Region 1

Hot Topics

R1 Continues Collaboration with Stakeholders on COVID-19
This week, R1 continued to support our external colleagues and stakeholders on COVID-19 issues, including participation in weekly calls with New England state environmental and public health departments and their commissioners, state associations, and drinking water and wastewater utilities. We are also closely coordinating with state agencies on pesticides certification and training programs, reconstitution planning, and on fielding responses to numerous public inquiries regarding COVID-19.

Federal Register Release of Proposed MA and NH MS4 General Permit Modifications
On April 23, the Federal Register published the availability of the draft modifications for the Massachusetts and New Hampshire small MS4 general permits. There will be a 45- day comment period. This modification is the result of a settlement agreement between all of the parties who had appealed the final permits in 2016 (in Massachusetts) and 2017 (in New Hampshire).

R1 Provides Comments to Connecticut on RACT and NNSR Certifications
On April 20, R1 provided comments to the Connecticut Department of Energy and Environmental Protection (CT DEEP) for their draft certifications that Connecticut complies with requirements for Reasonably Available Control Technology (RACT) and nonattainment new source review (NNSR) regarding the 2008 and 2015 ozone standards. CT DEEP is expected to hold public hearing on the draft SIP revisions later this Spring.

R1 Healthy Communities Grant Program
On April 23, R1 participated in a virtual training for community members on healthy cleaning products and good indoor air quality held by Centro de Apolyo Familiar (CAF) in Lawrence, Massachusetts, a Healthy Communities grantee. On April 21, R1 released the 2020 Healthy Communities Grant Program Request for Applications. EPA R1 staff will host two information sessions for prospective applicants in May and applications are due on June 4.

Blackburn and Union Site in Walpole, Massachusetts
On April 20, R1 signed the Preliminary Closeout Report (PCOR) for the Blackburn and Union site. The approval of this report is a major milestone as it certifies that all construction needed to implement the superfund remedy is complete at the site. Comprehensive site remedy included excavation/off-site disposal of contaminated soils from former industrial properties and restoration of wetland areas in this portion of the Neponset River. The responsible parties conducting this work (W.R. Grace and Covidien), also constructed a groundwater treatment plant to address contaminated groundwater under the site. The PRPs worked closely with EPA and the Town on this project and the Town has taken ownership of a large portion of the site and constructed a new Police Station and Senior Citizens Center.

Putnam Block Cleanup Grant Kickoff Meeting in Opportunity Zone
On April 23, R1 participated in a virtual cleanup grant kickoff meeting for the Putnam Block cleanup grant project in Bennington, Vermont, a designated Opportunity Zone. This meeting included review and discussion of the cleanup process and schedule and included the grant recipient, EPA, the selected environmental professional, and other stakeholders. The Putnam Block project will revitalize Bennington's downtown with a large mixed-use redevelopment.

Targeted Brownfields Assessment (TBA) at Ciao Pasta site in Opportunity Zone
On April 21, R1 initiated a TBA for EPA's contractor to fill data gaps, develop remedial alternatives, and provide a draft remedial action plan for this site, which is located in the Opportunity Zone around Franklin, New Hampshire. This project will give the city the tools they need to apply for a Brownfields cleanup grant and continue their negotiations with Cumberland Farms on the redevelopment for the site.

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Cleanup Public Meeting for Conant Thread Mill in Opportunity Zone
On April 22, R1 participated in a virtual public meeting for the Brownfields cleanup of the Conant Thread Mill site, located in an Opportunity Zone in Pawtucket, Rhode Island. Due to the COVID-19 pandemic, the public meeting on the cleanup selection process and redevelopment plan will be conducted via conference call and online video meeting. This site is in the transit-oriented development district where a planned MBTA station will be located. Re-use will be mixed use retail, office, and residential space.

Recreational Economy Project – R1 Smart Sectors Program
On April 16, R1 participated in a virtual meeting with the Town of Gorham, New Hampshire, and other community members and several federal partners to discuss this federally-funded technical assistance opportunity. Gorham has been selected as one of 10 communities nationwide under the Recreational Economy for Rural Communities Program to help revitalize their main streets through outdoor recreations. The Gorham project will focus on sustainably developing and creating connectivity with the Androscoggin riverfront, main street, and the public forests.

Upcoming Major Decisions and Events

Nothing to Report.

Region 2

Hot Topics

COVID-19
New York's shelter-in-place order was extended to May 15. Currently NJ's order extends to May 8, but it may be extended. PR's order extends to May 3 but is expected to be extended, possibly to the end of May. **ALSO:** On the most recent Northeast States Air Permitting Conference Call, several states indicated that as a result of the pandemic they have been asked by their Governor's office to prepare an inventory of crematories in their states; and some states are looking into extending the hours of operation for these facilities. **ALSO:** Arconic, the PRP for the **Grasse River CERCLA Site,** held a virtual meeting ono April 22, with the county health department and other officials to discuss the mobilization and health and safety plans for dredging and armored capping work planned for 2020 (intended to begin in May and June, respectively). Local government officials have expressed COVID-related concerns about the significant number of workers that would be on the site. The officials also requested written confirmation that NY agrees work on this project is exempt from restrictions under the state's "PAUSE" orders.

Rolling Knolls CERCLA Site (NJ)
On April 20, a Notice letter was sent to DOI/FWS advising that agency that it is considered a PRP for the Site because it owns a portion of the site where hazardous substances were disposed of, and owned that property at the time of disposal, and allowed such disposal to occur.

Arsenic Mine CERCLA Site
On April 22, EPA held a virtual public meeting regarding the proposed remedial plan for this site. Also, on April 17, we held a call with a staffer from Sen. Schumer's office to provide an overview of the proposed plan and answer his specific questions about the potential permanent relocation and buyout process involving the impacted residents at the site. The team explained that the relocation process will likely begin in the summer of 2021, with plans to discuss each relocation/buyout with individual residents on a case-by-case basis. (The staffer also inquired about the TechCity site in Ulster County; we reported that EPA completed a removal action at this site in early April, which included demolition of buildings with asbestos.)

SIP Approvals
In the past ten days R2 RA Pete Lopez has signed five SIP approval packages, significantly reducing the region's backlog. Another package is expected in early May, and others soon thereafter.

SRF Grant Award
New York was awarded a $175.4 Million Clean Water State Revolving Fund grant from the FY-20 appropriation. This is the largest SRF grant to any state and is the first SRF grant to be awarded in FY-20.

First ELMS Virtual Flowboard in R2
Using Microsoft Planner, a virtual flowboard was created for an LSASD Quality Assurance process, to stand in for the physical flowboard during COOP operation. The virtual flowboard automatically generates new proxy cards using SharePoint data and allows reviewers to move their proxy cards remotely from one process to the next. A demonstration was provided during this week's virtual QA huddle.

Upcoming Major Decisions and Events

Levine Reservoir (Paterson, NJ) Improvement Project Memorandum of Agreement

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RA Pete Lopez expects to sign this MOA by the beginning of May. The document addresses comments from the Advisory Council for Historic Preservation, and the Passaic Valley Water Commission (which operates the reservoir). This matter is of interest to both Sen. Booker and Rep. Pascrell.

Superfund Virtual Meeting
The Passaic River (Diamond Alkali Site) Community Advisory Group (CAG) will meet virtually on April 30. **ALSO:** The Agency's National Remedy Review Board (NRRB) and Contaminated Sediments Technical Advisory Group (CSTAG) will hold a joint meeting on April 29 – April ,30 to discuss remedial plans for the Newtown Creek Site. On April 15, R2 staff attended the virtual Newtown Creek CAG meeting, with about 58 attendees participating via Zoom; R2 provided information to the CAG about our forthcoming NRRB and CSTAG presentations. (R2 has 11 Superfund site CAGs that meet monthly, bi-monthly, or quarterly; 9 of these are currently conducting or planning virtual meetings, and several are considering recording the meetings to share later.)

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Region 3

Hot Topics

RCRA Subtitle C Financial Tests in R3
The Chemours Company, E.I. du Pont de Nemours and Company (EID), and Dupont de Nemours, Inc. failed the FY20 RCRA Subtitle C financial test (test) based on their 2019 financials. The Dow Chemical Company and Dow, Inc. can both pass the test but only for a limited number of their facilities. EPA HQ raised this on the March and April monthly EPA-State Financial Assurance (FA) call and all Region 3 States are aware. LCRD and R3 States are assisting OECA/OSRE with generating an inventory of the impacted states/regions and FA obligations. LCRD is also ensuring R3 States impacted are verifying that the companies are in the process of obtaining alternate Financial Assurance.

Brownfields Success Story in Norfolk, VA
EPA has posted a new success story on its website about the planned Habor Park casino being built on a Brownfield site in Norfolk, VA. The City of Norfolk received both a Targeted Brownfield Assessment (TBA) and Area-Wide Planning Grant (AWP) from EPA that focused on the Harbor Park Area along Norfolk's waterfront. The TBA sampled soil, groundwater and sediment. The AWP grant, built on the findings of the TBA and with community input, created a vision of resilient redevelopment along the downtown waterfront. The City signed an agreement with the Pamunkey Indian Tribe to develop a resort casino with anticipated development of a hotel, restaurants, a spa and entertainment venues. The residents will be voting in November on a referendum on the final status of the casino. The property is in a Federally designated Opportunity Zone.

R3 "Stop Sale" order to PelGar USA results in protection of public health (PA)
R3 continues to work closely with PelGar USA, based in Saylorsburg, Pennsylvania, to ensure the conditions of a FIFRA Stop Sale, Use, and Removal Order ("Stop Sale") for two EPA-registered rodenticides are met. In February, an EPA FIFRA inspection found that the ingredients in these products were not correctly formulated and included substances not approved by EPA; of particular concern was the products' chocolate-like aroma which posed a risk of ingestion by children. As of April 10, over 100,000 lbs of the violative product was stopped on-route from their overseas manufacturing facility and PelGar USA has successfully recalled an additional 564 containers of various sizes from customers.

Ag Advisor to Participate in Podcast
EPA R3 Agriculture Advisor was a guest on the *Fun with the Maryland STEM Festival* [HYPERLINK "https://gcc01.safelinks.protection.outlook.com/?url=http%3A%2F%2Fmarylandstemfestival.libsyn.com%2Fwebsite&data=02%7C01%7CDamm.Thomas%40epa.gov%7C5bffe1bf70e34845930408d7e2264a4d%7C88b378b367484867acf976aacbeca6a7%7C0%7C0%7C637226526390281893&sdata=nrez9M2G%2B4w1CUOIrf%2F%2Bk1uHHp73Wlb%2F3St%2BglvipXA%3D&reserved=0" \t "_blank"] on Earth Day. Kelly will discuss the importance of Earth Day and the cooperation between EPA and the agriculture industry to promote healthy farms and clean water.

Children's Health Coordinator Raises Awareness of Safer Disinfectant use During COVID-19 Pandemic
R3 Children's Health Coordinator in collaboration with Public Affairs provided awareness through social media outreach and distribution the newly published safer disinfectant fact sheets and infographics. These new resources developed by the Western States Pediatric Environmental Health Specialty Unit discusses cleaning, disinfecting, and safer disinfecting choices during this pandemic. The fact sheets were shared on Facebook, twitter and distributed to federal, state and local partners, as well as regional program contacts to share with their respective networks.

Assisting States on Gathering Organizational Information for Use in Nonpoint Source Programs

Last fall, R3 staff, presented information on how to gather organizational information for strategic program planning at the Annual Regional and State Non-Point Source Program Meeting. As a follow-up, on April 8th, staff led a follow-up discussion to help States meet their program's needs by assessing organizational presence and capacity and presenting visually. Based on the discussion, several state staff expressed interest in discussing how they could effectively use the information to help them be more strategic and help to leverage resources to get more implementation activities accomplished. Follow up discussions with individual states will hopefully be scheduled in the near future. Participants were from Delaware, Maryland, Pennsylvania, Virginia, and West Virginia.

Outreach for the Norwood Landfill Site Assessment, Delaware County, Pennsylvania
On April 16, EPA sent an email update to its distribution list for the Norwood Landfill Site, which contains approximately 500 interested community members. The email provides information on EPA's new website devoted to its work in Norwood, [HYPERLINK "https://gcc01.safelinks.protection.outlook.com/?url=http%3A%2F%2Fwww.epa.gov.norwood%2F&data=02%7C01%7CHowell.Amie%40epa.gov%7Cd9e346aa0526429f0cb408d7e2d14488%7C88b378b367484867acf976aacbeca6a7%7C0%7C0%7C637227260732276186&sdata=9U9%2BtPb9XN4qNOlwYDwxI25GeBA3aSMu1KLo6gcxCkY%3D&reserved=0" \h]. The email also gives an overview of EPA's sampling plans for 2020, which will be performed in two phases. Additional information on the sampling plans can be found on the website. The website will provide the most accurate and up-to-date information regarding EPA's investigations in Norwood. Community members are encouraged to visit this site regularly for updates.

R3 and Landowner Sign Ability-To-Pay-Based CERCLA § 122(H) Cost Recovery Agreement Requiring Sale of Site Property (J.H. & C.K. Eagle Mill (Kulpmont)) Site
R3 and PAD Kulpmont LLC (PKLLC) have signed an administrative settlement of claims for reimbursement of response costs incurred in connection with the J.H. & C.K. Eagle Mill (Kulpmont) Site in Kulpmont, Northumberland County, Pennsylvania, pursuant to CERCLA § 122(h). Under the ability-to-pay settlement, PKLLC will sell three parcels comprising the Site within three years and pay EPA 80% of the net sales proceeds in return for a Site-wide covenant not to sue. EPA's unreimbursed past costs through October 15, 2019 are $1,775,278.59. There are no other responsible parties associated with the Site. A public comment period will be held to take comments on the settlement agreement, and the Department of Justice must approve the settlement before it becomes final.

Regional Administrator Signs Notice Approving the Allegheny, Pennsylvania Sulfur Dioxide Attainment Plan
On April 17, the Regional Administrator signed a final rulemaking notice (FRN) approving a state implementation plan (SIP) revision submittal from Pennsylvania on behalf of the Allegheny County Health Department. The SIP revision provides for attainment of the 2010 sulfur dioxide (SO_2) primary national ambient air quality standard (NAAQS) in the Allegheny, Pennsylvania SO_2 nonattainment area (Area), and includes an attainment plan, an attainment demonstration, enforceable emission limitations and control measures, and contingency measures for the Area. EPA proposed approval of the SIP revision on November 19, 2018 (83 FR 58206). The final approval, which includes responses to the adverse comments.

Upcoming Major Decisions and Events

Nothing to Report.

Region 4

Hot Topics

COVID-19 activities
All R4 offices continue to operate under the COOP, utilizing the Pandemic annex. RA Walker is holding an All Hands conference call with R4 staff on April 23. Regional leadership meets multiple times a week to coordinate responses to COVID-19 issues and held a call with R4 State Directors on April 22. As lead Region for Superfund, R4 continues to implement national weekly calls with Superfund Division Directors.

COVID-19
NC I/M: R4 coordinated with NCDEQ on their legislature's possible relaxation of the state's I/M program in response to the pandemic. Ideas being considered include delaying yearly inspection/registration requirements and extending length of certifications for inspection providers.

Seal Shield SSURO
R4 issued a Stop Sale, Use, and Removal Order (SSURO) to Seal Shield on April 20 to require compliance regarding their product labeling claims, including a claim regarding protection against COVID-19. The company has acknowledged receipt of the SSURO and intends to comply. R4 is also working to issue a press release.

Alabama Coal Combustion Residuals Rules:
On April 20, R4, OLEM & OGC held the first biweekly call with ADEM to discuss EPA's draft comments on the AL draft CCR Rules. During the call, ADEM provided an updated schedule, which officially extended the comment period from May 7 to June 25. EPA's comments will recommend multiple regulation revisions (many of which are similar to recommendations made to all states). ADEM has stated they will not be incorporating those revisions before adopting their draft rules.

R4 Earth Day Activities
RA Walker produced Earth Day videos for staff and for kids and participated in three external activities in Atlanta, including volunteering at the Historic Westside Gardens, Change to Humanity Community Garden, and the Truly Living Well Urban Farm. R4 also gathered staff photos and videos to post to R4's social media accounts on Earth Day. R4 shared Earth Day 2020, Classroom Resources packet with external mailing lists and sent GA Tech an EPA HQ Earth Day video to share as part of their virtual Earth Day festival.

Pensacola and Perdido Bays Estuary Program
On April 20, Escambia County and the Pensacola and Perdido Bays Estuary Program released a video commemorating the 10-year anniversary of the Deepwater Horizon oil spill. The video highlights the approximately $200 million invested in Escambia County since the oil spill to restore its natural resources, including EPA's $2 million RESTORE grant to create the Pensacola and Perdido Bays Estuary Program. (Video link: [HYPERLINK "https://myescambia.com/news/news-article/2020/04/20/rebuilding-a-community-10-years-of-restoration-efforts-after-the-bp-oil-spill"]).

FL 404 Assumption
FDEP announced on April 17, that it will be holding two additional public hearings by telephone on April 24 and April 27. The public comment period for this rulemaking is extended until midnight on April 30. By letter dated April 15, NMFS informed FDEP that they have concluded that Endangered Species Act (ESA)-listed species under NMFS' jurisdiction do not occur in waters that are assumable by the state, and that they assume that EPA "will make a 'no effect' determination for NMFS' ESA-listed species that were originally identified as part of this proposed assumption."

Upcoming Major Decisions and Events

April 29 - RA Walker and R4 SEMD management will participate in the Oak Ridge Regulatory Partnership Framework virtual meeting. The meeting agenda includes combined discussions amongst the Executive Leadership Team and the Emerging Issues Team.

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Region 5

Hot Topics

Former Crawford Power Plant Stack Demolition Leads to Air Monitoring from R5
City of Chicago Department of Public Health (CDPH) requested EPA assistance with air sampling. Region 5 conducted air sampling for asbestos, heavy metals, and PCBs at perimeter locations on April 19. Results are expected over the next week.

This air sampling is in addition to ongoing air monitoring for particulate matter which started on April 14. EPA has continued running 7 air monitors for 12 hours a day. No readings from any air monitor has exceeded the National Ambient Air Quality Standard (NAAQS) for particulate matter. CDPH has compelled the responsible party Hilco to hire a consultant to continue the monitoring and sampling. The consultant has not begun work at the site yet. IL EPA sent a violation notice to Hilco on April 16 and the city has already assessed fines on the company. Region 5 is continuing to work with the state and local leaders regarding enforcement matters.

Springfield Pillsbury Site Not Eligible for Superfund National Priorities List (NPL) Site
After conducting a pre-CERCLA screening, Illinois EPA and R5 have determined the former Pillsbury Mills grain and flour processing plant in Springfield, Ill., is not eligible for consideration as an NPL site. Region 5 is currently working with the Springfield mayor to evaluate other options for the site.

The Pillsbury Mills plant was shuttered in 2001 and occupies 18 acres with approximately 850,000 square feet of abandoned space. As a result of potential asbestos concerns from salvaging and scrapping projects at the abandoned site, EPA completed an asbestos removal in 2017. In late 2019, the Springfield mayor reached out to R5 to learn more about EPA programs that could prepare the property for redevelopment, provide building demolition, and screen the site for potential environmental concerns. Although this site is not going to be added to the NPL, Region 5 plans to continue working with the city to provide further guidance on State and federal remedial programs.

Great Lakes National Program Office Working with Canada to Finalize Great Lakes Report
EPA HQ has already reviewed and commented on the 2019 State of the Great Lakes report. Environment and Climate Change Canada is now reviewing EPA's comments and no significant concerns are expected. The report will likely be released in May 2020.

The Great Lakes Water Quality Agreement commits the United States and Canada to issue a State of the Great Lakes report every three years. The report provides a summary of the health of the Great Lakes using nine overarching indicators of ecosystem health and 45 science-based sub-indicators. Over 180 government and non-government Great Lakes scientists contributed to this assessment. The report notes that although the Great Lakes Restoration Initiative (GLRI) has made significant progress at the local scale, but much of this progress is not yet reflected at the scale of the basin wide indicators.

R5 Signs Keweenaw Bay Indian Community (KBIC) TAS
RA Thiede signed KBIC's "treatment in a similar manner as a state" application on April 20.
This approval allows KBIC to develop EPA-approved water quality standards and issue certifications for federal permits to ensure protection of tribal waters. This also continues to display EPA's ongoing promotion of tribal self-government.

RA Thiede Participated in Virtual Earth Day Event on April 22
More than 2,000 K-12 students joined the virtual Earth Day webinar hosted by Waste Management. RA Thiede talked about EPA's efforts to clean up bodies of water and the history of the EPA and Earth Day.

RA Thiede also answered prepared questions from students. It was a successful Earth Day event in the midst of the current COVID-19 situation.

R5 Meet-and-Greet with EPA's New Chief of Staff
On Tuesday, April 21, RA Thiede and Region 5 Chief of Staff Liebau met with EPA's new Chief of Staff Mandy Gunasekara to discuss regional priorities, challenges, and opportunities for future success.

One key priority discussed in-depth is how we can better communicate EPA's success in accomplishing our core mission of protecting public health and the environment.

R5 Hosts Chambers of Commerce Meeting
R5 hosted an information update call on Monday, April 20 for state Chambers of Commerce across the region on EPA's temporary enforcement policy. Region 5 is committed to helping each state's Chamber of Commerce better serve their respective regulated communities.

The state Chambers' provided insight into the frequent questions and challenges their memberships are facing. In addition, Region 5 provided a variety of information and updates on EPA's policy and continued interaction with our state regulatory partners.

R5 Preparing to Interview with GAO

Two employees in R5 have a scheduled interview with the GAO on April 29th regarding the Integrated Risk Information System (IRIS) program. Although Region 5 has not received the full list of questions from GAO, we anticipate questions regarding the nomination process for chemicals and changes to the nomination process.

Upcoming Major Decisions and Events

April 27 - New Water Director Joins R5, Tera Fong will be joining R5 as the new Water Division Director. She was previously the Director of Performance Integration and Delivery at DC Water.

June 17-18 - R5 is coordinating with the Regional Tribal Caucus to carry out a virtual RTOC in place of the in-person meeting. Discussion surrounding COVID-19 is the top priority of the meeting. R5 plans to have a coordinated virtual meeting scheduled by mid-May.

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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 EPA HQ offices to elevate and address challenges quickly. To date, no R6 employee has tested positive for Covid-19. R6 offices in Dallas, Houston, El Paso and Tulsa have extended COOP until April 30. Dallas County Commission voted to extend stay-at-home order until May 15, and the next step is for Dallas County Judge Jenkins to issue an Executive Order. Governor Abbott statewide strike force is expected to make recommendations on April 27. The current statewide order expires on April 30.

TCEQ Notice of Public Hearings, Texas
TCEQ issued a notice of public hearing for multiple Agreed Orders and SIP revisions that stated its intent to hold a public hearing on May 18, at the TCEQ campus "or remotely on the same day and time if necessary due to Covid-19 restrictions." TCEQ is proposing to use virtual public hearings and meetings in its SIP and permit procedures to meet federal and state/SIP-approved public participation requirements.

Texas/Oklahoma Covid-19 RVO Waiver, Texas and Oklahoma
On April 16, EPA received a letter from four state governors (Abbott (TX), Herbert (UT), Gordon (WY) and Stitt (OK) requesting a waiver for renewable volume obligation (RVOs) under the federal Renewable Fuel Standard (as authorized under Section 211(o)(7) of the Clean Air Act and as amended by the Energy Independence and Security Act of 2007, due to the Covid-19 public health emergency. Under this waiver provision for severe economic hardship, EPA must assess the condition of the refining sector as it finds it under current circumstances; it must then determine whether the implementation of the current RVO, including costs associated with the recent tripling in the price of renewable identification numbers (RINs), present a clear threat to the industry under such circumstances; and then, upon determining whether harm inflicted on a sector as vital as refining and allied aspects of the refining supply chain, constitute an appropriate basis for granting a waiver under the cited provision.

Chevron Questa Mine, Questa, New Mexico
On April 13, field work began in support of the Proposed Plan to amend the ROD for the Chevron Questa Mine Site to address CWA requirements. The estimated issuance of the Plan is now July, with the Administrator briefing scheduled in June. The CWA requirements are currently addressed through a National Pollutant Discharge Elimination System (NPDES) permit. R6 is working with the New Mexico Environment Department Surface Water Bureau to finalize discharge requirements for inclusion in the Proposed Plan. Although progress has been made on the discharge requirements, additional technical analysis for anti-degradation requirements is required prior to issuance of the Proposed Plan.

Oil and Gas Facilities, Permian Basin, Texas
On April 14, EPA completed emailing the first round of Notice of Violation/Opportunity to Confer letters to five of the 27 companies identified as having unauthorized emissions in Texas during the infrared flyovers of the Permian Basin in September and October of 2019. EPA sent notification letters and videos of emissions to the companies in November, reviewed their responses, and discussed next steps with the Texas Commission on Environmental Quality. TCEQ is also helping us determine the owners for unmatched facilities. For the New Mexico facilities, we continue to provide support to New Mexico Environment Department as it prepares follow up actions.

Asbestos Abatement, Poteet, Texas
On April 16, EPA staff participated in a conference call with Alexis Garcia, staffer of Representative Henry Cuellar's office and Mr. Bruce Hickman, Chief of Police for the City of Poteet, Texas. Chief Hickman discussed their situation and the building on which they would like to conduct asbestos abatement. EPA explained the Brownfields cleanup grant as well as the grant competition timing and process. EPA also

informed them of other possible resources such as the Texas Department of State Health Services (TDSHS) and USDA who may offer options for asbestos abatement. The City will also share with EPA, a copy of an asbestos survey they conducted on the structure, for review to help determine further eligibility.

Sentinel Midstream Texas GulfLink (TXGL) Deepwater Port (DWP), Gulf of Mexico
Texas Gulflink is proposing to construct a crude oil export DWP approximately 28 miles offshore of Freeport, Texas. The DWP consists of two platforms (application refers to two and sometimes only one platform) and two Single Point Mooring (SPM) systems to load crude carriers for international markets. EPA sent one letter on March 24, for determining the 112(g) and PSD applications complete, and a second letter on April 2, for determining the Title V application complete. EPA consulted with OAQPS on the NOMA since this project does not propose vapor control, and OAQPS concurred that a Notice for Intent to Disapprove the 112(g) application would be the appropriate path forward at this time since the Notice must be made within 30 days of the completion letter issuance, which falls on April 22. EPA will continue drafting the PSD and Title V permits even if a Notice is issued to the company. However, changes to the permit applications may be necessary prior to completing the draft permits.

Barksdale AFB, Bossier Parish, Louisiana
On April 17, the Barksdale AFB Environmental Coordinator informed EPA that the Air Force is planning per- and polyfluoroalkyl substances (PFAS) sampling of off-base private drinking water wells. Approximately ten off-base private drinking water wells in a downgradient direction, which is southward from of the base, have been identified for sampling. These wells are located within about three miles of the base. The Environmental Coordinator indicated that the Air Force will be sending a letter to the private well owners requesting permission to sample. Along with the letter, the well owners will be furnished a PFAS fact sheet. According to the Environmental Coordinator, the Air Force is planning no public outreach or public notifications for the sampling. The sampling will likely begin as soon as the Louisiana Covid-19 stay-at-home order is lifted.

Veolia and Clean Harbors Incinerator Permits, Arkansas
On April 20, R6 participated in a call with ORD and HQ OLEM staff to respond to ADEQ's questions regarding PFAS incineration questions. ORD provided updates on the research that is being conducted and the timing of upcoming guidance. An additional call will be scheduled that will include legal staff to discuss the question of using omnibus authority to require a risk assessment.

South Tulsa/Jenks Low Water Dam, Tulsa, Oklahoma
R6 formally responded to U.S. Army Corps of Engineers (USACE) Tulsa District acknowledging the proposed permit addressed EPA's requirements. The draft permit decision was submitted to management on April 14, for R6 review. The submittal reflects the efforts by the USACE Tulsa District and the applicant to address EPA (and other state and federal resource agencies) concerns.

U.S. Coast Guard/MARAD Deepwater Port Licensing, Gulf of Mexico
R6 is preparing a delegation package from the Administrator to the Regional Administrator regarding the Deepwater Port Act. The Deepwater Port Act requires the Administrator to make recommendations to the Secretary of the Department of Transportation on license issuance for deep water ports. The request for delegation is anticipated for signature on or before April 28.

Upcoming Major Decisions and Events

Monarch Waste Technologies, LLC, Nambe Pueblo, New Mexico
By May 15, R6 intends to approve the Title V permit application for Monarch Waste Technologies, LLC (Monarch), the owner/operator of a facility located on the Nambe Pueblo near Santa Fe, New Mexico. The facility's Pyromed 550 System is a Hospital Medical Infectious Waste Incinerator (HMIWI), subject to the New Source Performance Standards (NSPS) for HMIWI, Subpart Ec. Monarch's estimated emissions from the unit are below the tribal minor NSR thresholds and therefore they do not need an NSR permit under the CAA. However, NSPS Subpart Ec requires a HMIWI to operate under a Title V permit pursuant to 40 CFR Part

70. Public notice was e-noticed both in Spanish and English and published in three local papers. Public Comment ran from October 29 to November 29, 2019, and a Public Hearing was held on December 4, 2019. Following a request from the Pojoaque Tribe to extend the Public Comment time frame, EPA extended the Public Comment to January 3.

Louisiana Underground Storage Tank Program
R6 intends to approve the Louisiana Re-SPA package. Under the 2015 state program approval (SPA) regulation, states plus the District of Columbia and Puerto Rico, which currently have SPA, must reapply in order to retain their SPA status.

Texas Underground Storage Tank Program
R6 intends to approve the Texas Re-SPA package. Under the 2015 state program approval (SPA) regulation, states plus the District of Columbia and Puerto Rico, which currently have SPA, must reapply in order to retain their SPA status.

April 30 - ECOS Oil & Gas Caucus (virtual); Dallas, Texas
May 5 - Bracewell's Environmental Seminar (virtual); Houston, Texas

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Region 7

Hot Topics

R7 Issued a Provisional Drinking Water Certification for Radiation Chemistry for the Kansas Department of Health and Environment
R7 issued a provisional certification to the KDHE to conduct radiation chemistry analysis at its drinking water laboratory.

Description:
- Full certification will be granted upon KDHE staff demonstrating one full year of experience conducting this analysis successfully.

R7 Provides Verification of a Gas Cylinder for the Kansas Department of Health and Environment for Air Quality Monitoring
R7 staff will verify a gas cylinder so that the KDHE can maintain its air quality network.

Description:
- The KDHE requested R7 verify standard gas cylinders of Nitrous Oxide used to maintain its air quality network – air monitoring is considered a critical activity for public health.
- R7 routinely provides this service however; due to operating in the COOP annex it has suspended this work.
- The KDHE made a special request to verify one gas cylinder of Nitrous Oxide due to its supply which is running low.
- R7 staff will do the analysis and complete the request to ensure KDHE can maintain its air quality network.

R7 Issued a Provisional Drinking Water Certification for Chemistry for the Iowa University Hygienics Laboratory
R7 will issue a provisional certification to conduct chemistry analysis at the drinking water laboratory at the Iowa UHL.

Description:
- Laboratories such as UHL need to maintain certification which is issued by EPA in the form of an official EPA certificate with signature as proof of the renewal.
- Due to operating in the COOP annex, R7 is not able to provide the traditional hardcopy certificate with signature, so in the interim it is issuing a "provisional" certification electronically until the hardcopy certificate with signature can be issued.

R7 to Provide Nationwide Training on Remote Instrumentation
R7 provided a presentation to other EPA laboratories on how to access instrument data remotely.

Description:
- Currently, R7 is the only region that can access its laboratory instrumentation data remotely so, at the request of the other EPA laboratory directors, it provided a presentation on the process on April 23.
- The ability to access data remotely is very important while operating in the COOP annex.

R7 Continues Essential Laboratory Work
Essential personnel were in the laboratory this week completing required testing.

Description:
- R7 laboratory staff completed performance test analysis necessary to maintain International Organization for Standardization accreditation for drinking water microbiology analysis.

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- In addition, work continues in support of lead metals analysis for priority Superfund and Emergency Management Division projects.

Progress Update on Des Moines Trichloroethylene Site Settlement (Des Moines, Iowa)
R7 recently completed two draft decision documents to support removal actions at the Des Moines TCE Superfund site.

Description:
- R7 prepared a draft Action Memoranda for two removal actions to address onsite buildings and sediments in an onsite drainage area.
- The draft documents were transmitted to the city of Des Moines to aid in their review of the draft Consent Decree that provides for transfer of the Dico property to the city.
- R7 has obtained contract support for technical analysis and equipment specifications to support modification of the existing groundwater pump and treat remedy. A technical memo from the contractor is due by May 15.

Upcoming Drinking Water Standard Change in Remedy for Lawrence Todtz Farm Superfund Site (Comanche, Iowa)
R7 issued a letter to the responsible party of the Lawrence Todtz Farm Superfund site notifying them of Region 7's intention to update outdated drinking water standards in the site's cleanup remedy.

Description
- A Record Of Decision was completed in 1988 for the Lawrence Todtz Farm site and the responsible party completed construction of the remedy in 1991. The remedy included installation of a soil cover over the waste impoundment, groundwater monitoring, and institutional controls. The ROD included a contingency remedy which is triggered by action levels based on 1988 Safe Drinking Water Act maximum contaminant levels. Currently, arsenic contaminated groundwater migration is not under control at the site, but there are no known on-going exposures (human or ecological).
- An Explanation of Significant Differences to update outdated drinking water standards specified in the 1988 remedy decision is planned for this fiscal year. Region 7's planned ESD will update these action levels and potentially trigger the contingency remedy which involves building a slurry wall and enhanced cap.
- Last week, R7 sent a letter to the responsible party notifying them of R7's intention to issue the ESD, possibly triggering the contingency remedy work.

Madison County Mines Superfund Task Order Awarded for Little St. Francois River Watershed (Madison County, Missouri)
R7 successfully negotiated and awarded a Design and Engineering Services Task Order for a Remedial Investigation/Feasibility Study at the Madison County Mines Superfund site.

Description:
- On April 15, the Madison County Mines OU7 RI/FS Study Design and Engineering Services Task Order was awarded to HydroGeoLogic, Inc.
- This RI/FS will be focused on investigating sediments and floodplain soils in the Little St. Francois Watershed in Madison County, Missouri. This investigation will include determining the nature and extent of contamination and assessing the potential ecological and human health risk to determine the appropriate cleanup decision.
- The Superfund Site team put a major effort into negotiating the Madison OU7 RI/FS task order which resulted in a cost savings to the government of approximately $500K.

R7 Makes Progress on Superfund Site Deletions for the Omaha Lead, Nebraska and Annapolis Mine, Missouri Site
R7 continues to make progress on the two deletion targets for Fiscal Year 2020.

Description:

- The Omaha Lead Superfund site in Nebraska was listed on the National Priority List in 2003 with thousands of residential properties remediated to address lead contamination from historic smelting operations. R7 is working on the fifth partial deletion for the site which includes residential properties that have been remediated and all appropriate response actions have been implemented.
    - The Notice of Intent for Partial Deletion for the Omaha Lead site (117 properties) is currently routing through Region 7 for concurrence on the Federal Register notice.
    - The estimated completion for the partial deletion is August following public comment and final notice of deletion.
- The Annapolis Lead Mine Superfund site in Missouri was listed on the NPL in 2004 due to elevated levels of heavy metals, particularly lead, which were present throughout the site. In addition, surface water bodies downstream of the site contained elevated concentrations of site related hazardous substances that could pose a threat to recreational fisheries and wetlands in the area.
    - The Notice of Intent to Delete has been reviewed by Head Quarters and the Missouri Department of Natural Resources and is currently being prepared for Division Director concurrence and Federal Register notice.
    - The estimated completion date for the full deletion is September 23, following public comment and final notice of deletion.

R7 Presented its Submission to the Harmful Algal Blooms Prize/Challenge on Challenge.gov Virtual Innovations Huddle

R7 was highlighted during Challenge.gov virtual huddle for Harmful Algal Blooms prize/challenge.

Description:

- On April 22, (Earth Day), R7 will be highlighting R7 and R8 recent video competition on HABs on the General Services Administration virtual open innovation huddle.
- This was one of the few competitions that started and closed before COVID-19 rapid emergence. GSA invited R7 to discuss the success of the challenge.
- High school students created videos (no more than two minutes in length) that taught people how to spot harmful algal blooms and how to be safe around them. [HYPERLINK "https://www.epa.gov/innovation/harmful-algal-bloom-video-challenge" \h]

Upcoming Major Decisions and Events

Nothing to Report.

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Region 8

Hot Topics

R8 Supported Food Processor and Distributor Urgent Need for Technical Assistance
Multiple stakeholders requested information on resources to address the supply chain and excess food diversion challenges created by the COVID-19 pandemic response. Region 8 shared information on Federal resources and EPA guidance/regulations on animal carcass disposal and food waste resources with leaders in Region 8 State Agriculture Departments, Regional Agriculture Advisors, EPA National Agriculture Office in the Office of the Administrator and two national pork associations.

Pesticides Advisory Letter issued to companies making false pesticides claims or pesticide not registered for use regarding COVID-19
On April 15, R8 issued a pesticides advisory letter to some individuals in Helena, MT and Craigslist concerning a product advertised to kill COVID-19. The product, hypochlorous acid, is listed as an approved COVID-19 product; however, the product was produced in a home without an establishment number or an EPA registration number and was sold in gallon size containers with inadequate use directions. The letter outlines the specific FIFRA violations, provides clarity on the applicable regulations, and includes informational resources and technical contacts. Nothing in these advisory letters limits or precludes EPA from assessing penalties or taking any other action authorized under FIFRA and enforcement follow-up is ongoing.

Upcoming Major Decisions and Events

April 27 - The R8 Regional Administrator and Chief of Staff have the following external stakeholder events scheduled for the week.
April 28 - Virtual Harmful Algal Blooms Video Challenge recognition event to Capital HS, Helena MT as one of two R8 winners.
April 29 - Webinar with BLM for Uinta Basin Oil and Gas Producers to discuss general conformity in the Uinta Basin.
May 1 - Call with R8 State Directors (CO, MT, ND, SD, UT and WY) to ensure continuity of operation from COVID-19 pandemic.

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Region 9

Hot Topics

Navajo COVID Water Access Coordination Group
We are participating in bi-weekly Federal agency calls amongst Navajo Nation stakeholder agencies to address the lack of access to safe drinking water on the Navajo Nation. The Indian Health Service (IHS) estimates that there are 6000 homes that do not have access to piped water and that would otherwise haul water for purposes of drinking and cooking. Efforts are underway to identify locations and operational status of regulated and unregulated watering points and their proximity to households in need; determine the availability of water hauling trucks; and develop procedures for safe handling and maintenance of household cisterns for water storage. Participating federal agencies include IHS, USDA, BIA, CDC, BoR, and EPA. The calls are co-led by IHS-HQs and the Navajo Nation Division of Community Development.

Brownfields Job Training - PPE Collection in Richmond, CA

RichmondBUILD, in coordination with Contra Costa County Health Services, collected donations of personal protective equipment for first responders April 14, through April 16. Tables at Richmond City Hall were staffed by RichmondBUILD and county and city staff. As part of RichmondBUILD's Environmental Workforce Development and Job Training Program, all participants receive 40-hour HAZWOPER training.

Cal State Northridge Public Policy Day

On April 20, we participated in the virtual Food & Nutrition Public Policy Day hosted by Food Recovery Challenge awardee Cal State University at Northridge. We gave a presentation featuring the Winning on Reducing Food Waste Federal Interagency Strategy and EPA's Sustainable Management of Food Program to approximately 90 people.

Navajo Gallup Water Supply Project MOU
Last week, we finalized the Memorandum of Understanding (MOU) between the four agencies (State of New Mexico, Navajo Nation, EPA R6 and EPA R9) involved in regulatory oversight of the Navajo Gallup Water Supply Project (Project) and the MOU is awaiting agencies' signature. The purpose of the MOU is to define the roles and responsibilities of the agencies conducting regulatory oversight of the different components of the Project and to foster consistent and ongoing communication. The Project is a $1B drinking water infrastructure project managed by the Bureau of Reclamation that is designed to provide a long-term sustainable water supply to meet the future population needs of approximately 250,000 people in the eastern section of the Navajo Nation, the southwestern portion of the Jicarilla Apache Nation, and the City of Gallup, New Mexico.

SF Bay Restoration Regulatory Integration Team (BRRIT)
We signed an MOU this week memorializing the structure and purpose of the BRRIT. BRRIT is an innovative effort to accelerate SF Bay wetlands restoration through coordinated permitting. In addition to EPA, the MOU signatories are 3 federal regulatory agencies and 3 California regulatory agencies. The annual cost of staffing the BRRIT is approximately $1,200,000 and The San Francisco Bay Restoration Authority has secured the necessary funding to support the BRRIT for five years. EPA doesn't receive funding for staff since we are not a direct regulator. We helped facilitate establishment of the BRRIT, participate on project permit review on an ad hoc basis, and regularly participate on a Policy and Management Committee.

Upcoming Major Decisions and Events

California Groundwater Resource Association Virtual Conference
On April 27, R9 staff will present "How EPA R9 is Responding to the PFAS Threat" at the California Groundwater Resource Association Virtual Conference. We will provide an update on EPA's PFAs Action Plan and give an overview of efforts to evaluate PFAS occurrence trends.

Virtual Spring RTOC

On April 28, through April 30, R9 RTOC co-chairs will convene the quarterly RTOC virtually. RA Busterud will provide opening remarks. OITA AA Chad McIntosh and AIEO Director Scott Mason will also provide updates. Additional topics will include budget overview, emergency management, and consultation, among others.

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Region 10

Hot Topics

Bristol Bay Litigation Update (AK)
On April 17, the Alaska district court dismissed the Bristol Bay litigation, finding that EPA's decision to withdraw the 2014 Clean Water Act Section 404c Proposed Determination was committed to agency discretion by law. The court found that EPA's withdrawal decision was akin to a discretionary enforcement decision that involves a balancing of factors uniquely in the agency's expertise, and that neither the statute nor the regulations provided a standard for reviewing our withdrawal. Plaintiffs have 60 days to appeal the Court's order (until June 16), but a press release with comments from Plaintiffs indicates that they will decide on whether to appeal this week. Any motions for reconsideration must be filed within 10 days (by May 1).

Upcoming Major Decisions and Events

TSCA/PCB approval modification for PermaFix Northwest
R10 and the Washington State Department of Ecology will approve a modification to the TSCA PCB approval/state dangerous waste permit at the PermaFix Northwest facility at the Hanford Nuclear Reservation to authorize operation of an in-container mixer waste management unit. This unit will provide PFNW the capacity to perform batch neutralization of liquids, and stabilization of liquids and free-flowing solids. EPA and Ecology have collaborated extensively on this project for nearly two years, including development and oversight of a demonstration test in 2019. EPA and Ecology received a number of public comments on this modification.

Use of EPA's Ocean Disposal Sites offshore of Coos Bay, OR
The Army Corps has requested EPA's concurrence under Section 103 of the Marine Protection, Research, and Sanctuaries Act to issue a permit to the Port of Coos Bay for disposal of dredged material at EPA's designated Coos Bay Site F and Site H ocean dredged material disposal sites. Staff are reviewing the information provided by the USACE for sufficiency per the Ocean Dumping regulations. When the review is complete, staff will work with Water Division management to prepare a letter to be signed by the Regional Administrator the week of April 27, stating the agency's concurrence with the USACE's proposed action.

Submittal of Oregon 2014-2020 Integrated Report
On March 28, the Oregon Department of Environmental Quality submitted a combined 2014-2020 Clean Water Act Integrated Report to Region 10. This is significant both in the volume of data ODEQ assessed and because it is the first complete statewide assessment that ODEQ has produced since 2006. ODEQ undertook a massive programmatic update which included additional staffing for the water quality assessment program, a new database and assessment automation tools, and revised the listing methodologies and water segmentation system. Region 10 will be sending out consultation invitations to tribes within the coming week and planning to take action in June or July.

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Office of Air and Radiation

Hot Topics

Packages for Signature:
- Integrated Iron and Steel Manufacturing Facilities Residual Risk and Technology Review (Final Rule)

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)

Packages Heading to OMB Soon
- Control of Air Pollution from Aircraft and Aircraft Engines: Proposed GHG Emission Standards and Test Procedures (Proposed Rule)
- 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)
- Amendments Related to Marine Diesel Engine Emission Standards (Final Rule)

Upcoming Major Decisions and Events

Asthma Awareness
The month of May provides EPA with increased opportunities to educate stakeholders on the seriousness of asthma and the effective strategies that can be implemented to improve the lives of people with asthma. EPA will kick off Asthma Awareness Month with a press release on May 1, recognizing two outstanding asthma programs, Children's Hospital Colorado Breathing Institute in Aurora, Colorado and the University of Texas Health Science Center at Tyler, Texas, as winners of the 2020 National Environmental Leadership Award in Asthma Management.
Throughout the month, helpful tips for managing asthma will be highlighted through EPA social media accounts. Asthma materials and events hosted by asthma stakeholders across the country will be highlighted and promoted through AsthmaCommunityNetwork.org and EPA's Asthma Webpage.

Air Quality Awareness Week
The 14th annual Air Quality Awareness Week takes place May 4, and May-8. This year's theme is "Better Air, Better Health." In celebration of EPA's 50 Anniversary, May is also designated as "Improving Our Nation's Air." EPA will be associating our Air Quality Awareness Week theme with this broader effort. OAR plans to focus on the following daily topics this year, featuring one each day on the Air Quality Awareness Week website: Wildfires and Smoke, Asthma and Your Health, Where's Your Air Quality Information Coming From?, Air Quality Around the World, and Air quality educational resources for families and teachers.

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Office of Chemical Safety and Pollution Prevention

Hot Topics

COVID-19: Listing More Disinfectants, Amplifying Safe Use, Addressing Supply-Chain Disruptions
This past week, OCSPP amplified ongoing public education efforts on using disinfectant products safely. OCSPP also added 18 new products to List N, bringing the total to 392. OCSPP also listed 16 more commodity inert ingredients to help address supply chain issues for EPA-registered disinfectants and other pesticides by allowing manufacturers of registered products to change the source of listed inert ingredients.

Lead Inspector Certification Expirations, Agricultural Worker PPE Shortages
In the face of COVID-19, OCSPP is working with OECA on questions presented regarding lead inspector certification expirations and shortages of personal protective equipment (PPE) for agricultural workers.

Upcoming Major Decisions and Events

TSCA Science Advisory Committee on Chemicals (SACC) Meetings on Asbestos Postponed
Via website and listserv announcements, OCSPP on April 20th postponed the TSCA SACC public virtual meeting to peer review EPA's draft asbestos risk evaluation (RE), which had been scheduled for April 27, through -April 30. OCSPP will announce new dates once they have been determined.

Draft TSCA Risk Evaluation (RE) for Perchloroethylene, 10th of First 10 Chemicals, Ready for Review
OCSPP will soon announce the availability of, and solicit public comment on, the draft RE of perchloroethylene, and announce submission to the SACC for peer review at a virtual public meeting May 26, through May 29. The draft is likely to draw attention as it discusses how workers, occupational non-users, consumers, bystanders, and the environment could be adversely affected under certain conditions of use. It is not a final agency action and represents the agency's initial review of the scientific data on this chemical.

Upcoming Pesticide Actions Continue Progress on Registration Review Goals
During the week of April 27, OCSPP will issue four Federal Register Notices on multiple pesticide actions. The first three will announce the availability of draft human health and ecological risk assessments (RAs) for five isothiazolinones, nine rodenticides, and 16 pesticides. The fourth will announce availability of proposed interim decisions (PIDs) for 29 pesticides and will open a 60-day public comment period.

Oxitec Genetically Engineered (GE) Mosquito Experimental Use Permit (EUP) in Florida and Texas
OCSPP intends on April 28th to grant an EUP to Oxitec to release GE male (non-biting) mosquitoes in Monroe County, FL and Harris County, TX over 2 years to test mosquito control. OCSPP collaborated with the Centers for Disease Control and Prevention (CDC) for part of the risk assessment and has been in weekly communication with the Florida Department of Agriculture and Consumer Services.

Extension of the ESA Biological Evaluation Comment Period
OCSPP is extending for 45 days the public comment period on the draft biological evaluations (BEs) for the insecticides carbaryl and methomyl. The comment period will now close July 2.

Registration of a New Active Ingredient, Nootkatone
By Mid-May, OCSPP will release for comment the proposed registration of a new biochemical active ingredient, nootkatone. Developed by the CDC, it will be used to develop new insect repellents and insecticides for protecting people and pets and could be commercially available as early as 2022.

Fipronil Draft Risk Assessments
By mid-May, OCSPP intends to release the Fipronil draft RAs for public comment. The draft ecological RA identified risks to birds, mammals, terrestrial invertebrates, aquatic invertebrates, and fish. The draft human health RA identified preliminary dietary, residential, and occupational risks.

Office of the Chief Financial Officer

Hot Topics

OCFO is working with OCIR and program offices to respond to questions from the House and Senate Appropriations Committee regarding EPA's FY 2021 Budget Request. OCFO also will work with OCIR and program offices to prepare for the Senate Environment and Public Works Committee EPA FY 2021 Budget Hearing rescheduled from earlier this spring to May 20.

Upcoming Major Decisions and Events

The Deputy CFO sent a memorandum to agency Senior Leaders on April 17, with guidance and the draft agenda for the May 4 Spring Planning Meeting, which will be held virtually from 10:30 to Noon and 2-4 PM EDT. Draft agenda topics include the Administrator's Priorities, *FY 2018 – 20200 EPA Strategic Plan* Long-Term Performance Goals, Cross-cutting Investments (PFAS and Lead), Risk Communication, and Kick-Off of the Multi-year Investment Process.

The spring issue of the E-Enterprise for the Environment Bulletin is currently slated for release May 4. OCFO is coordinating with OPA to review the newsletter before release. This quarterly issue includes, among other topics, articles on EE's continued operations (e.g., April EELC virtual meeting) in response to COVID-19, two entries remembering esteemed EE members who recently passed away, and several project highlights.

GAO and OIG Entrance Conferences

The following tables summarize new agency GAO and OIG activities since the last weekly report through April 17.

GAO Audits – Week Ending 4/17/2020				
Audit Type	Title	Office	Engagement/ Report No.	Next Steps/Comments
Notification Letter/ Questionnaire	Monitoring and Oversight of Response to Coronavirus 2019 Pandemic	AO	Engagement Code 104237	Government wide review. Multiple EPA offices involved. AO is coordinating the entrance conference
Draft Report	Social Cost of Carbon: Identifying a Federal Entity to Address the National Academies' Recommendations Could Strengthen Regulatory Analysis	AO/OP	Engagement Code 102796, Report # GAO-20-254	There are no recommendations for EPA. Response/technical comments from OP are due to GAO by April 30, 2020.

OIG Audits – Week Ending 4/17/2020				
Audit #	Title	Status	Office	Next Steps/Comments
None.				

Other

On April 28, the Deputy Chief Financial Officer, along with Chief Data Officer, and Statistical Officer is convening Evidence Act Workgroup kick-off meeting to provide advice in implementing the *Foundations for Evidence-Based Policymaking Act.* The Workgroup will play a key role in enhancing agency capacity to assess and make strategic investments in data, data quality, evaluation, and other evidence-gathering activities. Specifically, the Workgroup will advise on deliverables due in September to OMB along with the FY 2022 OMB Submission.

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Office of Congressional and Intergovernmental Relations

Hot Topics

April 23 - House Natural Resources Committee will host a virtual roundtable to discuss the effects of the COVID-19 pandemic on environmental justice communities

Upcoming Major Decisions and Events

Ongoing - OCIR is fielding multiple committee and member inquiries on coronavirus viral disinfectant and wastewater funding and program implementation issues and coordinating closely with OHS/OPA
Ongoing - COVID-19-tracking state and local inquiries of national significance re: grants, fuel waivers, enforcement
TBD - Conference Call with Senator Daines' Staff to Discuss the Classification Criteria for Nonhazardous Secondary Materials
April 30 - NIEHS/Interagency Coordinating Committee on the Validation of Alternative Methods (ICCVAM) briefing including Sen. Shaheen (NH)/Rep. Calvert (CA) w/OCSPP
May 5 - 7 - EMC Meeting
May 6 - Harmful Algal Blooms briefing with HSST Committee: HSST; Lead Office: ORD
May 9 - Charter renewal of the EPA Board of Scientific Counselors

Office of Enforcement and Compliance Assurance

Hot Topics

Assuring Environmental Compliance at EPA Laboratories and Facilities
On April 24, OECA plans to issue a memo emphasizing that EPA labs and facilities must comply with all environmental requirements while attending to their vital research, analytical, and mission support functions. The memo also identifies various compliance assistance tools.

Virtual Quarterly FedCenter Board Meeting
On April 16, OECA's Federal Facilities Enforcement Office co-sponsored a virtual quarterly meeting of the FedCenter board. FedCenter is the Federal government's home for comprehensive environmental stewardship and compliance assistance information for Federal facility managers and their agencies. FedCenter is gathering and posting federal agencies' guidance on environmental operations and compliance issues during the COVID-19 public health emergency to help agencies coordinate on and learn from each other about policies and procedures.

Upcoming Major Decisions and Events

Nothing to Report.

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Office of General Counsel

Hot Topics

***Atlantic Richfield v. Christian*, No. 17-1498 (S. Ct. April 20**
The U.S. Supreme Court affirmed in part and vacated in part a Montana Supreme Court decision, which held that individual landowners can seek restoration damages under state law to remediate properties that are within the boundaries of the Anaconda Smelter Superfund NPL Site. The Court remanded the case for further proceedings not inconsistent with the opinion. The Court unanimously held that the U.S. Supreme Court has jurisdiction to review the Montana Supreme Court decision because Montana exercised its jurisdiction through a writ of supervisory control, which is a final judgment subject to U.S. Supreme Court review. The Court also held that CERCLA section 113(b) does not give federal courts jurisdiction over state law claims, even if the state law claim challenges a CERCLA cleanup. State courts retain jurisdiction over state law claims. In addition, the Court held that CERCLA section 113(h) does not apply to state courts; by its terms it only deprives "Federal court[s]" of jurisdiction to hear challenges to CERCLA cleanups. Section 113(h) also contains an exception which allows federal courts to hear state law challenges to CERCLA cleanups when the federal court is exercising diversity jurisdiction. The Court also held that landowners are potentially responsible parties and subject to 122(e)(6). This provision requires that, when EPA has initiated an RI/FS, a PRP cannot take "any remedial action at the facility unless such remedial action has been authorized" by EPA.

***County of Maui v. Hawai'i Wildlife Fund*, No. 18–260 (S. Ct. April 23)**
The U.S. Supreme Court issued its opinion addressing the question of whether a Clean Water Act (CWA) National Pollutant Discharge Elimination System (NPDES) permit is required for releases of pollutants from a point source to a jurisdictional water through groundwater. In a 6-3 decision written by Justice Breyer, the Court held that an NPDES permit is required "if the addition of the pollutants through groundwater is the functional equivalent of a direct discharge from the point source into navigable waters." The Court rejected the Ninth Circuit's holding that an NPDES permit is required where pollutants are "fairly traceable" from a point source to a jurisdictional water, finding that test to be an overbroad reading of the statute, and accordingly vacated that court's decision and remanded the case for further proceedings.

***Sierra Club v. Wheeler*, No. 18-5328 (D.C. Cir. April 17)**
The court affirmed the lower court's decision to dismiss, for lack of subject matter jurisdiction, an action brought by Sierra Club under Clean Air Act (CAA) § 304(a)(2) to enforce a claimed non-discretionary duty under CAA § 129(b)(3) for EPA to issue a Federal Plan within two years after promulgating incinerator emission guidelines (EG). Applying "traditional tools of statutory interpretation," the D.C. Circuit agreed with EPA that the two year period referenced in CAA § 129(b)(3) was not a date certain by which EPA was required to issue a Federal Plan, but a period of time by which States should have submitted approvable plans. In the absence of a "date-certain deadline" for EPA to issue a Federal Plan, the Court concluded that there was no nondiscretionary duty to do so, as required for an action under CAA § 304(a)(2). The Court also agreed that § 304(a)(2) was a limited or conditional waiver of the Federal government's sovereign immunity and that, because there was no non-discretionary duty, that conditional waiver of sovereign immunity was inapplicable and there was no subject matter jurisdiction.

***Bristol Bay Economic Development Corporation v. Hladick*, No. 3:19-cv-00265 (D. Alaska April 17)**
The court granted the federal defendants' motion to dismiss under Fed. R. Civ. P. 12(b)(6) holding that EPA's authority under Section 404(c) of the Clean Water Act (CWA) to withdraw a proposed 404(c) determination issued pursuant to 40 C.F.R. § 231.3(a)(2) is committed to agency discretion by law and is therefore unreviewable under the Administrative Procedures Act. 5 U.S.C. § 701(a)(2). The court held that EPA's withdrawal of a proposed 404(c) determination is akin to a decision not to institute enforcement proceedings under *Heckler v. Chaney*, 470 U.S. 821, 831–32 (1985), and that Section 404(c) of the CWA does not provide substantive guidelines for the agency to follow in exercising its enforcement powers.

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***Hall & Associates v. EPA*, No. 18-5241 (D.C. Cir. April 21)**
This case pertains to a November 13, 2014 FOIA request for records related to EPA's public statements at two meetings in 2013 and 2014 that are related to EPA's response to an Eighth Circuit Court of Appeals decision, *Iowa League of Cities v. EPA*, 711 F.3d (8th Cir. 2013). In a unanimous opinion, the D.C. Circuit partially reversed and remanded the district court's decision because it could not discern the factual question of when the Agency made a non-acquiescence final decision for the purpose of determining whether the documents at issue were pre-decisional under FOIA Exemption 5's deliberative process privilege. More specifically, the D.C Circuit concluded that the district court erred in granting summary judgment to EPA because EPA has not established a matter of indisputable fact that the definitive decision date of its non-acquiescence decision was the date of its Desk Statement issued November 19, 2013. Finding in favor of EPA, the D.C. Circuit rejected Hall's three other challenges to the district court's decision: (1) denying Hall's motion to conduct additional discovery; (2) denying Hall's motion to amend its complaint to add a challenge to the adequacy of EPA's search; and (3) denying Hall's Motion to strike one of EPA's declarations.

Northwest Environmental Advocates v. United States Fish and Wildlife Service, No. 3:18-CV-01420 (D. Or. April 21)
The court denied EPA's request to reconsider the portion of the magistrate judge's December 20, 2019 Order declining to limit review of Northwest Environmental Advocates' (NWEA) Endangered Species Act (ESA) claims against EPA to the administrative record. The District Court's Order concludes that EPA's objections do not provide a basis to modify the magistrate's opinion.

***Natural Resources Defense Council, Inc. v. EPA*, No. 19-71324 (9th Cir. April 22)**
The court granted a Petition for Mandamus filed by the Natural Resources Defense Council (NRDC) regarding their 2009 Administrative Procedure Act (APA) petition to cancel pet uses of the pesticide tetrachlorvinphos (TCVP) under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). The court ordered that: (1) EPA must act (either initiate cancellation or deny NRDC's petition) within 90 days "of the date that this decision becomes final;" (2) if EPA initiates cancellation, EPA must file status reports with the court every 2 months; (3) if EPA initiates cancellation, the court expects EPA to finalize cancellation within 1 year "of the date of this decision;" and (4) the court retains jurisdiction until EPA takes final, reviewable action.

***Gadsden Industrial Park v. U.S.*, No. 18-2132 (Fed. Cir. April 22)**
The court reversed the Court of Federal Claims' decision that Gadsden Industrial Park (GIP) had a cognizable property interest in slag recovered by the EPA, vacating the trial court's award of just compensation for slag, and affirming the trial court's award of zero just compensation for fish and scrap. The litigation stems from a Superfund removal action taken by EPA Region 4 between 2009 and 2013 at an abandoned landfill that was part of the defunct Gulf States Steel facility in Gadsden, Alabama. As a result of this decision, the Agency no longer owes compensation to GIP.

***Sierra Club, et al. v. EPA*, No. 20-60303 (5th Cir. filed April 16)**
Last week, OGC reported that on April 14, Sierra Club, Downwinders at Risk, and Texas Environmental Justice Advocacy Services (represented by Earthjustice) filed a petition for review challenging EPA's separate final actions regarding the Houston-Galveston-Brazoria TX (85 FR 8411, Feb. 14,) and the Dallas Fort-Worth TX (85 FR 19096, Apr. 6,) areas. On April 16, 2020, the same environmental petitioners filed a protective petition for review in the 5th Circuit Court of Appeals.

Upcoming Major Decisions and Events

Nothing to Report.

Office of International and Tribal Affairs

Hot Topics

Ecuador Requests Assistance on Pipeline Ruptures
The Government of Ecuador has reached out to EPA through the U.S. Embassy following the rupture of two crude oil pipelines and a third carrying gasoline from Ecuador's Amazon region to the coast. The request asked for assistance on methodologies for environmental remediation and evaluation of the oil spill contingency plan currently in use. A massive sinkhole caused the rupture that spilled an estimated 15,000 barrels of petroleum products into the Coca and Napo rivers in the Amazonian region of Ecuador. Repairs to the pipelines are expected to take 3-4 weeks, but are being hampered by the COVID pandemic. Oil contamination has affected communities along both rivers, including indigenous communities. The city of El Coca preemptively switched its water supply from the Coca River to another source to avoid contamination. EPA's National Response Team is taking steps to assemble a team that can review Ecuador's current cleanup actions and advise on any recommended changes.

EPA Outreach to Countries on COVID-19 Pandemic
At the request of ORD and OCSPP, OITA has reached out to several countries regarding the use of disinfectant products and delivery systems (e.g., foggers) to address the COVID-19 pandemic. The information requests have gone to Italy, France, Spain, and Korea through the U.S. Embassies and our counterparts within the government agencies in these countries

Upcoming Major Decisions and Events

April 23 - Administrator Wheeler will have a call with Brazilian Charge d'Affaires to discuss U.S.-Brazil bilateral environmental cooperation, including the Administrator's recent trip to Brazil.

April 23 - Commission for Environmental Cooperation (CEC) Alternate Representatives will have a conference call to discuss the upcoming Council Session and new five years 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, and the public comment period was to end on April 20. Several public interest groups requested additional time to submit comments on the proposal. In response, OLEM extended the comment period for 30 days, through May 20. On April 15, OLEM held a virtual public hearing on this proposal.
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 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

OLEM received input from the Office of the Federal Register (OFR) and revised the package accordingly. OP is exploring ways to deliver the revision to OFR within their electronic specifications. Upon OFR approval, OLEM will get the package ready for OP for signature by the Administrator.

PCB Extraction NPRM

OLEM is working on the package and we anticipate it going to OP in May for OMB review.

Subpart J Monitoring Rule

Option selection is scheduled for May 5.

Brownfields Revolving Loan Fund Supplemental Funding

The deadline for applications was April 22.

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)

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. The Industry 3 (Chemical Manufacturing) NPRM package was published in the FR on February 21, 2020, and the public comment period was to end on April 22. However, we are extending this for two weeks to 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.

COVID-19 Guidance Documents

On April 21, OLEM finalized the "Interim Health and Safety Guidelines Related to COVID-19 for Conducting Superfund Site Work." In addition, OLEM finalized and will be sending out interim guidance for public meetings during COVID-19 for the RCRA Program and for the PCB Cleanup and Disposal Program.

Upcoming Major Decisions and Events

Brownfields Assessment, Revolving Loan Fund, and Cleanup Grants

On April 27, the selection briefing will take place with the OLEM AA, and we anticipate announcement of the grant recipients the first week of May.

Office of Mission Support

Hot Topics

Environmental Appeals Board held an oral argument
On April 14, the Environmental Appeals Board held an oral argument in one of its pending permit appeals, using the audio and video features of Business Skype. The argument was transcribed by a court reporter, and the transcript will be posted on the Board's website along with other case filings. While there were some challenges, this process enabled the Board to conduct an important oral argument as the Agency staff work remotely. Legal counsel and technical personnel from the parties to the permit appeal participated, in addition to the Board.

Class Waiver for assistance agreement (grants) project period extensions
Current EPA grants policy limits project periods of assistance agreements in order to promote proper management of unliquidated obligations and ensure progress on work under the award. Consistent with the flexibility afforded EPA in the March 19, OMB Guidance, OMS/OGD approved a class waiver from such limitations for assistance agreement recipients who may need additional time to complete projects due to interruptions of operations because of COVID-19. This class waiver is effective immediately and covers requests for project period extensions for projects which were active as of March 31, and scheduled to expire prior or up to December 31, 2020. Impacted assistance agreements may be extended up to twelve months from their scheduled date of expiration. The waiver also relaxes the policy requirement to obtain a written request for a project period extension prior to amending the assistance agreement if a recipient is unable to communicate with EPA by email.

Relief under Section 3610 of the Coronavirus Aid, Relief, and Economic Security (CARES) Act
On April 23, the Office of Acquisition Solutions sent instructions to the Agency's contractor community on requesting relief under Section 3610 of the Coronavirus Aid, Relief, and Economic Security (CARES) Act. Section 3610 of the CARES Act authorizes federal agencies to reimburse contractors for paid leave costs due to the COVID-19 emergency, in limited circumstances. [HYPERLINK "https://gcc01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.whitehouse.gov%2Fwp-content%2Fuploads%2F2020%2F04%2FM-20-22.pdf&data=02%7C01%7CCarter-Jenkins.Shakeba%40epa.gov%7C3c61a72c3756476ae95108d7e7b8e58b%7C88b378b367484867acf976aacbeca6a7%7C0%7C0%7C637232653612330421&sdata=ywMPq1kis2soaZhsLlrPgH2E2azd25ODLCaB9h8VW9c%3D&reserved=0"] provides agencies the guiding principles for implementing these provisions. OAS will conduct training for the contracting community (1102s and CORs) on the Agency's procedures for evaluating and processing requests for 3610 reimbursement. The training session dates and times are below. Calendar invitations will be sent to contracting community to attend.

April 29, Contracts Staff (1102) Webinar (Mandatory)
Session 1: 12:00 pm -1:30 pm ET
Session 2: 3:00 pm - 4:30 pm ET

April 30, Program Staff (COR) Webinar
Session 1: 12:00 pm -1:30 pm ET
Session 2: 3:00 pm - 4:30 pm ET

Update on Hiring Initiatives
The OMS Shared Service Centers (SSCs) are actively engaging in outreach efforts to help increase applicant response to multiple, targeted hiring initiatives:

- On April 8, the SSCs hosted a webinar for Peace Corps volunteers who were recently evacuated from their stations due to COVID. Over 350 Returning Peace Corps Volunteers (RPCVs) participated. EPA

staff showcased opportunities at the agency and described how to apply. Other RPCVs on the EPA staff spoke about how their experiences with the Peace Corps prepared them for a career with the EPA. To date, over 40 agency positions are posted on the RPCV Career board for opportunities nationwide with most hiring managers already reviewing applications received.

- Three webinars will be held this month aimed at promoting the job opportunities associated with the new Office of Chemical Safety and Pollution Prevention (OCSPP) Science location in RTP. The OMS RTP-SSC conducted extensive outreach to promote this opportunity to colleges, universities, and professional organizations across the triangle. Approximately 150 people attended the first session on April 16. The OCSPP AA discussed opportunities and current OCSPP staff spoke about their background and careers while OMS SSC human resources staff gave a comprehensive overview of how to apply and provided a live question and answer session for the participants. Two more webinars will be offered this month and a recording of the session will also be made available for viewing.

- The SSCs continue to work with specific programs to identify hiring needs and to proactively recruit for high-occupancy, high-turnover positions.

Upcoming Major Decisions and Events

Employee Assistance Program – New Webinars

OMS is offering the following live webinar in coordination with our FEHB vendors, BlueCross BlueShield (BCBS) and GEHA. These are available to all employees:

- April 29, at 10:00 a.m. ET – Maintain Healthy Habits Remotely (BCBS) – [HYPERLINK "https://gcc01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fepawebconferencing.acms.com%2Fcovid19webinars%2F&data=02%7C01%7CCarter-Jenkins.Shakeba%40epa.gov%7C3a0190d7662f4bbece1e08d7e78c1dd7%7C88b378b367484867acf976aacbeca6a7%7C0%7C0%7C637232461284965768&sdata=elvNamjvo3UT6CYsJTFAjuSBu55Zd%2B2O%2BVXNRveEP1o%3D&reserved=0"]

Special webinars including these COVID-19 resources are also available through ESPYR (EAP vendor) in the "COVID-19 Resource Center" after entering the password (epa).

- [HYPERLINK "https://gcc01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fespyr.personaladvantage.com%2Fportal%2Fcontent%2F10120207%3Bsubject%3D10119156&data=02%7C01%7CCarter-Jenkins.Shakeba%40epa.gov%7C3a0190d7662f4bbece1e08d7e78c1dd7%7C88b378b367484867acf976aacbeca6a7%7C0%7C0%7C637232461284965768&sdata=hjMi8NZZ8FHIt%2F2bFoX5coA2b7jg%2FPrdHkV7Ex9%2Fyao%3D&reserved=0"]
- [HYPERLINK "https://gcc01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fespyr.personaladvantage.com%2Fportal%2Fcontent%2F10120229%3Bsubject%3D10119156&data=02%7C01%7CCarter-Jenkins.Shakeba%40epa.gov%7C3a0190d7662f4bbece1e08d7e78c1dd7%7C88b378b367484867acf976aacbeca6a7%7C0%7C0%7C637232461284975760&sdata=tBw0hYyjqpTFauRAjw203XBeuYd5TlrMEcw9ayCZidA%3D&reserved=0"]
- [HYPERLINK "https://gcc01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fespyr.personaladvantage.com%2Fportal%2Fcontent%2F10101888%3Bsubject%3D10119156&data=02%7C01%7CCarter-Jenkins.Shakeba%40epa.gov%7C3a0190d7662f4bbece1e08d7e78c1dd7%7C88b378b367484867acf976

aacbeca6a7%7C0%7C0%7C637232461284975760&sdata=ZJWAmU5uvx9%2BEa2hnIePigWatFykMpGLUl7isj%2BKONQ%3D&reserved=0" \o "21 Things You Can Do While You're Living Through a Traumatic Experience"]

- [HYPERLINK "https://gcc01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fespyr.personaladvantage.com%2Fportal%2Fcontent%2F10120355%3Bsubject%3D10119156&data=02%7C01%7CCarter-Jenkins.Shakeba%40epa.gov%7C3a0190d7662f4bbece1e08d7e78c1dd7%7C88b378b367484867acf976aacbeca6a7%7C0%7C0%7C637232461284985756&sdata=cl9%2BrLf%2Fy1OGzKmTWf9gelscnR5OLMmAdoxuByIXQsM%3D&reserved=0"]
- [HYPERLINK "https://gcc01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fespyr.personaladvantage.com%2Fportal%2Fcontent%2F10119998%3Bsubject%3D10119156&data=02%7C01%7CCarter-Jenkins.Shakeba%40epa.gov%7C3a0190d7662f4bbece1e08d7e78c1dd7%7C88b378b367484867acf976aacbeca6a7%7C0%7C0%7C637232461284985756&sdata=yl5Y0ahfVi0pw6HgJ8w%2B7KTNF6fCc%2FukfZaQh6fJ7MA%3D&reserved=0"]

Office of Policy

Hot Topics

Proposed Guidance Rule
As early as next week, the Office of Policy expects to propose a rule to establish consistent requirements and procedures for the issuance of agency guidance documents, as directed by Executive Order 13891.

Environmental Justice Grant Funding Aimed at COVID-19
By next Thursday, April 30, the Office of Policy plans to announce the availability of one million dollars in environmental justice grant funding for states, territories and public universities. EPA will give special consideration to applications addressing the impacts of the COVID-19 on low income and minority communities.

Upcoming Major Decisions and Events

Active Interagency Reviews from OMB	
Subject	**OMB Due Date**
USDA/APHIS FRM (Pass-back): Movement of Certain Genetically Engineered Organisms (aka Part 340 rule)	04/21/2020
HUD FRM: Enhancing and Streamlining the Implementation of Section 3 Requirements for Creating Economic Opportunities for Low- and Very Low-Income Persons and Eligible Businesses	04/24/2020
DOI/BOEM FRM (Pass-back): Air Quality Control, Reporting, and Compliance	04/28/2020
USDA/FS FRM: National Environmental Policy Act (NEPA) Compliance	05/01/2020
DOC/NOAA NPRM: Establish National Minimum Insurance Standard for National Marine Fisheries Service Programs that Permit or Approve Observer Providers	05/01/2020
HHS/FDA NOA (Pass-back): Inorganic Arsenic in Rice Cereals for Infants: Action Level; Guidance for Industry	05/05/2020
DOE/OEERE NPRM: Energy Conservation Program: Test Procedure and Labeling Requirements for Dedicated-Purpose Pool Pump Motors	05/06/2020
DOE/OEERE FRM: Energy Conservation Program for Appliance Standards: Procedures for Evaluating Statutory Factors for Use in New or Revised Energy Conservation Standards	05/07/2020

Documents Sent to the OFR from April 16-22, 2020		
FRL #	**Title**	**Date Sent to FR**
10007-94-Region 2	Approval and Promulgation of Implementation Plans; New Jersey; Negative Declaration	04-22-2020
10007-95-Region 2	Approval and Promulgation of Implementation Plans; New York; Reasonably Available Control Technology for the 2008 8-Hour Ozone National Ambient Air Quality Standards in the New York Metropolitan Area Moderate Nonattainment Area	04-22-2020
10008-15-Region 5	Designation of Areas for Air Quality Planning Purposes; Indiana; Redesignation of the Muncie, Indiana Lead Nonattainment Area	04-22-2020
10008-47-OCSPP	Carbaryl and Methomyl Registration Review; Draft Endangered Species Act Biological Evaluations; Extension of Comment Period	04-22-2020
10007-65-OCSPP	Significant New Use Rules on Certain Chemical Substances (20-1.5e)	04-21-2020

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10008-56-Region 3	Air Plan Approval; Virginia; Emissions Statement Certification for the 2015 Ozone National Ambient Air Quality Standard	04-21-2020
10008-62-Region 7	Air Plan Approval; Nebraska; Lincoln-Lancaster County Health Department (LLCHD)	04-21-2020
10008-57-Region 3	Air Plan Approval; Pennsylvania; Reasonably Available Control Technology (RACT) Determinations for Case-by-Case Sources under the 1997 and 2008 8-Hour Ozone National Ambient Air Quality Standards	04-21-2020
10006-15-Region 2	Approval of Air Quality Implementation Plans; New York; Infrastructure SIP Requirements for the 2012 PM2.5 NAAQS; Interstate Transport Provisions	04-20-2020
10007-39-Region 2	Approval and Air Quality Implementation Plans; New Jersey; Infrastructure SIP for Interstate Transport Requirements for the Requirements for the 2006 PM10, 2008 Lead, 2010 Nitrogen Dioxide, and the 2011 Carbon Monoxide National Ambient Air Quality Standards	04-20-2020
10007-77-Region 4	WELCH GROUP ENVIRONMENTAL PALMETTO SITE NOTICE of SETTLEMENT	04-20-2020
10007-97-OW	Announcement of Preliminary Regulatory Determinations for Contaminants on the Fourth Drinking Water Contaminant Candidate List; Extension of Comment Period	04-20-2020
10008-54-Region 7	Air Plan Approval; Nebraska; Approval of State Implementation Plan and Operating Permits Program	04-20-2020
10008-60-OAR	National Emission Standards for Hazardous Air Pollutants: Coal- and Oil-Fired Electric Utility Steam Generating Units – Reconsideration of Supplemental Finding and Residual Risk and Technology Review	04-20-2020
10008-05-OCSPP	Scopes of the Risk Evaluations to Be Conducted for Seven of Twenty Chemical Substances Under the Toxic Substances Control Act	04-20-2020
10008-65-Region 1	Notice of Availability of Proposed Modifications to NPDES General Permits for Stormwater Discharges from Small Municipal Separate Storm Sewer Systems in Massachusetts and New Hampshire	04-20-2020
10008-01-Region 9	Air Plan Approval; Arizona; Maricopa County Air Quality Department and Pima County Department of Environmental Quality	04-20-2020
10008-17-Region 4	Air Plan Approval; KY: Jefferson County Performance Tests	04-20-2020
10007-85-Region 6	Air Plan Approval; New Mexico; Interstate Transport Requirements for the 2008 Ozone NAAQS	04-17-2020
10007-99-Region 4	Air Plan Approval; FL; 2010 1-Hour SO2 NAAQS Transport Infrastructure	04-17-2020
10008-24-OW	Withdrawal of Certain Federal Water Quality Criteria Applicable to Washington	04-17-2020
10008-40-Region 3	Pennsylvania -Attainment Demonstration fo the Allegheny County Nonattainment Area for the 2010 - 1 Hour Sulfur Dioxide NAAQS	04-17-2020
10008-51-OAR	Continuous Emission Monitoring; Quality-Assurance Requirements During the COVID-19 National Emergency	04-17-2020
10008-66-OA	Notification of Public Meetings of the Science Advisory Board COVID-19 Review Panel	04-17-2020

10008-00-Region 4	Air Plan Approval; North Carolina; Miscellaneous Permit Provisions Revisions	04-17-2020
10008-22-Region 7	Air Plan Approval; Missouri; Removal of Control of Emissions from the Application of Automotive Underbody Deadeners	04-16-2020
10008-33-Region 5	Air Plan Approval; Wisconsin; Redesignation of the Inland Sheboygan, WI Area to Attainment of the 2008 Ozone Standards	04-16-2020
10007-20-Region 8	Approval and Promulgation of Implementation Plans; Wyoming; Regional Haze 5-Year Progress Report State Implementation Plan	04-16-2020

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Office of Research and Development

Hot Topics

Happy Earth Week!
ORD is proud of our employees and their collective contributions to safeguarding the environment and public health. This week ORD staff contributed some very nice photos and videos about their Earth Day celebrations for sharing via social media via the EPA accounts.

COVID-19 Response

ORD COVID-19 Research Leadership Team Established, Working Collaboratively with CDC

ORD has established a research leadership team that will focus on three areas of research: cleanup and disinfection, wastewater virus detection, and salivary antibody assay development. This research will be conducted in collaboration with CDC. Projects are deigned to address critical research questions, especially those needed to help the response in the coming weeks and months.

Technical Working Group Supports EPA Regions and CDC:

- ORD scientists are providing robust technical support consultations during the COVID-19 Pandemic and playing a pivotal role in EPA's Internal Technical Working Group for COVID-19 and SARS-CoV-2 (iTWG).
- The iTWG recently supported EPA's R4 and R6 by outlining information on vehicle disinfection and best practices for the use of electrostatic sprayers.
- The iTWG also supported CDC by providing appropriate steps to disinfect sampling pumps used in collection of particulate exposures during coal mining wth EPA-approved disinfectants to prevent the spread of COVID-19.
- Other support included determining the post-disinfection integrity of masks and the disinfection of air traffic controller workspaces, patrol boats, personnel and personal protective equipment (PPE), powerplant control rooms, and sensitive electronic equipment.

PFAS Innovation Treatment Team (PITT)
ORD's PIT Team has met with representatives from ORD, OLEM, OW, DoD, states, universities, and private industry. This week a Project QAPP was drafted that will form the foundation of the team's actions and will be supplemented as needed with laboratory and field addendums. They entered into discussions with state and industry representatives regarding field testing/sampling possibilities at aqueous film forming foam (AFFF) incineration and municipal waste combustion sites. These would include PFAS sampling and surrogate testing. Discussions were held with academic research institutes to conduct laboratory research and development of system analysis tools.

ISA for Ozone Anticipated Release (April 24)
The [HYPERLINK "https://cfpub.epa.gov/ncea/isa/recordisplay.cfm?deid=348522"] announces the availability of the final Ozone Integrated Science Assessment (ISA) on or around April 24. This ISA supports the National Ambient Air Quality Standards (NAAQS) review for ozone.

Upcoming Major Decisions and Events

Regional Lab Services and Applied Sciences Divisions (LSASD)
This week ORD, R5 and R8 are briefing the DRA/DAAs and the RAs on the findings, initial recommendations and lessons learned from the LSASD Workload Analysis effort. Their input will be requested to help prepare for a briefing of the Executive Management Council in two weeks. During the week of April 27, a Virtual Face-to-

Face Meeting is scheduled with the Regions' LSASD Directors. The focus of the discussions will be on the selected topics in the ORD NPM Strategic Plan that is under development.

Small Systems Webinar: *Harmful Algal Blooms (HABs) and Algal Toxins*
There are 2,480+ registered for the Small Systems Webinar, *Harmful Algal Blooms (HABs) and Algal Toxins* on April 28. OW will present on water treatment plant evaluation protocol for HABs and ORD will discuss treatment options for HABs impacted waters.

Water Treatment Modeling Tools for Removing PFAS and Other Contaminants Webinar
There are 3,230+ registered for the Water Research Webinar, *Water Treatment Modeling Tools for Removing PFAS and Other Contaminants* on April 29. ORD will provide an overview of a series of adsorption treatment models along with examples of how they can be used to help design pilot treatment systems and provide a first-cut prediction of full-scale results. The information generated from the models will provide states and utilities with a better understanding of the fundamentals of carbon adsorption and what that means to the operation, performance, and costs associated with this technology.

Society for Environmental Toxicology and Chemistry (SETAC) Virtual Meeting
ORD scientists will present at SETAC SciCon, held virtually on May 3 through May 7. This five-day event supports emerging research, regulatory developments and the latest methodologies in environmental toxicology and chemistry. This meeting will host approximately 650 pre-recorded presentations and 1,500 posters, along with a forum designed for cross-functional collaboration among attendees. This is the first time that SETAC Europe will be held online. Each platform presentation and poster will provide options to interact with the presenter, no matter the time zone. There will also be a networking lounge so delegates can interact via instant messaging, public online forums, or chat with selected groups (e.g., interest groups, geographical groups, expertise groups).

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Office of Water

Hot Topics

Water Infrastructure Finance and Innovation Act (WIFIA) Loan Closings
Next week, two WIFIA loan closings will be announced. EPA will announce a $192 million loan to Seattle Public Utilities (Seattle, WA) to help finance the Ship Canal Water Quality Project. This project will reduce combined sewer overflows to support public health, ecosystems and the economy in the Seattle metropolitan area. EPA will also announce a $280 million loan to the City of Wichita (KS) to replace the city's 80-year-old drinking water treatment plant with a new, state-of the-art facility capable of treating up to 120 million gallons of water each day. With these loan closings, EPA will have issued 19 WIFIA loans totaling $4.2 billion in credit assistance to help finance $9.5 billion for water infrastructure projects while creating 19,000 jobs.

Upcoming Major Decisions and Events

Nothing to Report.

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