Region 1

Hot Topics

Poor Air Quality Continues in New England

On September 22 and 23, seven monitors in Connecticut measured 8-hour average ozone concentrations in excess of the 2008 (0.075 ppm) and 2015 (0.070 ppm) National Ambient Air Quality Standards. The highest 8-hour averages were recorded on September 22 at New Haven (0.078 ppm) and East Hartford (0.077 pm) monitors. So far this summer, New England has had 24 days with ozone exceedances.

R1 Completes Cleanup at Rockland Warehouse Superfund Site

On September 23, R1 completed cleanup at the Rockland Warehouse, located in a residential area of Rockland, MA. During a fire in 2017, asbestos containing material (ACM) became airborne and fell onto neighboring properties. Massachusetts Department of Environmental Protection (MA DEP) requested immediate federal assistance, and EPA provided air monitoring support during the fire and removed visible ACM from the backyards of eight properties that abut the site. In October 2018, due to limited state funds, an unresponsive responsible party, and site conditions, MA DEP again requested EPA assistance to conduct a removal action at the Site to finish the emergency action. The property is now cleared, clean and available for re-use. Children at adjoining properties are once again allowed to play in their backyards.

R1 Completes Cleanup at Former Ash Street Tannery Site

This week, R1 will complete the restoration of the Former Ash Street Tannery Site in Danvers, MA. The Site was referred to EPA by MA DEP following their discovery of elevated levels of arsenic in surface soils on residential properties in this neighborhood. During the investigation, EPA initially identified over 20 residential properties with arsenic levels exceeding the EPA removal cleanup level and mobilized to the site in July 2017. Over the next three field seasons, EPA removed and disposed of over 10,000 tons of contaminated soil, then backfilled and restored the properties. In total, EPA committed nearly $5 million to the cleanup and restoration of this neighborhood.

R1 Provides MS4 Technical Assistance and Illicit Discharge Detection and Elimination Presentation

On September 18, R1 participated in a technical workshop and presented on Illicit Discharge Detection and Elimination (IDDE) efforts in New England. The State of Maine is in the process of reissuing its Municipal Separate Storm Sewer System Phase II General Permit. IDDE has been a point of disagreement between municipalities, the State, and environmental organizations. Attendees included Maine municipalities, consulting firms, the Maine Department of Environmental Protection, and environmental organizations.

Lake Success RCRA Corrective Action Site

R1 signed a Third Modification to the Consent Order with Sporting Goods Properties, Inc. under RCRA Section 3008(h) to include additional corrective action work requirements for Lake Success, located at the Lake Success Business Park Facility in an Opportunity Zone in Bridgeport, CT. Remedial work will include the removal of munitions and associated sediment from Lake Success followed by restoration of the lake, wetlands, watercourses, and certain affected upland areas.

Upcoming Major Decisions and Events

R1 Completes Review of Connecticut Impaired Waters List

R1 completed its review of Connecticut's 2018 303(d) list and Integrated Water Quality Report and plans to approve the list by the end of September.

R1 To Award Multiple Grants in Connecticut

On September 30, Regional Administrator Deziel will be hosting an event in Stamford, CT, to announce DERA grants awarded to the State of Connecticut and the City of Stamford. The Connecticut Department of Energy & Environmental Protection Commissioner and the Mayor of Stamford will participate in the event.

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Region 2

Hot Topics

GE Files Motion to Intervene in Lawsuit on Hudson River Superfund Site
As expected, on September 23 General Electric filed a motion in federal district court to intervene as a defendant in the lawsuit that the State of New York filed against R2 regarding the Hudson River PCBs Site. The motion is unopposed by the United States and New York State. GE has stated it will move to dismiss the State's suit.

Gowanus Canal Superfund Site, Brooklyn, NY
RA Lopez sent a letter on September 20 to NYSDEC Commissioner Vincent Sapienza to indicate R2 determined the technical record did not support changing the current remedy approach from CSO retention tanks to a CSO tunnel. At a September 24 CAG meeting, R2 publicly announced the decision to continue and complete design and construction of the two retention tanks, rather than utilizing a tunnel. R2 indicated at the meeting it will work with NYC and other agencies toward solutions for upland issues, such as flood control and sustainability. The CAG was very receptive to the decision and indicated an eagerness to advance the cleanup.

Administrator's Food Waste Event
On September 22, Administrator Wheeler led a very successful event highlighting the problem of food waste and opportunities for reducing it. The Administrator first toured the Fresh Direct on-line grocer facility in the Bronx, New York City, and met with City Harvest and other leading NGOs involved with reducing food waste and feeding the hungry in NYC. The event culminated at a nearby church with another NGO, where the Administrator participated in serving lunch to local residents with food diverted from Yankee Stadium's waste stream. The Administrator was joined by RA Lopez and other senior Regional leaders.

Shinnecock Nation Shellfish Initiative
R2 held a call with the Small Business Administration to consult on possible assistance to the Shinnecock on potential development of a business model for a shellfish initiative. SBA and R2 will continue to explore options and will raise this at an upcoming meeting with the Shinnecock in October.

Upcoming Major Decisions and Events

RA Lopez to Visit Puerto Rico
RA Lopez will visit Puerto Rico on October 3 and 4 to participate in R2's Employee Awards Ceremony. In addition, RA Lopez and staff will meet with the new Governor Wanda Vazquez's chief of staff, Zoe Laboy (awaiting confirmation on Gov. Vazquez's participation), DNER Secretary Tania Vazquez, PRASA President Eli Diaz, DOH Secretary Rafael Rodriguez, and FEMA senior leadership to work on disaster recovery.

R2 in Panama to Address Marine Litter
There has been a change of administration in Panama. R2 will meet with the new technical staff at MiAmbiete, Panama's ministry of environment, on October 16 and 17 to establish a working relationship and discuss and agree on a road map for the implementation of the public participation and environmental impacts assessment process and public participation and marine litter program.

Annual NYC Watershed Agricultural Council (WAC) Farm Tour
The Annual WAC Farm Tour is scheduled for Walton, NY, on October 17. The tour will visit farms in Walton, Hobart, and Andes, and will highlight the best management practices used on each farm to keep the pathogens and nutrients generated by the farm out of the unfiltered NYC water supply.

Recycling Discussion at RA Meeting
At the RAs meeting in Seattle on 9/26 RA Pete Lopez and OLEM AA Peter Wright will lead a discussion about ways to advance the Administrator's priority focus on improving the US recycling system and reducing ocean pollution from plastic and other wastes.

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Region 3

Hot Topics

R3 Attends Dam Safety Hearing in Reading, PA

At the invitation of the City of Reading, R3 staff attended a September 18 public meeting to discuss Reading's plans to address a dam located in a city-owned park. The city has been told by the PADEP Dam Safety Division to drain the reservoir to allow for an engineering assessment of the dam. The Bernhart Dam is over 100 years old and has been designated "high hazard" by PADEP due to the 600 residents living in the downstream neighborhood. R3 staff spoke to the audience of approximately 50 residents about the impacts and EPA's planned response once the lake bed is exposed. R3 led the lead cleanup efforts in the park as required under Exide's RCRA 7003 order. The cleanup was completed in 2011, and the park was re-opened shortly thereafter. R3 staff spoke about EPA and Exide's plan to more fully investigate newly exposed sediment once the draining is complete. Exide will be required to take action if test results indicate lead is present in levels above 650 ppm.

$297.3 Million for 30 Water Quality Improvement Projects in Maryland

On September 17, Maryland Department of the Environment (MDE) received its FY 2019 Clean Water State Revolving Fund (CWSRF) award including $38,429,000 in Federal funds and $7,685,800 million in state match. This grant further capitalizes MDE's CWSRF Program and will be combined with repayments from prior loans, interest earnings on Fund deposits, and $140 million in bond proceeds for a total of approximately $297.3 million in available funding this year. The CWSRF program provides low interest loans for the construction of wastewater treatment facilities and non-point source and estuary projects that are vital to protect and improve water quality in our nation's rivers, lakes, and streams for drinking water, recreation, and natural habitat.

$159 Million for Water Quality Improvement Projects in Pennsylvania

On September 13, the Pennsylvania Infrastructure Investment Authority (PENNVEST) received its FY 2019 CWSRF award including $62,939,000 in federal funds and $12,587,800 million in state match. This grant further capitalizes PENNVEST's CWSRF Program and will be combined with repayments from prior loans and interest earnings on fund deposits for an estimated total of $159 million in available funding this year. The CWSRF program provides low interest loans for construction of wastewater treatment facilities and non-point source and estuary projects that are vital to protect and improve water quality in our nation's rivers, lakes, and streams for drinking water, recreation, and natural habitat. Some projects to be financed this year include: (1) addressing excess wet weather flows contributing to sanitary sewer overflows; (2) implementing communities' Long-Term Control Plans for systems with combine sewer overflows; and (3) constructing new public sewers to replace failing on-lot septic systems at many individual homes which have leeched untreated and partially treated wastewater onto the ground, into the groundwater, and in the surface water of the communities.

Finding of Failure to Submit SO2 Attainment Plan for Baltimore and Anne Arundel County, MD

In a Federal Register action dated September 20, EPA HQ issued a finding of failure to submit SO2 attainment plans for the Baltimore and Anne Arundel County SO2 nonattainment area in Maryland. The Baltimore and Anne Arundel County area was designated nonattainment under the 2010 SO2 NAAQS, effective September 12, 2016, and therefore Maryland was required to submit its SO2 attainment plan within 18 months after the effective date (March 12, 2018). If Maryland has not submitted a complete attainment SIP and EPA has not determined that the SIP is complete within 18 months of October 21, 2019, emission offset sanctions will apply in the affected nonattainment area. If EPA has not determined that the state has made a complete submission within six months after the offset sanction is imposed, the highway funding sanction will apply in the affected nonattainment area, in accordance with CAA Section 179(b)(1). The offset sanction requires that Nonattainment New Source Review permits offset any emission increases with a 2:1 emission decrease elsewhere, while the highway sanction prohibits funding of new highways projects in the nonattainment area. The finding of failure to submit is in response to a lawsuit filed by the Center for Biological Diversity on June 4, 2018, seeking to compel EPA to approve/disapprove certain submitted SO2 attainment plans, and to issue a finding of failure to submit SO2 attainment plans for certain nonattainment areas, including the Baltimore and Anne Arundel County nonattainment area.

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Record of Decision signed for North Penn Area 7 Superfund Site, North Wales, PA
On September 12, the Record of Decision (ROD) was signed for the North Penn Area 7 Site. The No Action ROD was for OU4 – Vapor Intrusion (VI). It documented the findings of the Remedial Investigation (RI) of No Unacceptable Risks occuring from VI at the Site. Indoor, sub-slab and ambient air sampling took place in daycares, residential and industrial properties focusing on sensitive populations when applicable. Residential and daycare results were compared to residential regional screening levels (RSLs) and industrial results were compared to industrial RSLs. All results that were above their respective RSLs fell within the acceptable risk range. The public meeting for the proposed plan of no action was held on July 26, 2018.

Chemical Safety & Security Workshop Slippery Rock University
On September 18, R3 staff put on a Chemical Safety and Security Workshop at Slippery Rock University. EPA is a tri-chair agency of the Work Group, which includes OSHA, DHS, FBI, ATF, USCG and USDOT. The day-long workshop attracted approximately 250 participants, primarily local emergency managers and chemical industry representatives. The workshop included panels of federal, state, local, and private experts and brought together all the major federal and state regulatory agencies in one forum. Panel topics included transportation safety, cyber-security, chemical facility safety, chemical facility security, intelligence analyses, and more. Federal and state regulators were also available for one on one questions and discussions between sessions. Kevin Daniel and Perry Pandya of R3's Oil and Prevention Branch participated in the chemical safety panel. Bill Steuteville of the Preparedness and Response Branch helped plan the workshop and acted as panel moderator.

Upcoming Major Decisions and Events
RA Servidio has the following event scheduled:
October 1-2, 2019 EPA Mid-Atlantic Lead Forum, Hunt Valley, MD

Region 4

Hot Topics

Ethylene Oxide in Atlanta (Georgia)

A full-page advertisement regarding the toxicology of EtO and several EtO related op-ed pieces were featured in the Atlanta Journal-Constitution (AJC) over the weekend. The individual op-ed pieces were authored by the President of Sterigenics, the editorial editor for the AJC and the President of Stop Sterigenics Georgia. The region continues to see media and elected official interest related to status updates for the Georgia facilities. The Sterigenics facility has been shut down for approximately three weeks while control equipment is being installed. The Company would like to begin operational startup during the week of September 30; however, GA EPD has not yet issued the permit to operate. In addition, during the week of September 23, GA EPD began a monitoring study around Sterigenics. The state will begin its monitoring study around the BD Covington facility next week (the City of Covington's week-long monitoring program concluded on September 24 - results forthcoming). Next Monday, GA EPD will begin monitoring at a rural site (General Coffee). There is another small sterilizer (Sterilization Services of Georgia) in Fulton County and the County plans to conduct a monitoring study around this facility. This facility has submitted a permit application to GA EPD to install back vent controls.

Yazoo Pump Project (Mississippi)

An EPA-Corps teleconference/webinar is scheduled for October 8, during which EPA technical staff will share their technical perspective of the Corps' draft manuscript on wetland hydrology.

Oak Ridge Reservation (USDOE; Oak Ridge, TN)

On September 20, ORC shared with HQs a compiled response to the arguments in DOE's August 26 submittal of supplemental materials. Region 4 and TN finalized the "ROD language" document which describes the "path forward" for DOE, including landfill siting requirements, and transmitted to DOE on September 24. The HQs/Region 4 coordination team continues to hold weekly calls to prepare and finalize briefing materials for the Administrator's resolution of the formal dispute.

Trash Free Waters (Georgia)

In July, the Fulton County Commission became the first local governing body in Georgia to take a stand against plastic pollution, adopting a resolution aimed at eliminating single-use (i.e., disposable) plastics in all government properties. The ban is to be phased in and take effect on January 1, 2020.

Upcoming Major Decisions and Events

October 2, 2019 – Region 4 Senior Manager Retreat for RA, DRA, COS and DDs.
October 3, 2019 - The Region 4 Annual Awards Ceremony
October 3, 2019 – RA Walker will visit RTP for a meeting with OAR Acting AA Idsal.

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Region 5

Hot Topics

Update on Harmful Algal Bloom on the Ohio River; Swim Event Postponed

The algae toxin microcystin was detected above EPA's recreational advisory level on the right bank of the Ohio River at Cincinnati in the latest sampling on September 19. Staff from the Ohio River Valley Sanitation Commission have been conducting weekly samplings following an algal bloom this summer. The latest samples were taken near Cincinnati. Microcystin was detected at 9.8 ug/L (above EPA's recreation advisory level of 8 ug/L) along the right bank of the river at Cincinnati. As a result of the microcystin sample, the Great Ohio River Swim on September 22 was postponed. The Greater Cincinnati Water Works has been testing for toxins, but samples are non-detect so far.

R5 Delisting Four NPL Sites

EPA is delisting four Superfund sites or partial sites from the National Priorities List: TCAAP and South Minneapolis in Minnesota; Buckeye Landfill in Ohio; and Duell & Gardner in Michigan. EPA removed part of the New Brighton/Arden Hills/Twin Cities Army Ammunition Plant (TCAAP) Superfund site from the NPL. The U.S. Army has completed the cleanup of about 2,400 acres of contaminated soil on the TCAAP site. The Army continues to clean up a plume of contaminated groundwater. In Minneapolis, EPA has removed part of the South Minneapolis Residential Soil Contamination Superfund site from the NPL. About 600 residential properties where arsenic cleanup has been completed have been delisted. A small number of residential properties will remain on the NPL until EPA completes the cleanup. EPA also removed the Duell & Gardner Superfund site in Dalton Township near Muskegon, MI, from the National Priorities List. Cleanup of soil and groundwater at the site is complete. The state of Michigan now oversees and monitors the former landfill site. In addition, EPA delisted the Belmont County (Ohio) Reclamation Landfill near the West Virginia border. The landfill was used as a dump for industrial and municipal waste.

EPA to Attend Lake County, IL, EtO Town Hall

On October 2, Illinois Sen. Melinda Bush will host a town-hall meeting regarding EtO emissions from Medline and Vantage facilities in Lake Co., IL. Illinois EPA and ATSDR are expected to participate. Members of the Illinois Congressional delegation, including Sens. Durbin and Duckworth, wrote to Administrator Wheeler requesting that EPA participate. After consulting with HQ, R5 responded that it would send staff to take notes but would have no information to present. R5 staff will attend the town hall to observe and take notes, but will not make a presentation or participate in Q&A.

Illinois EPA Issues Construction Permit for Sterigenics EtO Plant

On September 20, Illinois EPA issued a construction permit to Sterigenics in Willowbrook. The construction permit requires controls consistent with new Illinois state law (the Matt Haller Act). The permitted construction includes installation of a permanent total enclosure capturing all ethylene oxide emissions and installing additional air pollution controls to reduce emissions by 99.9 percent or to 0.2 parts per million. In addition, the permit would limit annual ethylene oxide emissions from the facility to 85 pounds. The construction permit, along with the lifting of a legal order on September 10, makes it possible for Sterigenics to resume operations after installing required controls.

USS Lead Cleanup Demobilizes for Winter in East Chicago, IN.

Cleanup work on the USS Lead site Zones 2 and 3 has ended for the season in East Chicago, IN. EPA-supervised lead cleanup in yards and lots has completed 765 properties in the site's Zones 2 and 3, roughly 99 percent of all the targeted parcels. EPA staff along with other federal and local government representatives will host an end-of-season open house on October 17.

EPA and Ohio Propose Steubenville Area Now Meets Federal Air Quality Standard for Sulfur Dioxide

On September 19, EPA and Ohio EPA announced their proposal to formally redesignate the Ohio portion of the Steubenville area to attainment of the most recent federal air quality standard for sulfur dioxide. Recent air monitoring data show the area now meets the National Ambient Air Quality Standard (NAAQS) for sulfur

dioxide in addition to all other federal air quality standards set to protect public health. The Steubenville area was designated nonattainment for sulfur dioxide in 2013 based on air monitoring data. Ohio EPA worked collaboratively with EPA and West Virginia to develop strategies for attaining the sulfur dioxide standard, which included establishing new emission limits for a power plant in the area. Three years of recent monitoring data show the Steubenville area is now attaining the 2010 NAAQS for sulfur dioxide. The Steubenville area was already in attainment for all other air pollutants regulated under NAAQS.

Removal of 3 BUIs from Two Areas of Concern
The Great Lakes National Program Office has approved the removal of three beneficial use impairments from the St. Marys River and Rochester Embayment Areas of Concern. The removal of the "eutrophication" BUI from the Rochester AOC in New York is a significant milestone because it is the third BUI removed at this AOC this fiscal year. Two other BUIs were removed at the St. Marys River AOC in Michigan: "degradation of fish and wildlife populations" and "loss of fish and wildlife habitat." With significant support from the Great Lakes Restoration Initiative (GLRI), federal, state and local partners worked together to complete the projects necessary to remove these BUIs. Removal of these BUIs are important steps to ultimately "delisting" these two AOCs. With these three BUIs removed, a total of 89 (out of 255) BUIs have been removed at Great Lakes AOCs, exceeding the GLRI Action Plan II target of 85.

Keweenaw Bay Indian Community (KBIC) Clean Air Act Treatment as a State (TAS)
R5 is prepared to approve Keweenaw Bay Indian Community's application for eligibility for two non-regulatory programs under the Clean Air Act Tribal Authority Rule. Approval of the tribe's application would result in KBIC being eligible for a lower matching amount for CAA Section 105 grant funding. The tribe would also be able to comment as an "affected state" for purposes of CAA operating permits issued under Title V. These are nonregulatory CAA programs and do not alter the regulatory landscape in Michigan.

Upcoming Major Decisions and Events

RA Stepp to Speak to YPO/Gold Organization in Cleveland
On October 3, RA Stepp will speak about the future of the Cuyahoga River and Lake Erie at an event on the Cleveland waterfront.

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Region 6

Hot Topics

San Jacinto River Waste Pits Superfund Site, Channelview, TX

On September 20, a barge grounded on the San Jacinto Waste Pits Superfund site cap, which was experiencing flooding following Tropical Storm Imelda. EPA coordinated with the U.S. Coast Guard on removal of the barge and joined the Unified Command to ensure the safe removal of the barge while minimizing any damage to the armored cap. On September 23, the barge's contents were transferred, and the barge lifted off the cap and was transported away from the site. EPA directed the responsible parties for the San Jacinto site to begin immediate surveys to measure any impacts to the site and to prepare for repairs. The bathymetric survey indicated minimal damage to the armored cap and no immediate repairs were necessary.

Joint Reserve Base, Fort Worth, TX

The Navy hosted an open house-type public meeting on September 24 to explain its approach to sampling PFAS at the Naval Air Station (NAS) Fort Worth Joint Reserve Base (FWJRB). Representatives from the Navy FWJRB, City of Fort Worth Water Department, Tarrant County Public Health, Texas Department of State Health Services (DSHS), TCEQ Corrective Action Project Managers, and EPA participated in the meeting. The Navy has identified potential PFAS sources on base and will be requesting to sample private drinking water wells for PFAS off-base to compare to the drinking water health advisory levels.

Ethylene Oxide - TCEQ Effects Screening Level, TX

By September 26, TCEQ has requested public comments on the draft decision document for their revised state effects screening level (ESL) for ethylene oxide, issued on June 28, and extended on July 23. Earth Justice, on behalf of the Sierra Club, sent a July 1 FOIA request to EPA regarding all EPA communications and information on the revised draft Texas ethylene oxide ESL and the current EPA ethylene oxide IRIS value.

Mosaic Fertilizer, Uncle Sam, Convent, LA

On October 2, EPA and LDEQ will meet with Mosaic Fertilizer at LDEQ's offices in Baton Rouge, Louisiana, to discuss water balance issues in light of Mosaic's decision to idle the Uncle Sam facility through mid-December. In its September 23 presentation, Mosaic reported that idling the plant will result in a net increase in waste water inventory of around two million gallons/day. EPA's and LDEQ's agenda for the meeting is to discuss the government's plans to use RCRA imminent and substantial endangerment authority to address the water balance issue by requiring Mosaic to take steps to avoid an offsite discharge of process wastewater.

Upcoming Major Decisions and Events

Arkansas Interstate Transport Requirements for the 2010 1-Hour SO2 NAAQS, Arkansas

By October 17, EPA anticipates final action to approve the portion of Arkansas' State Implementation Plan (SIP) submittal addressing the CAA requirements pertaining to the "good neighbor" provision for the 2010 Sulfur Dioxide (SO2) National Ambient Air Quality Standard (NAAQS). The good neighbor provision requires each state's implementation plan to contain adequate provisions prohibiting emissions that will significantly contribute to nonattainment or interfere with maintenance of the 2010 SO2 NAAQS in other states.

October 1	Chevron Questa Mining Meeting, Dallas, TX
October 7	Senate Committee in Indian Affairs Field Hearing, Albuquerque, NM
October 8	EFO Annual Meeting and Trade Show, Midwest City, OK
October 8	HEB Store Opening Event, Austin, TX

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Region 7

Hot Topics

Winnebago Tribe Abandoned Drum Technical Assistance

EPA responded to a request for assistance from Winnebago Tribe to assess and determine disposal alternatives for abandoned drums. On September 18, the Winnebago Tribe requested assistance from EPA to characterize and determine disposal alternatives for containers and drums found in a barn. R7 On-Scene Coordinators mobilized on September 24 to aid with assessment and disposal options. The OSCs met with members of the Winnebago Tribe's volunteer fire department and environmental response staff to provide an opportunity to inform and train personnel on addressing similar situations. Disposal options will be determined once assessment actions are completed.

Riverfront National Priorities List Site: Temporary Relocation of One Resident

Under Superfund Removal response authorities, EPA is temporarily relocating one resident where indoor air action levels have not been successfully mitigated at the subject's residence. The Riverfront Site is on the National Priorities List, and remedial actions have been ongoing at the site since 2007. One residence was identified in 2017 as having indoor air concentrations of two compounds that met response action criteria. Multiple mitigation systems and strategies were employed in 2018 and 2019 to reduce compound concentrations in the indoor air to acceptable levels. Actions taken to date have decreased indoor air concentrations, but one of the compounds (trichloroethylene) remains at or slightly above acceptable levels. Temporary relocation of the resident is being implemented in parallel with evaluating additional longer-term options to mitigate or resolve the situation.

Valley Park TCE OU02 – Record of Decision Amendment

EPA issued a ROD amendment at Valley Park TCE OU02. The Valley Park TCE Site consists of two source areas, the former Wainwright Industries and current Valley Technologies properties, and two contaminated groundwater plumes. In the past, both Wainwright Industries and Valley Technologies operated metal processing facilities that included the use of chlorinated organic compounds as degreasers and cleaning agents in the production process. EPA is issuing a ROD Amendment for Operable Unit 02 to address the contaminated soil at the Valley Park TCE Superfund site. The goal of the Amended Remedy is to prevent migration of contamination in soil to groundwater that would exceed the maximum contaminant levels, as defined by the Safe Drinking Water Act. The amendment modifies the existing ROD to require in situ thermal remediation to address contaminated soil at OU02.

Upcoming Major Decisions and Events

Midwest Section Air & Waste Management Association Environmental Technical Conference

EPA can protect public health and the environmental while maintaining economic growth. RA Gulliford will give the keynote speech on September 30 at the Air & Waste Management Association Environmental Technical Conference in Lenexa, KS. His speech will cover Administrator Wheeler's guiding principles, air qualtiy, protecting children from lead and the Administrator's food waste priority. Additional managers and staff will also provide presentations on a variety of topics.

BCP Meeting

RA Gulliford and supporting staff will be meet with BCP, one of R7's EtO facilities, in the R7 office on September 30.

4-State Federal Grant Workshop

DRA Chu will provide opening remarks at the 4-State Federal Grant Workshop in Kansas City, MO, on October 2.

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Region 8

Hot Topics

Butte Mine Update - Berkeley Pit Water Treatment Plant

The Atlantic Richfield Company will start pumping contaminated water from the Berkeley Pit and treating for the first time in decades, approximately four years ahead of the date required by the consent decree. The process will serve the dual purpose of maintaining or drawing down the current water level in the Berkeley Pit as well as allowing Montana Resources to reduce the water level in the Yankee Doodle Tailings Impoundment as part of their active mining operations.

Public Notice Regarding a Potential Clean Water Act 401 Certification

R8 published a public notice regarding its plan to issue to issue a CWA Section 401 water quality certification for an action by the Federal Energy Regulatory Commission concerning the surrender of the hydroelectric license and dam removal for the Yellowstone Hydroelectric Project within the Uintah and Ouray Reservation, Utah. The State of Utah, with downstream waters, has been informed of the dam removal. While the 401 certification is not controversial, the loss of the reservoir, which is currently used for fishing and recreation, may be of some concern. Section 401 of the CWA requires that the project discharge complies with all applicable water quality requirements.

Nelson Tunnel Superfund Site in Creede, CO: Congressional Staffers Tour Site September 20

EPA led underground mining tour of congressional staffers in the Creede and Mineral County area of the Commodore Level 5 Tunnel of the Nelson Tunnel Superfund Site in order to see the stabilization work conducted by the Superfund Removal program. The congressional representatives were also provided with the Nelson Tunnel Reuse Situation Assessment which provides potential next steps to the private property owner focusing on historical preservation/stabilization of historic mining structures on and adjacent to the site.

Upcoming Major Decisions and Events

No updates to report this week.

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Region 9

Hot Topics

Intel Santa Clara 3 Site Deletion

The Intel SC3 site was deleted from the National Priorities List on September 24. There are no restrictions on how the property can be used in the future. Five-year review reports are not required.

Yuma Marine Corps Air Station (Yuma, AZ)

EPA signed a No Action Record of Decision for a munitions site that had previously been cleaned up during a removal action. The site had consisted of a berm used by aircraft to zero in gun sites. The removal action completely removed the berm and several feet of topsoil. Geophysical testing and test excavations verified that all munitions had been removed.

Arizona 404 Assumption Assistance

On October 2, R9 will meet with the Arizona Department of Environmental Quality (ADEQ) to review their efforts to assume implementation of the CWA section 404 dredge and fill program. ADEQ will present its recently released "Proposed Program Roadmap" that describes key program components and development activities and solicits input from stakeholders. R9 will continue to provide assistance ahead of ADEQ's planned assumption package submittal to EPA in June 2020.

Past Week Accomplishments

Red Hill Tank Upgrade Proposal

On September 23, a publicly releasable version of the tank upgrade proposal by the U.S. Navy and Defense Logistics Agency for the large bulk field-constructed tanks at the Red Hill Fuel Storage Facility in Pearl Harbor was posted on EPA's website. The Navy plans to host a public meeting on October 15. R9 is currently inviting the public to submit feedback on the proposal. R9 also plans to hold a joint public workshop and meeting with the Hawaii Department of Health on the proposal. After reviewing public input and analyzing the proposal, R9 will decide whether to approve or disapprove the tank upgrade proposal.

Upcoming Major Decisions and Events

DRA at Pure Water Monterey Ribbon Cutting

On October 4, DRA Jordan will give remarks at the opening of the new Pure Water Monterey water recycling facility. Monterey Peninsula Water Management District and Monterey One Water (M1W) built the facility, with support from a $103 million California State Revolving Fund loan, to provide advanced treatment of municipal and agricultural wastewater and stormwater for injection to the aquifer used to supply drinking water to the Monterey Peninsula. This project will reduce reliance on limited local surface and groundwater supplies and improve water quality by reducing ocean effluent discharges. M1W has been a key partner in development of the recently issued draft national Water Reuse Action Plan.

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Region 10

Hot Topics

Secretary of Energy to Visit Hanford Nuclear Reservation to Celebrate Cleanup Milestone (WA)
On October 1, U.S. Secretary of Energy Rick Perry, Under Secretary for Science Paul Dabbar, and Senior Advisor for Environmental Management Ike White will visit the Hanford Site to celebrate recent completion of the K Basin Sludge Removal project, a major cleanup milestone at the site. Media and congressional representatives are expected to attend. RA Hladick will have a speaking role at the event.

Upcoming Major Decisions and Events

Region 10 Reviews Alaska Liquified Natural Gas Pipeline Draft EIS
The State of Alaska's Alaska Gasline Development Corporation is proposing to construct and operate a $43 billion dollar, 800-mile LNG pipeline running north to south from the North Slope to Cook Inlet. The Federal Energy Regulatory Commission has prepared a Draft Environmental Impact Statement for the project. As a cooperating agency, the EPA has been involved in the development of the EIS and EPA will be providing comments on the Draft EIS by the comment deadline of October 3. R10's comments will include a range of issues including Clean Water Act implications of the pipeline route through Denali National Park and Preserve, impacts to wetlands and the need for a compensatory mitigation plan, potential threats to public safety, dredged material disposal in Cook Inlet, air quality, water quality, and subsistence.

Oregon Clean Water Act Section 404 Assumption "Kick-off" Meeting with Oregon DEQ
On September 30, RA Hladick will attend a meeting with Oregon Department of Environmental Quality leadership regarding Oregon's assumption of the Clean Water Act Section 404 program. The meeting will involve other senior leaders from the State of Oregon and federal agencies. The focus will be to discuss Oregon's plans and approach for assuming the implementation of portions of the program. While in Portland, RA Hladick will also speak at a roundtable meeting with the Northwest Environmental Business Council.

Columbia River Basin Grant Program Request for Applications Announcement
R10's Geographic Programs Section has received concurrence from OGD HQ to release the Columbia River Basin Restoration Act Section 123 Grant Program Request for Applications. This release will include two RFAs, one for the Middle/Upper Columbia and one for the Lower Columbia. The RFA seeks applications from eligible entities to improve water quality in the Columbia River Basin through specific actions to reduce toxics, cleanup sites, increase monitoring, and/or increase public education and outreach. The RFA will close on December 20, and R10 anticipates making selections in February.

NPDES Real Time Review Template with the State of Alaska
By September 30, R10 will share an initial draft NPDES Real Time Review (RTR) Oversight Template with the Alaska Department of Environmental Conservation for review and feedback. The RTR Template with ADEC will be the first of four templates that R10 will ultimately develop with each state in the Region. The RTR Template, which serves as a compliment to the NPDES Memorandums of Agreement with the States, was jointly developed by EPA Headquarters and ECOS to promote transparency of the NPDES RTR process. The Template characterizes how R10 conducts RTRs of ADEC permitting actions and opens a dialogue with ADEC about how EPA and ADEC can work together to fulfill their statutory and regulatory responsibilities.

Pending NPDES Permit Progress – U.S. Navy MS4 Permits in WA
During the week of September 30, R10 will initiate 45-day public comment periods on three draft NPDES permits to address municipal stormwater discharges at the following U.S. Navy installations in the Puget Sound area: Naval Base Kitsap, Naval Station Everett, and Naval Air Station Whidbey Island (NASWI). Concurrent with proposing the MS4 permit for NASWI, R10 is also proposing to designate the NASWI MS4 as a regulated MS4. This action is part of the effort to eliminate the pending NPDES permit applications backlog.

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R10 to Issue Cleanup Plan for Ballard Mine Superfund Site in Idaho

During the week of September 30, R10 will issue its final cleanup plan for the 534-acre Ballard Mine Site, a former open-pit phosphate mine in southeast Idaho. About four million tons of phosphate ore remain at the site, both exposed at the surface and in the bottoms and sidewalls of existing mine pits. EPA's ROD recognizes that P4 Production LLC, a Monsanto (now Bayer) subsidiary, intends to recover phosphate ore concurrent with implementation of the remedy. Ore recovery may help lower the costs of constructing the remedy. The remedy is expected to cost approximately $41 million and take six to eight years for construction.

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Office of Air and Radiation

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)
- Major Source Status of Ethanol Production Facilities (Petition Response and FRN)
- Clay Ceramics NESHAP (Final Rule)
- Rubber Tire RTR (Proposed Rule)
- Title V Order: Mill Creek Generating Station (Petition Response)

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)
- Light Duty Greenhouse Gas Program Technical Amendments (Final Rule: RECEIVED DATE 8/19/2019)
- MON RTR (Proposed Rule: RECEIVED DATE 8/20/2019)
- Ambient Air Guidance (Final Guidance: RECEIVED DATE)

Packages Heading to OMB Soon

- MATS Coal Refuse-Fired Units Review (Final Rule)
- MATS RTR & Cost Review (Final Rule)
- Strat Ozone - Section 608 Refrigerant Management – Revisions (Final Rule)

Upcoming Major Decisions and Events

Twelfth Conference on Air Quality Modeling

Next week, Acting AA Idsal will speak at EPA's 12th conference on air quality modeling. At the conference, which is required by section 320 of the Clean Air Act, EPA will provide an overview of the latest features of the preferred air quality models and provide a forum for public review and comment on the way the Agency applies air quality models. Typically, the conference is attended by more than 200 representatives from state air agencies, industry and environmental groups.

Indoor airPLUS Leader Awards

Next week, EPA will present awards to the 2019 Indoor airPLUS Leader Award Winners, highlighting program participation and achievements over the last year from the ten leading builder and rater partners. Awards will be presented at the 2019 Energy and Environmental Building Alliance (EEBA) Summit in Denver, CO. Approximately 400 industry stakeholders, including homebuilders, home energy raters and product manufacturers, are expected to attend the conference to share best practices for healthy, energy-efficient design and construction techniques.

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Office of Chemical Safety and Pollution Prevention

Hot Topics

Mid-Atlantic Lead Forum October 1-2
October 1, R3 will convene a forum on implementing the Federal Action Plan to Reduce Childhood Lead Exposure. The Administrator will provide opening remarks, and AA Dunn will share OCSPP perspectives with participating state, local, and community leaders. The forum will provide information about lead in various media, federal and other resources, and state and local initiatives. The forum kicks off Children's Health Month and leads up to Lead Poisoning Prevention Week the fourth week of October.

Strategic Approach to International Chemicals Management (SAICM)
The next SAICM meeting will be in Bangkok, Thailand, September 30-October 4. With support from OLEM and OITA, OSCPP has worked with the Departments of State and Commerce and USTR to prepare the U.S. positions and will attend for EPA. Topics include: building capacity for national chemical management in developing countries; how to approach emerging chemical policy issues globally; consideration of SAICM's governance structure; and financing. There will two more SAICM meetings in 2020.

Upcoming Major Decisions and Events

Novel New House Mice Rodenticide Registration
On September 30, OPP plans to issue a proposed decision to register the first new rodenticide in 20 years. Alphachloralose works by inducing hypothermia, which can be fatal for mice, but alphachloralose poses no human health risk. There will be a 15-day public comment period.

Competitive Grant Award for the Pesticide Regulatory Education Program (PREP)
Early in October, OPP plans to announce that the University of California Statewide Integrated Pest Management Program is the recipient of a cooperative agreement to implement PREP, which serves senior state pesticide regulatory and enforcement program managers. EPA expects total funding over five years to be $2.7M.

Pennsylvania Hemp Summit
OPP DOD Ed Messina will overview EPA's position on hemp at a Pennsylvania Summit on October 8.

Household & Commercial Products Association (HCPA) Pesticide Management Workshop
OPP will present at an HCPA October 8-10 workshop in Washington, DC. Registration Division Director Mike Goodis will overview EPA's pesticide regulation process and provide updates on registration actions. Antimicrobials Division Director Anita Pease will discuss the registration process for material protection preservatives.

2019 Polyurethanes Technical Conference
On October 9, OPPT Deputy Director Dr. Tala Henry will speak at the Center for Polyurethanes Industry's annual Polyurethanes Technical Conference in Kissimmee, Florida. Dr. Henry will give an update on EPA's accomplishments under TSCA and current implementation priorities.

Updated Aquatic Life Benchmarks
On September 30, OPP plans to release a revised, updated Aquatic Life Benchmarks table for Freshwater Species and Ambient Water Quality Criteria for Registered Pesticides. State, tribal and local governments use these benchmarks in interpreting water monitoring data. Comparing a measured pesticide concentration in water to an aquatic life benchmark can be helpful in interpreting monitoring data and identifying and prioritizing sites and pesticides that may require further investigation.

Office of the Chief Financial Officer

Hot Topics

Continuing Resolution for FY 2020

The House passed a Continuing Resolution for FY 2020 through November 21. The Senate expects to vote on the CR bill on September 26. OCFO will keep the agency apprised. The President has indicated publicly that he will sign the CR to fund federal agencies through November 21.

OIG's Draft Fall Semiannual Report

By October 4, program and regional offices should review OIG's Draft Fall Semiannual Report for accuracy and update the Management Audit Tracking System to ensure that agreed to recommendations include a corrective action and planned completion date. OIG typically releases its fall report publicly in November.

OMB Hearings

The NPM hearings with the Office of Management and Budget are completed. Currently, OCFO is working with the NPMs to reply to OMB follow-up requests.

Upcoming Major Decisions and Events

President's Management Council

OCFO and OMS are scheduled to brief the Associate Deputy Administration on October 1 to prepare him for his October 3 Full President's Management Council meeting.

House Homeland Security and Governmental Affairs

OCFO is working with OCIR to schedule a meeting with the House Homeland Security and Governmental Affairs Committee staff to respond to its' questions regarding EPA's response to a government-wide request for prior shutdown-related costs.

Other

Agency Priority Goal FY 2019 Q3 Results

On September 19, OMB published federal, including EPA's, Agency Priority Goal FY 2019 Q3 results on Performance.gov.

Budget Overview

OCFO is scheduled to provide an informational EPA budget overview for the Associate Deputy Administrator on September 30.

EPA 2019 Enterprise Risk Profile

The Acting CFO plans to send a memorandum to agency leadership announcing the EPA's 2019 Enterprise Risk Profile based on senior leader ranking results and describe next steps in addressing enterprise risks. The Acting CFO informed the Administrator of these risks and next steps last week.

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Office of the Congressional and Intergovernmental Relations

Hot Topics
None this week.

Upcoming Major Decisions and Events
Workshop on Implementation of the Integrated Planning Policy
At the invitation of Ohio EPA, the Office of Wastewater Management, OW and R5 will participate on October 2 in a Workshop on Implementation of the Integrated Planning Policy enacted by Congress in the Water Infrastructure Improvement Act (WIIA).

Pending - 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 include 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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Office of Enforcement and Compliance Assurance

Hot Topics

Settlement with Hyundai Heavy Industries for Illegal Import and Sale
In 2015, EPA received a whistleblower tip that Hyundai Heavy Industries was importing diesel equipment that did not meet emission standards. EPA initiated criminal and civil investigations based on the tip. On September 19, EPA announced a settlement under the Clean Air Act with Hyundai to resolve allegations that the company stockpiled engines that would not meet cleaner emissions standards and imported and sold nonroad vehicles with these engines, including excavators, loaders, and fork lifts, in violation of the Clean Air Act. Defendants allegedly introduced into U.S. commerce at least 2,269 illegal diesel nonroad vehicles. The company agreed to a civil penalty of $47 million. In the criminal proceeding, the court imposed a $1.95 million criminal fine.

Settlement with Performance Diesel for Illegal Manufacture, Sale, and Installation of Defeat Devices
On September 12, EPA announced a settlement with Performance Diesel, Inc. (PDI) to resolve allegations of the illegal manufacture, sale, and installation of aftermarket tuning products that defeat the emissions control systems of heavy-duty diesel engines. As part of the settlement, PDI has agreed to stop sale of all products that EPA alleges violate the Clean Air Act. Under the settlement, PDI will also pay a civil penalty of $1.1 million.

Senior Manager at Fiat Chrysler Automobiles Charged in Connection with Conspiracy
On September 19, Emanuele Palma, a senior manager of diesel drivability and emissions at Fiat Chrysler Automobiles (FCA), was charged in an indictment in the Eastern District of Michigan. Palma was charged for his alleged role in a conspiracy to mislead U.S. regulators, customers, and the public by making false and misleading statements about the emissions control software used in more than 100,000 FCA diesel vehicles in order to increase the vehicles' emissions when they were not running on federal emissions test cycles.

Outreach on Aftermarket Defeat Devices National Compliance Initiative
As part of the new National Compliance Initiative concerning aftermarket defeat devices for vehicles and engines, representatives from OECA's Air Enforcement Division continue to talk with states, local authorities and industry. On September 25, in Chattanooga, TN, the Air Enforcement Division spoke at the Southeast Diesel Collaborative to a diverse group of companies, governments, and organizations working to control emissions from diesel engines throughout the southeast. As part of this outreach, the Air Enforcement Division is often joined by EPA regional enforcement personnel and focuses on what EPA is doing and how state and local collaboration can help to reduce tampering and aftermarket defeat devices.

Upcoming Major Decisions and Events

None this week.

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Office of General Counsel

Hot Topics

NWEA v. Wheeler, No. C91-427R (W.D. Wash. filed 1991) (mot. filed on September 24, 2019).
New Litigation: In a Motion to Re-activate and to Amend an earlier (1994) Complaint, the Northwest Environmental Advocates (NWEA) sue EPA, alleging failure to perform non-discretionary duties under CWA section 303(d)(2) based on constructive submission of no-TMDLs by the State of Washington. NWEA filed the original complaint in 1991 and amended it in 1994. A Consent Decree (concluded within a few years of entry) and a Settlement Agreement (SA) resolved the earlier action. Under the SA, EPA agreed to "backstop" the issuance of TMDLs by the State of Washington for 1,566 TMDLs over 15 years. NWEA now alleges EPA has not done so and seeks to amend the earlier complaint to allege that Washington's failure to issue the TMDLs as contemplated in the SA triggers a mandatory EPA duty to approve or disapprove.

California v. Wheeler, No. 19-05943 (N.D. Cal. filed September 24, 2019).
New Litigation: California brought an action under the Administrative Procedure Act (APA) for review of EPA's March 1, 2019 determination that the Redwood City Salt Ponds site does not include waters of the United States. The complaint states that the jurisdictional determination provided to Redwood City Saltworks is a reversal of EPA's 2016 "Preliminary Determination," which concluded that the Salt Ponds site includes waters of the United States. The complaint also states that the jurisdictional determination ignores the regulatory definition of waters of the United States, 80 Fed. Reg. 37,054 (June 29, 2015), and states that the determination is therefore arbitrary and capricious under the APA and should be vacated.

Big West Oil v. EPA, No. 19-9576 (10th Cir. filed September 23, 2019).
New Litigation: Big West Oil LLC (BWO) filed a petition for review in the Tenth Circuit Court of Appeals challenging EPA's August 9, 2019, denial of a petition BWO filed, requesting that EPA exempt BWO from its 2018 RFS obligation.

State of New York, et al. v. EPA, No. 19-1019 (D.C. Cir.).
Oral Argument Update: The D.C. Circuit removed oral argument (originally scheduled for September 20, 2019) from the calendar due to the implications of *Wisconsin v. EPA*, No. 16-1406, which addressed a related rule. On September 20, the court issued an order indicating that it intended to rule on the briefs without scheduling a new oral argument.

Upcoming Major Decisions and Events

Speaking Engagement

Next week GC Leopold is traveling to Region 8. He will tour the Gold King Mine site and meet with R8 leadership and with the Office of Regional Counsel. He also has plans for an event with the Western Energy Alliance.

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Office of International and Tribal Affairs

Hot Topics

Tijuana Transboundary Water Issue

AA McIntosh attended a White House meeting with Mayors from San Diego, Coronado, and Imperial Beach and the CEO of the San Diego Chamber of Commerce to discuss the Tijuana transboundary water and sewer issue. Participants discussed identifying specific water infrastructure projects, potential funding sources and partnerships that will help mitigate sewage pollution and reduce transboundary flows. AA McIntosh and EPA staff (OCIR, OITA, OW, and R9) later met with members of the San Diego Chamber of Commerce, including the Imperial Beach Mayor, to discuss this issue further. The San Diego Chamber of Commerce shared their priorities that consist of regional water sources, including water reuse and recycling; the City's Pure Water Program; Point Loma Wastewater Treatment Plant; and the EPA-NADB Tijuana River Diversion Study. Meeting participants noted that concrete solutions have now been outlined in multiple studies and that projects must be prioritized so work can begin on those which will net the greatest outcome.

Israel Meeting on Water Reuse

OITA and OW met with a delegation from Israel's Ministry of Environmental Protection and the Israeli Water Authority and participated on a panel on Water Reuse at the Water-Environment Federation's Technical Exhibition and Conference (WEFTEC) in Chicago. The bilateral discussion focused on shared challenges and opportunities related to approaches to water reuse. Israel and EPA agreed to three areas of cooperation on water reuse that will be finalized in November. These meetings support the Administrator's upcoming trip to Israel and the water innovation goal under the Israeli Ministry of Environmental Protection-EPA MOU signed in October 2018.

Upcoming Major Decisions and Events

G20 Marine Litter and Resource Efficiency Workshop

From October 8 to 11, AA McIntosh will lead a U.S. delegation to the G20 Marine Litter and Resource Efficiency Workshop in Tokyo, Japan, to discuss the G20 Marine Litter Implementation Framework.

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Office of the Land and Emergency Management

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.
- CCR permitting NPRM: On September 6, OMB began its review. We anticipate receiving OMB/interagency review comments next week.
- CCR litigation packages (package 2, parts A and B): On August 6, OMB review began on part A. OLEM has been meeting with OMB regarding their comments. We anticipate part B going to OMB soon.
- The CCR litigation package is being coordinated with the Office of Water's ELG rule so that both rules can be signed on the same day and issued for public comment simultaneously.

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

OMB/interagency review began on September 12. OLEM anticipates receiving comments the week of October 7.

Ongoing Major Superfund NPL Sites

We are working with R1 on the Housatonic River; 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. The Matteo ROD will be coming to the Administrator soon for signature.

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. Draft NPRMs for Industry 2 and Industry 3 are undergoing review within OLEM. We plan to send it to the workgroup for final agency review by October 2.

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 October. A pre-brief for the OLEM IO and Office Directors is scheduled for October 1.
- Designation of PFOA/PFOS as CERCLA Hazardous Substances NPRM. The rule package was submitted to the Office of Policy on September 20 for OMB review.

Upcoming Major Decisions and Events

OLEM Awards Ceremony

On October 2, OLEM will hold its awards ceremony. We are pleased to have the Administrator providing opening remarks.

National Priorities List (NPL) Deletions

We are on track to achieve a total of 27 partial and full NPL deletions in FY 2019. These 27 deletion activities will represent a 25 percent increase over last year, and the highest in a single year since FY 2001.

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Office of Mission Support

Hot Topics

FY 2019 Agencywide Mandatory Training

As of September 25, the agency is 87% complete with all mandatory training. Reports are provided on a weekly basis to all agency program offices and regions. Five mandatory training courses must be completed by Monday, September 30.

Whistleblower Protection Training

The "Responding to Employees Alleging Violations of Whistleblower Protection" training is expected to launch on October 1. This training is required by the Office of Special Counsel and will be sent to agency supervisors, managers and executives.

Upcoming Major Decisions and Events

Hispanic Heritage Observance Month Event

On October 1 at 12:00 p.m., OMS will host Dr. Margaret Salazar-Porzio, curator from the National Museum of American History, for a Hispanic Heritage Observance Month event. The keynote address is "Every Day and Extraordinary: Honoring Latina/o History and Culture at the Smithsonian." The event will take place in WJC South Room S2138. OMS is also planning an additional observance month event to take place later in October.

New Coaching and Training Services beginning October 1

Beginning October 1, EPA University is providing coaching and training services for GS-14, GS-15, and executives. The Coaching Services Program will include onsite and remote confidential coaching and EPA University's partnership with the Treasury Executive Institute (TEI) will offer management training, 360 assessment tools and coaches.

Senior Executive Service Orientation

A one-day orientation for newly appointed EPA SES will be held in the Green Room on November 20, in conjunction with November 18-19 dates of OPM's SES orientation. Invitations will be sent to new SES onboarded since the last session on March 12.

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Office of Policy

Hot Topics or Upcoming Major Decisions or Events

Extension of NEPA ICRs (Antarctica)

On September 30, the Office of Federal Activities plans to publish an FRN to propose the extension of an ICR for the collection of environmental information in support of U.S. nongovernmental expeditions to Antarctica.

Active Interagency Reviews from OMB	
Subject	**OMB Due Date**
DOC/NOAA FRM: Magnuson-Stevens Fishery Conservation and Management Act; Traceability Information Program for Seafood	10/02/2019
DOT/FAA NPRM: Remote Identification of Unmanned Aircraft Systems	10/04/2019
USDA/RUS FRM: Special Servicing of Telecommunications Programs Loans for Financially Distressed Borrowers	10/07/2019
USDA RUS IFRM: Rural Broadband Loans, Loan/Grant Combinations, and Loan Guarantees	10/07/2019
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 September 19-25, 2019		
FRL #	**Title**	**Date Sent to FR**
10000-61-Region 8	Settlement Agreement For Past Costs: State Painting Site, West Valley City, Utah	09-25-2019
9997-21-OCSPP	Registration Review; Draft Human Health and/or Ecological Risk Assessments for Several Pesticides; Notice of Availability	09-25-2019
9999-81-OCSPP	Sodium Lauryl Sulfate; Exemption from the Requirement of a Tolerance	09-25-2019
9999-39-OCSPP	Cancellation Order for Certain Pesticide Registrations and Amendments to Terminate Uses	09-25-2019
9999-90-OCSPP	Pesticide Product Registration; Receipt of Applications for New Uses	09-25-2019
10000-57-Region 1	Maine: Final Approval of State Underground Storage Tank Program Revisions, Codification, and Incorporation by Reference	09-25-2019
10000-53-Region 9	Determination of Attainment by the Attainment Date; 2006 24-Hour Fine Particulate Matter National Ambient Air Quality Standard; Pinal County, Arizona	09-25-2019
10000-37-OCSPP	Pesticides; Revised Fee Schedules for Covered Applications Under the Pesticide Registration Improvement Extension Act of 2018 (PRIA 4)	09-25-2019
10000-56-Region 1	Maine: Final Approval of State Underground Storage Tank Program Revisions, Codification, and Incorporation by Reference	09-25-2019
9996-49-OCSPP	Final Test Guideline; Series 810 – Product Performance Test Guideline; Notice of Availability	09-24-2019
9999-11-Region 6	Air Plan Approval; Arkansas; Regional Haze Five-Year Progress Report State Implementation Plan	09-24-2019
9999-49-Region 9	Approval of Air Quality Implementation Plans; California; South Coast Air Basin; 1-Hour and 8-Hour Ozone Nonattainment Area Requirements	09-24-2019
10000-58-OAR	Response to Clean Air Act Section 126(b) Petition from New York	09-24-2019
9994-21-OMS	EPA's ENERGY STAR Program in the Commercial and Industrial Sectors/ICR 1772.08	09-23-2019
9997-92-OMS	NSPS for Incinerators/ICR 1058.13	09-23-2019
9998-10-OMS	NESHAP for Gasoline Distribution Facilities/ICR 1659.10	09-23-2019
9998-30-OMS	NSPS for Commercial and Industrial Solid Waste Incineration (CISWI) Units/ICR 1926.08	09-23-2019
9998-35-OMS	Registration of Fuels and Fuel Additives: Health-Effects Research Requirements for Manufacturers/ICR 1696.10	09-23-2019
9999-05-OMS	NESHAP for Commercial Ethylene Oxide Sterilization and Fumigation Operations/ICR 1666.11	09-23-2019
10000-04-Region 8	Approval and Promulgation of Air Quality Implementation Plans; State of Utah; Revisions to the Utah Division of Administrative Rules, R307-300 Series; Area Source Rule for Attainment of Fine Particulate Matter Standards.	09-23-2019
10000-03-OMS	NESHAP for Automobile and Light-duty Truck Surface Coating (Renewal)/ICR 2045.08	09-23-2019
10000-16-OMS	Data Requirements Rule for the 1-Hour Sulfur Dioxide Primary National Ambient Air Quality Standard (Renewal)/ICR 2495.03	09-23-2019
10000-30-ORD	Ambient Air Monitoring Reference and Equivalent Methods; Designation of One New Reference Method and One Reference Method Amendment	09-23-2019

10000-32-OAR	Production of Confidential Business Information in Civil Litigation; Transfer of Information Claimed as Confidential Business Information to the United States Department of Justice and Parties to Certain Litigation	09-23-2019
10000-35-ORD	Integrated Science Assessment for Ozone and Related Photochemical Oxidants (External Review Draft)	09-23-2019
10000-41-OMS	NESHAP for Iron and Steel Foundries/ICR 2096.07	09-23-2019
10000-43-OAR	Call for Information: Information Related to the Development of Emission Estimating Methodologies for Animal Feeding Operations	09-23-2019
9995-19-OMS	Greenhouse Gas Reporting Program (Renewal)/ICR 2300.18	09-20-2019
9995-79-OMS	EPA's ENERGY STAR® Product Labeling/ICR 2078.07	09-20-2019
9999-42-OMS	Control of Evaporative Emissions from New and In-Use Portable Gasoline Containers/ICR 2213.06	09-20-2019
10000-18-Region 1	Air Plan Approval; Rhode Island; Prevention of Significant Deterioration; PM10, PM2.5 and NOX.	09-20-2019
10000-23-OCSPP	Furilazole; Pesticide Tolerances	09-20-2019
10000-28-Region 3	Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Attainment Plan for the Beaver, Pennsylvania Nonattainment Area for the 2010 Sulfur Dioxide Primary National Ambient Air Quality Standard	09-20-2019
10000-38-Region 5	Air Plan Approval; Ohio; Second Maintenance Plan for 1997 Ozone NAAQS; Dayton-Springfield	09-20-2019
10000-47-Region 4	Air Plan Approval; Kentucky; Jefferson County Existing and New VOC Storage Vessels Rule Revisions	09-20-2019
10000-49-Region 4	Air Plan Approval; Kentucky: Existing Indirect Heat Exchanges for Jefferson County	09-20-2019
10000-44-OAR	Proposed Information Collection Request; Comment Request; Significant New Alternatives Policy (SNAP) Program (Renewal)	09-20-2019
10000-09-Region 1	Air Plan Approval; Connecticut; Regional Haze Five Year Progress Report	09-20-2019
10000-40-Region 5	Air Plan Approval; Indiana; Second Maintenance Plan for 1997 Ozone NAAQS	09-20-2019
10000-22-OCSPP	Regulation of Persistent, Bioaccumulative, and Toxic Chemicals Under TSCA Section 6(h); Extension of Comment Period	09-20-2019
10000-39-Region 5	Air Plan Approval; Wisconsin; Title V Operation Permit Program; Withdrawal of Direct Final Rule	09-20-2019
9999-24-OA	National Environmental Education Advisory Council	09-19-2019
10000-14-Region 7	Approval of Air Quality Improvement Plan, Operating Permits Program, and 112(l) Plan; Missouri; Operating Permits	09-19-2019
10000-15-Region 7	Air Plan Approval; Missouri; Infrastructure State Implementation Plan Requirements for the 2015 Ozone National Ambient Air Quality Standard	09-19-2019
10000-26-Region 4	Air Plan Approval; North Carolina: Transportation Conformity Rules	09-19-2019
10000-27-Region 3	Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Redesignation Requests and Maintenance Plans for Delaware County and Lebanon County 2012 Fine Particulate Matter Areas	09-19-2019
10000-36-Region 3	National Oil and Hazardous Substances Pollution Contingency Plan; National Priorities List: Partial Deletion of the Novak Sanitary Landfill Superfund Site	09-19-2019
10000-45-OAR	The Safer Affordable Fuel-Efficient (SAFE) Vehicles Rule Part One: One National Program	09-19-2019
10000-24-OA	Notification of a Public Meeting of the Science Advisory Board All-Ages Lead Model Review Panel	09-19-2019

Office of Research and Development

Hot Topics

ORD Reorganization

Next week will be the first week of ORD's new organization. We appreciate your support and encouragement throughout this process and are looking forward to the next phase.

ECOS Fall Meeting

The 2019 ECOS Fall Meeting, *States Sparking Solutions*, went very well this week in Seattle. Leaders of 45 state environmental agencies and officials from EPA, other federal agencies, NGOs, associations, law and consulting firms, and industry attended. David Paylor (ERIS President and Virginia DEQ Director) told the states that EPA research is one of the most important functions that the Agency provides. Aaron Keatley (Michigan Department of Environment, Great Lakes, and Energy Chief Deputy Director) said he learned about EPA research at one of ORD's region-state directors' meetings, and he saw opportunities to apply EPA research to the day-to-day decisions the state is making, specifically around PFAS, lead service lines, beach monitoring and more. Scott Thompson (Oklahoma Department of Environmental Quality Executive Director) shared how ORD's current work is increasingly focused on practical applications and science-based tools in areas such as stormwater management, small systems, and contaminated sites. He encouraged other states to reach out to ORD and take advantage of this vital science and technical resource for the states.

Draft Ozone ISA

Today the draft *Integrated Science Assessment for Ozone and Related Photochemical Oxidants* for public comment and review by the Clean Air Scientific Advisory Committee (CASAC) was posted in the Federal Register. When final, this ISA will update the 2013 *Integrated Science Assessment for Ozone and Related Photochemical Oxidants*. The draft document is being prepared as part of the review of the primary (health-based) and secondary (welfare-based) ozone National Ambient Air Quality Standards (NAAQS) and represents EPA's latest evaluation of the scientific literature on potential health and welfare effects associated with ozone and related photochemical oxidants.

16th Annual EPA Drinking Water Workshop: Small Systems Challenges and Solutions, Cincinnati, OH

The workshop this week had more than 500 registrants including EPA colleagues from OW, OECA, OIG, OSCPP, ORD, and all 10 Regions; 142 State/Territory agencies; and 59 water utilities ranging in size. International attendees from Canada, Ghana, India, Israel, and Uganda also registered.

Extended Closing Date for EPA Funding Opportunity

Due to weather conditions impacting parts of the US, The Contaminated Sites, Natural Disasters, Changing Environmental Conditions, and Vulnerable Communities: Research to Build Resilience RFA has been extended and is now open through September 30.

Meeting About Recycled Tire Crumb Rubber Research Action Plan

On September 25, ORD and OLEM spoke at a meeting with intergovernmental associations hosted by OCIR. The meeting was about the U.S. Federal Research Action Plan (FRAP) on Recycled Tire Crumb Rubber Used on Synthetic Turf Playing Fields and Playgrounds. Topics for discussion include the recently released Part 1 FRAP report and next steps. Attendees included representatives from the National League of Cities, the US Conference of Mayors, the National Association of Counties, the National Conference of State Legislatures, and the National Association of Regional Councils.

Upcoming Major Decisions and Events

ORD to inform California Environmental Health Directors on Fentanyl Remediation Research

On October 3, ORD will present on fentanyl sampling and decontamination research conducted by ORD researchers at the California Conference of Directors of Environmental Health (CCDEH) in Olympic Village, California. The main topic of this conference is "The Science behind the Policy." This 64th annual conference brings together Environmental Health Directors from all California counties and state partners from the

California Department of Public health and the California Environmental Protection Agency. The fentanyl remediation research that will be presented is of high relevancy considering the ever-increasing rate of fentanyl incidents that require remediation by local or state authorities. This conference provides a unique opportunity to build stronger partnerships and encourage collaboration with states, locals, and tribes working in emergency responses and environmental health.

Computational Toxicology Communities of Practice

New approach methodologies (NAMs) are an important tool for increasing the through-put of future regulatory decision making. Accelerating the Pace of Chemical Risk Assessment (APCRA) Through International Collaborative Case Studies (APCRA) is a government-to-government initiative whose aim is to promote collaboration and dialogue on the scientific and regulatory needs for the application and acceptance of NAMs in regulatory decision making. On September 26, ORD will present an overview of APCRA, as well as a high-level overview of two of the collaborative case studies designed to aid in increasing acceptance of NAMs in regulatory decisions via demonstration of a retrospective and a prospective lens on the use of NAMs.

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Office of Water

Hot Topics

Preliminary Effluent Guidelines Plan

As early as next week, AA Ross is expected to sign a Federal Register Notice announcing the availability of the Preliminary Effluent Guidelines Program Plan 14 (Preliminary Plan 14). EPA prepared Preliminary Plan 14 pursuant to CWA Section 304(m) as described in the background section. Preliminary Plan 14 discusses one ongoing rulemaking (and the associated schedule) for the Steam Electric Power Generating Point Source Category. EPA has concluded that no additional categories warrant new or revised effluent guidelines at this time. Preliminary Plan 14 provides updates on ongoing point source category reviews or studies for the Petroleum Refining Category, the Electrical and Electronic Components Category and Oil and Gas Extraction Wastewater Management. Additionally, Preliminary Plan 14 introduces new analyses and tools that EPA is developing to improve its annual review and biennial planning process.

Methods Update Rule Change Memo

This week, OW moved forward a memorandum to the Administrator for signature to approve changes to the Methods Update Rule preamble that were required by the Office of Federal Register (OFR). Following the Administrator's signature on June 11 of the proposed "Clean Water Act Methods Update Rule for the Analysis of Effluent," the OFR reviewed the proposal and required the EPA to make several changes to describe incorporations by reference. These textual changes do not change the content of the preamble substantively, and there are no changes to the regulatory text. The OFR has reviewed the changes and is satisfied with OW's additional descriptions to incorporate by reference.

Request for Applications (RFA) Issued for $5M to Fund Trash Free Waters Projects

On September 23, the Gulf of Mexico Program published their Trash Free Waters RFA. The total estimated funding for this competitive opportunity is approximately $5 million with the anticipation of awarding ten or more grants of no more than $500,000 each. The projects must take place in the Gulf of Mexico watershed within one or more of the Gulf states – Texas, Louisiana, Mississippi, Alabama, and Florida. This notice announces the availability of funds and solicits applications to improve water quality, habitat, community resilience, and environmental education. Funding recipients will work with businesses, communities, and state and local governments to develop innovative projects that will encourage and facilitate the removal and reduction of trash that finds its way into waterways and ultimately our oceans. The deadline for applications is November 22, and awards are expected to be made in June 2020.

Upcoming Major Decisions and Events

No updates to report this week.

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