# Region 1

## Hot Topics

**Use or Lose Restoration Guidance Memorandum**
A memorandum and three attachments will be distributed to EPA senior managers and the Human Resources Community. It will provide detailed information on the policy and procedures for leave restoration due to the shutdown exigency. The Shared Service Centers are working with the agency payroll provider to mass restore the leave and would like restoration requests and supporting documentation to be submitted for verification by April 30, 2019.

**Presidential Rank Awards**
Submissions for agency nominations was announced with an internal due date of March 15, 2019. OMS is coordinating volunteer participants to convene a board review of submissions the week of March 18th. OMS will prepare and submit the agency level package to OPM by the March 29, 2019, due date.

**Mandatory Training Courses**
Memoranda announcing the launch of FY 2019 mandatory training courses on FedTalent and calling for FY 2020 submissions are forthcoming. In the interim, two of the five mandatory courses - *Information Security and Privacy Awareness Training* and *Working Effectively with Tribal Governments* - are available online via the FedTalent learning management system.

**EPA Ranked in Top 5% for Web Site Accessibility**
Recently, Web Accessibility in Mind (WebAIM), a non-profit organization focused on web content accessibility, released a [ HYPERLINK "https://webaim.org/projects/million/" ]. WebAIM ranked EPA.gov in the top 5% of those one million sites with only two errors identified, which have already been resolved by the Office of Mission Support IT staff.

## Upcoming Events & Decisions

**2019 EPA National Women's History Month Celebration**
The EPA's National Women's History month celebration will be held on Wednesday, March 27, from 2:00 – 3:00 PM in the EPA headquarters Green Room. The theme of the event is "Visionary Women: Champions of STEM". The event will feature a panel of women scientists, internal and external to the EPA, who have promoted increasing women in STEM fields.



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# Region 2

**Hot Topics:**

**Hudson River Superfund Site, NY:** Region 2 is coordinating closely with senior officials in Headquarters to finalize our second Five Year Report and our decision on GE's request for issuance of the Certification of Completion of the Remedial Action. The draft press release has been reviewed and suggested revisions are being incorporated. Additional documents are working their way back and forth between HQ and the Region to ensure they are properly vetted.

**Chemours/DuPont Deepwater and Parlin, NJ:** During a 3/6 meeting with EPA and NJDEP, Chemours presented air sampling data showing that GenX is being released into the air from its Deepwater facility at levels up to the low parts per million. The meeting also included a discussion of Chemours' operations at the DuPont Parlin, NJ facility where GenX was found in the groundwater. EPA and NJDEP requested that Chemours reach out to the nearby City of Perth Amboy to sample its public water supply wells.

**Arconic/Grasse River, Massena, NY:** The TSCA approval to allow disposal of PCB wastes in Arconic's Secure Landfill Cell 3 expansion area was issued on 3/7; Arconic must respond within 45 days that it accepts the terms and conditions of the approval. The expanded Landfill cell will be used to receive dredged materials from the company's forthcoming Superfund remediation work in the Grasse River.

**Quanta Superfund Site, Edgewater, NJ:** On 3/13 Region 2 learned that the Public Health Consultation and Health Advisories performed by the NJ Dept. of Health on behalf of ATSDR will be released on 3/20. These documents discuss short- and long-term health risks from napthalene emissions at the site based on air sampling performed in 2017/2018. The 3/20 release date is nearly two months earlier than previously scheduled. Importantly, it is prior to our public availability session planned for the early April, at which we will provide information on upcoming field work (involving use of sprung structures to capture emissions). We have reviewed the NJ DOH report and can respond to questions after the document is released.

**CWA Settlement with MORA Development Corp., PR:** On 3/14 a complaint against, and settlement with, MORA Development Corp. and a related company were filed simultaneously in federal court, resolving CWA violations arising from the defendants' illegal discharges of sewage into surface waters. The defendants will pay a civil penalty of $242,400; this civil settlement follows recent criminal sentencing for these violations.

**Recovery Senior Federal Leadership Group Meeting re: USVI WAPA:** On 3/12 RA Pete Lopez joined FEMA, DOI, HUD, USDA and Treasury at a meeting to discuss financial challenges in the operations of the U.S. Virgin Islands Water & Power Authority (VIWAPA). Attendees acknowledge the severe indebtedness, structural deficiencies and limited cashflow within the Territory, and are reflecting on the need for additional support (beyond Recovery) to stabilize critical functions and services moving into the future.

**Upcoming:**

**Meeting with US Army Corps NY District Leadership:** On 3/18 RA Pete Lopez and staff will meet with Colonel Asbery and his senior staff, who will brief the EPA team on the District's new mission assignment for further deepening of the navigation channels in the NY/NJ Harbor.

**Lodging of SDWA Consent Decree for NYC's Hillview Reservoir:** The consent decree between EPA and the City of New York, addressing the City's violations of the Long Term 2 Enhanced Surface Water Treatment Rule (LT2 Rule) at the 90-acre Hillview Reservoir in Yonkers, NY, is expected to be lodged in federal district court during the week of 3/18. The decree establishes a judicially enforceable schedule for the reservoir to be covered in accordance with the LT2 Rule, as well as schedules for completing certain projects that must be done before the City initiates work on the reservoir cover; this work is valued at over $1 billion.

# Region 3

## Hot Topics

**Atlantic Wood Industries Superfund Site, Portsmouth, Virginia**

On March 7, 2019, DOJ lodged with the U.S. District Court, Eastern District, Norfolk Division, a Consent Decree (CD) under CERCLA relating to the Site. Settling Parties are EPA, Virginia, and Federal and Virginia Natural Resource Trustees (collectively, Settling Plaintiffs); the U.S. Department of Defense and the U.S. Department of the Navy (Settling Federal Agencies); and Atlantic Wood Industries, Inc./Atlantic Metrocast, Inc. (Settling Defendant). Pursuant to the proposed CD, Settling Federal Agencies have agreed to pay $55.3M to EPA and $8.5M to the Commonwealth for Site response costs, pay $94,659 for natural resource damages, and fund a $1.5M oyster restoration project to be implemented by Virginia in the Southern Branch of the Elizabeth River. Settling Defendant has agreed to pay to EPA and Virginia of a total of $250,000 plus interest for response costs and to perform operations and maintenance activities relating to remedy components on its property.

**Anacostia River Tunnel Exceeds Expectations**

In the first 11 months of operation, DC Water's Anacostia River Tunnel (ART) has conveyed 4.84 billion gallons of combined sewer overflows to the Blue Plans Advanced Waste Water Treatment Plant and removed 957 tons of solid debris that would have been discharged into the Anacostia River. In one of the wettest years on record in the District of Columbia area, the ART captured 90% of the overflow volume. The ART is part of a series of tunnels that DC Water is building to meet Consent Decree requirements that will convey wastewater and stormwater to the plant for treatment. DC Water is currently digging the Northeast Boundary Tunnel that will connect the First Street Tunnel to the ART. The Potomac River Tunnel is expected to be completed by March 2030 and will bring flows from the Potomac and Rock Creek sewershed to the plant.

**CWA AOs Close Out for Klines Island Sewer System Regional Flow Management Strategy**

On March 11, Region 3 notified Lehigh County Authority and City of Allentown that requirements for two Administrative Orders, CWA-03-2009-0310DN and CWA-03-2007-0032DN, have been completed by the respondents. Historically, the wastewater collection system experienced many sanitary sewer overflows (SSOs) throughout as a result of inflow and infiltration and causing the discharge of pollutants into the Lehigh River, tributaries of Little Lehigh River, Cedar Creek and Jordan Creek. On March 23, 2018, EPA and Pennsylvania Department of Environmental Protection (PADEP) agreed that the respondents would submit a regional flow management strategy (RFMS). Based on the August 2018 RFMS and information provided in the semi-annual reports and meetings, EPA finds the respondents have completed the requirements of the AOs and compliance monitoring responsibilities have been turned over to PADEP.

**Federal Insecticide, Fungicide and Rodenticide Act Training**

On February 26 through March 1, 2019, newly credentialed state inspectors from the West Virginia Department of Agriculture, the Delaware Department of Agriculture, and the Maryland Department of Agriculture attended a four-day Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) Week-In-Residence Enforcement (WIRE) Training event hosted by Region 3. State inspectors participated in classroom-based activities and training and accompanied experienced federal FIFRA inspectors in the field on pesticide imports, producer establishment and marketplace inspections in order to gain on-the-job skills. These credentialed FIFRA inspectors will be performing FIFRA inspections on behalf of EPA in their respective states.



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**Upcoming Major Decisions and Events**

Regional Administrator Cosmo Servidio has the following events scheduled:

- March 19-20 – Trip to West Virginia. Events include: Tour of First Energy Harrison Plant (Haywood, WV), Meeting with Friends of Decker's Creek (a recipient of a $120,000 grant from EPA's Environmental Justice Collaborative Problem-Solving program, Morgantown, WV), Brownfield event at Gateway Park, Wheeling Island.

# Region 4

## Hot Topics

**Fruithurst, AL**

***Key Message:*** Region 4 is in the process of working with the Alabama Department of Environmental Management on validating data results reported by Auburn University for the Fruithurst, AL and Muscadine, AL communities. At issue is the Auburn study reporting contaminated soil and multiple cases of children diagnosed with Leukemia. Region 4 reviewed the document and did not find any concerns with the levels detected. It should be noted that the Region does not have the raw data and does not know how this data was collected or reviewed for quality assurance/control. In order to ensure the validity of the results, the Region is planning to contact Auburn University to request this information in preparation of a Site Inspection. This site has generated significant media, community and elected official interest and we anticipate this to increase as activities get underway.

## Upcoming Major Events

**Kentucky Environmental Conference** – On March 15, 2019, Acting Region 4 Administrator Mary Walker will provide keynote remarks at the Kentucky Environmental Conference. Lexington, KY. Open Press.

**Yazoo Backwater Flooding Tour** – On March 19, 2019, Acting Region 4 Administrator Mary Walker will tour the Yazoo backwater area and discuss a road map to address continued flooding and environmental sustainability in the area with the Corps of Engineers. Vicksburg, MS. Closed Press.

**Association of Air Pollution Control Agencies (AAPCA) Spring Meeting** – On March 27, 2019, Acting Region 4 Administrator Mary Walker will provide remarks on Region 4 Updates and Priorities at the AAPCA Spring Meeting. Baton Rouge, LA. Closed Press.

## Upcoming Major Decisions

March 29, 2019 – Paducah Formal Dispute Resolution for the C-400 Removal Notification
Oak Ridge Reservation Focused Feasibility Study Dispute Position

# Region 5

## Hot Topics

**Lake County to Conduct EtO Monitoring Later This Spring**

Key Message: Lake County officials made repeated requests for either EPA or Illinois EPA to conduct EtO monitoring and have decided to pursue it themselves.

On March 8, EPA held a technical call with the Lake County Health Department to provide best monitoring practices. Lake County anticipates that it will monitor at the end of May at the earliest. EPA is continuing to coordinate with Illinois EPA on modeling emissions from Medline and Vantage both before and after the companies have installed their announced emissions controls. The agencies also plan to host a joint meeting with Lake County officials.

**Ohio EPA to Announce the Removal of Beneficial Use Impairment for Cuyahoga AOC**

Key Message: In the coming days, Ohio EPA will announce the removal of the "Restriction on Fish & Wildlife Consumption" Beneficial Use Impairment from the Cuyahoga River Area of Concern.

This is the second BUI to be removed at the AOC. Although consumption advisories are still in place at the AOC, significant progress has been made to improving the health of the river.

**Meeting to Discuss Lead in Cicero/Berwyn Drinking Water**

Key Message: On March 28, Ixchel (Cicero/Berwyn citizen group), Virginia Tech, Illinois EPA and U.S. EPA will be meeting to talk about the results of the citizen group's sampling of lead in drinking water.

Cicero and Berwyn get their drinking water from Chicago, which includes orthophosphate for corrosion control. The citizen group asked Virginia Tech for assistance in their sampling effort. Initial results are typical of homes with lead service lines, the first-draw samples are generally below the 15ppb lead action level, but samples of water from the lead service line show higher levels of lead. While these results are expected by scientists who work on lead service line issues, it is unsettling for citizens. Illinois EPA has been working with Chicago on a broad study of their corrosion control treatment including suburban customers to whom the city sells water. Miguel Del Toral will be representing EPA at the meeting and the agency is acting as a facilitator for this issue.

## UPCOMING EVENTS/MAJOR DECISIONS:

**March 21 Meeting with Ohio Department of Agriculture and Ohio EPA to Discuss CAFO Program Transfer**

Key Message: EPA officials will meet with Ohio EPA (OEPA) and Ohio Department of Agriculture (ODA) to discuss transfer of National Pollutant Discharge Elimination System program for CAFO regulation from OEPA to ODA.

The Assistant Administrator for Office of Water, Regional Administrator Cathy Stepp, and several other senior EPA officials will meet in Columbus, Ohio, with OEPA and ODA senior officials to discuss EPA approval to

transfer the state's concentrated animal feed operation (CAFOs) program, and related storm water discharges, from OEPA to ODA. EPA received Ohio's first request for this authorization of transfer in January 2007. Since then: (1) EPA revised CAFO rules necessitating changes at the state level in 2008; (2) EPA received a petition to withdraw Ohio's NPDES program in 2011 (still pending); and (3) Ohio submitted a second request for authorization – withdrawing its 2007 request. The intention of the March 21 meeting is to identify significant remaining issues and a timeframe for resolution.

**March 21 Meeting with Ohio Farm Bureau and The Nature Conservancy**

Key Message: Region 5 and Office of Water, along with Ohio Department of Agriculture and Ohio EPA, will be meeting with Ohio Farm Bureau and The Nature Conservancy to discuss nutrient trading issues.

# Region 6

## Hot Topics

**Denka Performance Elastomer, LLC (La Place, LA)**
On March 6, 2019, EPA met with representatives from the Denka Performance Elastomer LLC to receive updates on progress of Denka's request for reconsideration (RfR) and to continue settlement negotiations. Denka presented its schedule to complete its experiments to provide data for the physiologically based pharmacokinetic (PBPK) model and to submit its findings to EPA to support its request to change the IRIS unit risk evaluation number. EPA expects to receive Denka's information for the RfR by May 1, 2019 and will respond by June 7, 2019.

**DFW NOx RACT, TXI Industries (Ellis County, TX)**
By March 19, EPA anticipates final action converting earlier conditional approval to full approval of revisions to the Texas SIP addressing NOx Reasonably Available Control Technology (RACT) for the TXI Operations, LP cement manufacturing plant in Ellis County, Texas. TCEQ adopted this SIP revision on August 21, 2018. TCEQ submitted comments supporting the proposed action.

**Texas' withdrawal of 4 SIP Revisions**
By March 22, EPA will be acknowledging via correspondence that Texas has withdrawn from our consideration four amendments to their anti-tampering rules, submitted as SIP revisions to EPA prior to 2018. EPA supports the action to withdraw the SIP revisions, as the four amendments are no longer relevant to the Texas SIP.

**Major Decisions and Events**

**Arkansas SO2 Re-designation, (Independence County, AR)**
By March 19, EPA anticipates final action on re-designation of Independence County from unclassifiable to unclassifiable/attainment based on new modeling. The comment period closed on December 24 and no adverse comments were received. A letter from ADEQ was received in support of finalizing our proposal. The re-designation was requested by Governor Hutchinson. **This is the first such action in the country.**

**2008 Ozone Standard Volatile Organic Compound SIP and Reasonably Achievable Control Technology (Houston/Galveston/Brazoria, TX)**
By March 28, EPA anticipates final approval of the Texas' 2008 Reasonably Achievable Control Technology (RACT) demonstration for the Houston/Galveston/Brazoria non-attainment area. Adverse comments raised questions on the legality of the state's approach to addressing startup, shut down and malfunction (SSM) emission events. OGC has asked that final action be delayed until proposed reconsideration of the Texas SSM SIP call is published so the agency's position on these issues can be better articulated.

**Redesignation/Maintenance Plan for the 1-hour and 1997 8-hour Ozone Air Quality Standards (Houston/Galveston/Brazoria, TX)**
By March 28, EPA anticipates proposed approval of the Houston/Galveston/Brazoria redesignation and maintenance plan SIP revision for the revoked 1-hour and 1997 8-hour ozone standards. The proposed action will also address Texas' 185 fee plan submission.

**Redesignation/Maintenance Plans for the 1-hour and 1997 8-hour Ozone Standards (Beaumont/Port Arthur, TX)**

By March 28, EPA anticipates proposed approval of Texas SIP revisions for the old 1-hour and 1997 8-hour ozone air quality standards for a Beaumont/Port Arthur area. The SIP also includes a second 10-year maintenance SIP revision.

**Texas codification for RCRA Clusters XXIII-XXIV**
By March 29, EPA anticipates final action to codify Texas for RCRA Clusters XXIII-XXIV. A Federal Register notice for the proposed rule codifying Texas for RCRA Clusters XXIII-XXIV was published on October 24, 2018, and the comment period closed on November 23, 2018. EPA is preparing response to adverse comments received.

**Oklahoma RCRA Cluster XXIV Authorization**
By March 29, EPA anticipates final authorization of Oklahoma for RCRA Cluster XXIV. The authorization was proposed in Federal Register on October 3, 2018. EPA is reviewing the adverse comments received.

**Oklahoma Rule Update**
By April 2, EPA anticipates final approval of revisions to Oklahoma's SIP that address rule updates and changes to EPA regulations. **Final action will remove this SIP from the EPA Region 6 SIP backlog.**

**March 21AWMA Gulf Coast Chapter Annual Conference, Lafayette, LA**
**March 21Independent Petroleum Association of America Meeting, Lafayette, LA**
**March 21Tribal Visit – Coushatta Tribe, Lafayette, LA**
**March 25Association of Air Pollution Control Agencies' Spring Meeting, Baton Rouge, LA**
**March 27Illinois River Meeting with EPA HQ, OK, and AR, Austin, TX**
**March 27Texas Ag Council Meeting, Austin, TX**



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# Region 7

## Hot Topics

**13th Annual Radon Stakeholders' Meeting**

Key Message: The 13th Annual Radon Stakeholders' Meeting was held on March 5, 2019, in St. Joseph, Missouri. The meeting was an outstanding networking and resource-sharing opportunity for 130 attendees including industry and states. This meeting was used to showcase a new EPA Region 7 radon outreach approach that targets the medical community, urging physicians to ask patients the question "Have you tested your home for radon?"

**2019 Pre-Season Flint Hills Prescribed Fire Roundtable**

Key Message: On March 8 the Lincoln-Lancaster County Health Department hosted the 3rd annual pre-burn season meeting. Approximately 35 participants attended in person or by conference line. The meeting focused on the 2018 Prescribed Burn Season After Action Report, 2018 lessons learned, and suggested improvements for 2019.

On March 1, KDHE released their annual Prescribed Fire Season Health Advisory. Lincoln-Lancaster and NDEQ will utilize the current form of EPA's Smoke Sense App to promote citizen science access to the Air Quality Index (AQI). The R7 air program will work with the office of public affairs regarding messaging of air quality impacts from smoke in coordination with state and local health advisories.

**REGFORM**

Key Message: On March 7th approximately 200 business and industry representatives attended the annual Regulatory Environmental Group REGFORM. EPA messages focused on air quality successes from 2018 and anticipated direction in 2019.

**Tribal Stakeholder Public Meeting on Tri-State Mining District**

Key Message: EPA Region 7 attended the meeting hosted by Region 6 on March 11, 2019 in Miami, Oklahoma. Region 7 staff provided stakeholders with an update on the status of the Tri-State Mining District sites.

**Title: St Louis Area 208 Plan**

Key Message: On March 8, 2019, the R7 Water Division met with the St. Louis Metropolitan Sewer District (MSD), and MDNR to discuss proposed plan modifications to the original CWA 208 planning document, derived in 1978. Since 1978, the population of the area has grown beyond expectations. Many discharges, direct and indirect, have been eliminated. The technical, economic and environmental conditions have changed and some of the original recommendations are no longer appropriate. Federal regulations (40 CFR §130.6) allow plans to be updated. The MSD anticipates presenting this proposed modification to the Clean Water Commission (CWC) at the end of March. If the modified plan is approved by the CWC, then it will go the governor for certification. Once certified, it may then be submitted to the EPA. The Regional Administrator will determine whether the update is an appropriate change to the existing plan.



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# Region 8

## Hot Topics

**Bonita Peak Mining District Preliminary Goals Released**

On March 13, 2019, we released our preliminary remedial action goals for the BPMD Superfund Site. The overarching purpose for EPA's work at the BPMD site is to minimize the human and ecological risks posed by the 48 identified source areas in the site. In support of this purpose, we identified three goals for the site: 1) Achieve water quality improvement, with a focus on mine drainage; 2) Stabilize source areas, with a focus on solid media; and 3) Minimize unplanned releases. These goals are consistent with the Citizen's Superfund Work Group goals. Discussions are continuing with the BLM and Forest Service regarding these preliminary goals. My planned visit to the site this week was canceled due to winter storms.

***Upcoming Decisions/Events***

**Travel to Montana**

Next week we will be in Montana to continue negotiations and drafting a consent decree for the Butte Superfund site. During this trip we will also be presenting to the Anaconda Deer Lodge County Commissioners our plan for moving forward on a consent decree and final cleanup in Anaconda. EPA plans to delist these sites by 2024 and 2025 respectively.

# Region 9

**Hot Topics:**

**1. Bay Delta**: the State of California submitted to EPA a Clean Water Act water-quality standards package regarding its salinity criteria for the San Francisco Bay/Sacramento and San Joaquin Delta Estuary. The Region's program and legal managers have advised their HQ counterparts and will work together on a response prior to the May 10 deadline for action.

**2. Navajo Nation**: RA Mike Stoker hosted a two-day visit from the new Navajo Nation EPA Director Oliver Whaley. Director Whaley met with each senior manager and discussed current program issues. RA Stoker will visit him and tour our abandoned uranium mine clean-ups in April. We finalized and distributed a technical report on abandoned oil-and-gas well on Navajo land in New Mexico and Utah, which is also posted online.

**3. Emergency Response**: with valued Region 8, Region 10 and OLEM partners, we'll convene a California After-Action Review to discuss lessons learned, best practices from this past year, and how to improve our responses to future emergencies/natural disasters. Meanwhile, the Super-Typhoon Yutu response in Saipan and Tinian will be aided by our first use of UAV technology to assist in assessing and collecting hazardous debris.

**4. Ports:** working with Customs and Border Protection, we recommended denial of entry for 50 CAA-noncompliant engines from Sonic Technologies, and recommended denial of incoming misbranded noncompliant pesticides.

**UPCOMING DECISIONS & EXTERNAL ENGAGEMENT**

**1. National Honor Awards**: Region 9 submitted 20 compelling nominations to the National Honor Awards process for consideration.

**2. Nevada**: RA Mike Stoker and Charles Munoz will tour the perchlorate response operations at the vast Tronox site in So. Nevada and meet with State and other colleagues engaged in this long-term remedial response. He will present the MGM Resorts and the Bellagio Hotel with the national 2018 Food Recovery Challenge Award in Las Vegas.

**3. Business outreach**: next week, RA Mike Stoker will meet in So. California with the Los Angeles County Business Federation (BizFed), representing over 400 employers in the area. He will host a meeting with the association representing shopping center developers (ICSC) to discuss clean-ups, brownfields and related issues, and then recognize the EPA small-business innovation award (SBIR) grant recipient, Instrumental Polymer Technologies, at their Westlake, CA facility.

**4. Federal Agency Outreach**: R9 Congressional liaison Brent Maier will represent EPA at the March 21 Federal Services Fair in Kingman, AZ, hosted by Rep. Paul Gosar.



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# Region 10

## Hot Topics

None.

**Upcoming Major Decisions and Events**

**Region 10 Proposes to Reissue General Permit for Alaska Offshore Seafood Processing:** On March 15, Region 10 will propose to reissue the NPDES general permit for seafood processing vessels that operate in federal waters off the coast of Alaska. This general permit will ultimately provide NPDES permit coverage for approximately 100 vessels that are currently covered under the 2009-issued, administratively continued permit. This action is part of Region 10's efforts to eliminate the NPDES administratively continued permit backlog.

**Southern Resident Orca Task Force:** Washington Governor Inslee's Southern Resident Orca Task Force will meet Monday, March 18th in Lacey, WA. In March 2018 the governor signed Executive Order 18-02 designating state agencies to take several immediate actions to benefit southern residents and establishing a task force to develop longer-term action recommendations for orca recovery and future sustainability. The agenda for the upcoming meeting includes an update on legislation related to Southern Resident orca recovery, an overview of the task force work plan for 2019, and discussion about water quality improvement efforts and needs in Puget Sound.

**Habitat Conservation Plan in Western Oregon State Forests Kickoff:** The Oregon Dept. of Forestry is hosting a Habitat Conservation Plan Kick-Off Meeting on Thursday, March 21 as part of its multi-phased approach to evaluate what an HCP would mean for Oregon's state forests. After an HCP business case found there was greater opportunity to protect high-value habitat while also expanding land available for harvest, the Oregon Board of Forestry voted to move forward with HCP Strategy Development and Stakeholder Engagement. The relationship between forest practices and water quality has been a long-running area of engagement between the state, EPA and a range of interested parties for many years.

**National Tribal Toxics Council Meeting:** The spring National Tribal Toxics Council (NTTC) meeting is being held at the Lower Elwha in Klallam, WA, March 19-21, 2019. Lucy Edmondson and others from Region 10 will attend in addition to Jeff Morris, Director of OPPT. Jeff will then visit the Regional Office on Thursday, March 21, 2019.

**State and Federal Workshops for Local Idaho Communities:** Idaho Senator Risch and Congressman Simpson are hosting two workshops for local communities in Eastern Idaho on May 15 (Twin Falls) and May 16 (Idaho Falls) to facilitate knowledge of state and federal grant and loan funds for community projects. The EPA Idaho Director has been invited to speak on the Infrastructure Panel.



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# Office of Air and Radiation

**Hot Topics**

- **Tracking SIP Actions:**
  - Total Number of SIPs submitted to Regions in FY 2019: 129
  - Total Number of SIP Submittals with Final Action taken by the Regions in FY 2019: 91
  - Total Number of Pending SIPs: 777

- **Packages for Signature:**
  - Stationary Combustion Turbines RTR Proposal
  - CISWI NSPS and Emission Guidelines Technical Amendments
  - Denial of Petition for Reconsideration of Certain Issues: Performance Specification 18 and Procedures 6
  - Final Title V Petition Order – Wadesboro Compressor Station
  - Final Title V Petition Order – Cargill
  - Revision to Appendix P to 40 CFR Part 51, Concerning Minimum Emission Reporting Requirements in SIPs

- **Packages at (or soon to be at) OMB for Review:**
  - PM2.5 Precursor Demonstration Guidance
  - Reclassification of Major Sources as Area Sources Under Section 112 of the Clean Air Act (Proposed Rule)
  - Vehicle Test Procedure Adjustments for Tier 3 Test Fuel (Proposed Rule)
  - 2020 Ozone Depleting Substances Phaseout Rule (Proposed Rule) – in OP

*Upcoming Major Decisions and Events*

- **Upcoming Public Hearings**:
  - March 18th: Public hearing here in Washington, DC on the Proposed Revised Cost Finding for MATS and Results of the Residual Risk and Technology Review
  - March 27th: Public hearing here in Washington, DC on the Proposed Hydrochloric Acid Production Residual Risk and Technology Review



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# Office of Chemical Safety and Pollution Prevention

## Hot Topics

- **TRI National Analysis Press Coverage:** Within the first week following publication, the TRI Program identified 44 unique online articles about the Toxics Release Inventory's National Analysis for reporting year 2017. With appreciation to all 10 regions' issuance of locally-focused press releases, this level of press coverage is more than a sevenfold increase in articles compared to the month following the publication of the reporting year 2016 National Analysis (released in late January 2018), when six articles were published between January 30 and late February 2018. Additionally, the TRI Program has noticed increased accuracy and quality in this year's articles in terms of how the TRI data are characterized and used in local analyses.

- **Reduction in Burden for Chemical Data Reporting and Alignment with Amended TSCA:** As early as the week of March 18th, OCSPP will propose amendments to the Chemical Data Reporting (CDR) rule to make chemical reporting easier and to support data collection efforts under TSCA. The Chemical Data Reporting (CDR) rule requires manufacturers (including importers) of certain chemical substances listed on the TSCA Chemical Substance Inventory to report data on chemical manufacturing, processing, and use every four years. The proposal will ve available for public comment for 60 days.

- Final Rule Removes Methylene Chloride (MC) in Paint Removers for Consumer Use. **On Friday, March 15, Administrator Wheeler signed a final rule that will remove MC from the retail consumer marketplace, including e-commerce sales. The prohibitions start 180 days after the effective date of the final rule, providing time for establishments selling this chemical to consumers to come into compliance. EPA is also requiring manufacturers, processors, and distributors to notify retailers and others in their supply chains of the prohibitions and to keep records.**

## NEXT WEEK

- **Draft Guidance for Plant Biostimulants.** The week of March 18 we will release for comment a draft guidance for plant regulators, including plant biostimulants. The draft gives guidance on which products are (and are not) subject to regulation under FIFRA as plant regulator pesticides, and what kinds of claims can be made for them. Plant biostimulants are a relatively new, but growing, category of products containing naturally occurring substances and microbes that are used to stimulate plant growth, enhance resistance to plant pests, and reduce abiotic stress.

- **New Tools for Mercury Reporting Requirements.** The week of March 18 we will release new tools to help companies, organizations, and individuals fulfill their reporting requirements under the TSCA mercury reporting requirements rule. The reporting deadline is July 1, 2019. We will use the information collected by this date to develop the second mercury inventory, expected for 2020. Based on the information collected, EPA will identify any manufacturing processes or products that intentionally add mercury and recommend actions to achieve further mercury use reductions.

- **20 High/20 Low Chemicals Identified for TSCA Prioritization Process.** The week of March 18 we will publish a list of 40 chemicals for public comment to begin the prioritization process, the initial step in a new process of reviewing chemicals currently in commerce under the amended TSCA. Publication in the Federal Register activates a statutory requirement for EPA to complete the prioritization process in the next 9 months, allowing EPA to designate 20 chemicals as high priority and 20 chemicals as low priority by December 2019.



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# Office of the Chief Financial Officer

**Hot Topics**

- The FY 2019 EPA Operating Plan is due to Congress on Monday, March 18. OFCO submitted a draft plan for OMB review on March 11 and is planning to submit a cleared version on Monday.
- EPA will post the agency's Congressional Justification and submit hard copies to Congressional appropriations staff on Monday, March 18. OMB will also release the federal budget Appendix and related detailed materials.

Upcoming Major Decisions and Events

- The FY 2019 first quarter Quarterly Performance Review with the Administrator is scheduled for Wednesday, March 20.
- OCFO has distributed the FY 2019 *Guidance for Strategic Reviews and Internal Controls.* The guidance describes senior leader responsibilities and deliverables to assess progress toward each strategic objective in the *FY 2018-2022 EPA Strategic Plan*. Various deliverables, including FY 2019 Assurance Letters and summaries of findings for each strategic objective in the *FY 2018-2022 EPA Strategic Plan,* are due to OCFO beginning in mid-April. OMB provided some initial guidance for the OMB/EPA Strategic Review meeting and proposed May 30th for the meeting.
- The House Appropriations Committee hearing on EPA's FY 2020 budget is scheduled for April 2, the Senate Appropriations Committee hearing is scheduled for April 3, and the House Energy and Commerce Committee hearing is scheduled for April 9. OCFO continues to coordinate with OCIR to prepare the Administrator for these hearings.



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# Office of the Congressional and Intergovernmental Relations

**Hot Topics**

- **March 27** – House Science –The Committee on Science, Space, and Technology is holding a joint Investigations & Oversight and Environment Subcommittee hearing on the IRIS program within EPA's Office of Research and Development on Wednesday March 27th at 10:00am. Jennifer Orme-Zaveleta is the confirmed witness.
- **March 28** - The Senate Environment and Public Works Committee is scheduled to hold a hearing on PFAS. The EPA, the National Institute of Environmental Health Science (NIEHS), the Department of Defense, the Agency for Toxic Substances and Disease Registry are invited to testify. *Not yet publicly posted.*

***Upcoming Events***

- **Week of March 18** – HEC (min) staff briefing on asbestos ongoing uses w/OCSPP
- **Week of March 18** (tent.)—Notification re: Oil & Gas Wastewater white paper w/OW
- **Week of March 18** (tent.) – Sen. Boozman (AR) staff meeting re: AWIA WIFIA provisions w/OW
- **March 18** - The agency is holding a public hearing for the proposed Supplemental Cost Finding for the Mercury and Air Toxics Standards in Washington, DC.
- **March 18** - LGAC Water Workgroup will meet on their Waters of the U.S. (WOTUS) charge. The Workgroup will begin discussion on their charge questions. This is the first in a series of meetings that the Workgroup intends on April 1st, and April 15th in preparing their report to the LGAC on WOTUS. The Workgroup is also continuing to work on their draft letter of recommendation on harmful algal blooms.
- **March 20** - Region IX and OAR will join OIR in a meeting with Port of Hueneme Commission President Jess Herrera and Kristin Decas, CEO to discuss the DERA Program. The Port officials will also provide updates on the Shoreside Power Program and discuss the Port's future efforts to reduce diesel emissions.
- **March 21** - EPA and the Army Corps will meet with the National Governors' Association and Governors' DC representatives to provide an overview and receive feedback on the WOTUS proposal. Ryan Fisher, Principal Deputy Assistant Secretary of the Army (Civil Works), Lee Forsgren, Deputy Assistant Administrator for the Office of Water, and Dr. Owen McDonough, Senior Science Advisor for the Office of Water will lead the discussion.
- **Week of March 25** (tent.) – Notifications re: Federal Register notice of new water security provisions of AWIA w/ OW
- **March 26**- Rep. Mark Amodei (R-NV-02) request for meeting to discuss legislation previously introduced last Congress, H.R. 5347, the Lyon County Economic Development and Environmental Remediation Act. (Raquel, OLEM, OGC, R9)
- **March 27** - The agency announced that it is holding a public hearing in Washington, DC for the proposed Risk and Technology Review for the National Emissions Standards for Hazardous Air Pollutants from Hydrochloric Acid Production.
- **March 28** - The CASAC will hold a teleconference on Particulate Matter (PM) on March 28, 2019, to discuss its draft report on the Agency's Integrated Science Assessment for Particulate Matter posted at: [ HYPERLINK "https://yosemite.epa.gov/sab/sabproduct.nsf/ea5d9a9b55cc319285256cbd005a472e/fe50d8fd06ea9b17852583b6006b7499!OpenDocument" ]
- **March 28-29** - The US Conference of Mayors' Mayors Water Council will meet to discuss priority policy issues of concern to the communities they represent. Mayors Jill Techel (Napa, CA) and David J. Berger (Lima, OH) are Council Co-Chairs. The mayors invited Lee Forsgren, Deputy Assistant

Administrator for Water, Andrew Sawyers, Director, Office of Wastewater Management, and Regional Administrator Cathy Stepp to participate in a policy discussion with mayors and invitees from the Ohio EPA on implementation of the Integrated Planning and Permitting Program on March 29.

- **March 29 – 30** - IMLA, the Association of Local Government Attorneys, will convene. The seminar attracts some 350 local government attorneys from around the country. The Association invited EPA's Office of Water to join a panel to discuss and provide updates on the new WOTUS Rule/Options, on either Friday or Saturday.
- **March/April TBD** – Notifications and event re: Miami WIFIA loan closing w/ OW, R4

# Office of Enforcement and Compliance Assurance

**Hot Topics:**

**Guilty Plea Entered in Minnesota Hazardous Waste Case**

On Friday, March 8, 2019, Michael Svercl pled guilty in the District of Minnesota to storing hazardous waste without a permit. Svercl owned and operated a business known as Earth First Computer Recycling & Resources, Inc. As a major part of his business, Svercl received used electronics in exchange for a fee and represented to customers that those materials would be properly recycled or disposed. Beginning in approximately 2011, Svercl had metals and plastic removed from televisions and monitors for resale. The remaining cathode ray tubes (CRTs) and broken glass from the CRTs were stored inside a building and five large trailers on the property. When Svercl was evicted from the facility in September 2014, he left behind numerous boxes of hazardous waste. Sentencing is scheduled for July 11, 2019.

**Meeting with Department of Defense on Superfund Taskforce Recommendation 30**
On Tuesday, March 12, OECA representatives met with Maureen Sullivan and others from the Department of Defense to discuss DOD's concerns regarding Recommendation 30 of the Superfund Task Force. To encourage reuse and redevelopment at federal facility sites, EPA has developed a model amendment to CERCLA Federal Facility Agreements suspending a federal agency's cleanup commitments while a third party performs the cleanup at an NPL federal facility to encourage reuse and redevelopment. The agency has now developed a path forward to finalize the document and in the near future close out Recommendation 30.

**Upcoming Major Decisions and Events:**

On Friday, March 22, 2019, OECA, OLEM, and Region 4 will meet with the Department of Energy to discuss issues related to the Atomic Energy Act and CERCLA.



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# Office of General Counsel

**Hot Topics**

- *Sanitary Board of the City of Charleston, West Virginia v. Wheeler*, No. 18-1592 (4th Cir. Mar. 12, 2019). The Fourth Circuit Court affirmed the district court's judgment in favor of EPA in a challenge to the disapproval of a site-specific copper water quality criterion for a portion of the Kanawha River in Charleston. The Court reversed the district court's holding that the case was moot in light of a new NPDES permit that did not impose any copper limit on the Plaintiff's facility. The Court also rejected Plaintiff's argument that EPA had a non-discretionary duty to approve the standard submission in light of a pre-decisional staff letter expressing preliminary support for the criterion. The Court then affirmed EPA's disapproval decision on the merits.

- *NWEA v. EPA*, No. 1:13-00263 (D. Idaho Feb. 28, 2019). New Decision: The District of Idaho dismissed as time-barred several Endangered Species Act claims against EPA related to CWA section 303(c) actions taken on Idaho water quality standard (WQS) submissions and denying in part EPA's motion to dismiss as time-barred alleged failures to act on other WQS submissions.

- New Petition for Certiorari: *Teck Metals Ltd. v. Confederated Tribes of the Colville Reservation*, Petition for Writ of Certiorari, No. 18-xx (Sup. Ct. Mar. 4, 2019). Teck Metals Ltd. filed a petition for cert in a CERCLA citizen suit alleging slag discharged from petitioner's metals smelter in Canada contaminated the Upper Columbia River on the Washington State side of the border. Petitioner argues that the Ninth Circuit: (1) contravened Supreme Court precedent by extraterritorially applying CERCLA; (2) impermissibly exercised personal jurisdiction. Petitioner also asserts that the Ninth Circuit's "arranger" liability holding conflicts with CERCLA and precedent from SCOTUS and multiple circuits. EPA is not a party to the case, but previously filed amicus briefs in the district court and Ninth Circuit.

- *Center for Biological Diversity v. EPA*, No. 19-688 (D.D.C. filed March 12, 2019). New FOIA Litigation: CBD alleges EPA conducted an inadequate search and/or failed to timely respond to three FOIA requests submitted to EPA concerning certain records about EPA's processing of FOIA requests.

- New NOI: On March 4, 2019 Sierra Club and the Center for Biological Diversity submitted a Notice of Intent to Sue (NOI) regarding EPA's failure to determine which moderate ozone nonattainment areas met the 2008 ozone National Ambient Air Quality Standards by the July 20, 2018 attainment deadline and reclassify areas that failed to attain by the attainment deadline.

- New NOI: On February 13, 2019 several groups sent EPA a NOI for failure to review and revise the Maximum Achievable Control Technology (MACT) standards for: Coke Ovens: Pushing, Quenching, and Battery Stacks; and Coke Oven Batteries. It alleges that EPA has a mandatory duty under Clean Air Act section 112(n)(2) to complete a study of coke production emission control technologies and to submit a report on this study to Congress by October 1, 1997.

# Office of International and Tribal Affairs

## Hot Topics

**United Nations Environment Assembly (UNEA)** – The U.S. delegation, led by the State Department, held negotiations with international counterparts at UNEA on several key issues and resolutions. The issues included the program of work and budget for the United Nations Environment Program (UNEP), Montevideo Program on environmental governance, cooperation on food waste, and cooperation on marine litter. The resolution on marine litter was particularly challenging because of references to single use plastic. The U.S. was able to successfully negotiate a document that focused on a more balanced and practical approach to address marine litter which was supported by U.S. stakeholders, including the American Chemistry Council. The U.S. also held a side event at UNEA focused on food waste and loss which was organized by EPA. On a sad note, one of the invited speakers to this event was killed in the Ethiopian Airlines crash.

**U.S.-Korea Free Trade Agreement** - OITA participated in an interagency planning session for the third meeting of the U.S.-Korea Environmental Affairs Council (EAC) and Environmental Cooperation Commission (ECC) which will take place on May 13-14 in Washington. Pursuant to the Korea-U.S. Free Trade Agreement, these mechanisms (EAC and ECC) are used to review implementation of the Agreement's Environment Chapter and promote bilateral environmental cooperation activities. EPA shared the status of activities completed in the last few years and discussed our current priorities for international cooperation. The Department of Commerce also shared plans to host an industry roundtable event adjacent to these meetings.

## Major Upcoming Decisions/Events:

**March 20** – The Administrator will give a keynote address at the Woodward Wilson Center event on the U.S. Global Water Strategy, highlighting EPA's priorities on safe drinking water, sanitation and marine litter.

**March 14** – The OITA AA, along with representatives from OW and Region 6, will meet with tribal leaders from the United Keetoowah Band of Cherokee Indians in Oklahoma to discuss Waters of the US (WOTUS) and water quality standards.



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# Office of the Land and Emergency Management

**Hot Topics**

1. **Coal Combustion Residuals (CCR)**. On March 13, the D.C. Circuit granted our motion for remand without vacatur of the July 2018 CCR rule.

2. **Clean Air Act 112(r) Risk Management Program (RMP).**

3. **Ongoing major Superfund NPL sites.** We are working with Region 2 on the Hudson River, Region 4 on Oak Ridge, Region 9 on Edwards Air Force Base, and Region 10 on Portland Harbor.

4. **CERCLA 108(b) Financial Assurance (next three sectors).** Oral argument on the hardrock mining rule was heard in the DC Circuit this week.

5. **PFAS.**
   a. PFOA and PFOS contaminated groundwater guidance.
   b. Working on inclusion as "hazardous substances" under CERCLA.

6. **e-Manifest**. We are working with OPA on a press release for the one millionth signed manifest. We also plan to soon announce selections to fill current vacancies on the e-Manifest Advisory Board.

Upcoming Major Decisions and Events

1. **Ignitability Proposed Rule.** The rule package is with OP and we anticipate signature by the Administrator soon.

2. **EPCRA Reporting Requirements Interpretation relating to Air Releases of Hazardous Substances from Animal Waste at Farms NPRM.** The public comment period ended on December 14. We received over 11,000 comments.

3. **Planning for Natural Disaster Debris Guidance.** The final guidance is with OMB for interagency review. We anticipate OMB review to conclude in a few weeks.

4. **Spring NPL update**. We are working on the package and conferring with OMB.



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# Office of Mission Support

## Hot Topic

**Use or Lose Restoration Guidance Memorandum**
A memorandum and three attachments will be distributed to EPA senior managers and the Human Resources Community. It will provide detailed information on the policy and procedures for leave restoration due to the shutdown exigency. The Shared Service Centers are working with the agency payroll provider to mass restore the leave and would like restoration requests and supporting documentation to be submitted for verification by April 30, 2019.

**Presidential Rank Awards**
Submissions for agency nominations was announced with an internal due date of March 15, 2019. OMS is coordinating volunteer participants to convene a board review of submissions the week of March 18th. OMS will prepare and submit the agency level package to OPM by the March 29, 2019, due date.

**Mandatory Training Courses**
Memoranda announcing the launch of FY 2019 mandatory training courses on FedTalent and calling for FY 2020 submissions are forthcoming. In the interim, two of the five mandatory courses - *Information Security and Privacy Awareness Training* and *Working Effectively with Tribal Governments* - are available online via the FedTalent learning management system.

**EPA Ranked in Top 5% for Web Site Accessibility**
Recently, Web Accessibility in Mind (WebAIM), a non-profit organization focused on web content accessibility, released a [ HYPERLINK "https://webaim.org/projects/million/" ]. WebAIM ranked EPA.gov in the top 5% of those one million sites with only two errors identified, which have already been resolved by the Office of Mission Support IT staff.

## Upcoming Events & Decisions

**2019 EPA National Women's History Month Celebration**
The EPA's National Women's History month celebration will be held on Wednesday, March 27, from 2:00 – 3:00 PM in the EPA headquarters Green Room. The theme of the event is "Visionary Women: Champions of STEM". The event will feature a panel of women scientists, internal and external to the EPA, who have promoted increasing women in STEM fields.



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# Office of Policy

**Hot Topic**

**Environmental Justice and Community Revitalization Council (EJCRC)** – On March 18, EPA's EJCRC will convene to discuss EPA's performance measure for integrating EJ into the agency's programs and activities, results from a review of regional frameworks for supporting community-driven solutions, and a report on EPA's work to support states and cooperative federalism.

**Brownfields Remediation Presentation** – On March 18, staff from the Office of Environmental Justice will attend the 2019 Tennessee Environmental Conference in Kingston, TN to discuss how Tracy City, TN applied the "Brownfields to Healthfields" model to advance public health, economic, and environmental goals.

**Active Interagency Reviews from OMB**

| Subject | EPA Internal Due Date | OMB Due Date |
|---|---|---|
| USDA Report: A Case for Rural Broadband – How Internet Infrastructure and Next Generation Precision Tech Adoption Can Transform U.S. Agriculture | 03/25/2019 | 03/27/2019 |
| DoD/ACE NPRM (Pass-back): Natural Disaster Procedures: Preparedness, Response, and Recovery Activities of the Corps of Engineers | N/A | N/A |
| CEQ Instructions (Pass-back): Implementing Instructions for Executive Order 13834: Efficient Federal Operations | N/A | N/A |

| Documents Submitted to OFR from March 7-13, 2019 | | |
|---|---|---|
| **FRL** | **Title** | **Date Submitted to OFR** |
| 9989-55-OEI | Landfill Methane Outreach Program (Renewal)/ICR 1849.09 | **3/13/2019** |
| 9989-66-OCSPP | Registration Review Proposed Interim Decisions for Several Pesticides; Notice of Availability | **3/13/2019** |
| 9989-68-OCSPP | Interim Registration Review Decisions and Case Closures for Several Pesticides; Notice of Availability | **3/13/2019** |
| 9989-71-OCSPP | 40 CFR parts 174 and 180 - Receipt of Several Pesticide Petitions Filed for | **3/13/2019** |

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| | Residues of Pesticide Chemicals in or on Various Commodities | |
| 9989-72-OCSPP | Pesticide Product Registration; Receipt of Applications for New Uses | **3/13/2019** |
| 9989-77-OCSPP | Pesticide Experimental Use Permit; Receipt of Application; Comment Request | **3/13/2019** |
| 9989-78-OCSPP | Pesticide Product Registration; Receipt of Applications for New Active Ingredients | **3/13/2019** |
| 9989-79-OCSPP | Pesticide Product Registration; Receipt of Applications for New Uses | **3/13/2019** |
| 9989-80-OCSPP | Receipt of Several Pesticide Petitions Filed for Residues of Pesticide Chemicals in or on Various Commodities | **3/13/2019** |
| 9989-97-OEI | NESHAP for Reinforced Plastic Composites Production (Renewal)/ICR 1976.07 | **3/13/2019** |
| 9989-98-OEI | NESHAP for Coke Oven Pushing, Quenching, and Battery Stacks (Renewal) /EPA ICR No.1995.07 | **3/13/2019** |
| 9990-01-OAR | 40 CFR part 59 - Proposed Information Collection Request; Comment Request; National Volatile Organic Compound Emission Standards for Automobile Refinish Coatings | **3/13/2019** |
| 9990-09-OEI | NESHAP for Refractory Products Manufacturing (Renewal)/ICR 2040.07 | **3/13/2019** |
| 9990-10-OEI | NESHAP for Flexible Polyurethane Foam Fabrication (Renewal)/ICR 2027.07 | **3/13/2019** |
| 9990-19-OEI | NESHAP for Paper and Other Web Coating (Renewal)/ICR 1951.07 | **3/13/2019** |
| 9990-55-OEI | NESHAP for Polyvinyl Chloride and Copolymers Production (Renewal)/ICR 2432.04 | **3/13/2019** |
| 9990-65-OEI | NESHAP for Nine Metal Fabrication and Finishing Sources (Renewal)/ICR 2298.05 | **3/13/2019** |
| 9990-78-OEI | NESHAP for Municipal Solid Waste Landfills (Renewal)/ICR 1938.07 | **3/13/2019** |

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| 9990-98-Region 3 | 40 CFR part 52 - Approval and Promulgation of Air Quality Implementation Plans; District of Columbia; Nonattainment New Source Review Requirements for 2008 8-Hour Ozone Standard | **3/13/2019** |
| 9990-99-Region 10 | Issuance of a NPDES General Permit for Offshore Seafood Processors in Federal Waters off the Coast of Washington and Oregon. (Permit Number WAG520000) | **3/13/2019** |
| 9991-03-OAR | Proposed Information Collection Request; Comment Request; Recordkeeping and Reporting Related to E15 (Renewal) | **3/13/2019** |
| 9991-04-OAR | 40 CFR part 80 - Modifications to Fuel Regulations to Provide Flexibility for E15; Modifications to RFS RIN Market Regulations | **3/13/2019** |
| 9991-05-OAR | 40 CFR Part 80 - Public Hearing for Modifications to Fuel Regulations to Provide Flexibility for E15; Modifications to RFS RIN Market Regulations | **3/13/2019** |
| 9990-73-Region 10 | 40 CFR part 52 - Air Plan Approval; AK; Updates to Curtailment Program | **3/12/2019** |
| 9990-88-ORD | Availability of the Systematic Review Protocol for the Hexavalent Chromium [Cr(VI)] Integrated Risk Information System (IRIS) Assessment | **3/12/2019** |
| 9990-94-Region 1 | 40 CFR part 52 - Air Plan Approval; Massachusetts; High Occupancy Vehicle Lanes | **3/12/2019** |
| 9981-94-OEI | Sulfur Content of Motor Vehicle Gasoline, Gasoline Additives, Denatured Fuel Ethanol and Other Oxygenates, Certified Ethanol Denaturant, and Blender-Grade Pentane (Renewal)/ICR 1907.10 | **3/11/2019** |
| 9989-51-OEI | Establishing No-Discharge Zones (NDZs) under Clean Water Act §312 (Renewal)/ICR 1791.08 | **3/11/2019** |
| 9990-11-OEI | NESHAP for Integrated Iron and Steel Manufacturing Facilities (Renewal)/ICR 2003.07 | **3/11/2019** |



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| 9990-70-ORD | Board of Scientific Counselors (BOSC) Safe and Sustainable Water Resources Subcommittee Meeting – April 2019 | **3/11/2019** |
| 9990-71-ORD | Board of Scientific Counselors (BOSC) Sustainable and Healthy Communities (SHC) Subcommittee Meeting – April 2019 | **3/11/2019** |
| 9990-79-OLEM | Agency Information Collection Activities; Proposed Collection; Comment Request; Recordkeeping and Reporting – Solid Waste Disposal Facilities and Practices | **3/11/2019** |
| 9990-82-OEI | NSPS for Oil and Natural Gas Production and Natural Gas Transmission and Distribution (Renewal)/ICR 2437.04 | **3/11/2019** |
| 9990-84-Region 3 | 40 CFR part 52 - Approval and Promulgation of Air Quality Implementation Plans; Maryland; Basic Inspection and Maintenance Program Certification State Implementation Plan for the Baltimore Nonattainment Area Under the 2008 Ozone National Ambient Air Quality Standard | **3/11/2019** |
| 9990-85-Region 3 | 40 CFR part 52 - Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Commercial Fuel Oil Sulfur Limits for Combustion Units in Philadelphia County | **3/11/2019** |
| 9990-86-Region 3 | 40 CFR part 52 - Approval and Promulgation of Air Quality Implementation Plans; Maryland; Amendment to Control of Emissions of Volatile Organic Compounds from Consumer Products | **3/11/2019** |
| 9990-89-Region 9 | 40 CFR part 52 - Approval and Promulgation of Implementation Plans; California; South Coast Serious Area Plan for the 2006 PM2.5 NAAQS Correction | **3/11/2019** |
| 9990-90-Region 9 | 40 CFR part 52 - Clean Air Plans; 2008 8-Hour Ozone Nonattainment Area Requirements; San Joaquin Valley, California; Correction | **3/11/2019** |

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| 9987-82-OCSPP | Pesticide Maintenance Fee: Product Cancellation Oder for Certain Pesticide Registrations | **3/8/2019** |
| 9990-04-Region 6 | 40 CFR part 271 - Oklahoma: Final Authorization of State Hazardous Waste Management Program Revision | **3/8/2019** |
| 9990-74-Region 4 | 40 CFR part 52 - Air Plan Approval; GA: Emission Reduction Credits | **3/8/2019** |
| 9985-06-OCSPP | 40 CFR part 180 - Methoxyfenozide; Pesticide Tolerances | **3/7/2019** |
| 9986-83-OCSPP | 40 CFR part 721 - Significant New Use Rules on Certain Chemical Substances (18-4) | **3/7/2019** |
| 9989-60-OCSPP | Certain New Chemical Substances; Receipt and Status Information for August 2018 | **3/7/2019** |
| 9990-00-Region 6 | 40 CFR 81 - Air Quality Designation for the 2010 Sulfur Dioxide (SO2) Primary National Ambient Air Quality Standard; Arkansas; Redesignation of the Independence County Area | **3/7/2019** |
| 9990-14-Region 2 | 40 CFR part 300 - National Oil and Hazardous Substances Pollution Contingency Plan; National Priorities List: Partial Deletion of the Robintech, Inc./ National Pipe Co. Superfund Site | **3/7/2019** |
| 9990-15-Region 2 | 40 CFR part 300 - National Oil and Hazardous Substances Pollution Contingency Plan; National Priorities List: Partial Deletion of the Robintech, Inc./ National Pipe Co. Superfund Site | **3/7/2019** |
| 9990-38-Region 4 | 40 CFR part 52 - Air Plan Approval; South Carolina; Update to Materials Incorporated by Reference | **3/7/2019** |
| 9990-63-Region 7 | Notice of Proposed Administrative Settlement Agreement and Covenant Not to Sue by Bona Fide Prospective Purchaser | **3/7/2019** |

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|---|---|---|
| 9990-77-OECA | Access by United States Environmental Protection Agency (EPA) Contractors to Information Claimed as Confidential Business Information (CBI) Submitted under Clean Air Act (CAA), Title I, Programs and Activities Air, and Title II Emission Standards for Moving Sources, and Act to Prevent Pollution from Ships (APPS) | **3/7/2019** |

# Office of Research and Development

**Hot Topic**

ORD will deploy the EPA Lean Management System (ELMS) March 18-22, 2019. During this initial deployment, 12 ORD ELMS champions and nine teams will be trained. These teams, in turn, will train additional teams across ORD with a goal of ELMS deployment in 80% of the organization by 2020. The implementation of Lean Management will provide opportunities for continuous improvement of ORD operations while delivering more customer value and improved mission outcomes.

**Consultation on Harmful Algal Blooms, March 13**

At the request of OCIR, ORD participated in a call, organized by the Mayor's office of Auburn, Maine, to discuss the growth of harmful algal blooms on Lake Auburn and what mitigation options are available should there be a bloom this summer. Nutrients, chlorophyll A, and turbidity levels have increased in the lake and some microcystins were found previously. The City of Auburn, which draws its drinking water from this lake, has a waiver for filtration so there is concern regarding control if a bloom occurs. ORD recommended the City focus on other cyanotoxins in addition to microcystins and agreed to send data on work on treatment of cyanotoxins. Other participants included staffers from U.S. Senator Susan Collins' office, Drinking Water State Revolving Loan Fund Program, Region 1, OW, and OCIR.

**Technical Support for corrosion control to Pittsburgh, PA**

The Office of Water requested ORD's Darren Lytle be available to provide advice as needed to the State of Pennsylvania and the City of Pittsburgh on their corrosion control efforts. On March 6, Darren had a call with staff from the Pittsburgh water system. They shared details regarding their corrosion control program, such as pipe rig studies, lead service line removal program, and plans to begin adding orthophosphate to their system. Darren offered ORD's technical expertise on any matters regarding corrosion control and distribution system water, should they request it. Darren and the City are holding a follow-up call on March 13; the City will share its corrosion control plan for adding orthophosphate to the system, and Darren will provide feedback.

**ORD to Study Use of an Unstaffed Robot for Characterizing Contaminated Sites**

A recent research collaboration in ORD resulted in the development of a specialized unstaffed ground vehicle (UGV) for conducting monitoring and sampling missions. The vehicle is capable of navigating by manual control (via camera), GPS waypoints, or autonomously using specialized sensors and is capable traveling up to 4 mph while carrying a payload of 200 lbs. The UGV will soon be fitted with radiological sensors capable of detecting and measuring radiation with the purpose of characterizing contaminated sites. This solution will ultimately reduce or prevent radiation exposure to workers when conducting site assessments.

**ORD Lead Science Work with Regions Moves Forward**

On March 6, Region 5's Regional Administrator, Cathy Stepp, announced her support for the work being done by ORD and Region 5 to provide data and analyses for Regions and States to use toward reducing childhood lead exposures, especially in vulnerable communities. Stepp also noted that Region 5 is planning on discussing the approach and data analysis with Ohio and other Region 5 states. This work is part of the [ HYPERLINK "https://www.epa.gov/lead/federal-action-plan-reduce-childhood-lead-exposure" ]. The collaboration with Region 5 will be important in helping ORD share the approach with other Regions and can serve as a model for forming partnerships to help protect children from lead exposure.

**New Version of CompTox Chemicals Dashboard Released**

This release expands the number of substances by ~110k thereby providing access to ~875k chemicals total. This release also brings into the dashboard all high-throughput screening data from the new data release recently made public by the National Center of Computational Toxicology.

**Technical Support to Region 10 on Superfund Site**

Scientists at ORD's Western Ecology Division in Corvallis, Oregon, are providing active, ongoing technical support to Region 10 to address a river discharge and damaged highway at the [ HYPERLINK "http://www.deq.idaho.gov/regional-offices-issues/coeur-dalene/bunker-hill-superfund-site/" ] (often referred to as the Coeur d'Alene River Basin Cleanup Site) along Interstate 90 west of Kellogg, Idaho. Shortly after a slurry wall was installed along the mine waste impoundment south of I-90, a turbidity plume was observed in the Coeur d'Alene River north of I-90; and I-90 was damaged and repaired by the Idaho Department of Transportation. ORD scientists are helping Region 10 understand the changing hydrology of the mine area, which is a likely cause of the plume and highway damage. ORD is helping to determine the source of the turbidity plume and understand the geology and hydrogeology by developing a geophysical scope of work for the on-scene contractor and helping to interpret preliminary data.

**<u>Upcoming Major Decisions and events (look out two weeks)</u>**

**Board of Scientific Counselors (BOSC)**

- On March 19, the BOSC Homeland Security (HS) subcommittee will hold a [ HYPERLINK "https://www.federalregister.gov/documents/2019/03/01/2019-03561/board-of-scientific-counselors-bosc-homeland-security-subcommittee-meeting-march-2019" ] from 3:00-5:00pm EDT to deliberate on the draft report of the Homeland Security Research Action Plan
- On March 22, the BOSC Air and Energy (A-E) subcommittee will hold a [ HYPERLINK "https://www.federalregister.gov/documents/2019/02/28/2019-03558/board-of-scientific-counselors-bosc-air-and-energy-subcommittee-meeting-march-2019" ] from 3:00-5:00pm EDT to deliberate on the draft report of the Air and Energy Strategic Research Action Plan.

# Office of Water

**Hot Topic**

NPDES Program Concurrences: This week, the Office of Water concurred on the following four Regional decisions pertaining to state National Pollutant Discharge Elimination System (NPDES) programs.

- Region 3's denial of a petition to withdraw Maryland's NPDES program. This petition raised both permitting and enforcement concerns.
- Region 3's decision to approve a program modification for West Virginia's NPDES program, which removed a state requirement for including a narrative provision in NPDES permits. This narrative provision was not required by the Clean Water Act.
- Region 7's denial of a petition to withdraw Iowa's NPDES program. Concerns related to both the enforcement and permitting aspects of the state's CAFO program were raised in this petition.
- Region 8's decision to approve the transfer of North Dakota's NPDES program from the State's Department of Health to the newly created Department of Environmental Quality. The effective date of this transfer is April 30.

**Upcoming Public Events**

Brownfield Agriculture News Interview: This week, as part of the EPA's efforts to honor National Agriculture Day, Assistant Administrator for the Office of Water David Ross participated in a radio interview with Brownfield Ag News to discuss the Agency's proposed revised Waters of the United States (WOTUS) rulemaking effort and the Agency's efforts to reduce excess nutrients in the nation's waterways.

Small Business Entity Outreach Meeting: Next week, Deputy Assistant Administrator Lee Forsgren and Chief Science Advisor for the Office of Water Owen McDonough will take part in a meeting that the EPA's Small Business Ombudsman is hosting to hear views from small business entities on the proposed revised definition of WOTUS. Closed press.

Association of Clean Water Administrators 2019 Mid-Year Meeting: Next week, Assistant Administrator David Ross and Deputy Assistant Administrator Anna Wildeman will speak at the two-day Association of Clean Water Administrators (ACWA) meeting. Mr. Ross will speak on priorities for 2019 and areas where ACWA and OW can collaborate, WOTUS, 401, 404g, water quality standards development, and water reuse. Anna will speak as part of a joint session with USDA to discuss the planned and already undertaken efforts by the EPA and USDA. Closed press.

Meetings with Ohio Stakeholders: Next week, Ms. Wildeman will travel to Ohio to meet with key stakeholders and local government agencies to discuss the intersectionality of environmental and agricultural issues. The conversations will include water quality trading and reducing excess nutrients. In addition, she will meet with representatives of the Ohio Department of Agriculture and Region 5 Chief of Staff to discuss the Ohio Concentrated Animal Feeding Operations transfer. Closed press.

National Governors Association Briefing: Next week, the EPA will be hosting a listening session on the WOTUS rulemakings at Headquarters for the National Governors Association staff and governor office liaisons. Lee Forsgren and Owen McDonough will provide an overview of the proposed rule and address any questions. Closed press.