selected

- Final Rule; Community Right-to-Know; Corrections to Toxics Release Inventory (TRI) Reporting Requirements; expected May 26
- Final Rule; Implementing Statutory Addition of Certain Per and Polyfluoroalkyl Substances; Toxic Chemical Release Reporting

Going soon to OMB for expedited EO 12866 interagency review

- Long-Chain Perfluoroalkyl Carboxylates and Perfluoroalkyl Sulfonates (LCPFAC); Final Significant New Use Rule (SNUR); statutory deadline for Administrator signature: June 22

Office of the Chief Financial Officer

Hot Topics

House Appropriations Committees Questions for the Record regarding EPA's FY 2021 Budget Request have been cleared by OMB. OCFO is coordinating with OCIR on final review and transmittal to the Hill.

Upcoming Major Decisions and Events

OCFO is scheduled on May 27, to brief the Associate Deputy Administrator and Assistant Deputy Administrator on the agency's FY 2020 strategic reviews results in the strategic objective dashboards and risk assessment tools on May 27. EPA's dashboards are due to OMB on June 26.

Regions and programs submitted potential Multi-Year Plan topics to develop for the July Budget Forum. In total, regions and programs submitted 16 new ideas and identified 17 of the existing 22 proposals to update. OCFO will brief the Associate Deputy Administrator on May 28, and then the Administrator on the potential proposals before providing guidance to the Agency on which multi-year plans should be fully developed.

In lieu of the cancelled May 12-May 14, in-person meeting, the 2020 E-Enterprise and Exchange Network National Meeting organizers are promoting a series of monthly webinars beginning June 4. The series features a selection of presentations, discussions, and networking opportunities from the originally planned program (*Envisioning the Future of Environmental Protection)*. More details about featured topics and speakers and registration information is available at: https://www.eenationalmeeting.net/webinars.

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GAO and OIG Audits and Activities

The following tables summarize agency GAO and OIG activities since the last weekly report through May 15:

GAO Audits – Week Ending 5/15/2020				
Audit Type	**Title**	**Office**	**Engagement/ Report No.**	**Next Steps/Comments**
Entrance Conference	Regulation of Private Water Rates	OW	Engagement Code 104163	Entrance conference took place on 5/15/2020.
Exit Conference	Lead in Childcare Facilities	OA	Engagement Code 103241	The Exit Conference is scheduled for 6/4/2020. The Statement of Facts is anticipated shortly.
Notification Letter/ Questionnaire	Cost-Benefit Methodologies for Deregulatory Actions	OA - OP	Engagement Code 104220	OP is working with GAO to schedule an Entrance Conference.

OIG Audits – Week Ending 5/15/2020				
Audit #	**Title**	**Status**	**Office**	**Next Steps/Comments**
None.				

Other

On May 15 and May 18, OCFO submitted initial draft FY 2020 Q1/Q2 Agency Priority Goal Action Plan Updates to OMB for review; final drafts addressing OMB comments are due June 5. Target date for issuance on Performance.gov is late June.

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Office of Congressional and Intergovernmental Relations

Hot Topics

Nothing to Report.

Upcoming Major Decisions and Events

Ongoing	OCIR inquiry tracking of COVID-19 impacts on agency programs: this past week, managed inquiries re: disinfectant product approvals, Congressional briefing requests.
Ongoing	COVID-19-tracking state and local inquiries of national significance re: grants, fuel waivers, enforcement
Week of May 25 (tent.)	Call with Maine delegation regarding Legionella and UCMR 5 with OW
May 27	Briefing on Harmful Algal Blooms with the House Science, Space, and Technology Committee
June 1	HEC/HSST Committee staff briefing re: COVID-19 agency activities (OW, OLEM, OCSPP, OAR, ORD)

Office of Enforcement and Compliance Assurance

Hot Topics

California Metal Finisher Sentenced for Hazardous Waste Violations
On May 13, Curtis Technology Inc. (CTI) was sentenced in the Southern District of California to pay a $45,000 fine and $114,297 in clean-up costs for illegally transporting hazardous waste from its facility without a manifest. CTI pleaded guilty in February 2020, admitting that it conducted metal finishing operations at its location on Sorrento Valley Road, San Diego which generated various wastes, including ferric chloride, alkaline, waste filter cake, solvents and other chemicals. Between December 12, 2015 and August 22, 2019, CTI transported chemicals from the CTI location on Sorrento Valley Road to the CTI owner's three residences in San Diego without an accompanying hazardous waste manifest. At the three sites, over 300 containers of waste chemicals were discovered. At one of the locations, chemicals deemed too unstable to transport were discovered. The area was evacuated, the San Diego Fire Department Bomb Squad arrived, and the chemicals were detonated on site. The remaining chemicals were removed by the EPA Superfund program.

Former New York Tannery Owner Ordered to Pay Restitution for Clean-up of Hazardous Waste as Part of Felony Conviction
On May 15, Robert Carville was ordered in the Northern District of New York to pay $369,693 in restitution to EPA to reimburse it for its expenses incurred in removing hazardous waste from his former business. Carville pleaded guilty in December 2018 to one felony count of illegally storing hazardous waste without a permit and was sentenced to serve a 2-year term of probation in 2019. Carville National Leather Corporation was a family owned tannery business that operated in Johnstown, New York, from 1976 until it closed in September 2013. Following the closure of the business, Carville moved out of state, leaving hundreds of containers of hazardous chemicals inside the abandoned tannery building. Some of these were labeled as "corrosive," "acidic," and "hazardous." Carville did not have a permit to store hazardous materials. Chemicals began leaking from the tannery building approximately two years after Carville abandoned it. In light of the tannery's proximity to multiple residences and to a local creek, EPA incurred substantial expenses in cleaning up and removing the chemicals over a several-month period.

ASTSWMO Board Meeting
On May 20, OECA Assistant Administrator Susan Bodine joined OLEM Assistant Administrator Peter Wright on a call with the Association of State And Territorial Solid Waste Management Officials Board to talk about Temporary COVID-19 Enforcement Discretion Policy and challenges facing states with regard to inspections during the public health emergency.

Upcoming Major Decisions and Events

Nothing to Report.

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Office of General Counsel

Hot Topics

***William Orr v EPA et al.* No. 1:19-cv-226 (W.D.N.C. May 15)**
New Decision: The court dismissed a challenge against EPA, other federal agencies, and an electric membership cooperative brought by a *pro se* plaintiff, who is concerned with the spraying of herbicides including glyphosate on Roan Mountain in North Carolina. The complaint raised challenges against EPA under the Endangered Species Act (ESA) and the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). The court dismissed the ESA claims based on the failure to provide a proper notice of intent to sue. The court dismissed the FIFRA claims for failure to identify a final agency action and the lack of jurisdiction for the court to enjoin EPA to take other actions requested by the plaintiff. Further, based on arguments made by the electric cooperative, the court dismissed the complaint based on lack of standing. The action was dismissed with prejudice.

***Maryland v. EPA*, No. 18-1285 (D.C. Cir. May 19)**
New Decision: The D.C. Circuit issued an opinion in this consolidated challenge brought over EPA's denial of CAA section 126(b) petitions submitted by Maryland and Delaware seeking controls on 36 upwind sources that are allegedly impacting the 2008 and 2015 ozone NAAQS in the petitioning states in violation of the good neighbor provision (CAA section 110(a)(2)(D)(i)(I)). The D.C. Circuit mostly upheld EPA's denial of all of the petitions as reasonable, but remanded Maryland's section 126(b) petition as to a single issue based on the court's determination that the Agency improperly denied the petition regarding four sources with non-catalytic controls by relying on the same analysis of these sources in the CSAPR Update, which the D.C. Circuit vacated.

Petition for Certiorari denied. On May 18, the U.S. Supreme Court denied certiorari in Valero and American Fuel & Petrochemical Manufacturers' (AFPM) challenge to the Renewable Fuel Standards point of obligation.

***Valero Energy Corporation v. EPA*, No. 19-835 (S. Ct. May 18)**
Petitioners had sought certiorari of three D.C. Circuit decisions that upheld EPA's denial of rulemaking petitions to revise the RFS point of obligation as well as EPA's decisions to not reconsider the point of obligation in the 2017 and 2018 RFS annual rulemakings.

***California Air Resources Board v. EPA et. al.*, No. 1:20-cv-1293 (D.D.C. filed May 15)**
New Litigation: The California Air Resources Board (CARB) filed a complaint against EPA and the National Highway Traffic Safety Administration alleging violations of the Freedom of Information Act (FOIA). In its complaint, CARB alleges that the agencies failed to respond to a FOIA request sent to each agency in December 2019.

New NOI: On May 8, the Colorado Department of Law on behalf of the State of Colorado submitted a notice of intent to sue regarding alleged Endangered Species Act (ESA) violations associated with the Navigable Waters Protection Rule (NWPR). The state asserts that the NWPR is a discretionary agency action subject to the ESA's section 7 consultation requirement, noting that EPA and the Army made policy choices in determining the appropriate balance between federal and state waters that would otherwise be "irrelevant" to a nondiscretionary action. The state alleges that by reducing Clean Water Act jurisdiction over certain types of waters, the NWPR likely adversely affects threatened and endangered species and thus required consultation under ESA section 7.

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Upcoming Major Decisions and Events

Nothing to Report.

Office of International and Tribal Affairs

Hot Topics

White House COVID-19 Briefing for Tribes

OITA/AIEO joined a COVID-19 briefing call for states and tribes hosted by the White House's Office of Intergovernmental Affairs. Secretary Alex Azar of the Department of Health and Human Services (HHS), and Commissioner Stephen Hahn of the U.S. Food and Drug Administration (FDA), were featured speakers and joined by other senior officials from the Administration. The briefing included announcements on "Operation Warp Speed" to develop a COVID-19 vaccine, HHS's allocation plan for the drug Remdesivir, FDA's issuance of an emergency use authorization for the Everlywell COVID-19 Test Home Collection Kit, and the Small Business Administration and Department of the Treasury May 15, release of the Paycheck Protection Program (PPP) loan forgiveness application.

Israel New Government and Environment Minister

On May 17, Israel swore in a new government after a year of political deadlock and following three elections. Benjamin Gantz and Benjamin Netanyahu will rotate the position of Prime Minister with Netanyahu serving as Prime Minister first and Gantz expecting to take over in November 2021. Gila Gamliel was named Environment Minister of the new Government. Gamliel previously served for five years as the Minister for Social Equality and before that, she served as Deputy Minister in the Prime Minister's Office. The former Environment Minister, Zeev Elkin, was named Minister of Higher Education and Water Resources.

Interagency Plastic Scrap Call

EPA participated in an interagency plastics scrap call, hosted by the State Department, to discuss bilateral and multilateral developments associated with plastic scrap and trade. EPA provided an update on OECD negotiations with the EU and others on the Basel Amendment and how plastic scrap will be addressed within the OECD. State reported on Canada's decision to list plastic as a toxic substance, which could potentially trigger the regulatory process for the use, production, and disposal of certain plastics in Canada. State also provided an update on an APEC report on the economic cost of marine debris to APEC economies, which found that the cost has increased tenfold, impacting urban and tourism areas heavily. The report also outlines major urban marine debris hotspots in the APEC region and discusses the effectiveness of certain low-cost technologies to prevent marine debris, such as river booms.

Upcoming Major Decisions and Events

May 21 OITA AA Chad McIntosh will participate in the North American Development Bank (NADB) Board of Directors meeting and R9 RA John Busterud will discuss EPA's efforts to address the Tijuana spill.

May 22 OITA PDAA Jane Nishida will participate in the Commission for Environmental Cooperation (CEC) conference call with Canada and Mexico to discuss the upcoming Council Session and new Strategic Plan.

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Office of the Land and Emergency Management

Hot Topics

Coal Combustion Residuals (CCR)

a. CCR Phase 2 proposed rule (package 1) – On October 15, 2019, the public comment period ended; OLEM is reviewing the comments.

b. CCR permitting NPRM (package 3) – This was published in the FR on February 20, 2020, and the public comment period was to end on April 20, 2020 but was extended for 30 days to May 20. On May 6, the Administrator approved the Navajo Nation's request to extend the public comment period 60 days to July 19, 2020. The extension of the comment period was published in the Federal Register on May 19.

c. CCR litigation packages (package 2, parts A and B) – On December 2, 2019, the Part A NPRM package was published in the FR; the 60-day public comment period ended January 31. On May 12, a draft of the preamble for the final rulemaking package was provided to the OLEM IO for review, with a goal of getting it to OP for OMB review in early June. On March 3, the Part B NPRM was published in the FR; the public comment period ended on April 17.

d. CCR Legacy Units ANPRM - Package expected to be sent to OP for OMB review soon.

Modernizing Ignitable Liquids Determinations Final Rule
On May 20, OLEM sent the package to OP for signature by the Administrator.

PCB Extraction NPRM
OLEM is working on the package and we anticipate it going to OP this month for OMB review.

Subpart J Monitoring Rule
Option selection was held May 7. The workgroup will proceed with developing the rulemaking documents.

E-Manifest Emergency ICR Authorization Request
OLEM submitted to OP for OMB a 90-day emergency authorization request letter to approve the shift/change in Paperwork Reduction Act burden estimates associated with policy changes to the enforcement of e-manifest signature process contemplated by OLEM and OECA.

FY 2019 Superfund Five-Year Report to Congress
On May 12, the report was provided to OP for review; we anticipate it going to OCIR soon for submittal to OMB for review.

Ongoing major Superfund NPL sites
We are working with R2 on Woodbrook Road and Rolling Knolls; R4 on Oak Ridge, Birmingham 35th Ave., and Petroleum Products Corporation; R5 on Sandoval; R8 on Anaconda Smelter; and R10 on Portland Harbor, Quendall Terminal, Bradford Island, and East Waterway.

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

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The Industry 2 (Petroleum and Coal) rule package was published in the FR on December 23, 2019, and the public comment period ended on February 21. On May 6, an options selection meeting for 108(b) additional classes was held. The Industry 3 (Chemical Manufacturing) NPRM package was published in the FR on February 21, and the public comment period was to end on April 22. However, it was extended for two weeks and ended May 6.

PFAS

Designation of PFOA/PFOS as CERCLA Hazardous Substances NPRM. The rule package was submitted to the Office of Policy on September 20, 2019, for OMB review.

Upcoming Major Decisions and Events

May 21, 2020 **Monthly Business Review.** OLEM will hold its monthly business review.

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Office of Mission Support

Hot Topics

Use of the Schedule A Hiring Authority/ Workforce Recruitment Program (WRP) Webinar
OMS held the second session of **Leveraging the Use of the Schedule A Hiring Authority** webinar for agency's hiring managers. The webinar educated the participants on the national priority to increase hiring persons with disabilities at the EPA. The OMS partnered with the Office of Civil Rights, presenting to over 70 managers, PMOs, HROs and Civil Rights Leaders across the agency. The webinar is recorded and will be made available on the OHR intranet page at a later date.

Chief Information Officer Interviewed by Meritalk
On Mary 18, Vaughn Noga, EPA's Chief Information Officer, was interviewed by Meritalk news outlet. Mr. Noga discussed how partnerships with other offices and a new approach to emerging tech helped fuel the fast transition. He also urged tech practitioners not to forget lessons learned over the past three months as they transition to the next phase of a new normal. Read the full article to learn more about what Mr. Noga discussed and the new way of conducting business.

Upcoming Major Decisions and Events

On Tuesday, May 26, OMS is partnering with EPA's Asian American and Pacific Islander Community to host - emPower Hour Team ***"A Conversation with Don Chen"*** about the importance of building a strong AAPI Community at EPA. The conversation will focus on strategies and insights employees can use to further strengthen our AAPI groups at EPA. Don Chen is the President of the Surdna Foundation where he leads the 100-year old foundation's efforts to strengthen and further leverage its commitment to social justice.

Office of Policy

Hot Topics

Virtual Public Meeting - Update of Economic Guidelines
On Tuesday, May 26, the Science Advisory Board review panel for the proposed revision of the economic guidelines will host a virtual public meeting to discuss the charge questions submitted by the Agency.

Upcoming Major Decisions and Events

Active Interagency Reviews from OMB		
Subject		**OMB Due Date**
DOI/ONRR DRFM: ONRR Reporting and Royalty Payment Delay Related to Coronavirus Disease 2019 (COVID-19)		05/26/2020
DOI/FWS NPRM: Endangered and Threatened Wildlife and Plants; Revision of the Regulations for Designating Critical Habitat		05/29/2020
DOC/BIS FRM: Wassenaar Arrangement 2018 Plenary Agreements Implementation; and other Revisions Related to National Security Controls		06/04/2020
HUD/OFHEO FRM: HUD's Implementation of the Fair Housing Act's Disparate Impact Standard		06/05/2020
Documents Sent to the OFR from May 14 - 20, 2020		
FRL #	**Title**	**Date Sent to FR**
10009-59-Region 10	Air Plan Approval; Washington; Northwest Clean Air Agency	05/20/2020
10009-75-OCSPP	Dinotefuran; Receipt of Applications for Emergency Exemptions, Solicitation of Public Comment	05/20/2020
10009-85-OCSPP	Pesticide Product Registration; Receipt of Applications for New Active Ingredients	05/20/2020
10009-13-Region 9	Air Plan Approval; California; Consumer Products Regulations	05/20/2020
10009-73-Region 9	Air Plan Approval; California; San Joaquin Valley Unified Air Pollution Control District and Feather River Air Quality Management District	05/20/2020
10005-92-OMS	Reformulated Gasoline and Conventional Gasoline: Requirements for Refiners, Oxygenate Blenders, and Importers of Gasoline; Requirements for Parties in the Gasoline Distribution Network (Renewal)/ICR 1591.27	05/19/2020
10005-96-OMS	School Integrated Pest Management Awards Program (Renewal)/ICR 2531.02	05/19/2020
10007-83-OP	Procedures for Issuing Guidance Documents	05/19/2020

10008-88-OW	Draft Ambient Water Quality Criteria Recommendations for Lakes and Reservoirs of the Conterminous United States: Information Supporting the Development of Numeric Nutrient Criteria	05/19/2020
10009-49-Region 8	Approval and Promulgation of Air Quality State Implementation Plans; Provo, Utah Second 10-Year Carbon Monoxide Maintenance Plan	05/19/2020
10009-30-OAR	Release of Policy Assessment for the Ozone National Ambient Air Quality Standards	05/19/2020
10009-37-OMS	Confidentiality Rules (Renewal)/ICR 1665.14	05/19/2020
10009-68-Region 8	Public Water System Supervision Program Revision for the State of Montana	05/19/2020
10009-20-OAR	Part 60 Standards of Performance for New Residential Wood Heaters, New Residential Hydronic Heaters, and Forced-Air Furnaces	05/19/2020
10009-77-Region 8	Part 52 Promulgation of State Implementation Plan Revisions; Infrastructure Requirements for the 2015 Ozone National Ambient Air Quality Standards; Utah	05/19/2020
10007-23-OCSPP	Community Right-to-Know; Corrections to Toxics Release Inventory (TRI) Reporting Requirements	05/18/2020
10008-09-OCSPP	Implementing Statutory Addition of Certain Per- and Polyfluoroalkyl Substances; Toxic Chemical Release Reporting EPA-	05/18/2020
10008-71-OCSPP	Significant New Use Rules on Certain Chemical Substances (19-4.B)	05/18/2020
10008-68-Region 9	National Oil and Hazardous Substances Pollution Contingency Plan; National Priorities List: Deletion of the JASCO Chemical Corp. Superfund Site	05/18/2020
10009-39-Region 4	Ocean Dumping: Cancellation of Final Designation for an Ocean Dredged Material Disposal Site	05/18/2020
10009-79-ORD	Board of Scientific Counselors (BOSC) Chemical Safety for Sustainability and Health and Environmental Risk Assessment Subcommittee Meeting – May 2020	05/18/2020
10009-64-Region 9	Ocean Dumping: Modification of an Ocean Dredged Material Disposal Site Offshore of Humboldt Bay, California	05/18/2020
10008-85-Region 4	Florida: Final Authorization of State Hazardous Waste Management Program	05/15/2020
10008-21-OCSPP	Agency Information Collection Activities; Proposed Renewal of an Existing Collection (EPA ICR No. 1246.14 and OMB Control No. 2070-0072); Comment Request	05/15/2020
10008-81-Region 9	Notice of Proposed Administrative Settlement Agreement and Order on Consent with De Minimis Parties at the Omega Chemical Corporation Superfund Site in Los Angeles County, California	05/15/2020
10008-96-OW	Comment on whether EPA's approval of a Clean Water Act Section 404 program is non-discretionary for purposes of Endangered Species Act Section 7 Consultation.	05/15/2020

10009-40-Region 6	Air Plan Approval; Texas; Approval of Substitution for Dallas-Fort Worth Area Transportation Control Measures	05/15/2020
10009-56-OAR	Public Hearing for Fuels Regulatory Streamlining	05/15/2020
10009-43-Region 10	Air Plan Approval; WA; Infrastructure Requirements for the 2010 Sulfur Dioxide and 2015 Ozone Standards	05/15/2020
10009-48-Region 6	New Source Performance Standards; Delegation of Authority to Oklahoma	05/15/2020
10010-00-Region 1	Air Plan Approval; New Hampshire; Negative Declaration for the Oil and Gas Industry; Withdrawal of Direct Final Rule	05/15/2020
10008-12-OCSPP	Pesticide Registration Review; Interim Decisions and Case Closures for Several Pesticides; Notice of Availability	05/14/2020
10008-87-OCSPP	Dipropylene glycol and Triethylene glycol, Proposed Tolerance Actions	05/14/2020
10009-51-Region 3	Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Regulatory Updates to Allegheny County Nonattainment New Source Review (NNSR) Permitting Requirements for 2012 PM2.5 National Ambient Air Quality Standard (NAAQS)	05/14/2020
10009-69-Region 4	Air Plan Approval; GA; 2010 1-Hour SO2 NAAQS Transport Infrastructure	05/14/2020
10009-71-OCSPP	Pesticide Registration Review; Proposed Interim Decisions for Several Neonicotinoid Pesticides; Re-opening of Comment Period	05/14/2020
10009-07-Region 4	Air Plan Approval; GA: Permit Requirements	05/14/2020
10009-55-Region 4	Air Plan Approval; GA: Emission Reduction Credits	05/14/2020

Office of Research and Development

Hot Topics

Covid-19 Research

ORD Researchers Coordinate with Local Transit Authorities on Long-Term and Novel Disinfectants

ORD researchers updated New York City Transit Authority (NYCTA) and R2 staff on status of the residual disinfectant testing. The researchers will present the work and estimated timeline to NYCTA senior leadership this week. Researchers also presented an overview of the research to the Los Angeles County Metropolitan Transit Authority (LA Metro) with R9. LA Metro was also interested in the research on alternative disinfectants, including ultraviolet (UV) options.

ORD Researchers Continue Wastewater Virus Monitoring and Detection Project

ORD researchers continue bi-weekly calls with CDC. ORD provided an overview of the project for Ohio Department of Health and the Hamilton County Health Department and assess their needs. The Bio-Risk Management Advisory Council (BMAC) made recommendations for the assessment of wastewater samples and those are currently being implemented.

National Multi-Family Housing Council Requested Overview of Cleaning and Disinfection Guidance

ORD presented an overview of the EPA/CDC's Reopening Guidance for Cleaning and Disinfecting Public Spaces, Workplaces, Businesses, Schools, and Homes. The National Multi-Family Housing Council represents the nation's leading apartment property owners and managers.

EPA's COVID-19 Technical Working Group Provides Feedback on Carcass Management

ORD researchers provided information to help producers and facilities with non-diseased carcass management due to impacts from COVID-19. Industry has concerns about surge capacity for disposal through rendering plants.

COVID PPE Research Support

ORD continues to work with scientists from the University of North Carolina Center for Environmental Medicine Asthma and Lung Biology (UNC-CEMALB) to increase the lifespan of personal protective equipment (PPE). The scientists continue to address immediate questions to improve availability. The UNC hospital system has received many donations of PPE. The EPA/UNC team is assessing their effectiveness. These include many imported non-NIOSH-approved respirators. CDC has provided guidance on these but to improve protection and reassurance to the medical staff, the team is confirming they provide the protection indicated. Due to the shortages in PPE, there has been a large increase in the number and sophistication of counterfeit N95 respirators. Since many of the donations come sealed but not in their original boxes, their origin cannot be definitively determined. The EPA/UNC team's testing has confirmed and identified those that are genuine from those that are counterfeit. The team is working on inexpensive, portable systems that could provide positive pressure to increase filtration on even the most rudimentary face covering to a 95% filtration rate.

PFAS Innovation Treatment Team Update

ORD's PFAS Innovative Treatment Team is meeting with scientific, academic, and industry experts to refine potential locations where PFAS field studies could take place this summer. This week, the team

is also meeting with representatives from the state of Washington's Department of Ecology and Clean Harbors, an environmental solutions company, to discuss the possibility of collecting environmental samples at a Clean Harbor plant during AFFF incineration. In addition, a planetary ball mill has been obtained and located in EPA's RTP facility. The equipment is being positioned and prepared for the Team to begin in-house testing of the ball mill's ability to destroy PFAS in different environmental media. The Team also met recently with AECOM, a global infrastructure firm, to explore a joint electrochemical research possibility involving air and byproduct sampling at one of their facilities.

Small Business Innovation Research (SBIR)
Industrial Microbes, an SBIR Phase II small business, was named one of Biofuels Digest's Next 50 Companies to Disrupt the World. This list recognizes bioeconomy companies that are working to commercialize an emerging technology. Industrial Microbes used Phase I & II SBIR support to engineer a microbe that consumes carbon dioxide and methane to produce a chemical used to make synthetic fibers and biodegradable plastics. Compared to current chemical production, this process emits six times less carbon dioxide.

Upcoming Major Decisions and Events

Webinar on Covid-19 Research
On May 27, ORD is hosting a joint webinar on COVID-19 research at EPA. EPA scientists are building on a foundation of world-class research by applying their knowledge to reduce the risk of exposure to SARS-CoV-2, the virus that causes COVID-19. This research will help states & territories, tribes and local governments, including public health agencies, guide homeowners, business owners and others to reduce the risk of exposure. This webinar will highlight research EPA is working on with CDC including environmental cleanup and disinfection, wastewater virus detection, and salivary antibody assay development.

Board of Scientific Counselors (BOSC)
On May 27, the BOSC Chemical Safety for Sustainability & Health and Environmental Risk Assessment Subcommittee will convene to review their preliminary draft report on the FY19-22 Health and Environmental Risk Assessment (HERA) Strategic Research Action Plan (StRAP). Notice of this meeting will publish to the *Federal Register* on May 21. This meeting is open to the public.

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Office of Water

Hot Topics

WIFIA Loan – Inland Empire Utilities Agency
Next week, the EPA anticipates closing a WIFIA loan with the Inland Empire Utilities Agency in California to help finance the expansion of its Recycling Plant No. 5 – an essential project to augment wastewater and solids treatment. This helps the borrower meet all Clean Water Act (CWA) and National Pollutant Discharge Elimination System requirements. The loan will provide $196.4 million in project financing while project construction and operation are expected to create 306 jobs.

WIFIA Loan – Miami-Dade County
As early as next week, the EPA anticipates closing a WIFIA loan with Miami-Dade County in Florida to help finance the Wastewater Treatment Plant Electrical Distribution Building Upgrade which will design and construct five new electrical distribution buildings across Miami-Dade County's three wastewater treatment plants. This helps the borrower complete its Ocean Outfall Legislation Projects, eliminating the regular use of Ocean Outfalls and protecting the near-shore aquatic ecosystem off the coast of Florida. This is WIFIA's second loan to Miami-Dade County. The loan will provide $326.2 million in project financing while project construction and operation are expected to create 1,200 jobs.

Upcoming Major Decisions and Events

Nothing to Report.

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