# Region 1

## Hot Topics

**Region 1 Holds Public Meeting on GE/Housatonic**
On December 3, Region 1 held a public meeting to discuss the status of mediation and to allow members of the public to present thoughts and ideas on the ongoing process. Approximately 200 people attended the meeting. Although the majority of attendees made clear that they were against local disposal of PCB-contaminated sediments and soil, people also raised issues that they felt should be included in any mediated settlement.

**Collins & Aikman Superfund Site CERCLA Administrative Order for Access Issued**
On November 26, 2018, Region 1 issued an Administrative Order for Access pursuant to CERCLA Section 104(e) to Metal Farm, LLC. The Order requires access to property owned by Metal Farm in Farmington, New Hampshire, which is part of the Collins and Aikman Plant (Former) Superfund Site. Despite repeated requests from EPA, in written correspondence and telephone conversations, Metal Farm has not consented to provide EPA and its contractors access to its property for purposes of performing Remedial Investigation/Feasibility Study activities.

**Manchester, NH to Control Sewage Sludge Incinerator Mercury Emissions**
On November 30, the US District Court for the District of New Hampshire granted the government's unopposed motion to enter a consent decree concerning the City of Manchester's violations of Clean Air Act sewage sludge incineration rules. Pursuant to the consent decree, Manchester is required to install emission control equipment to limit the discharge of mercury pollution to the atmosphere, at an estimated cost of more than $6 million. In the interim, Manchester will take measures to limit the mercury content of sewage sludge received at the incinerator. Since this case was referred to DOJ, the State of New Hampshire has taken delegation of these regulations; however, Region 1 has coordinated closely with the state concerning this case. Manchester will also pay a penalty of $131,800.

**RA Dunn Visits Brownfields Sites in Maine**
On December 6 and 7, RA Dunn visited three brownfields sites in Old Town, Maine: Former Lily Tulip Factory, Former Old Town Canoe, Former Expera Mill. These properties received over $1,018,966 in combined Brownfields assessment and cleanup funding.

## Upcoming Major Decisions and Events

**Region 1 Finalizes Agreement at Sullivan's Ledge**
Region 1 and the responsible parties, the PRP Group and the City of New Bedford, have finalized an agreement to implement the terms of a "Suspension, Monitoring and Evaluation Proposal" to temporarily suspend operations of the groundwater treatment plant ("GWTP") at the Sullivan's Ledge site. The suspension of the GWTP operations will be implemented prior to satisfaction of applicable requirements in the Consent Decree and Scope of Work. The suspension will help determine need for continued operation of the GWTP, continued cessation of its operation, or alternative remedial action. The PRP Group and the City remain subject to the terms of the decree and scope of work unless and until those documents are modified.



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## Region 2

### Hot Issues

**Limetree Bay Terminals, USVI**
On 11/27 LBT submitted a Plantwide Applicability Limit (PAL) permit application. A PAL is a pollutant-specific, source-wide emission limitation, expressed in tons per year, which provides a voluntary alternative for complying with PSD permitting program requirements. The PAL will allow LBT the flexibility to make changes within the facility to adapt to market demands, without any deterioration to the air quality, by operating under the PAL. The 300-page application covers SO2, NOX, VOC, CO, PM, PM10, and PM2.5. R2 staff will meet with LBT on 12/11 to discuss the application.

**Tonawanda Coke, NY**
We have updated the Emergency & Hazardous Waste Contingency Plan for the TCC facility, and it is being presented to the local first responder community (fire, police, and paramedics) at a meeting on 12/07. The plan identifies current conditions and hazards of the facility and establishes emergency response protocols.

**Quanta Superfund Site, Edgewater, NJ**
RA Pete Lopez and staff are attending a public availability session on 12/6 to update the community about improvements for controlling air emissions from solidification work, including the use of sprung structures (tents); and about air sampling to be carried out soon in nearby residential buildings to gather baseline data on ambient conditions when solidification work is not being conducted.

### Upcoming Major Decisions and Events

**Hudson River PCB Superfund Site**
On 12/14 RA Lopez and staff will brief Acting Administrator Wheeler on our proposed decisions regarding the wording of the protectiveness determination in the final Second Five Year Review report, and issuance of the "Certification of Completion of the Remedial Action" (i.e., the dredging and related construction work) pursuant to the Agency's consent decree with the General Electric Company. Senior OLEM, OECA and OGC representatives were briefed on 11/4, and will also be present at the briefing for the Acting Administrator.

## Region 3

### Hot Topics

Study Finds High Levels of PFAS in Blood of Bucks and Montgomery County Residents
A recent study by the Pennsylvania Department of Health of approximately 250 people along the Bucks and Montgomery County border show high levels of PFAS chemicals in their blood. Random blood sampling of residents of Warminster, Warrington and Horsham show their blood contains abnormally high levels of PFAS chemicals that contaminated local drinking water supplies after being used in firefighting foams at nearby military bases.

CONFIDENTIAL - Region Refers Matter to Department of Justice Seeking Court Ordered Access for Entry to Quad Avenue Chemical and Bio Fuels Site in Baltimore, Maryland. On November 30, 2018, Region 3 referred a case to the Department of Justice seeking court-ordered access to the Quad Avenue Chemical and Bio Fuels Site located in Baltimore, Maryland for purposes of completing a limited response action under CERCLA § 104(a). On August 2, 2018, the U.S. District Court for the District of Maryland approved an administrative warrant authorizing EPA's entry, inspection, and performance of the limited response action. However, the warrant did not authorize EPA to transport the containerized hazardous substances, pollutants and/or contaminants off-site for disposal. EPA now requests that DOJ seek court-ordered access authorizing EPA and its representatives to conduct the transportation and disposal of the hazardous substances, pollutants and/or contaminants currently located at the Site.

**Consent Decree Entered for Cost Recovery at the Elkton Firehole Superfund Site**
On December 3, 2018, the U.S. District Court for the District of Maryland entered a consent decree pursuant to Section 107 of CERCLA against Honeywell International, Inc. and Mack Trucks, Inc (Settling Defendants) and against the Department of Defense, including the U.S. Department of Army and the U.S. Department of the Navy (Settling Federal Agencies) to recover unreimbursed past response costs at the Site, which total $18,898,707.85. Pursuant to the settlement, the Settling Defendants will pay $5,500,000 and the Settling Federal Agencies will pay $6,250,000 which represents a 62% recovery of total past response costs. The Site, located in Elkton, Maryland, was used for the disposal of wastes generated as part of its facility operations during and just after World War II. Waste was collected in drums and disposed of in trench-like areas referred to as fireholes which were scattered across the Site.

**EPA Proposed to Approve Consistency Update for Delaware Outer Continental Shelf (OCS) Regulations**
On December 3, 2018, EPA published a proposed approval in the Federal Register for a Consistency Update to Delaware's OCS regulations. This Consistency Update incorporated by reference, Delaware's air permitting regulations and enables them to implement and enforce their air permitting regulations between 3 and 25 miles off the coast of Delaware. Specifically, a company, Deepwater Wind, is proposing to install the Skipjack Wind Farm by 2022. The Wind Farm would power approximately 35,000 homes.

**Status of the DE Department of Natural Resources and Environmental Control (DNREC) Quality Management Plan (QMP)**
Region 3 approved the DNREC QMP on November 20, 2018 for those programs that have an approved or submitted Quality Assurance (QA) document (QAPP or QAPrP). Data collection

activities for those programs can resume immediately. There are four programs where DNREC has not submitted a QA document or EPA has not approved a QA document and, therefore, data collection activities cannot resume. DNREC is aware of these deficiencies and is working with the RQAM to submit acceptable QA documents for these programs. The affected programs are: (C9) Non-Point Source Implementation Grants, (D) Hazardous Waste Management State Program Support Grants, (I) Clean Water Section 106 Grants (Potomac Aquifer/Saltwater Monitoring Program), and (I) Clean Water Section 106 Grants (General Water Quality Monitoring Program).

**Pennsylvania Receives Primacy for the Revised Total Coliform Rule**
On November 13, EPA granted the Pennsylvania Department of Environmental Protection primacy (primary enforcement responsibility) for the Revised Total Coliform Rule (RTCR), which provides for better public health protection by requiring water suppliers to find and fix problems related to sanitary defects. EPA announced its tentative approval on October 11, pending public comments. Since no public comments were received, the RTCR revisions to Pennsylvania's Public Water System Supervision program became effective on November 13, 2018.

## Upcoming Major Decisions and Events

Regional Administrator Cosmo Servidio has the following events scheduled:
Dec. 13: Meeting with state officials in Harrisburg, PA

## Region 4

### Hot Issues

**Ongoing Paducah Department of Energy (DOE) Disputes**
*Key Message:* Region 4 is in discussions with the Paducah DOE Manager and the Commissioner for the Kentucky Department of Environmental Protection to extend the current disputes regarding the C-400 Removal Notification and Site Management Plan. It is anticipated that the parties will agree to a mid-January date for the dispute resolution.

**Lake Conestee Dam**
*Key Message:* On Tuesday, December 4, 2018, Region 4 met with the South Carolina Department of Health and Environmental Control (SC DHEC) Environmental Commissioner and the Director of the Conestee Foundation (CF) to discuss the current status of the Lake Conestee Dam, a 126-year-old dam on the Reedy River. Specifically, SC DHEC and CF would like to work with EPA to assess options for dam stability which is containing toxic sediment resulting from historical industrial activity.

**Chemours Import/Export Discussion**
*Key Message:* During the week of December 10, 2018, Region 4 will work with the Office of Land and Emergency Management to respond to the Chemours Netherlands request for the United States to accept imported GenX material from their Netherlands facility. The request is for the material to be shipped to the Fayetteville, NC facility for reprocessing/use.

### Upcoming Major Events

**Georgia Association of Water Professionals** – On Wednesday, December 12th, Acting Region 4 Administrator Mary Walker will provide remarks at the Georgia Association of Water Professionals Meet and Greet Luncheon. Closed Press. Atlanta, GA.

**Mobile Bay National Estuary Program (NEP)** – On Thursday, December 13th, Acting Region 4 Administrator Mary Walker will attend the Mobile Bay NEP's Annual Meeting. Closed Press. Mobile, AL.

### Upcoming Major Decisions

Oak Ridge Reservation Focused Feasibility Study Dispute Position

## Region 5

**Hot Issues**

**EPA Set to Announce the Re-Establishment of the Great Lakes Advisory Board**
Key Message: The GLAB provides advice and recommendations to the Great Lakes National Program Manager and EPA Administrator on matters related to the Great Lakes Restoration Initiative.

The GLAB will be composed of approximately fifteen members who will serve as representative members of non-federal interests. Nominations for membership will soon be solicited through the Federal Register and other sources.

**EPA Proposing to Delist Tomah Armory Landfill Site in Tomah, Wisc. from National Priority List**
Key Message: Public comments on the proposed deletion will be accepted through January 8, 2019.

The soil and groundwater at the site had been contaminated with lead. Following the cleanup, land use controls, operation and maintenance activities and monitoring were implemented and are ongoing.

**EPA Announces Partial Deletion of Beloit Corp. Superfund Site from the National Priorities List**
Key Message: Cleanup has been completed at the research center portion of this former machine manufacturing site in Rockton, Ill.

EPA has been working closely with Illinois EPA throughout the cleanup and remediation work at the site. All cleanup actions at the research center portion of the site have been completed. It has since been redeveloped and is now used by a paper equipment manufacturer.

**Regional Administrator Cathy Stepp Spoke at an Illinois Chemical Industry Council Event on Dec. 4**
Key Message: RA Stepp addressed current agency priorities and provided updates on relevant topics, such as TSCA and PFAS.

**Chief of Staff Kurt Thiede Spoke at an Indiana Air and Waste Management Association Event on Dec. 4**
Key Message: Chief of Staff Thiede addressed current agency priorities and provided updates on relevant topics, such as recent designations and proposed rules.



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## Upcoming Major Decisions and Events

**Region 5 Hosting State Farm Bureau Meeting on December 12**
Key Message: Various environmental issues that affect the farming industry including nutrients, WOTUS and Section 404, livestock and CAFO concerns, pesticides, and nine element watershed plans will be discussed.

Regional Administrator Cathy Stepp, senior leaders from Region 5 and Headquarters, and representatives from all six Region 5 states will be in attendance.

**National Federal Facility Excellence in Site Reuse Awards Ceremony December 12**
Key Message: Regional Administrator Stepp will be presenting awards to the Joliet Army Ammunition Plant team for their restoration efforts at what once was a National Priority List Superfund site.

The former Joliet Army Ammunition Plant has been transformed into multiple beneficial use areas for the community, including a veteran's cemetery, business and transportation hub, and natural resource conservation areas. The public land space on the site is the largest contiguous open space for bird habitat in northeastern Illinois and serves as a habitat for several endangered species.

## Region 6

### Hot Topics

**Brown Tree Care Stump Dump Site, Bella Vista, Arkansas**
On December 4, at the request of Senator John Boozman, EPA participated on a call with the Senator as well as Representative Steve Womack regarding the Brown Tree Care "Stump Dump" site, Bella Vista, Arkansas. Arkansas Department of Environmental Quality (ADEQ) Director Becky Keough was present along with as OCIR AA Troy Lyons and other OCIR representatives. In support of ADEQ, EPA collected 24-hour air samples from 5 locations in the community around the Brown Tree Service property on October 1 and November 10. EPA tested for hundreds chemicals associated with landfill fires potentially containing construction debris, household waste or tires. None of EPA's air samples showed elevated concentrations of chemicals of concern in the community. EPA agreed to collect additional air samples, including particulates, in all locations next week. This data will help scientists and decision-makers better determine if the stump dump contains dangerous chemicals. EPA sampling is scheduled to begin [ HYPERLINK "x-apple-data-detectors://4" ] and will include three days of sampling. Quality assured sampling data is expected to be received by EPA [ HYPERLINK "x-apple-data-detectors://5" ] and will be shared as soon as possible.

**Pueblo of Santa Ana CAA TAS Application, Santa Ana, New Mexico**
On November 29, the Pueblo of Santa Ana submitted a TAS application for Clean Air Act Sections 105, 107(d)(3), 126, and 505(a)(2). Acknowledgment of receipt will be sent to the Pueblo and a determination on the completeness of the application will be made by technical staff and ORC.

**Cannon Air Force Base, Clovis, New Mexico**
On November 30, the New Mexico Environment Department (NMED) Ground Water Bureau issued a Notice of Violation (NOV) to Cannon Air Force Base (AFB) as NMED's final effort to obtain the Air Force's voluntary compliance to address soil and ground water contamination with PFAS. The Air Force has 30 days, upon receipt of the NOV, to submit a work plan to identify potential short-term corrective measures for affected dairies and treatment systems for contaminated water supply wells to NMED, for review and approval. The NM Department of Health also received their sampling results of 82 private wells near Cannon AFB, none of which were above the EPA Health Advisory. Within the next few weeks, EPA is planning to meet with the USGS and the NMED to discuss ground water modeling assistance.

**GP Crossett Consent Decree, Crossett, Arkansas**
By [ HYPERLINK "x-apple-data-detectors://8" ], the Department of Justice, on behalf of EPA and the Arkansas Department of Environmental Quality (ADEQ), will enter a consent decree with GP Crossett to settle several Clean Air Act (CAA) violations and initiate a 30-day public comment period. The current settlement offer to GP includes a $600,000 civil penalty with 50% going to the State (ADEQ) and $1.8 million in Supplemental Environmental Projects (SEPs) for a total of $2.4 million to reduce hydrogen sulfide emissions in the community

**Houston and Dallas Redesignation/Maintenance Plans, Texas**
The Texas Commission on Environmental Quality (TCEQ) requested that EPA "parallel process" Houston and Dallas redesignation SIP revisions for the 1-hour and 1997 8-hour ozone air quality standards, which will expedite review and approval. The target for TCEQ adoption of (1) a final

Houston redesignation SIP revision and (2) a proposed Dallas redesignation SIP revision is [ HYPERLINK "x-apple-data-detectors://12" ]

**Houston, Dallas and Beaumont/Port Arthur Redesignation/Maintenance Plans, Texas**
EPA has received proposals to approve Texas SIP revisions for the old 1-hour and 1997 8-hour ozone air quality standards: (1) Houston and Dallas redesignation SIP revisions; (2) a Beaumont/Port Arthur 2nd 10-year maintenance SIP revision. The TCEQ target dates for adoption are [ HYPERLINK "x-apple-data-detectors://13" ]for Houston final SIP; [ HYPERLINK "x-apple-data-detectors://14" ] for proposal and [ HYPERLINK "x-apple-data-detectors://15" ], for final SIP for Dallas; and, [ HYPERLINK "x-apple-data-detectors://16" ], for Beaumont/Port Arthur SIP revision.

**City of Houston site visit and Meeting, Houston, Texas**
[ HYPERLINK "x-apple-data-detectors://17" ] and 12, EPA will be doing site visits to a couple of the Houston's WWTPs and Wet Weather Facilities. [ HYPERLINK "x-apple-data-detectors://18" ] and 14, Region 6, EPA HQs, Texas AG's Office, TCEQ and U.S. Department of Justice will meet with City of Houston representatives, consultants and their outside counsel to resolve several outstanding issues of the draft Consent Decree. The meetings will be summarized for the judge on the Waterkeepers suit.

**Monarch Waste Technologies, New Mexico**
On November 27, EPA and Monarch held a conference call to discuss the terms of an Administrative Order on Consent that, once issued, would authorize Monarch to operate for the limited purpose of preparing for and conducting an initial performance test. The AOC allows for pre-testing operations [ HYPERLINK "x-apple-data-detectors://21" ] and for the IPT to be completed no later than [ HYPERLINK "x-apple-data-detectors://22" ]. The Facility is not authorized to operate for any purpose [ HYPERLINK "x-apple-data-detectors://23" ]

## Upcoming Major Decisions and Events

**Houston-Galveston-Brazoria Reasonable Further Progress for 2008 8-hour Ozone NAAQS, Texas**
By [ HYPERLINK "x-apple-data-detectors://24" ], EPA intends final approval of the Houston-Galveston-Brazoria (HGB) Reasonable Further Progress (RFP) for the 2008 8-hour Ozone NAAQS. During the 30-day public comment period two relevant adverse comments were received from Environmental Integrity Project. The Region has worked with OGC, OAQPS, and OTAQ to respond to comments.

**Exceptional Event Mitigation Plan for Harris and El Paso Counties, Texas**
By [ HYPERLINK "x-apple-data-detectors://25" ] EPA is expected to approve Texas' Exceptional Event Mitigation Plan for PM2.5 High Wind Dust Events in El Paso County, and PM2.5 African Dust Events in Harris County. The mitigation plan addresses the regulatory requirements for public notification and education, abatement measures, and responses to public notice comments.

**Louisiana Final Rule for Cluster XXIV, Louisiana**
Decision by RA by [ HYPERLINK "x-apple-data-detectors://26" ] on the final approval of the authorization of Louisiana's rules for portions of hazardous waste regulations under RCRA Cluster XXIV.

[ HYPERLINK "x-apple-data-detectors://27" ] American Exploration and Production Council Winter Meeting, Houston, Texas

[ HYPERLINK "x-apple-data-detectors://28" ]
Tour, Corpus Christi, Texas

Port of Corpus Christi Tour & OxyChem Plant

## Region 7

### Hot Issues

**West Lake Landfill Update**
Key Message: Region 7 continues to move forward with work at the West Lake Landfill Superfund Site. The region has rescheduled the meeting in St. Louis between community representatives and various agencies involved in the response to the November 2 surface fire at the Bridgeton Landfill. The meeting, which will be held in December 12, will be to discuss questions and concerns expressed by Just Moms STL regarding the November 2 incident. Participants may include representatives of Just Moms STL, Missouri Coalition of the Environment, West Lake CAG, Pattonville Fire Department, St. Louis County Health Department, Missouri Department of Natural Resources (MDNR), and Office of Emergency Management for St. Louis County.

On December 3, the Region sent the Potentially Responsible Parties (PRPs) a draft Scope of Work (SOW) for Remedial Design. The PRPs' technical representatives have indicated their interest in performing the RD. The region plans to send the draft modification to the existing RI/FS settlement after receipt of comments from OECA. A follow up discussion is planned for the week of December 17. The Region's goal is to have a final agreed upon RD SOW by the end of January. Simultaneously, the Region is working to obtain contractor support services for either oversight of the PRP lead RD or performance of the RD, depending on the outcome of the RD negotiations with the PRPs.

**Saint Louis Smelter Company Removal Action**
*Key Message:* EPA R7 began a removal action at the Saint Louis Smelter Company Removal Action on December 4 to address elevated lead levels in four residential yards. The Saint Louis Smelter site located in Pittsburg, Crawford County, Kansas is a former zinc smelter operated at the site between 1891 and 1916.

The EPA removal action is being conducted to address soil and/or waste containing lead concentrations greater than 400 mg/kg from residential properties impacted by the former smelter. Removal activities will include excavation, backfilling with clean topsoil, and restoring a grass lawn at the affected residential properties.

Field activities began Tuesday, December 4, and are scheduled through Friday, December 14.

### Upcoming Major Decisions and Events

**Region 7 Four State Environmental Agency Director's Meeting**
*Key Message*: On December 11 and 12, Regional Administrator Jim Gulliford will participate in the Region 7 Four State Environmental Agency Director's Meeting, which will be hosted at the EPA Region 7 office and the Region 7 Science and Technology Center.

**Meeting with Iowa Citizens for Community Improvement**
*Key Message*: On December 13, Regional Administrator Jim Gulliford will travel to Des Moines, Iowa to attend the Iowa Citizens for Community Improvement stakeholder meeting.

## Region 8

### Hot Issues

**Ethylene Oxide Emissions (EtO) from Terumo BCT Sterilization**
The Colorado Department of Public Health and Environment (CDPHE), Jefferson County (Jeffco) Public Health and Terumo BCT Sterilization will participate in an open house on December 11, 2018, to answer questions from interested community members about ethylene oxide emissions at the Terumo facility. The EPA's August 22, 2018 NATA modeled potential risk above the 100 in a million threshold around Terumo BCT in Lakewood, Colorado. Terumo BCT has since voluntarily controlled their previously uncontrolled EtO emissions sources by over 99%. CDPHE has developed a document titled "Ethylene Oxide and Terumo BCT – A guide for the community" to hand out at the open house. The EPA's primary role will be to explain the National Air Toxics Assessment (NATA) and support CDPHE. Refer to 11/21 weekly report for background.

**Smart Sector Meetings in North Dakota**
Region 8 held two smart sector meetings in Bismarck, North Dakota this week. We met with the mining/utility industry and the oil and gas industry to discuss issues specific to these industries and to develop a better understanding of their operations in the state. The mining/utility sector meeting was a roundtable with around 50 participants and the oil and gas meeting had around 120 participants. At both meetings the State of North Dakota was represented by cabinet officials responsible for environmental protection and oil and gas regulation, as well as, staff from the Governor's office. There were multiple issues discussed at both meetings, including providing certainty to industry in the application of laws and regulations, WOTUS, and NORM/TENORM. We plan on holding follow up meetings to go into further detail on these issues.

**Region 8 to Meet with Town of Afton, Wyoming and Wyoming DEQ Regarding Afton's Periodic Spring Source of Drinking Water**
A principal source of community water supply for the Town of Afton is the Periodic Spring, which is a geologic phenomenon that flows periodically and attracts tourists to the Town. After coordinating with Wyoming DEQ, EPA Region 8 issued a letter to Afton on October 3, 2018 outlining concerns and required next steps to ensure public health protection of the water supply. The purpose of the meeting is to clarify EPA's concerns regarding the integrity of the Town of Afton's Periodic Spring water supply, and actions needed to ensure the quality of the spring water provided to the public. Senator Barrasso has expressed interest in this issue and requests periodic updates from EPA.

### Upcoming Major Decisions and Events

Nothing to report this week.



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## Region 9

### Hot Issues

**Edwards AFB Dispute**
On Tuesday Dec. 11, we'll join Administrator Wheeler, OLEM, OECA, State of California and USAF representatives via VTC to support resolution of this long-running Superfund remedy dispute.

**Emergency Response:**

**Butte County, CA**
150+ EPA staff and contractors collected household hazardous waste from over l00 properties in our first week on the ground. As 13,972 homes, 528 businesses and 4,293 other structures were lost to the fire, we have much yet to do. This week, evacuation orders for part of the community were lifted, allowing residents to view their homesites for the first time since the firestorm began.

**Saipan, Tinian, CNMI**
We are providing technical assistance for water system recovery. About 90% of water production capacity has been restored to Saipan's residential customers, but drinking water concerns remain for privately owned businesses. We are working with CNMI on a long-term plan for water system recovery and for addressing regulatory program needs with our two EPA staff on-island. Our household hazardous waste collection continues on Saipan and Tinian.

### Upcoming Major Decisions and Events

**Guam and CNMI**
Regional Administrator Mike Stoker will meet in Guam with Gov. Calvo (outgoing) and Gov.-elect Leon Guerrero, as well as the leadership of Guam EPA, Guam Water Authority, the Army Corps, Rear Admiral Chatfield, and will tour key EPA water and solid waste investments. Later next week, he'll fly to Saipan, and meet with Gov. Torres, our CNMI colleagues, tour the Typhoon Yutu damage and provide support to EPA hazardous waste and water responders.

**CAA 2008 Ozone Standard**
We'll sign a Federal Register notice finalizing approval of the San Joaquin Valley APCD's attainment plan for the 2008 ozone standard. We received no adverse comments and will meet our court-ordered deadline to sign a final rule by December 19.



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# Region 10

## Hot Issues

Nothing to report this week.

## Upcoming Major Decisions and Events

**Region 10 and EPA HQ attend American Mining Association Annual Meeting, Spokane, WA**
On December 6, the Region 10 Mining Advisor and Bob Sachs, EPA's Office of Policy Smart Sector mining lead, attended the American Exploration and Mining Association annual meeting.
They provided presentation a on EPA's Smart Sector program and participated on a panel with other federal agencies including DOI, US Forest Service, US Army Corps of Engineers and mining industry representatives to discuss streamlining, NEPA, and permitting for mining projects.

**West Silver Valley (ID) Attains Annual PM2.5 National Clean Air Act Standard**
Region 10 has signed a Federal Register Notice finalizing approval of a Clean Data Determination for the West Silver Valley Annual PM2.5 nonattainment area, which includes Pinehurst, Idaho. We now have 2015-2017 monitoring data confirming that the area is in attainment for the annual PM2.5 standard. The Federal Register Notice should be published soon.

**Pending Approval of the Kalispel Tribe's (WA) Revised Clean Water Act Human Health Criteria**
As soon as the week of December 10th, Region 10 may take action on the Kalispel Tribe's updated water quality standards for protection of human health. In October 2017, the Tribe submitted revised Water Quality Standards incorporating EPA's 2015 updates to the national human health water quality criteria and as well as the Tribal Council's approved fish consumption rate. In our approval, we are deferring action on three pollutants (arsenic, dioxin, and thallium) while the Integrated Risk Information System toxicity values are undergoing review and assessment. EPA is also not taking action on the aquatic life criteria included in the Tribe's submittal until Endangered Species Act section 7 consultation is completed.

**Region 10 Attends Puget Sound Harbor Safety and Orca Recovery Workshop (WA)**
On December 11th, Region 10's Puget Sound program manager will represent EPA at the US Coast Guard-hosted Puget Sound Harbor Safety Committee meeting, which will also include a workshop with Transport Canada on Canadian Orca recovery efforts. Representatives from federal, state and local governments and other interested parties will also attend from the US and Canada.

**Quarterly Regional Tribal Operations Committee Meeting**
The Region 10 Tribal Operations Committee will hold its quarterly in-person meeting, December 11-13 in Seattle, WA. Agenda topics include discussions on improving the effectiveness of our engagements, updates from the American Indian Environmental Office, and results of recent RTOC and NTOC elections. Regional Administrator Chris Hladick will participate on the morning of December 13th.



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## Office of Mission Support (formerly OARM and OEI)

### Hot Issues

**New Deputy Assistant Administrator for Administration and Resources Management, Office of Mission Support**
Wesley J. Carpenter has been selected to serve as the Deputy Assistant Administrator for Administration and Resources Management in the Office of Mission Support. Wes had previously served as the acting office director or deputy office director in the Office of Human Resources, Office of Administration and Resources Management since December 2015. He has also led the Agency's security, health and safety and sustainability programs. Wes brings to the job more than 31 years of experience in the federal government, the private sector, and military service, including 18 years at the United States Environmental Protection Agency.

**Environmental Protection Agency (EPA) Participates in Geospatial Data Act Tiger Team**
EPA is participating in the [ HYPERLINK "https://www.fgdc.gov/" ] tiger team charged with developing an implementation strategy for the [ HYPERLINK "https://www.fgdc.gov/gda" ]. The Geospatial Data Act of 2018 focuses on increasing the coordination of geospatial activities across the federal government as well as with state and local governments and the private sector. The tiger team will work with the Office of Management and Budget (OMB) to clarify the requirements of the Geospatial Data Act and develop a draft implementation plan by spring 2019.

**EPA's Suspension and Debarment Decisions on Carl Zeiss Vision, Inc.**
On December 4, 2018, EPA's Suspension and Debarment Official (SDO) issued two decisions favorable to Carl Zeiss Vision, Inc.: (1) approval of a reinstatement from a statutory debarment under the Clean Water Act (CWA), and (2) termination of a discretionary proposed debarment under the Federal Acquisition Regulations (FAR). Zeiss was convicted in April 2018 for one count of negligently violating CWA pretreatment standards, based on Zeiss negligently discharging a pollutant (wastewater with pH less than 2.0 or greater than 12.5) to a POTW in Clackamas County, Oregon without a permit. The SDO's decisions were based on determinations that Zeiss' remedial measures, such as obtaining the requisite permit and making substantial wastewater process improvements, demonstrated that Zeiss has corrected the conditions giving rise to the violation and a debarment is not necessary to protect the Government's interests.

### Upcoming Major Decisions and Events

**OMS Management Retreat**
OMS senior leadership team will be at an all-day retreat on Monday 12/17. The purpose of this retreat is to initiate strategic planning for the new organization and build one leadership team.



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## Office of Air and Radiation

### Hot Topics

- **Tracking SIP Actions:**
  - Total Number of SIPs submitted to Regions in FY 2019: 54
  - Total Number of SIP Submittals with Final Action taken by the Regions in FY 2019: 34
  - Total Number of Pending SIPs: 751

- **Packages That Will Move Soon to Signature:**
  - National Emission Standards for Hazardous Air Pollutants: Hydrochloric Acid Production Residual Risk and Technology Review (Proposed Rule)

- **Packages at OMB for Review:**
  - National Emission Standards for Hazardous Air Pollutants: Coal- and Oil-Fired Electric Utility Steam Generating Units -- Reconsideration of Supplemental Finding and Residual Risk and Technology Review (Proposed Rule)
  - PM2.5 Precursor Demonstration Guidance

### Upcoming Major Decisions and Events

**COP 24 (December 2-14)**
Mandy, Alex, and staff from our Office of Atmospheric Programs will attend the 24th Session of the Conference of the Parties to the United Nations Framework Convention on Climate Change (COP 24) in Katowice, Poland. Staff will participate in the State Department-led delegation as it engages on long-standing processes related to the 1992 Framework Convention on Climate Change, including transparency (measurement, reporting and verification), and will participate in the high-level segment, the official U.S. side event, and other bilateral meetings.

## Office of Chemical Safety and Pollution Prevention

| Row | Determination Type | Cases Under Review 12/4/2018 | Determinations completed 11/28/2018 to 12/4/2018 | Total Determinations[1] |
|---|---|---|---|---|
| 1 | # of "not likely" determinations | - | 7 | 189 |
| 2 | # of §5(e) or §5(f) Orders signed by both EPA and the submitter | - | 0 | 444 |
| 3 | # of §5(e) or §5(f) Orders signed by EPA and awaiting submitter signature | 29 | - | - |
| 4 | # of cases under review | 530 | - | - |
| 5 | # of LVE/LOREX exemption grants | - | 6 | 757 |
| 6 | # of LVE/LOREX exemption denials | - | 0 | 128 |
| 7 | Total number of cases | 559 | 13 | - |
| 8 | Normal active workload for the New Chemicals Program | 300 | - | - |
| 9 | Number of cases undergoing testing or data development by submitter | 74[2] | - | - |
| 10 | Backlog* | 185[3] | ↓6[4] | - |

[1]"Total Determinations" means that EPA has completed its reviews on these cases and that final determinations have been made by EPA.
[2] Of these cases, approximately 58 are "active" lung toxicity cases that are suspended while submitters either conduct or are deciding whether to conduct testing to develop data on pchem properties, exposures and toxicity
[3] Backlog = (Total number of cases) – (Normal active workload for the New Chemicals Program) - (Number of cases undergoing testing or data development).
[4] Three (3) new cases were submitted. Seven (7) Not Likely determinations were signed, and two (2) more cases were suspended for long term testing.

## Upcoming Major Decisions and Events

### EPA Region 7/8 and State Departments of Agriculture Meeting

On December 17th, Nancy Beck, OCSPP Deputy Assistant Administrator, and Rick Keigwin, Director of the Office of Pesticide Programs (OPP), will attend the Region 7/8 and State Departments of Agriculture Meeting in Lenexa, Kansas. They will provide updates on pesticide topics of interest including worker protection rules, endangered species assessments, and glyphosate as well as participate in roundtable discussions on dicamba and industrial hemp.

### Non-Animal Testing Methods Updates for the Society of Toxicology of Canada Symposium

On December 11, Dr. Anna Lowit, Senior Science Advisor for OPP, will present updates on non-animal testing methods in a presentation entitled "Recent Progress on Implementing New Approach Methodologies at USEPA," at the Society of Toxicology of Canada Symposium.

## Office of the Chief Financial Officer

### Hot Topics

The current FY 2019 continuing resolution expires at midnight on Friday, December 7. On December 6, Congress passed a two-week Continuing Resolution extension to fund the EPA and other remaining agencies through December 21, and we anticipate the President signing to enact. The intent of the short extension is to allow lawmakers time to reach agreement on the remaining funding bills to avoid a partial government shut-down. It is our understanding that there are no EPA related issues that still need to be resolved.

### Upcoming Major Decisions and Events

Since submitting the Acting Administrator's appeal to OMB's FY 2020 Passback last Friday, OCFO has supported continued discussions. We are still waiting for a formal reply from OMB to the agency's appeal. Once settlement is reached, OCFO will issue policy guidance to the agency for the FY 2020 President's Budget to supplement the process guidance OCFO issued last week.

### Other

On November 30, 2018, the agency transitioned to GSA's SmartPay 3 program for all travel, purchase card, and fleet transactions. A few **important reminders** from the joint OARM (now OMS)-OCFO memorandum dated November 1 and distributed via e-mail by the CFO:

- Travelers should now use their new SmartPay 3 travel cards for travel transactions.
- Travelers who booked travel prior to November 30, 2018, with travel start dates through and including December 9, 2018, were ticketed on their GSA SmartPay 2 travel cards.
- OCFO recommends that travel cardholders retain their SmartPay 2 travel card until all SmartPay 2 transactions have been paid, the deadline for which is January 20, 2019.



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## Office of Congressional and Intergovernmental Relations

**Hot Topics**

Dec 11- House Energy and Commerce Subcommittee on Environment will hold a hearing entitled, "Discussion Draft: The 21st Century Transportation Fuels Act." They will examine the 21st Century Transportation Fuels Act, a discussion draft from Reps Shimkus and Flores on transportation fuels and the Renewable Fuel Standard (RFS) program. There are no EPA witnesses

**Upcoming Major Decisions and Events**

Dec 10 - The LGAC Water Workgroup will meet which will feature Eric Burneson, Office of Groundwater and Drinking Water, to give an update on drinking water and toxic algal blooms. The meeting will also feature a presentation by Betsy Behl with the Office of Science and Technology on innovative detection and monitoring technologies.

Dec 11 – Announcement of proposed WOTUS replacement rule

Dec 13 - LGAC's Revitalizing Communities Workgroup will hold a similar preparatory call from 3:00-4:00 p.m. to discuss and provided feedback on the January LGAC agenda.

Dec 12-13 - Science Advisory Board-CASAC will host a face to face public meeting in Arlington, VA. The purpose of the meeting is to peer review the Agency's Draft Integrated Science Assessment for Particulate Matter (PM ISA).



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## Office of Enforcement and Compliance Assurance

### Hot Topics

**Explo Officials Sentenced for Roles in Conspiracy that Led to Illegal Dumping of Munitions and Explosion at Camp Minden, Louisiana**
On Thursday, November 29, 2018, five defendants were sentenced in the Western District of Louisiana for their role in a case involving Explo Systems, Inc., a private company involved in the demilitarization of military munitions. The company's mismanagement of military munitions resulted in a large explosion at a storage facility in Camp Minden, Louisiana, on October 15, 2012, that damaged buildings in a four-mile radius, derailed 11 rail cars, and was felt up to 35 miles away. The explosion triggered an investigation that showed that Explo Systems had illegally disposed of hazardous waste resulting in more than $38 million of cleanup costs. Explo co-owner David Smith was sentenced to 55 months in prison and ordered to pay $35 million in restitution. Vice President William Wright was sentenced to 60 months in prison and ordered to pay $149,000 in restitution. Traffic and Inventory Control Manager Lionel Koons was sentenced to 41 months in prison and ordered to pay $93,000 in restitution. Program Manager Kenneth Lampkin was sentenced to 45 months in prison and ordered to pay $149,000 in restitution. Engineering and Environmental Control Director Charles Ferris Callihan was sentenced to 24 months in prison and ordered to pay $208,000 in restitution.

**Former Owner of Fulton County Tannery Plant Pleads Guilty to Felony Storage of Hazardous Waste in New York**
On Monday, December 3, 2018, Robert Carville pleaded guilty in the Northern District of New York to storing hazardous waste without a permit at the former Carville National Leather Corporation building in Johnstown, New York. Carville National Leather Corporation was a family owned tannery business that operated from 1976 until it closed for financial reasons in 2013. Carville admitted that as the owner and manager of the tannery, he was responsible for the materials inside the tannery when it closed. Carville ultimately moved to another state and left in the tannery building hundreds of containers of hazardous chemicals, including some that had labels on them such as "corrosive," "acidic," and "hazardous." Carville admitted that he did not have a permit to store hazardous waste at the tannery. Carville will be sentenced on May 20, 2019.

### Upcoming Major Decisions and Events

On Tuesday, December 11, 2018, OECA Assistant Administrator Susan Bodine will join the Acting Administrator for a meeting with the California Department of Toxic Substances Control, the California Water Board, and the Air Force on the Edwards Air Force Base Superfund site dispute. This meeting is being held pursuant to the terms of the Federal Facility Agreement at this site. Staff from OECA, OLEM, OGC, and ORD will also be in attendance.



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## Office of General Counsel

### Hot Topics

- ***State of Maine v. EPA*, No. 14-cv-00264 (D. Me.). New Decision**
  On December 3, the U.S. District Court for the District of Maine issued an order granting EPA's motion for remand without vacatur. EPA had requested that the court stay the litigation for 9 months so that EPA could complete its administrative process and make final decisions on remand. The court's order stays the litigation for one year, until December 3, 2019. The three decisions challenged in the litigation are: (1) EPA's interpretation and approval of Maine's fishing designated use in its Water Quality Standards to include sustenance fishing in the waters in tribal Reservations and trust lands; (2) EPA's approval of provisions in the Maine Implementing Act as a sustenance fishing designated use under the CWA in certain tribal waters; and (3) EPA's disapproval of Maine's human health criteria in its WQS as not sufficiently protective of the sustenance fishing designated uses in Indian waters. The Court ordered EPA not to take any action to terminate or undermine the effectiveness of its "Maine Rule" without prior Court approval.

- ***Friends of the Earth & CBD v. EPA*, No. 18-cv-02837 (D.D.C.). New FOIA Litigation**
  On December 4, Friends of the Earth and the Center for Biological Diversity (CBD) filed a FOIA lawsuit in the District of Columbia, alleging that EPA failed to timely respond to two FOIA requests submitted to the Office of the Administrator. The FOIA request, EPA-HQ-2018-007275, was sent to EPA on May 2, 2018. The request sought certain correspondence between the Office of Administrator and several named individuals and companies. The lawsuit also alleges that on October 2, Friends of the Earth modified their requests to add CBD as a requesting party. Both requests are assigned to the Office of the Administrator.

- ***Natural Res. Def. Council & Envtl. Def. Fund v. EPA*, No. 18-cv-11227 (S.D.N.Y.). New FOIA Litigation**
  Natural Resources Defense Council (NRDC) and Environmental Defense Fund (EDF) filed a FOIA lawsuit in the Southern District of New York, alleging that EPA failed to timely respond to a FOIA request assigned to the Office of Air and Radiation. The FOIA request, EPA-HQ-2018-010465, was sent to EPA on August 10, 2018. The request sought certain categories of records relating to an EPA-developed computer model used in greenhouse gas emission standards for light-duty vehicles called the Optimization Model for reducing Emissions of Greenhouse gases from Automobiles or "OMEGA". The National FOIA Office granted NRDC and EDF's fee waiver request but denied their request for expedited processing. The Office of Transportation and Air Quality had contacted the requester in September regarding the status of the request but has not yet produced documents.

### Upcoming Major Decisions and Events

- ***States of New York et al. v. Pruitt*, No. 18-1030 (S.D.N.Y.); *NRDC v. EPA*, 18-cv-1048 (S.D. N.Y.) (challenge to 2018 WOTUS Applicability Rule). Oral Argument:** December 12.

- ***Georgia v. EPA*, No. 15-0079 (S.D. Ga.) (challenge to 2015 WOTUS rule). Hearing**: December 14 on cross motions for summary judgment.

- ***Murray Energy Corporation v. EPA*, No. 15-1385 (D.C. Cir.) (Petition for review of EPA's final action titled "National Ambient Air Quality Standards for Ozone" at 80 Fed. Reg. 65292 (October 26, 2015)). Oral Argument**: December 18.

## Office of International and Tribal Affairs

Hot Issues

**G20 Leaders' Summit**
The G20 Leaders' Summit took place in Buenos Aires, Argentina last week with the goal of building consensus for fair and sustainable development. It focused on three pillars: the future of work and infrastructure for development; a sustainable food future; and gender mainstreaming strategy across the G20 agenda. The [ HYPERLINK "https://g20.org/sites/default/files/buenos_aires_leaders_declaration.pdf" ] was adopted by all leaders and the EPA issues related to food waste and climate change. Japan now assumes the Presidency of the G20 and plans to host the first-ever G20 Environment Ministers meeting in June 2019.

**UN Meeting on Marine Litter and Microplastics**
EPA participated in the second meeting of the UN Ad Hoc Opened Expert Group (AHOEEG) on Marine Litter and Microplastics this week in Geneva, Switzerland. The meeting was attended by over 300 participants, 40 governments, and robust representation from industry and NGOs. It is expected that the outcome will be a list of options for action that will be considered as part of the United Nations Environment Assembly (UNEA) meeting in March 2019.

**Upcoming Decisions/Events**

December 7 – OITA will be holding a conference call with the Managing Director of the North American Development Bank (NADB) to discuss activities along the U.S.-Mexico border and cooperation with the International Boundary and Water Commission (IBWC).

December 14 – OITA will be a holding conference call with the Deputy Director of the European Union Environment Division to discuss activities for cooperation as a follow up to the Acting Administrator's G7 meeting in Halifax, Canada.



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## Office of Land and Emergency Management

**Hot Topics**

**Coal Combustion Residuals (CCR)**. See below.

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

**Ongoing major Superfund NPL sites.** OLEM Senior Leadership participated in meetings with Portland Harbor PRPs and community groups this week.

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

**PFAS.**
PFOA and PFOS contaminated groundwater guidance.
Evaluating inclusion as "hazardous substances" under CERCLA.

**e-Manifest**.

**Super Typhoon Yutu:** FEMA has issued mission assignments to EPA for assessment, collection, and disposal of household hazardous waste; and subject matter expert support to the CNMI government for restoration of drinking water and wastewater services. EPA has deployed OSCs and water experts to Saipan and Tinian. As of December 5, EPA has collected over 8,000 HHW/EWaste/White Goods items from residential properties. In addition, over 8,600 items of this material have been picked up from over 40 schools/public buildings. Sixteen 40-foot shipping containers of this material have been loaded and shipped offsite. As part of MA02, the EPA is collecting all downed/damaged transformers with 771 transformers collected to date. An EPA Water Emergency Team (WET) has been assisting the local government to evaluate drinking water supplies. To date, approximately 453 water samples have been collected.

**California Wildfires.**

**Earthquake in Alaska.**

**Upcoming Major Decisions and Events**

**Vacatur of RMP Delay Rule.** The rule was published in the FR on December 3.

**Hazardous Waste Pharmaceuticals Final Rule.** We sent the rule package to OP and briefed the Administrator.

**Recalled Airbag Interim Final Rule.** The rule was published in the FR on November 30.

**EPCRA Reporting Requirements Interpretation relating to Air Releases of Hazardous Substances from Animal Waste at Farms NPRM.** The public comment period ends December 14.

**CCR Remand/Vacatur.** We are preparing to brief OMB on the status of the litigation and associated next steps.

## Office of Policy

| Active Interagency Reviews from OMB | |
|---|---|
| **Subject** | **OMB Due Date** |
| SBA White Paper: Size Standard Methodology | 12/06/2018 |
| HUD NPRM (Pass-back): Streamlining and Aligning Formaldehyde Emission Control Standards for Certain Wood Products in Manufactured Home Construction with Title VI of the Toxic Substance Control Act | 12/07/2018 |
| Treasury FRM: Regulations for the Gulf Coast Restoration Trust Fund | 12/17/2018 |

| Documents Submitted to OFR from November 29 - December 4, 2018 | | |
|---|---|---|
| **FRL** | **Title** | **Date Submitted to OFR** |
| 9986-33-OEI | NSPS for Metallic Mineral Processing Plants (Renewal)/ICR No.0982.12 | 12/4/2018 |
| 9986-37-OEI | NSPS for Kraft Pulp Mills (Renewal)/ICR No.1055.12 | 12/4/2018 |
| 9986-51-OEI | NESHAP for Ferroalloys Production: Ferromanganese and Silicomanganese (Renewal)/ICR No.1831.07 | 12/4/2018 |
| 9986-60-OEI | NESHAP for Pesticide Active Ingredient Production (Renewal)/ICR No.1807.09 | 12/4/2018 |
| 9987-43-OCSPP | 40 CFR parts 9 and 721 - Significant New Use Rules on Certain Chemical Substances; Withdrawal | 12/4/2018 |
| 9987-47-OA | Request for Nominations of Candidates for EPA's Science Advisory Board 2019-2021 Scientific and Technological Achievement Awards Committee | 12/4/2018 |
| 9987-56-OA | National Environmental Education Advisory Council | 12/4/2018 |
| 9987-57-ORD | Board of Scientific Counselors (BOSC) Chemical Safety for Sustainability Subcommittee Meeting – January 2019 | 12/4/2018 |
| 9987-58-ORD | Board of Scientific Counselors (BOSC) Air and Energy Subcommittee Meeting – January 2019 | 12/4/2018 |
| 9987-59-OEI | 40 CFR part 3 - Cross-Media Electronic Reporting: Authorized Program Revision Approval, State of Kansas | 12/4/2018 |
| 9987-60-Region 10 | 40 CFR part 52 - Air Plan Approval; Oregon; Removal of Obsolete Regulations | 12/4/2018 |
| 9987-62-OLEM | Agency Information Collection Activities; Proposed Collection; Comment Request; Part B Permit Application, Permit Modifications, and Special Permits | 12/4/2018 |
| 9987-64-OLEM | Agency Information Collection Activities; Proposed Collection; Comment Request; Hazardous Waste Specific Unit Requirements, and Special Waste Processes and Types | 12/4/2018 |

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|---|---|---|
| 9987-65-Region 9 | Clean Air Act Prevention of Significant Deterioration Permit Issued to Palmdale Energy LLC for the Palmdale Energy Project | 12/4/2018 |
| 9987-66-OAR | 40 CFR part 80 - Renewable Fuel Volume Standards for 2019 and Biomass-Based Diesel Volume (BBD) for 2020 | 12/3/2018 |
| 9986-83-OCSPP | 40 CFR part 721 - Significant New Use Rules on Certain Chemical Substances (18-4) | 11/30/2018 |
| 9987-05-Region 5 | 40 CFR part 300 - National Oil and Hazardous Substances Pollution Contingency Plan; National Priorities List: Partial Deletion of the Beloit Corporation Superfund Site | 11/30/2018 |
| 9987-15-Region 5 | 40 CFR part 300 - National Oil and Hazardous Substances Pollution Contingency Plan; National Priorities List: Deletion of the Tomah Armory Landfill Superfund Site | 11/30/2018 |
| 9987-16-Region 5 | 40 CFR part 300 - National Oil and Hazardous Substances Pollution Contingency Plan; National Priorities List: Deletion of the Tomah Armory Landfill Superfund Site | 11/30/2018 |
| 9987-33-Region 8 | Settlement Agreement for Recovery of Past Response Costs: ACM Smelter and Refinery Site, Great Falls, Cascade County, Montana | 11/30/2018 |
| 9987-44-Region 10 | Clean Air Act Operating Permit Program; Petition for Objection to State Operating Permit for the U.S. Department of Energy-Hanford Operations, Benton County, Washington | 11/30/2018 |
| 9987-48-Region 3 | 40 CFR part 52 - Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Nonattainment New Source Review Requirements for 2008 8-Hour Ozone Standard | 11/30/2018 |
| 9987-49-Region 2 | 40 CFR part 52 - Approval and Promulgation of Implementation Plans: New York Ozone Section 185 | 11/30/2018 |
| 9987-53-OAR | Allocations of Cross-State Air Pollution Rule Allowances from New Unit Set-Asides for 2018 Control Periods | 11/30/2018 |
| 9982-42-OCSPP | Bixafen; Pesticide Tolerances | 11/29/2018 |
| 9985-61-OCSPP | Interim Registration Review Decisions and Case Closures for Several Pesticides; Notice of Availability | 11/29/2018 |
| 9985-62-OCSPP | Registration Review Proposed Interim Decisions for Several Pesticides; Notice of Availability | 11/29/2018 |
| 9985-77-OCSPP | 40 CFR part 180 - Extension of Tolerances for Emergency Exemptions (Multiple Chemicals) | 11/29/2018 |
| 9985-83-OCSPP | 40 CFR part 180 - Clomazone; Pesticide Tolerances | 11/29/2018 |
| 9985-99-OCSPP | 40 CFR part 180 - Propanesulfonic acid, 2-methyl-2-[(1-oxo-2-propen-1-yl)amino]-, homopolymer, sodium salt and 1-Propanesulfonic acid, 2-methyl-2-[(1-oxo-2-propen-1-yl)amino]-, sodium salt (1:1), homopolymer; Tolerance Exemption | 11/29/2018 |
| 9986-06-OCSPP | 40 CFR part 180 - Calcium Formate; Exemption from the Requirement of a Tolerance | 11/29/2018 |

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|---|---|---|
| 9986-34-OCSPP | 40 CFR parts 9 and 721 - Significant New Use Rules on Certain Chemical Substances; Reopening of Comment Period (17-5) | 11/29/2018 |
| 9986-64-Region 6 | Air Plan Approval; Texas; Interstate Transport Requirements for the 1997 Ozone National Ambient Air Quality Standards | 11/29/2018 |
| 9986-65-Region 6 | 40 CFR 52 - Air Plan Approval; Texas; Emission Statements | 11/29/2018 |
| 9986-66-Region 6 | 40 CFR 52 - Air Plan Approval; Texas; Emission Statements | 11/29/2018 |
| 9986-74-OCSPP | 40 CFR parts 9 and 721 - Significant New Use Rules on Certain Chemical Substances; Withdrawal (18-1) | 11/29/2018 |
| 9986-82-Region 1 | 40 CFR part 52 - Air Plan Approval; New Hampshire; Infrastructure State Implementation Plan Requirements for the 2012 PM2.5 NAAQS | 11/29/2018 |
| 9986-87-OCSPP | 40 CFR part 180 - Oxytetracycline; Pesticide Tolerances | 11/29/2018 |
| 9986-97-Region 1 | 40 CFR part 52 - Air Plan Approval; Connecticut; Volatile Organic Compound Emissions from Consumer Products and Architectural and Industrial Maintenance Coatings; Correction | 11/29/2018 |
| 9987-00-Region 1 | 40 CFR part 52 - Air Plan Approval; Massachusetts; Air Emissions Inventory, Emissions Statements, Source Registration, and Emergency Episode Planning Provisions | 11/29/2018 |
| 9987-36-Region 4 | 40 CFR part 271 - Alabama: Proposed Authorization of State Hazardous Waste Management Program Revisions | 11/29/2018 |
| 9987-38-Region 9 | 40 CFR part 52 - Findings of Failure to Submit Complete State Implementation Plans Required for the 1997, 2006, and 2012 PM2.5 NAAQS; California; San Joaquin Valley | 11/29/2018 |

## Upcoming Major Decisions and Events

**Environmental Economics Workshop** - On December 13-14, NCEE will host a workshop in Washington, DC to improve representation of the labor market in economy-wide models for government and academic economists.

## Office of Research and Development

On December 12, ORD will meet with Region 7 and their State Directors at the Region 7 Science and Technology Center in Kansas City. This will be an opportunity for ORD to hear from Region 7 states about their environmental challenges and related science needs, and for states to learn more about ORD's capabilities and research. The meeting will include presentations and discussions focused on topics of most interest to Region 7 states: Flint Hills prescribed burning and air quality, nutrients and harmful algal blooms, and per- and polyfluoroalkyl substances (PFAS). We will also join the Region 7 State Directors' meeting at the regional office on December 11.

### Hot Issues

**Small Business Innovation Research (SBIR) 2018 Phase II Awards**
The EPA SBIR Program awarded five new Phase II awards to small businesses to develop and commercialize their novel environmental technologies in the areas of indoor air quality monitors for formaldehyde, greener plastics, lead detection in drinking water and greener building materials. For Phase II, companies receive contracts for up to $300,000 for two years. Companies underwent a rigorous external peer review followed by an internal relevancy review to make final funding recommendations.

**Follow up meeting with Ohio EPA on PFAS, Dayton, OH, December 18**
ORD will meet with Ohio EPA as a follow up to their October 16 meeting in Cincinnati (requested by Ohio EPA). Participants will exchange information on work related to PFAS chemicals. Ohio EPA will share their occurrence data on PFAS chemicals, which ORD may use for modeling purposes and potentially provide to OW.

**Measurement Technology for Ethylene Oxide (EtO) emissions**
ORD is partnering with researchers in OAR/OAQPS, Region 5, and Region 6 to develop a measurement technique to quantify EtO emissions to 10pptv, which has not been accomplished to date.

### Upcoming Major Decisions and events

**National Academies of Sciences Systematic Review Workshop**
On December 10th – 11th, The National Academies of Sciences (NAS) Board on Environmental Studies and Toxicology will hold a workshop to explore relevant strategies and tools that are being developed and used across the systematic review and risk assessment communities to assist EPA with developing guidance on performing systematic reviews of mechanistic data to support the chemical assessments in the IRIS program. A poster session will accompany the workshop that will have examples demonstrating the application of systematic review approaches to mechanistic data.

**State Environmental Health Directors**
On December 11, Bruce Rodan will be presenting on the ORD Strategic Research Action Plans process and state engagement opportunity during the monthly State Environmental Health Directors call. The overall goal is to better align ORD's research programs with EPA program and regional office, state and tribal research priorities.

**Board of Scientific Counselors Subcommittee (BOSC)**
On December 12 – 14, the BOSC Homeland Security Research Subcommittee will hold a public meeting at EPA in Research Triangle Park, NC, to review the draft Homeland Security Strategic Research Action Plan. Bruce Rodan and David Dunlap will attend.

**Clean Air Scientific Advisory Committee (CASAC) Meeting**
On December 12th – 13th, the Clean Air Scientific Advisory Committee (CASAC) meeting for review of the Draft Integrated Science Assessment for Particulate Matter (PM ISA) will take place in Arlington, VA. The meeting was announced by an FRN published on October 23, 2018. The draft PM ISA was prepared by the Environmental Protection Agency's National Center for Environmental Assessment as part of EPA's ongoing review of the particulate matter national ambient air quality standards (NAAQS).

**Minnesota Department of Health Meeting**
On December 18, ORD will have a kick-off meeting with the Minnesota Department of Health to discuss a recently formalized cooperative research and development agreement (CRADA) to use CompTox data and approaches in their risk assessment process for contaminants of emerging concern in water.

## Office of Water

### Hot Issues

**Waters of the United States**
On December 11, the EPA and the Army will sign the proposed rule to revise the definition of "waters of the United States." This is the second step in the two-step process to implement the February 2017 Executive Order to rescind or revise the 2015 WOTUS rule. Both agencies provided internal briefings for managers on December 6. The agencies are planning a series of outreach events during the public comment period, beginning in January, including a public webcast, one public listening session in Kansas City, and state and tribal in-person engagements.

**WIFIA**
As early as next week, OW anticipates sending forward for Administrator signature, the WIFIA loan packages for St. Louis and the City of Baltimore. The EPA will provide $202 million in financing to the City of Baltimore for the completion of 14 projects to repair, rehabilitate, and replace existing wastewater conveyance and treatment plants. The EPA will also provide $47.7 million in financing to the Metropolitan St. Louis Sewer District to construct a new pump station, replace approximately 15,900 feet of sanitary sewer, and slip-line 1,700 feet of sanitary sewer to address both combined and sanitary sewer overflows and improve the water quality in Deer Creek. OW anticipates closing both of these transactions the week of December 17th.

**NPDES Updates Rule**
As early as next week, OW anticipates sending to OP for Administrator's signature, the final NPDES Applications and Program Update rule. This rule will allow the EPA to update and modernize eight NPDES permit application forms, some of which have not been updated in over 30 years. In addition, the rule will give states the option of providing public notice for NPDES permits on websites in lieu of publication in local newspapers. These changes will allow permits to be issued sooner, save states, the EPA, and permittees money, and encourage more effective public notice.

### Upcoming Major Decisions and Events

**US Chamber of Commerce Global Energy Institute Leadership Council**
Next week, Lee and Owen will attend the Chamber's Global Energy Institute Leadership Council to give a WOTUS update. This event is closed to press.

**Colorado River Water Users Association 2018 Annual Conference**
Next week, Dave will participate in a panel with his counterparts from DOI, USDA, NOAA and the Army Corps of Engineers as part of "Federal Friday" at the conference. The panel will discuss the Agencies' plans to collaborate on cross-cutting water issues. This event is open to press.



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