Hot Topics

Continued 8-Hour Ozone NAAQS Exceedances

On August 19 and 22, three air quality monitors along coastal New England exceeded the 2015 8-hour ozone NAAQS of 0.070 parts per million. The triggered monitors are in Stratford and New Haven, CT, and on Martha's Vineyard. So far this summer there have been 21 days in which a New England monitor recorded an 8-hour ozone average above the current standard.

Proposed Rule Signed Designating New Ocean Dredged Material Disposal Site

On August 29, Acting RA Szaro signed a proposed rule to designate an Ocean Dredged Material Disposal Site for the Southern Maine, New Hampshire, and Northern Massachusetts Coastal Region. The preferred site, "Isles of Shoals North," is approximately 10.8 nautical miles east of Portsmouth, NH. This action is necessary to serve the long-term need for the possible future disposal of suitable dredged material from harbors and navigation channels in region. The proposed rule will be out for a 30-day comment period. The accompanying Draft Environmental Assessment and Draft Site Management and Monitoring Plan will be posted on the EPA R1 Ocean Dumping webpage and will also be available for public comment.

Old Town Paper Mill Brownfield Site Reopens

The 100-acre former Expera Paper mill in Old Town, ME, was re-opened for business this month, thanks in part to the investment of EPA's Brownfields program. The mill had shut down in 2015 with a loss of over 400 jobs. The City of Old Town used approximately $300,000 of its EPA Brownfields Assessment Grant (awarded in 2016) to determine what environmental cleanup liabilities existed. Based on this Phase 2 Environmental Site Assessment, Nine Dragons Paper has since invested an estimated $50 million to purchase the property and restart the paper mill, employing 130 workers in the process.

Clean Air Act 112(r) Notice of Violation & Administrative Order Issued

On August 27, EPA issued a Notice of Violation and Administrative Order to N&D Transportation Company, Inc., a regional transportation and storage firm located in North Smithfield, RI. N&D handles and stores chemicals reportable under EPCRA, some of which are designated as extremely hazardous substances regulated by the Clean Air Act 112(r) Risk Management Program and/or General Duty Clause requirements. N&D failed to file a risk management plan under 40 C.F.R. Part 68 and failed to conduct a process hazard analysis to ensure the safe operation of a warehouse facility. EPA coordinated closely with OSHA, the state's fire marshal's office, and the Department of Homeland Security

Upcoming Major Decisions and Events

Week of Sept. 4	RA Deziel will be in CT at the New England 2019 Tribal Leaders Summit and will be announcing the Agency's Clean Water Rule news.
Week of Sept. 9	RA Deziel will speak at a Centredale Manor (RI) superfund event, then host R1's Environmental Merit Awards ceremony at historic Faneuil Hall.

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Hot Topics

Hurricane Dorian in the Caribbean

R2's Emergency Response Center was activated to conduct preparations and emergency response work regarding the passage of then Tropical Storm Dorian through the Caribbean. The storm changed trajectory several times and was declared a Category 1 Hurricane at 2:00 pm on August 28 as it headed to the USVI. The eye of the hurricane crossed over St. Thomas, USVI. St. Thomas was the island most impacted by rain and wind gusts, as well as St. John. No major damages have been reported by local utilities (electric, drinking water, and wastewater) and the PR and USVI governments have reopened for business. Local government operations have returned to normal. Both USVI and PR were spared from significant damage, and it appears that no major disaster declarations will made for either jurisdiction. Federal resources are being demobilized from both PR and VI in order to make them available for Dorian's landfall on the mainland. R2's representative deployed to the National Response Coordination Center (NRCC) will demobilize at the close of business on August 29.

Dewey Loeffel Superfund Site, Town of Nassau, NY

RA Lopez participated in an interview on August 27 for a documentary about the Dewey Loeffel Superfund Site in Rensselaer County, NY. The treatment effluent levels for July 24 and July 31 (0.92 ppb and 0.99 ppb, respectively) were posted on August 22. On August 26 RA Lopez signed a letter to Supervisor Fleming of Nassau responding to the supervisor's concerns regarding the treatment plant effluent levels. R2 also sent an email message to PRPs on August 27 requesting the monitoring frequency for 1,4 dioxane not be modified until after the receipt and review of the data following the next carbon change-out.

OIG Investigation on Hurricane Maria Preparedness and Response

R2 representatives, including RA Lopez, participated in a conference call with the OIG to discuss follow-up questions related to PR and USVI wastewater and drinking water infrastructure. OIG wanted to clarify specific questions regarding their investigation on Hurricane María's preparedness and response, specifically timing of FEMA Mission Assignments and post-storm status of drinking water and wastewater facilities. The OIG plans to have a draft report (Summary of Findings) for EPA's review in the next month and will allow EPA to provide comments and responses during a 15-day time period.

R2 and Headquarters Provides Technical Support to Address Newark Drinking Water Problem

R2 requested Monitoring Assessment Branch (MAB) support for the Newark residential lead in drinking water sampling. R2's participation has been expanded to five MAB staff who have taken the sampling training and continue to deploy to Newark daily to conduct the drinking water sampling in residences. Coordination is being done by CDM, Newark's contractor, with support from NJDEP and the city. R2's Edison Lab is providing sample analysis.

HQ informs Limetree of Subpart Y Determination

In a letter dated August 23, Anne Idsal, the Acting Assistant Administrator for the Office of Air and Radiation, informed Limetree Bay Terminals, LLC that: (i) the Agency believes the existing marine loading operation at Limetree's facility in St. Croix, USVI, should be reasonably interpreted to constitute an existing offshore loading terminal with respect to 40 CFR part 63, subpart Y; (ii) regarding the proposed single point mooring (SPM) marine vessel loading operation, EPA considers the addition of the SPM loading operation at this facility to be sufficiently integrated into and an extension of the existing offshore loading terminal; and (iii) therefore, Limetree will be required to meet the same submerged fill requirements for existing offshore loading terminals according to 40 CFR 63.560(d)(6).

Upcoming Major Decisions and Events

Infrastructure Forum with U.S. Senator Gillibrand in Hyde Park, NY

R2 has organized, with Senator Gillibrand's staff, a water and sewer infrastructure workshop on September

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6 in Hyde Park, NY. R2 has pulled together multiple agencies with varied missions to provide advice, technical support and funding for worthwhile projects in the Lower Hudson Valley. The event is shaping up to be so successful U.S. Senator Menendez is considering doing a similar event in New Jersey.

Smart Sectors Agriculture Event in Cortland, NY
R2 is launching its Smart Sectors program next week, focusing initial outreach on Agriculture. Farm tours will be held in the Cortland area on September 4, followed by a Smart Sectors roundtable discussion with farmers, soil and water conservation districts, the NY Farm Bureau, and other stakeholders on September 5. The Upper Susquehanna Coalition is the local partner assisting in Day One events. RA Lopez will participate, along with R2 and R3 Ag Advisors and EPA Deputy Director for Agricultural Outreach Thomas Mills.

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Hot Topics

Jurisdictions Submit WIPs

All seven Chesapeake Bay jurisdictions in R3 submitted their final Phase III Watershed Implementation Plans (WIPs) on Friday, August 23. The WIPs are posted on the jurisdictions' websites and linked on the Bay TMDL website. EPA is beginning its review of the WIPs. There is currently no timetable for completion of the review.

LCRD Attends Drone Demonstration by Delaware Department of Agriculture

On July 30, EPA met with the Delaware Department of Agriculture (DDA), in Smyrna, DE, to observe a demonstration of DDA-owned drone equipment. The Pesticides Section of DDA has three Federal Aviation Administration certified drone pilots to operate their drone program. The demonstration was put on by a DDA certified pilot and a member of the Wilmington Police Department for the Secretary of Agriculture in Delaware. DDA purchased the drone (DJI Matrice 210) along with a SlantRange multispectral camera to assist farmers and growers in Delaware in several ways. One way is a program being developed for farmers to observe aerial views of their fields from the drone in real time to assess crop damage and stress, which will inform their crop management decisions to maximize yields. DDA also plans to use the drone equipment to assess pesticide drift damage using an XT2 Thermal Camera. Crop damaged by pesticides such as Dicamba and 2,4-D drift will emit a difference heat signature than healthy crop. This will aid in enforcement case development and subsequent actions. Finally, the drone will allow DDA employees to quickly assess deer damage to agricultural fields for state data collection. DDA is the first Department of Agriculture in R3 to delve into this new technology for agricultural management.

Upcoming Major Decisions and Events

Approval and Promulgation of Air Quality Implementation Plans, DC

In this final rulemaking action (FRN), EPA is approving DC's state implementation plan (SIP) revision to update the 2002 Mobile Equipment Repair and Refinishing (MERR) model rule to incorporate the Ozone Transport Commission's (OTC) 2009 Motor Vehicle and Mobile Equipment Non-Assembly Line Coating Operations regulations (MVMERR) model rule adopted by the District in 2016.

In a notice of proposed rulemaking, the Environmental Protection Agency (EPA) will propose approval of a state implementation plan (SIP) revision submitted by the District of Columbia. This revision pertains to reasonably available control technology (RACT) requirements for nitrogen oxides (NOx) under the 2008 8-hour ozone national ambient air quality standard (2008 ozone NAAQS). DC's submittal for the NOx RACT for the 2008 ozone NAAQS among other things amends existing regulatory provisions to add new or more stringent regulations or controls that represent RACT control levels for combustion turbines and associated heat recovery steam generators and duct burners and sets NOx RACT for four specific emissions units at the Blue Plains Advanced Wastewater Treatment Plant. This action is being taken under the Clean Air Act.

Approval and Promulgation of Air Quality Implementation Plans, MD

In this final rulemaking notice (FRN), EPA is approving Maryland's request to remove requirements for gasoline vapor recovery equipment (also known as Stage II vapor recovery) on gasoline pumps at both new and upgrading gas stations in the Baltimore Area, the Maryland portion of the Philadelphia Area, and the Maryland portion of the Washington Area. While Maryland will retain the program (in the state's rules and the SIP), Maryland now allows gas station owners the option to decommission equipment at stations already equipped with Stage II vapor recovery. Station owners may elect to retain existing Stage II equipment, but in doing so will remain subject to Stage II requirements (under both state rule and the federal SIP) and must continue to test and maintain Stage II equipment in accordance with program requirements. The revised Maryland rule that both removes requirements to install Stage II in new or modified facilities and adds new testing and recordkeeping requirements for those electing to decommission existing equipment is being incorporated by reference to the Maryland SIP.

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$24.8 Million Awarded to West Virginia for Water Quality Improvement Projects
On August 7, the West Virginia Department of Environmental Protection (WVDEP) received its FY 2019 Clean Water State Revolving Fund (CWSRF) award, which includes $24.8 million in federal funds and $4.95 million in state matching funds. This grant further capitalizes WVDEP's CWSRF Program and will be combined with repayments from prior loans and interest earnings on Fund deposits. The CWSRF program provides low interest loans for the construction of wastewater treatment facilities, non-point source and estuary projects, and other water quality management activities. Projects supported by the CWSRF this year include wastewater treatment plant and collection system upgrades and repairs which will improve water quality and protect public health in the state.

RA Servidio has the following events scheduled:

- **September 5, 2019:** Chesapeake Bay Executive Council Meeting, MD
- **September 5, 2019:** Repeal of WOTUS Step 1 Press Event

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Hot Topics

Tropical Storm Dorian

R4 is preparing for Tropical Storm Dorian. As of August 28, the storm is predicted to make landfall on the east coast of Florida as a Category 3 storm on Monday, September 2. R4 is updating vulnerability assessments of NPL sites in the storm's path and has reached out to the states of Florida and Georgia as well as the two tribes potentially in the storm's path.

Hillsborough Polk County, Florida Redesignation

On August 27, RA Walker signed the proposed redesignation of Hillsborough Polk County Florida to attainment for the SO_2 NAAQS. This action is a priority for the State of Florida. The notice proposes approval of SO_2 limits for the two Mosaic facilities in the Hillsborough Polk area, a modeling demonstration that the SO_2 limits for the two Mosaic facilities bring the area into attainment, a maintenance plan for the NAAQS, and the redesignation of Hillsborough Polk area to attainment for the SO_2 NAAQS

Miami-Dade Road Extension project

On August 23, R4 submitted a 404(q) "3(a)" letter to the Jacksonville District of the Corps regarding the proposed Miami-Dade Road Extension project. The letter indicates the project as proposed may have substantial and unacceptable adverse impacts to the Greater Everglades wetland ecosystem and surrounding freshwater wetlands. The Florida Department of Environmental Protection, South Florida Water Management District, and Senator Marco Rubio have expressed concerns about the project.

Able Contracting Fire

R4 continues to coordinate the response activities at a landfill fire in Ridgeland, Jasper County, SC. EPA assumed coordination and funding responsibilities for temporarily relocated residents impacted by the smoke plumes emanating from the fire. Air monitoring results show that air quality is improving in the areas near the debris pile. R4 continues to field significant media and elected official interest.

Petroleum Products Corp Site, Pembroke Park, FL

R4 submitted the OU1 and OU2 site costs summary report to U.S. District Court. R4 is also working on a draft communication plan and FAQs fact sheet. The warehouse fair market value appraisal report is due to EPA on August 30. The draft proposed olan is being routed for HQ comments.

Ethylene Oxide

R4 continues to field responses related to ethylene oxide concerns related to two Georgia sterilizer facilities, Sterigenics in Cobb County and Becton Dickinson in Covington, GA. Additionally, R4 is working with the South Carolina Department of Health and Environmental Conservation regarding a chemical manufacturing facility in SC (Solvay/Lanxess).

Mississippi State University (MSU) Coastal Extension Marine Debris (GOOD NEWS)

The Gulf of Mexico Division funded a cooperative agreement with Mississippi State University for a crab-trap removal program. Details of this program were highlighted in MSU publication "Extension Matters." According to Dr. Eric Sparks, MSU's Assistant Extension Professor, "The overall goal of the program is to reduce the amount of trash littering the [Mississippi] Sound and increase awareness of the impact marine debris has on coastal communities." Article link: https://extension.msstate.edu/extension-matters/saving-the-sound. Video link: https://www.facebook.com/MSUExtService/videos/352098315696083/

Upcoming Major Decisions and Events

Tier 4 Marine Diesel Press Event

On August 26, RA Walker participated in a press event at the Georgia Ports Authority with Congressman Buddy Carter to announce the proposed amendments to the Tier 4 Marine Diesel rule.

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Mississippi Visit
On August 28, RA Walker will meet with leadership of the Mississippi Department of Environmental Quality for the annual enforcement conference. On August 29, she will visit the Gulf of Mexico Program office and meet with the mayor of the City of Gulfport, MS.

Mississippi Phosphates Tour
On August 30, RA Walker will participate in a tour of the Mississippi Phosphates Superfund Site in Pascagoula, MS. Chris Wells, Deputy Director of the Mississippi Department of Environmental Quality, will also participate in the tour.

Dog River Tour
On August 30, RA Walker will participate in a tour of the Dog River project in Mobile, AL. Chris Blankenship, Commissioner of the Alabama Department of Conservation and Natural Resources, will also participate in the tour.

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Hot Topics

EPA Staff to Participate in Open House on High Lead Levels in University Park, Ill., Drinking Water
EPA continues to provide oversight and technical support to Illinois EPA as the state works to address high lead levels in the suburban Chicago community. R5 is closely monitoring state action to ensure that appropriate steps are taken. EPA will participate in a public open house sponsored by the state on August 29. Students returned this week to two schools where elevated levels of lead had been detected. The schools are implementing a mitigation plan that includes shutting down drinking fountains and regularly flushing the system. Illinois EPA issued a violation notice to Aqua on July 25. The Illinois Attorney General and Will County State's Attorney filed a complaint against Aqua Illinois in state court on Aug. 16.

EPA Bumps Up Chicago Air Designation to "Serious," Extends Sheboygan Designation
On August 23, EPA took final action on 11 ozone nonattainment areas that are classified as ''Moderate'' for the 2008 ozone National Ambient Air Quality Standards (NAAQS). EPA determined the Chicago "Moderate" area failed to attain the standards by the attainment date, so the area will be reclassified ''Serious'' nonattainment on September 23. In the same action, EPA granted a one-year attainment date extension for the two Moderate areas in Sheboygan County, WI: Inland Sheboygan County and Shoreline Sheboygan County.

Community Complaints about Environmental Concerns in South Side Chicago Neighborhood
R5 is coordinating with the City of Chicago to determine any appropriate next steps. On August 25, a community activist wrote Chicago Mayor Lightfoot, copying local news outlets, about environmental concerns in the Mount Greenwood neighborhood of Chicago, particularly with the safety of the drinking water at a Mount Greenwood elementary school. In 2017, the city's water department tested multiple locations in the Mt. Greenwood area in response to community concerns about the water. Water samples taken did not show any elevated levels of contaminants. This testing was done in conjunction with the Illinois Department of Public Health. This year, in response to an inquiry from Sen. Dick Durbin, R5's emergency response program conducted a site assessment at a former dry-cleaning and auto repair facility in the neighborhood. This sampling found no hazardous substances above federal and state screening levels.

R2 Consults with R5 Flint Water Experts over Newark, NJ, Lead Issues
R5 is providing technical and administrative support to R2 and Headquarters as they continue to manage the drinking water situation in Newark, NJ. This week, R5 drinking water experts, in coordination with the Office of Research and Development, provided recommendations on sampling and science related to corrosion control in Newark's distribution system. In addition, R5 Superfund staff have provided guidance and lessons learned from the management of the Flint, MI, drinking water response.

Region 5 Superfund Participate in After-Action Review in Border Train Derailment
On August 29, R5 emergency responders will participate in a "hot wash" review of the June 28 CN train derailment in a tunnel that runs underneath the St. Clair River at the U.S.-Canadian border between Sarnia, Ont., and Port Huron, MI. Forty-four cars of a 140-car train derailed, and one of the cars released over 12,000 gallons of 98% sulfuric acid into the tunnel, contaminating large quantities of ballast and wreckage from numerous surrounding cars. Over a nine-day period, EPA and other Unified Command members completed the successful removal of acid, the acid rail car, the contaminated debris, and all other wreckage from the tunnel. EPA also conducted perimeter air monitoring. Despite the challenging nature and location of the spill, coordination and collaboration among federal, state, local and Canadian agencies was considered excellent. In addition to the hot wash, a follow-up exercise is also being planned.

ARD Staff Present Energy Star Award to Marathon Refinery in Canton, Ohio.
Marathon is an active Energy Star industrial partner and in April earned a "Partner of the Year" award for the second time. ARD staff attended an Energy Star industrial showcase at the Marathon refinery in Canton, Ohio, on August 27. The Canton refinery has earned Energy Star plant certification, which indicates top

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25% energy performance within a sector, for 13 years. Energy Star encourages companies and plants with such achievements to hold industry showcases to share what they've achieved with local stakeholders and other manufacturers.

Upcoming Major Decisions and Events

Superfund Task Force Event at Allied Paper Superfund Site in Kalamazoo, MI.

On September 9, RA Stepp will participate in a press event at the Allied Paper Superfund site to celebrate EPA's accomplishments under the Superfund Task Force. R5 will also be announcing a recent settlement at the site that should lead to the redevelopment of a portion of the site into a business park with green space and nature trails.

RA Stepp to Keynote at Michigan Chemistry Council Conference

On September 9, Regional Administrator Stepp will be the keynote speaker at the Michigan Chemistry Council conference in Lansing, MI.

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Hot Topics

Copan Lake, Washington County, Oklahoma
The USACE, after indicating they were the Responsible Party (RP), sent a letter to EPA and the National Pollution Fund Center (NPFC) disputing their responsibility as the RP. As a result, on August 23 the NPFC informed the USACE and EPA that it will not allow access to the Oil Spill Liability Trust Fund (OSLTF) for this incident. The NPFC stated that the USACE has the money and resources to pay for the response.

Naval Air Station Joint Reserve Base, New Orleans, Louisiana
The Navy has determined that PFAS may be present in the soil and/or groundwater at the New Orleans JRB as a result of historical activities and will be requesting to sample private drinking water wells in off-site designated areas to compare to the drinking water health advisory levels. The Navy sent out post cards to those within a designated community and plans to be in the community to seek properties to sample that may have private wells.

Tar Creek Superfund Site, Miami, OK
On September 17, R6 will release the final Tar Creek Site Strategic Plan at the annual Tar Creek Conference in Miami, OK. The Strategic Plan provides an update on the cleanup progress and outlines how EPA, the ODEQ, the Quapaw Nation, and the Tar Creek community will work to improve progress in addressing mining waste and contamination at the site.

Upcoming Major Decisions and Events

Arkansas Regional Haze Phase II SIP Revision - Final Action
By August 30, EPA anticipates approval of the final action for the Arkansas Regional Haze Phase II SIP revision. The SIP revision addresses SO2 and PM BART requirements for electric generating units (EGUs) and reasonable progress requirements for SO2 and PM emissions, and will replace a portion of the existing FIP. The final action for SIP approval is to be signed by the R6 Administrator while the FIP withdrawal action is to be signed by the Administrator.

Arkansas NAAQS Major Source Permitting SIP Revision, Arkansas
By September 4, EPA anticipates final approval on the ADEQ NSR/Regulation 19 and 26 regulatory revisions. No comments were received on the proposed action.

New Mexico and Albuquerque-Bernalillo County MSW Landfills Emission 111(d) Plans, New Mexico
By September 6, EPA anticipates final approval of revisions to the section 111(d) Emission Plans for the State of New Mexico and Albuquerque-Bernalillo County for their existing Municipal Solid Waste (MSW) Landfills. R6 received one comment letter in support of the proposed action.

Arkansas Regional Haze Five-Year Progress Report SIP, Arkansas
By September 11, EPA anticipates final action on the Arkansas Regional Haze Five-Year Progress Report SIP. The SIP submittal addresses the requirement for a periodic report describing progress toward reasonable progress goals and includes a determination of adequacy of the State's regional haze SIP. Final action will remove this SIP from the EPA R6 SIP backlog.

Texas Regional Haze BART FIP, Texas
By September 16, HQ anticipates final action on the Texas Regional Haze FIP final action. The comment period closed on October 26 on the Texas Regional Haze BART FIP proposal to affirm our October 2017 final rule.

August 29	Oil & Gas New Source Performance Standards, Lubbock, Texas
September 4	Texas Industry Project Meeting, Houston, Texas
September 5	Children's Health Protection Advisory Committee, Washington DC

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September 5	Tour of Houston Ship Channel, Houston Texas
September 5	Texas Industry Project Quarterly Meeting, Houston, Texas
September 5	WOTUS press conference, Houston, Texas
September 9	Superfund Taskforce San Jacinto Site, Channelview, Texas

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Hot Topics

Syntex Superfund Site Public Meeting

On August 27, R7 staff, Missouri's Department of Health and Senior Services, and the Missouri Department of Natural Resources met with Verona, MO, Mayor Joseph Heck, Mayor pro-tem Claude Carr and city attorney Ken Reynolds to provide an update on the Syntex Superfund Site. Mayor Heck provided welcoming remarks at the beginning of the public availability session later that evening. The team provided a site update, answered community questions, and discussed technical assistance resources. Historic operations at the site included the production of an industrial precursor for Agent Orange, which resulted in contamination of groundwater and soil with dioxin and volatile organic compounds.

- Historic operations at the site included the production of 2,4,5-trichlorophenoxyacetic acid (2,4,5-T), which is an industrial precursor for Agent Orange and contains small amounts of dioxin. The dioxin and volatile organic compounds at the manufacturing facility contaminated groundwater and soil.
- Historical remedial actions at the site addressed contaminated soil and equipment on the site. More recently, the potentially responsible party for this site has been performing additional characterization of soil, sediment and groundwater to reassess site conditions related to dioxin and 1,4-dioxane.
- In 2019, an Environmental Covenant went into effect for a portion of the site; this covenant assures that future construction or repair activities will be protective of human health and environment.
- The public availability session provided updated site information to the public and answer questions.
- Approximately 135 citizens attended the meeting, including the Mayor, the entire board of aldermen, three county commissioners, and their state representative.
- At the meeting, EPA agreed to return to the community in the near future to continue the dialogue about site investigations.

Carter Carburetor Redevelopment Stakeholders Meeting

EPA personnel are meeting with stakeholders for the potential redevelopment of the Carter Carburetor Superfund Site in St. Louis, MO.

- On August 29, EPA is meeting with the Herbert Hoover Boys and Girls Club, ACF Industries Inc., PGA Reach, and the Land Reutilization Authority of the City of St. Louis in order to discuss redevelopment of the Carter Carburetor Superfund Site.
- The agenda for the meeting includes status of the removal action, a potential Prospective Purchaser Agreement between EPA and Boys and Girls Club, future use, ownership, and maintenance of the capped area, and ways EPA can facilitate redevelopment at the site.
- Removal work at the site is anticipated to be complete by the end of December 2019, and post-removal site control will include maintenance of a TSCA cap covering a PCB repository.

Upcoming Major Decisions and Events

2019 Regional Pediatric Lead Poisoning Prevention Summit

Key Message: On September 5, 2019, Deputy Regional Administrator Ed Chu will provide opening remarks at the Regional Pediatric Lead Poisoning Prevention Summit in Overland Park, Kansas. Lead is one of R7's priorities.

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Hot Topics

Denver Water, CDPHE and Mayor of Denver Meeting with OW

At the request of the Colorado Department of Health and the Environment, OW has accepted a meeting with CDPHE, Denver Water and the Mayor of Denver to discuss their intent to move forward with a variance to the lead and copper rule designated optimal corrosion control treatment of orthophosphate. The variance proposal is a multifaceted approach that includes accelerated lead service line replacement, pH and alkalinity for corrosion control, and the distribution of filters to consumers with lead service lines. The Newark, NJ, situation has amplified concerns with the Denver Water proposal. Denver Water believes there are significant distinguishing characteristics between the Newark situation and Denver Water. The meeting is scheduled for Wednesday, August 28 in Washington, DC.

R8 Re-proposes Two Draft UIC Permits for Uranium Recovery in the Black Hills of South Dakota.

EPA received over 1,000 pages of comments and over 7,000 mass emails on the 2017 draft Underground Injection Control permits issued for the proposed project. Powertech (permit applicant) raised concerns with some of the conditions in the proposed permits. Tribes, landowners and NGOs raised concerns about the project in general. R8 has worked with HQ to address the comments and re-proposed the permits on August 26. A public hearing will be held October 5 in Hot Springs, SD, and the comment period closes October 10.

Upcoming Major Decisions and Events

No updates to report.

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Hot Topics

Regional/ORD Leadership Meeting

R9 DRA Deborah Jordan and ORD will co-host a meeting with R9 state and tribal leaders at the Newport, OR, lab to discuss research and technical support priorities. Participants include the AZ Dept. of Environmental Quality, CA Dept. of Toxic Substances, Control, CA State Water Resources Control Board, NV Dept. of Conservation and Natural Resources, the two largest CA air districts, and two tribes (Hopi, Big Valley Band of Pomo).

WOTUS

RA Stoker, Enforcement Director and Ag Advisor Amy Miller, and Water Director Tomas Torres will meet September 5 in Arizona with industry and agricultural leaders and invited elected officials, including the AZ Dept. of Agriculture, the AZ Farm Bureau, the Cattlemen's Association and others to discuss Clean Water Act-related developments.

Outreach

RA Stoker will host a media event September 3 in the San Francisco Bay area to highlight award of the San Francisco Bay Water Quality competitive grants for the Three Creeks Restoration Project, which will restore 12 acres of floodplain in Marsh Creek to more natural functioning. Project partners American Rivers, the City of Brentwood and Contra Costa County will join the RA. We have supported nearly 70 projects in the nine Bay Area counties since 2008 with $58 million in EPA funds, leveraged with $168 million in partnering funds.

Coral Reef Task Force

RA Stoker plans to participate in the US Coral Reef Task Force meeting in Koror, Palau, the week of September 8. The task force includes leaders of 12 federal agencies, seven U.S. States, territories, commonwealths and the three Freely Associated States.

Upcoming Major Decisions and Events

No updates to report.

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Hot Topics

No updates to report.

Upcoming Major Decisions and Events

Annual Awards Ceremony and Reception

On September 4, R10 will host its annual awards ceremony and outdoor reception honoring our national and regional award winners.

Region 10 Amplifies WOTUS Rule

R10 will host an event on September 5 to amplify the national WOTUS rulemaking.

R10 Amplifies STF Report by Announcing Proposed Cleanup Plan for Emphasis List Site (WA)

On September 9, R10 will participate in the national Superfund Task Force final report amplification by announcing the Proposed Plan for the Quendall Terminals site near Renton, Washington. Quendall Terminals was a site on the Administrator's Emphasis List.

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Hot Topics

Packages for Signature

- Federal Implementation Plan for Oil and Natural Gas Sources; Uintah and Ouray Indian Reservation in Utah (Region 8 Proposed Rule)
- Arkansas Regional HAZE FIP Revisions (Final Rule)
- Iron and Steel Foundries RTR (Proposed Rule)
- Atlanta Reid Vapor Pressure (RVP) (Final Rule)
- Major Source Status of Ethanol Production Facilities (Petition Response and FRN)
- Reconsideration of the Area Designation for the 2010 1-hour SO2 NAAQS for Williamson County, Illinois (Final Rule)

Packages at OMB for Review

- Vehicle Test Procedure Adjustments for Tier 3 Test Fuel (Proposed Rule; RECEIVED DATE: 02/25/2019)
- Renewable Fuel Standard Program: Modification of Statutory Volume Targets / RFS Reset (Proposed Rule; RECEIVED DATE: 05/20/2019)
- Oil & Natural Gas Sector Emission Standards for new Reconstructed & Modified Sources Review (Proposed Rule: RECEIVED DATE: 6/10/2019)
- Ethylene Production RTR (Proposed Rule: RECEIVED DATE 7/12/2019)
- Safer Affordable Fuel-Efficient (SAFE) Vehicles Rule for Model Years 2021-2026 Passenger Cars and Light Trucks (Final Rule: RECEIVED DATE 8/2/2019)
- Organic Liquids Distribution (OLD) RTR (Proposed Rule: RECEIVED DATE 8/2/2019)
- Light Duty Greenhouse Gas Program Technical Amendments (Final Rule: RECEIVED DATE 8/19/2019)
- MON RTR (Proposed Rule: RECEIVED DATE 8/20/2019)
- MATS Coal Refuse-Fired Units Review (Final Rule: RECEIVED DATE)

Packages Heading to OMB Soon

- Ambient Air Guidance (Final Guidance)
- Strat Ozone - Section 608 Refrigerant Management – Revisions (Final Rule)
- Ethylene Oxide Sterilizers (Interim Final Rule)

Upcoming Major Decisions and Events

Oil and Gas NSPS

This week, EPA will announce the proposed updates to the New Source Performance Standards (NSPS) for the oil and gas industry. The proposal responds to Executive Order 13783, Promoting Energy Independence and Economic Growth, and will be open for public comment for 60 days.

Green Power Leadership Awards

Next week, EPA anticipates announcing the 19th annual Green Power Leadership Awards, recognizing 17 Green Power Partners across the country. The award winners are being recognized for their efforts in advancing the nation's voluntary green power market.

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Hot Topics

Rulemakings at OMB

Supplemental NPRM; TSCA CBI Review Plan & Substantiation (SAN 5946) – Review Started: 8/27/19 (Statutory deadline for final action by 2/19/20.)

Highlighted Rules/Guidance Out for Public Comment, Comment Period Closing Soon

9/3/19: Notice: Glyphosate Proposed Interim Registration Review Decision; Notice of Availability (Published: 5/6/19; FRL-9992-96).

Upcoming Major Decisions and Events

OCSPP to Tour ORD's Mid-Continent Ecology Division (MED) Laboratory

On September 9, OSCP OD Dr. Hayley Hughes will tour ORD's MED Laboratory in Duluth, MN. The MED conducts innovative research and predictive modeling to document and forecast the effects of pollutants on the integrity of watersheds and freshwater ecosystems, to characterize adverse outcome pathways of toxic exposure at multiple scales and levels of biological organization, and to link environmental condition to human health and wellbeing. The lab provides important scientific expertise to OCSPP.

Third TSCA SACC Meeting

EPA published a Federal Register Notice August 12 announcing the availability of risk evaluation documents and the third meeting of the Toxic Substances Control Act Science Advisory Committee on Chemicals (TSCA SACC). The SACC peer review meeting will be held September 10-12. In preparation for the meeting, the SACC met August 21 to discuss the scope and clarity of the Agency's draft charge questions. During the September meeting, the TSCA SACC will review EPA's Draft Risk Evaluation for 1-Bromopropane (1-BP) and associated documents.

Trilateral Technical Working Group on Pesticides

AA Dunn will provide opening remarks to the Trilateral Stakeholder Workshop and Conference on Pesticides in Potomac Yard on September 3. The workshop, which continues through September 5, is sponsored by the governments of Mexico, Canada, and the United States and supports agricultural-related work on sanitary and phytosanitary measures. It serves as a focal point for addressing pesticide issues arising in the context of liberalized trade among the three governments.

OPPT OD Jeffery Morris Speaking at Chemicals Event in Mexico

On September 17, Jeff Morris will speak at "Living in a Chemical World: Towards a Comprehensive Chemical Management Policy" in Mexico City. The high level technical scientific meeting, hosted by Mexico's National Institute of Public Health, will bring together international experts and leaders to discuss the technical, social, political and executive issues that Mexico is facing as it works to build a new integrated chemicals management national policy. Dr. Morris will be sharing EPA's approach to chemicals management under amended TSCA.

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Hot Topics

CFO Greaves Resignation

CFO Holly Greaves announced her resignation from EPA is effective September 4. David Bloom will serve as the Acting CFO and Carol Terris will be Acting DCFO. Paige Hanson will remain Associate CFO for Policy.

FY 2021 OMB Submission

OCFO continues to work with the budget and planning community to finalize materials for the FY 2021 OMB Submission. OCFO is drafting a transmittal letter from the Administrator to OMB and will be working with the policy staff on the letter prior to the Administrator's signature. The FY 2021 OMB Submission is due to OMB on September 9. OCFO also is coordinating with the NPMs to schedule OMB Budget Hearings. The overall agency hearing is scheduled for September 12 and the NPM hearings from September 16 through 24.

Upcoming Major Decisions and Events

Anti-Deficiency Act Violation

After briefing the Administrator earlier this month, OCFO is preparing to submit required letters for the Administrator's signature notifying Congress and others of an Anti-Deficiency Act violation related to voluntary services. Prior to submittal to the Administrator, OCFO will coordinate with the OCIR and OGC oversight team. OCFO also has coordinated with OGC and OPA to develop a desk statement.

FY 2020 Bowling Chart Metrics

The Acting DA anticipates completing his review of the FY 2020 bowling chart metrics by early next week, which include all agency operational measures. The Acting DA had no comments on the subset of 45 annual performance goals included as part of the FY 2021 Annual Performance Plan in the OMB Submission, but reiterated his preference for the annualized set of 26 goals associated with the long-term performance goals.

EPA Significant Risk Themes

On September 4, OCFO is briefing the Assistant DA and Associate DA on results of the agency senior leader ranking of significant risk themes and the proposed EPA Enterprise Risk Profile.

FY 2019 Q3 Action Plan Updates for Agency Priority Goals

OCFO, working with the programs, responded to minor OMB comments on the FY 2019 Q3 Action Plan Updates for the FY 2018-2019 Agency Priority Goals. We will final provide final Action Plans to OMB by the August 30 deadline. OMB expects to post federal agency APG FY 2019 Q3 results on Performance.gov by mid-September.

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Hot Topics

The House and Senate are in recess until September.

Upcoming Major Decisions and Events

September 4: ORD will meet with the R9 States & Tribes Environmental Leadership in Newport, Oregon. This one-day meeting will include discussions on topics tailored to the states' and tribes' identified needs.
September 8 (tent.) Senate Appropriations (minority) briefings on water financing and TSCA issues
September 9 (tent.): Notification on Oak Ridge, Tennessee WIFIA loan closing w/OW
September 9 (tent.): Notification on WIIN grant announcement w/OW
September 12: Office of Air and Radiation and Region IX will join OIR for a meeting with representatives of the San Joaquin Valley Regional Planning Agencies Policy Council.

LGAC 2019 Membership

OCIR is wrapping up the straw list of LGAC and SCAS candidates. The next step will be to submit to the Office of General Counsel and the Federal Advisory Committee Management Division (FACMD) review and sign off on balance and diversity of the proposed committee aligned with its Charter. The balance review is to ensure compliance with the Federal Advisory Committee Act (FACA).

LGAC Charter

The LGAC Charter is due for renewal November 2019. The renewal process will begin as early as August for review and sign off by Office of General Counsel and Federal Advisory Committee Management Division. The Charter renewal package will have the revised Charter, membership information, and performance measures. Once completed, the Charter renewal will be reviewed by GSA and filed with Congress.

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Hot Topics

Tankship Owner, Operator, and Senior Officers Sentenced for Air Pollution-Related Violations
On August 22, Ionian Shipping & Trading Corp., Lily Shipping Ltd., Master Stamatios Alekidis, Chief Engineer Athanasios Pittas, and Chief Officer Rey Espulgar were convicted and sentenced for various pollution, recordkeeping, and obstruction of justice crimes on the Motor Tanker ("M/T") Ocean Princess in St. Croix, U.S. Virgin Islands. The defendants' conduct included using fuel that exceeded the maximum allowable sulfur concentration in the U.S. Caribbean Emission Control Area and efforts to deceive U.S. Coast Guard inspectors about the source of the fuel being used aboard the M/T Ocean Princess. Ionian Shipping & Trading Corp. and Lily Shipping Ltd will each pay a fine of $1,500,000, be placed on four years of probation, and implement an Environmental Compliance Plan. Stamatios Alekidis, Athanasios Pittas, and Rey Espulgar were sentenced to three years of probation and ordered not to return to the United States on a ship during that time.

California Companies Sentenced on State Environmental Charges
On August 23, the Santa Clara Waste Water Company and Green Compass Environmental Solutions, LLC were sentenced in Ventura County, California for their roles in a November 2014 explosion in Santa Paula, California that injured numerous employees and first responders, and for the subsequent storage of undisclosed hazardous chemicals on site uncovered by police in 2015. The investigation revealed the blast was caused by the mixing and disposal of hazardous chemicals into a 5,040-gallon vacuum truck not rated to hold nor transport such chemicals. In November 2015, a search warrant was served at the facility, which led to the discovery of approximately 5,500 gallons of sodium hydroxide that had not been reported to state officials. Each company was placed on three years formal probation and was ordered to pay victim restitution in the amount of $2,647,621. To date, $950,000 in restitution has been collected and distributed to the victims. Eight other charged individual co-defendants have entered pleas for their respective roles.

Tampering and Aftermarket Defeat Devices at the AAPCA Fall Meeting
On August 27, OECA's Air Enforcement Divison Director will present at the Association of Air Pollution Control Agencies Fall Business Meeting in Raleigh, North Carolina on enforcement efforts aimed at addressing tampering and aftermarket defeat devices.

Upcoming Major Decisions and Events

On September 6, Administrator Wheeler, as well as the leadership of R4, OECA, OLEM, and OGC, will meet with the Department of Energy and the Tennessee Department of Environment and Conservation regarding the ongoing Federal Facility Agreement (FFA) formal dispute at the Oak Ridge Reservation (ORR). This meeting was requested by the Department of Energy and Tennessee in accordance with the FFA. The dispute relates to waste water containing of radionuclides from two on-site CERCLA landfills at ORR that are or will be discharged to surface waters that flow off of ORR.

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Hot Topics

***Clean Water Action v. EPA*, No. 18-60079 (5th Cir. August 28, 2019)**

New Decision: The Fifth Circuit Court of Appeals denied a petition for review of EPA's 2017 steam electric postponement rule, delaying certain compliance deadlines in the 2015 steam electric effluent guidelines rule to allow EPA time to conduct a new rulemaking. The court held that: (1) EPA had authority to promulgate the postponement rule under the Clean Water Act and inherent authority to revise prior rules; (2) the postponement rule complied with the Administrative Procedure Act; and (3) the postponement rule was not inconsistent with the three-year compliance deadline in CWA section 301(b)(2)(C).

***Natural Resources Defense Council v. EPA*, No. 18-11227 (S.D.N.Y. August 22, 2019)**

New FOIA Decision: The court denied NRDC's motion for summary judgment and granted EPA's cross-motion for summary judgment. The Court's decision addressed NRDC's claim that EPA improperly withheld the source code for the OMEGA Model v.1.4.59. EPA released inputs, pre-processers, and other files associated with the OMEGA Model v.1.4.59 in response to NRDC's request but withheld the "core model" under FOIA Exemption 5, deliberative process privilege. The Court found that EPA properly withheld the core model. The FOIA requesters/plaintiffs sought this information in connection with the ongoing SAFE rulemaking.

***Sinclair Wyoming Refining Co. v. EPA*, No. 19-9562 (10th Cir. filed August 22, 2019)**

New Litigation: Sinclair Wyoming Refining Co. (SWR) filed a petition for review challenging an August 9, 2019 EPA decision titled "Decision on 2018 Small Refinery RFS Exemption Petition – Sinclair Wyoming." This decision denied a petition from SWR requesting that EPA exempt SWR from its 2018 RFS obligation.

New NOI

The Clean, Healthy, Educated, Safe and Sustainable Community, Inc. (the "CHESS Community") has filed a notice of intent to sue the EPA for failure to grant or deny a petition to object to a pair of permits – alleged to be title V permits – issued by the Alabama Department of Environmental Management to Kemira Chemicals, Inc.

Upcoming Major Decisions and Events

Oral Argument

On Thursday, September 5, the Seventh Circuit considers *Menominee Tribe of Wisconsin v. EPA*, No. 19-1130, an appeal of the District Court's dismissal of a challenge to EPA's failure to assert jurisdiction over a proposed permit authorizing a mine on the Menominee River.

Oral Argument

On Friday September 6, the D.C. Circuit considers *State of California, et al. v. EPA*, No. 18-1114, a petition for review of EPA's final action titled "Mid-Term Evaluation of Greenhouse Gas Emissions Standards for Model Year 2022-2025 Light-Duty Vehicles."

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Hot Topics

2019 G7 Leaders' Summit

The 2019 G7 Leaders' Summit concluded on August 26 in Biarritz, France. The G7 Leaders endorsed the Metz Charter on Biodiversity, which was adopted by the Environment Ministers in May, and produced a Biarritz Chair's Summary on Climate, Biodiversity and Oceans. The French Presidency launched several initiatives with stakeholders, including one on HFC refrigerants and three on marine litter. Other Summit outcomes included a G7 Leaders' Declaration; a Declaration on Gender Equality and Women's Empowerment; and a Declaration for a G7 and Africa Partnership. The U.S. will assume the Presidency of the G7 in January 2020.

Border Stakeholder Meeting

OITA AA Chad McIntosh addressed US-Mexico Border stakeholders in San Diego on August 26. The topics of the meeting included: review findings of the Tijuana River Diversion Study, alternative project financing options in border infrastructure projects to address transboundary flows, local project prioritization efforts, recent border funding legislation, and alternative project finance through public-private partnerships. Meeting participants included officials from federal, state and local entities, as well as congressional and state legislative offices. A follow-up meeting will take place on October 9.

Upcoming Major Decisions and Events

September 4: AIEO Director Scott Mason and OITA PDAA Nishida will participate in the R1 Tribal Leaders Summit in Mohegan Sun, CT.

September 10-12: OITA and R10 will participate in the Arctic Contaminants Action Program Working Group meeting in Tromso, Norway.

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Hot Topics

Coal Combustion Residuals (CCR)

- CCR Phase 2 proposed rule (package 1) – The proposed rule was published in the FR on August 14, and the public comment period ends on October 15, 2019.
- CCR permitting NPRM – The package is with OP for OMB review.
- CCR litigation packages (package 2, parts A and B) – On August 6, OMB review began on part A. We anticipate part B going to OMB soon.

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

- The rule package was sent to OP for OMB review.

Ongoing Major Superfund NPL Sites

- We are working with R1 on Centredale, R2 on Matteo, Maywood Chemical Co. and Woodbrook Road, R4 on Oak Ridge, R8 on Anaconda Smelter, and R10 on Portland Harbor and Quendall Terminal.

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

- Industry 1 was published in the FR on July 29. The public comment period ends on September 27, 2019.

Aerosol Cans Final Rule

- Workgroup Closure occurred on August 13 and official office responses are being gathered.

PFAS

- PFOA and PFOS contaminated groundwater guidance. OLEM is developing potential options for next steps on the guidance in consideration of the public comments. We anticipate an option selection meeting taking place in early September.
- Designation of PFOA/PFOS as CERCLA Hazardous Substances NPRM. We anticipate the package coming to the OLEM IO soon for approval to submit to OP.

Upcoming Major Decisions and Events

Superfund Task Force Final Report

- On September 9, OLEM Senior Leadership will participate in events related to the roll out of the SFTF final report.

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Hot Topics

Notice of Proposed Debarment issued to U-Haul of Pennsylvania

On August 22, EPA's Suspension and Debarment Official issued Notices of Proposed Debarment to U-Haul of Pennsylvania (UHPA) and Miguel Rivera, a manager at UHPA. UHPA provides moving, storage, truck rental and leasing services, as well as provides propane tank refilling services to retail and commercial customers. UHPA and Rivera were proposed for debarment based on convictions for willfully and recklessly causing two hazmat employees to fill cylinders with propane, a hazardous material, when those employees lacked required training, and failing to maintain records of training, in violation of applicable hazardous materials regulations under the Hazardous Materials Safety Act. The FAR Notices of Proposed Debarment exclude the Respondents from entering new procurement or non-procurement transactions with the federal government, while providing Respondents the opportunity to contest their proposed debarment.

EPA Administrative Agreement with Progress Rail and United Industries

On August 28, United Industries and its parent company Progress Rail (a division of Caterpillar) entered into an administrative agreement with the EPA Suspension and Debarment Program to resolve a debarment action arising from UI's November 20, 2017 conviction for Depositing Refuse in Navigable Waters in violation of 33 U.S.C. § 407 and 411. The plea agreement indicates that, from 2008 to 2014, UI employees unlawfully deposited train parts into the Port of Long Beach in order to conceal misconduct involving unnecessary and improper repairs made by UI to railcars at intermodal facilities. The company agreed to pay a $5,000,000 fine and $20,000,000 in restitution as part of its plea agreement. The AA will be in effect for two years and contains terms and conditions that will ensure the companies' continued ability to do business with the Federal government as responsible entities.

Headquarters Conference Center

On August 27, OMS met with the Regional Commissioner of GSA's National Capital Region to ensure GSA understands EPA's urgency in completing this project quickly. GSA is concerned that the schedule is very aggressive but agreed to look at avenues to reduce the construction schedule to meet EPA's December 2020 date. To date, the GSA construction contract acquisition has started without full funding. We expect an award within six months.

EPA Aids Exchange Network Partners in Optimizing Virtual Exchange Services (VES) Performance

EPA and the Environmental Council of States (ECOS) adopted new namespace configurations for VES partners including Georgia, Maine, Pennsylvania, Louisiana and EPA Region 1. Adopting a namespace standard as part of the VES suite of services improves availability and performance. VES provides secure and efficient information exchanges between partner systems and their virtual nodes. EPA and ECOS are working with Virginia and other VES partners to expand adoption, thus promoting consistency and compatibility of data across EPA and state partners.

SES Performance Appraisal Certification

EPA's package for bi-annual SES performance appraisal certification was submitted on time in mid-June. The package is still under review by OPM. Should OPM and OMB not complete their review prior to expiration of the current certification, it is possible EPA will be limited to setting SES pay at $176,900, rather than the certified programs limit for setting SES pay up to $192,300. As new developments arise, we will keep you posted.

Upcoming Major Decisions and Events

No updates to report.

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Hot Topics

Smart Sectors Regional Program Launch

On September 5, OP Acting Deputy Associate Administrator Helena Wooden-Aguilar and Smart Sector staff will join EPA R2 leadership to launch of the Region 2 Smart Sectors program with the agricultural sector at the New York State Grange Museum in Cortland, NY.

Organisation for Economic Co-operation and Development workshop

On September 4-5, National Center for Environmental Economics staff will be in Paris, France, to participate in a working meeting of an expert group to continue developing approaches for economic analysis of chemicals regulation.

Active Interagency Reviews from OMB	
Subject	**OMB Due Date**
HUD FRM: Conforming the Acceptable Separation Distance (ASD) Standards for Residential Propane Tanks to Industry Standards	08/28/2019
USDA/CCC Interim Rule: Conservation Stewardship Program	08/30/2019
DOC/NOAA NPRM: Endangered and Threatened Wildlife and Plants: Proposed Rule to Designate Critical Habitat for the Central America, Mexico, and Western North Pacific Distinct Population Segments of Humpback Whales	08/30/2019
DOD/Army NPRM: Department of the Army regulation for implementing the National Environmental Policy Act of 1969 (NEPA) and the Council on Environmental Quality (CEQ) NEPA regulations	09/03/2019
USDA/NRCS Interim Rule: Agricultural Conservation Easement Program	09/06/2019
HUD NPRM (Pass-back): Manufactured Home Construction and Safety Standards	09/06/2019
FAR NPRM: Federal Acquisition Regulation: Individual Sureties (FAR Case 2017-003)	09/09/2019
GSA NPRM: Federal Management Regulation; Physical Security	09/09/2019
FAR NPRM: Federal Acquisition Regulations: Section 508 – Based Standards in Information and Communication Technology (FAR Case 2017-011)	09/10/2019
GSA NPRM: Federal Management Regulation; Replacement of Personal Property Pursuant to the Exchange/Sale Authority	09/10/2019
DOJ/DEA NPRM: Controls to Satisfy the Requirements of the Controlled Substances Act Applicable to the Manufacture of Marihuana	09/12/2019
DoD/ACE NPRM (Pass-back): Natural Disaster Procedures: Preparedness, Response, and Recovery Activities of the Corps of Engineers	N/A

Documents Sent to the OFR from August 22 – 27, 2019		
FRL #	**Title**	**Date Sent to FR**
9995-29-OCSPP	Pesticide Product Registration; Receipt of Applications for New Uses	08-27-2019
9998-96-Region 10	Air Plan Approval; ID: Update to CRB Fee Billing Procedures	08-27-2019
9998-17-OCSPP	Pesticide Product Registration; Receipt of Applications for New Active Ingredients (July 2019)	08-27-2019
9998-33-OMS	NESHAP for Miscellaneous Coating Manufacturing (Renewal)/ICR.2115.07	08-27-2019
9998-15-OCSPP	Receipt of a Pesticide Petition Filed for Residues of Pesticide Chemicals in or on Various Commodities (July 2019)	08-27-2019
9998-95-Region 10	Plan Approval; ID: Update to CRB Fee Billing Procedures	08-27-2019
9999-04-OMS	NESHAP for Stationary Combustion Turbines (Renewal)/ICR 1967.08	08-27-2019
9999-18-OMS	Emission Guidelines for Existing Commercial and Industrial Solid	08-27-2019

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	Waste Incineration Units (Renewal)/ICR 1927.08	
9999-07-OAR	National Emission Standards for Hazardous Air Pollutants: Plywood and Composite Wood Products Residual Risk and Technology Review and Amendments	08-27-2019
9999-08-Region 3	Amendments to the Regulatory Definition of Volatile Organic Compounds -Delaware: State-Initiated Rule Clean-Up 'DE_Revision of 7 DE Admin Code 1101_032719'	08-27-2019
9994-16-OMS	Disinfectants/Disinfection Byproducts, Chemical, and Radionuclides Rules (Renewal)/ICR 1896.11	08-26-2019
9994-81-OMS	EPA Worker Protection Standards for Hazardous Waste Operations and Emergency Response (Renewal); ICR 1426.11	08-26-2019
9994-91-OMS	Responsible Appliance Disposal Partnership (Renewal)/ICR 2254.03	08-26-2019
9994-99-OMS	Solid Waste Disposal Facilities and Practices/ICR 1381.12	2019-08-26
9995-02-OMS	Underground Storage Tanks: Technical and Financial Requirements, and State Program Approval Procedures (Renewal)/ICR 1360.17	2019-08-26
9999-09-OLEM	Clean Water Act Hazardous Substances Spill Prevention	08-26-2019
9999-20-OMS	Risk Management Program Requirements and Petitions to Modify the List of Regulated Substances under Section 112(r) of the Clean Air Act/ICR 1656.16	08-26-2019
9990-48-Region 9	Air Plan Revisions; California; Technical Amendments	08-23-2019
9996-59-Region 9	Air Plan Approval; California; Imperial County Air Pollution Control District	08-23-2019
9997-86-Region 4	Plan Approval; Georgia; Update to Materials Incorporated by Reference	08-23-2019
9997-08-OMS	Guidance for Applicants Requesting to Treat/Dispose of PCBs Using Incineration or an Alternative Method/ICR 2596.01	08-23-2019
9998-71-Region 10	Air Plan Approval; AK: Adoption Updates and Permitting Rule Revisions	08-23-2019
9998-94-Region 1	National Oil and Hazardous Substances Pollution Contingency Plan; National Priorities List: Partial Deletion of the U.S. Coast Guard (USCG) Buoy Depot of the South Weymouth Naval Air Station Superfund Site	08-23-2019
9998-93-Region 10	Notification of Decision to Withdraw Proposed Determination to Restrict the Use of an Area as a Disposal Site; Pebble Deposit Area, Southwest Alaska	08-23-2019
9998-84-Region 9	Extreme Area Submission Requirements, Coachella Valley Nonattainment Area; California Ozone	08-22-2019
9998-85-OAR	National Emission Standards for Hazardous Air Pollutants: Lime Manufacturing Plants Residual Risk and Technology Review	08-22-2019
9998-91-Region 3	Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Philadelphia County Reasonable Available Control Technology for the 2008 Ozone National Ambient Air Quality Standard	08-22-2019
9999-00-OAR	Section 610 Review of "Regulation of Fuels and Fuel Additives: Changes to Renewable Fuel Standard Program"; Extension of Comment Period	08-22-2019
9999-02-Region 5	Proposed CERCLA Administrative Settlement Agreement for Alreco Metals Superfund Site, Benton Harbor, Michigan	08-22-2019

Upcoming Major Decisions and Events

No updates to record

Hot Topics

Next week ORD will meet with the R9 States & Tribes Environmental Leadership in Newport, OR. The meeting will include discussions on topics tailored to the states' and tribes' identified needs—PFAS and small drinking water systems, PM modeling and forecasting, air sensors and wildfire smoke applications, and nutrients and HABs—followed by a short tour of ORD's Pacific Coastal Ecology lab. The objective of this meeting is to determine how ORD can better assist and collaborate with our R9 state and tribal partners in addressing their science and technical needs and discuss priorities needing further research. R9 DRA Deborah Jordan will co-host the meeting which will include representatives from the Arizona Department of Environmental Quality, California Department of Toxic Substances Control, California State Water Resources Control Board, Nevada Department of Conservation and Natural Resources, Bay Area and South Coast Air Quality Management Districts, as well as the Big Valley Band of Pomo Indians and Hopi Tribe.

Newark

ORD continues to provide technical assistance to the City of Newark working in collaboration with EPA R2 and the Office of Water. ORD scientists participate in daily meetings with the city, state, R2, and contractor.

Ohio Meeting on PFAS Sampling and Analytical Approaches

ORD met with Ohio EPA, the City of Dayton, and Montgomery and Green counties' officials on Tuesday, August 26 in Dayton, OH. ORD provided recommendations on sampling and analytical approaches for a potential sampling effort for PFAS in drinking water distribution systems.

CMAQ Version 5.3 Released

On August 27, ORD released the Community Multiscale Air Quality (CMAQ) modeling system version 5.3. CMAQ is used by air quality researchers and managers worldwide to study air pollution and protect human health. The new version features enhancements including a more detailed representation of the characteristics of particulate matter (PM), expanded chemistry for ozone and PM formation from global-to-local scales, more complex land and atmosphere interactions to support both air quality and ecosystems applications, increased emphasis on pollutants originating outside the U.S., increased scientific consistency between meteorology and chemistry models, and greater flexibility to support increasingly diverse uses of CMAQ. Learn more and access CMAQv5.3 at: https://www.epa.gov/cmaq.

Upcoming Major Decisions and Events

ORD Meets with Federal/State Agencies, Academia, Fertilizer Inst. and NGOs for Nutrient Project

On August 23, ORD attended the Milford Lake 4R Watershed Research Project meeting in Topeka, KS. The meeting was hosted by the Fertilizer Institute. Participants included representatives from EPA, USDA, USGS, Kansas State University, Kansas Water Office, The Nature Conservancy, and the Kansas Soybean Association. The goal of the long-term research project is to measure the effectiveness of the 4R concept—right source, right rate, right time, and right place—of fertilizer application to reduce excess phosphorous loss from agricultural fields. The meeting outlined the current state of the project and suggested future steps for monitoring and modeling select subwatersheds in the Milford Lake region in Kansas.

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Hot Topics

Waters of the U.S. (WOTUS) Definition Rulemaking

Next week, EPA and Army Corps plan to sign the final rule to repeal the 2015 Rule and recodify the pre-existing Clean Water Act regulations. This is the first step of the two-step process to implement Executive Order 13778, *Restoring the Rule of Law, Federalism, and Economic Growth by Reviewing the 'Waters of the United States' Rule*, which instructed the agencies to review the 2015 rule and rescind or replace it as appropriate and consistent with law. The agencies are also reviewing and considering approximately 620,000 comments received on the proposed rule to revise the definition.

CWA Section 401 Water Quality Certification Rulemaking

Next week, OW will hold several public outreach sessions in Salt Lake City on the proposed rule, *Updating Regulations on Water Quality Certification*. Public hearings will be held on September 5 and 6 to provide an opportunity for commenters to present views or information on the proposed rulemaking. In addition, OW will host separate tribal and state listening sessions on September 4 and 5, respectively. Principal Deputy Assistant Administrator Anna Wildeman and Policy Counsel for OW Jessica Kramer will attend and give opening remarks. The Administrator signed the proposed rule on August 8, and it was published in the Federal Register on August 22. The public comment period will be open for 60 days, closing October 21. State and tribal sessions are closed to press; Public hearings are open to press.

Harmful Algal Bloom (HAB) Events of National Significance - Public Comment

As early as this week, OW anticipates the publication of a Federal Register notice requesting public comment to inform the development of an agency policy to determine if a HAB or hypoxia event in freshwater is an "event of national significance." Recent amendments to the HAB and Hypoxia Research and Control Act (HABHRCA) provide the EPA with the statutory authority to make such a determination in the case of a freshwater HAB or hypoxia event.

Upcoming Major Decisions and Events

No updates to report.

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