# Region 1

## Hot Topics

**CWA Order Issued to Lynn Water and Sewer Commission**
On April 9, Region 1 issued a Clean Water Act administrative order (AO) to the Lynn Water and Sewer Commission (LWSC) in Lynn, MA for violations of the effluent limits contained in its NPDES permit. LWSC operates a collection system and water pollution control facility that discharge to Lynn Harbor. The Order requires LWSC to submit an operation and maintenance optimization plan which identifies measures that should be taken to prevent future effluent limit violations. These measures must be implemented as part of the Order.

**US District Court Approves Consent Decree with Emhart/Black & Decker**
On April 8, following years of litigation and negotiation, the US District Court approved Region 1's Consent Decree with Emhart/Black & Decker. This constitutes a 100% recovery including performance of the $100 million remedy, payment of all future costs, and $42 million in past costs. The Court vacated its prior decision finding certain aspects of the ROD arbitrary and capricious, and made an explicit finding that "the remedial action described in the ROD… is not inconsistent with CERCLA and the National Contingency Plan." Beyond the Agency being made whole, this decision means Region 1 is no longer involved in the ongoing litigation between Emhart and other parties.

**$1.05 Million in Costs Recovered from General Electric for Housatonic River Site**
On March 28 the General Electric Company (GE) paid in full Region 1's cost recovery demand of $1,056,051.90 under the Consent Decree governing the cleanup of the Housatonic River and Pittsfield, MA. Pursuant to the ongoing Decree, Region 1 bills GE annually for reimbursement of EPA and U.S. Department of Justice costs incurred.

**Region 1 Issues CWA Administrative Order Town of Hardwick, MA**
On April 10, EPA issued a CWA AO to the Town of Hardwick, MA for violations of the effluent limits contained in its NPDES permit. The Town owns and operates two wastewater treatment facilities that discharge to the Ware River. The AO requires the Town conduct and submit a feasibility study which will investigate upgrading the treatment plants as well as other alternatives for treating the Town's sanitary waste.

## Upcoming Major Decisions and Events

**Portsmouth, NH to Host 30th Annual Nonpoint Source Program Conference/NPS Workgroup Meeting**
On Apr 18-19, the 30th Annual Nonpoint Source Program conference will be held in Portsmouth, NH. This year's conference will be hosted by NE Interstate Water Pollution Control Commission (NEIWPCC), New Hampshire and Region 1. Planned sessions include: CWA § 319 funded projects; hydromodification; green infrastructure; coastal nutrient management; climate resiliency; and other major NPS issues.

**Office of Research and Development Director to Visit Region 1**
Office of Research and Development (ORD) Director Jennifer Orme-Zavaleta, Deputy Director Chris Robbins and other ORD experts will visit Region 1 and MADEP's Lab at the Wall Experiment Station in Lawrence, MA on April 16. The goal is for ORD to share its tools and resources and to discuss three issues of most concern for the state: PFAS, microbial source tracking pathogens in ambient waters, and cyanotoxins in drinking water sources.



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# Region 2

## Hot Topics:

**Hudson River Superfund Site**
On 4/11 RA Pete Lopez announced our decisions on two pending matters: (1) EPA issued the final Second Five Year Review Report, in which we deferred a determination of the protectiveness of the remedy in the Upper Hudson River until sufficient years of Hudson River fish tissue data are gathered to draw a scientifically reliable conclusion about the rate of recovery. (2) In a separate action, EPA also issued a "Certification of Completion of the Remedial Action" to General Electric for activities it conducted that were required under the 2006 judicial Consent Decree (CD) and that fall under the CD definition of "Remedial Action" (which includes the dredging, habitat reconstruction, and treatment plant decontamination and decommissioning). This is the second certificate in a series of three – the first was issued in 2012 and the third (the "Certification of Completion of the Work") is not expected to be available to GE for more than five decades. Briefings were also provided to elected officials and their staff, and to members of the Community Advisory Group. There is extensive press and public interest in these two announcements, and the RA has provided numerous interviews to press and electronic media, and is expected to meet with editorial boards of a number of press outlets. The RA has also prepared Op-Ed pieces for two newspapers important in the Hudson area.

**DuPont/Chemours, Parlin, NJ**
On 4/5, Region 2 and NJDEP issued a joint letter to DuPont and Chemours regarding the Parlin facility. The letter requests that the companies develop a receptor evaluation/sampling plan for PFAS/GenX to evaluate impacts and the potential for impacts to any private wells and individual public supply wells, including the wells used for the City of Perth Amboy water supply located approximately one and a half miles south of the Parlin facility. The letter requires continued sampling and delineation of PFAS/GenX on, and emanating from, the Parlin facility and a summary describing the operations and possible sources of GenX at the Parlin facility.

## Upcoming Major Decisions and Events

**Quanta Superfund Site, Edgewater, NJ**
RA Pete Lopez and staff will hold a public information session on 04/16, to discuss remobilization to the site for the resumption of soil solidification work. The project will now be using sprung structures to better control emissions. Currently, Honeywell (the PRP) plans to remobilize to the site to erect tents on 04/22, and plans to initiate the soil treatment on 05/06.

**Passaic River (Diamond Alkali) Superfund Site, NJ**
On 4/23 RA Pete Lopez and staff will host an informational meeting for elected officials to provide an update on Passaic River remedial activities, with a focus on the ongoing remedial investigation of the upper 9 miles of the Lower Passaic River. We are considering an interim remedial action for that stretch of the river. Completion of the remedial investigation is a milestone being tracked on the Administrator's Special Emphasis List.

# Region 3

## Hot Topics

**RA Servidio Updates Global Community on EPA Sustainable Materials Management Program**
On April 1, 2019, Region 3 Administrator Cosmo Servidio delivered remarks at the 34th annual International Conference on Solid Waste Technology and Management. Widener University hosted this Conference in Annapolis, MD, which is held annually with attendees representing more than 35 countries. Mr. Servidio discussed updates to EPA's Sustainable Materials Management (SMM) Program including our recent focus on enhancing materials management infrastructure and secondary materials markets. He reviewed EPA's associated plans to focus on materials generated from the built environment, food sector, disaster response and other areas. He highlighted how for every 10,000 tons of materials recycled, there are 16 jobs and $760,000 in wages created. In addition, Region 3 staff delivered an associated presentation at a separate Policy and Management Session at this conference. The approximate 140 attendees truly valued EPA's participation at this conference as we all seek to reduce our environmental footprint.

**Liquidation Court Approves Multi-Regional Settlement in Home Receivership Action for Payment Of Allowed Claim Of $16 Million For Sharon Steel (Farrell Works Disposal Area) Superfund Site**
On March 26, 2019, after a period of public comment, the Liquidation Court (Superior Court of the State of New Hampshire, Merrimack County) entered an order approving the proposed multi-regional Settlement Agreement between the United States (on behalf of EPA, the Navy, Department of Interior, and the National Oceanic and Atmospheric Administration) and the Insurance Commissioner of the State of New Hampshire, in his capacity as the Liquidator of The Home Insurance Company. The Settlement Agreement was negotiated in connection with the CERCLA liability of its insured, Sharon Steel Corporation, for the Sharon Steel (Farrell Works Disposal Area) Superfund Site. The settlement proceeds will be used to fund cleanup at the Site, located near the City of Farrell, Mercer County, Pennsylvania, which cleanup is estimated at $36M. The Settlement Agreement provides for a total allowed claim of over $27M, with $16M of that total allocated to the Site. This is a direct implementation claim for the federal government which arises under the State of New Hampshire's receivership statute and the Federal Priorities Act.

**Finding of Suitability to Transfer, Naval Air Station Joint Reserve Willow Grove, Horsham, Pennsylvania**
On April 2, 2019, the Associate Director for Federal Facilities Remediation and Site Assessment concurred with the Navy's Finding of Suitability to Transfer (FOST) Naval Air Station Joint Reserve Willow Grove Southeast Clear Zone (March 2019). The FOST documents the environmental suitability of an 8-acre parcel that was used as an aviation clear zone by the Navy. Based on the documentation compiled by the Navy, EPA agreed that the land was environmentally suitable for transfer through the Base Realignment and Closure Process. Although no releases were identified, in accordance with CERCLA, the Navy remains responsible for any future releases that pose a threat to the environment from previous Navy activity.

**West Virginia Man Pleads Guilty to CWA Felonies for Failure to Maintain Sewage Treatment Plant and Filing False DMR**
Timothy Peer pled guilty to two CWA felonies on April 3, 2019, in Federal District Court in Martinsburg, West Virginia. Peer operated a small sewage treatment plant in Mineral County, West Virginia from 2008 to 2016. Peer pled guilty to knowingly causing a violation of his NPDES permit for his failure to maintain the treatment plant. Peer also pled guilty to knowingly submitting a DMR in December 2015, that falsely claimed there was no discharge from the treatment system for the last calendar quarter of 2015. Peer had been indicted on 12 felony CWA charges and one felony fraud charge on December 4, 2018. Peer faces a maximum term in prison of five years and a criminal fine of up to $260,000 when he is sentenced on August 5, 2019. This case was referred to EPA CID by the W. Va. Department of Environmental Protection. WVDEP inspectors assisted with the investigation and prosecution of Peer.



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**EPA, Delaware State University and Delaware Environmental and Public Health Agencies to Sign Memorandum of Understanding**

On April 11, 2019, EPA Region 3 and Delaware State University (DSU) will sign a renewed memorandum of understanding (MOU) to continue to work together to enhance research, teaching, outreach, career development, and stewardship in the environmental sciences at the university. The Delaware Department of Natural Resources and Environmental Control (DNREC) and the Delaware Department of Health and Social Services (DHSS) will also join the partnership. In addition to EPA providing training on analytical tools for curriculum enhancement, EPA and DSU have partnered on various projects over the past six years, some of which have benefited the surrounding Dover community.

**Region 3 Participates in Bay Barometer Release**

On Tuesday, April 2, Region 3 staff participated in the media release of the Chesapeake Bay Program Partnership announcement of the 2017-18 Bay Barometer, an annual report on restoration efforts in the Chesapeake Bay Watershed. The Bay Barometer reported that that 42% of the Bay is meeting water quality standards, the highest percentage reported to date. The report used data from the 2015-17 time period. Other highlights included more than 100,000 acres of underwater grasses, also the most ever recorded, over 1,000 additional miles of available fish migration passage, and more than 1.3 million acres of land in the Bay watershed have been permanently protected from development since 2010. Measurements of stream health, toxic contaminants, wetlands and forest buffers indicate progress remains in these areas.

**Upcoming Major Decisions and Events**

None to report.

# Region 4

## Hot Topics

**Oak Ridge Reservation (Oak Ridge, TN)**
*Key Message:* On April 5, 2019, the Department of Energy elevated the formal dispute regarding waste water discharge limits for radionuclides. After their elevation, the Senate Committee on Environment and Public Works (SEPW) requested a briefing regarding this issue expressing concern for potential precedent for radiological standards at nuclear cleanup sites. We are working on a path forward to address the SEPW's briefing request.

**Mississippi Phosphates Corporation Site (Pascagoula, MS)**
*Key Message:* Region 4 currently treats 1-4 million gallons per day of wastewater at the MSP site at an average monthly cost of $1 million. The remaining water treatment budget for this site is $4.4M, and we are approaching hurricane season. Region 4 is working with the Priority Panel to obtain additional funding for water treatment, which is expected to be needed by late June/early July 2019.

## Upcoming Major Decisions and Events

**2019 South Atlantic Division Hurricane Rehearsal**
On April 16th, Acting Region 4 Administrator Mary Walker will participate in the annual Hurricane Rehearsal exercise along with Brigadier General Diana Holland. Closed Press. Atlanta, GA.

**Georgia Water Resources Conference**
On April 17th, Acting Region 4 Administrator Mary Walker will be speaking at the Georgia Water Resources Conference in Athens, Georgia. Open Press. Savannah, GA.

**Rockwell International (Grenada, MS)**
On April 30th, Acting Region 4 Administrator Mary Walker, in coordination with the Office of Congressional and Intergovernmental Relations, will brief Congressman Bennie Thompson's (D-MS; 2nd District) office on the site status and overview of the Superfund process.

Paducah Formal Dispute Resolution for the C-400 Removal Notification SEC level dispute - April 28, 2019

Paducah Formal Dispute Resolution for the Engineering Evaluation/Cost Analysis SEC level dispute - May 18, 2019



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# Region 5

## Hot Topics

**Chicago Public Elementary School Reopens After Mercury Release**

Key Message: On April 5, EPA cleared the school and students returned to class April 8.

After completing the mercury cleanup, EPA cleared the school to reopen. On March 26, a broken barometer containing 4-5 tablespoons of mercury was spilled at the school and multiple 8th graders came in contact with the substance. EPA oversaw the cleanup and the school had been closed since March 27. EPA has been in close coordination with Chicago Public Schools, Chicago Department of Public Health, and ATSDR. The Region also attended two parent's meetings to answer questions and provide updates to families.

**EPA to Conduct Air Sampling Near Triple A Trucking in Merrionette, Ill.**

Key Message: EPA continues to work with state and local officials to address community concerns in the Mt. Greenwood neighborhood of Chicago.

At the request of Sen. Durbin and concerned residents, EPA has been investigating possible soil and groundwater contamination in the Mt. Greenwood neighborhood in Chicago. On March 25, EPA met with community members and received information regarding the Triple A facility located in Merrionette (adjacent to Mt. Greenwood/Chicago). The residents are concerned about getting sick from the severe off-site dust, noise and vibration from Triple A's operations. EPA will be conducting air sampling for hazardous substances later in April. The Illinois Attorney General filed a civil complaint in October 2018 against the facility. EPA is working closely with the Agency for Toxic Substances and Disease Registry on this project.

**Natural Fish Die-off in Rouge River**

Key Message: The natural die-off affected thousands of gizzard shad and is believed to have occurred due to the changing of the seasons and temperature swings.

EPA has received inquiries from concerned citizens regarding the die-off. RA Stepp was also contacted by Rep. Rashida Tlaib (MI-13). EPA has been in contact with U.S. Fish and Wildlife Service and Michigan Department of Natural Resources, who have investigated and agree that the fish kill is due to natural causes. The gizzard shad species is very sensitive to temperature changes (such as happened last week) and natural gizzard shad die-offs are a common occurrence throughout the upper Midwest in late winter/early spring.

**April 6 EtO Protest in Lake County, Ill.**

Key Message: The protest in Gurnee, Ill., drew more than 100 people, including Ill. state representatives, demanding action on EtO emissions from two facilities in Lake County.

By June 1, Lake County plans to begin air monitoring outside of Medline and Vantage, two plants that use EtO. EPA has shared best monitoring practices with the Lake County Health Department. EPA is continuing to coordinate with Illinois EPA on modeling emissions from the two facilities.

**RA Stepp and Chief of Staff Thiede Met with the new Senior Leaders from Wis. DNR and Wis. Dept. of Ag. on April 4**

Key Message: The meet and greets took place in Madison, Wis., and are part of a broader effort by RA Stepp to strengthen state relations. These were the first face-to face meetings with the new leadership teams. While in Madison, RA Stepp also met with Sen. Ron Johnson's Staff and Rep. Bryan Steil's on April 5.

**April 5 Northwest Indiana Great Lakes Success Project Tour**

Key Message: At the request of Rep. Visclosky's staff, EPA provided a Great Lakes Restoration Initiative presentation which was followed by a tour of Roxanna Marsh in Northwest Ind.

State Rep. Earl Harris and Fernando M. Trevino, Executive Director at East Chicago Waterway Management District also attended.

**Region 5 Senior Leaders Traveled to DC for ECOS and NTOC**
Key Message: RA Stepp and Chief of Staff Thiede attended ECOS and were then joined by Deputy Regional Administrator Cheryl Newton and tribal office director Alan Walts for NTOC.

**Upcoming Major Decisions and Events**

**RA Stepp Providing Keynote at the Lake Michigan Air Directors Consortium's Regional Air Quality Meeting April 15**
Key Message: RA Stepp's remarks will focus on national and regional air priorities and updates. Region 5 Air and Radiation Director Ed Nam will also be participating in the meeting.

**RA Stepp Meeting with Southeast Chicago Community Groups on April 16**
Key Message: Community advocates have asked to meet with RA Stepp to discuss EPA work in Southeast Chicago and to talk about future action including additional monitoring and investigations that may be needed.

EPA has made significant investments to protect health and the environment in Southeast Chicago from air emissions and soil contamination (as detailed at https://www.epa.gov/il/environmental-issues-southeast-chicago). This meeting reflects Region 5's ongoing commitment to engaging our community partners as we work with state and local agencies to improve environmental quality in Southeast Chicago communities.

**RA Stepp and Chief of Staff Thiede to Hold a Videoconference with Illinois EPA on April 17**
Key Message: The video-conference is part of a broader effort by RA Stepp to strengthen state relations.

**Region 5 will provide a briefing to Administrator Wheeler on Friday, April 19, on the Great Lakes Water Quality Agreement**
Key Message: This informational briefing is intended to provide the Administrator with a more in depth briefing about this multinational, trans-border agreement.

# Region 6

## Hot Topics

**Intercontinental Terminals Company (ITC) LLC, Deer Park, Texas**
ITC continues operations to transfer materials from the damaged tanks and recover materials from Tucker Bayou and the Houston Ship Channel. About 5.8 miles of non-continuous riverbank has been impacted and materials are mostly contained by booming. The Ship Channel has been reopened with restrictions to commerce. Air monitoring continues and will be revisited once tanks are emptied. Water sampling also continues. Onsite storage of collected material and recovery water for testing and disposal is emerging as a challenge and options are being evaluated. Several public meetings are being planned during the upcoming Congressional recess. EPA has been invited to participate. High Congressional and Media Interest

**Lowerline Radiation Site, New Orleans, Louisiana**
On April 9, EPA conducted a site walk with Louisiana Department of Environmental Quality and City of New Orleans representatives. The site is the location of a hot spot Radium 226 (Ra-226) identified by the Department of Energy during a sweep of the area surrounding the Super Dome. It was suspected to be a seal-source, but following their attempt at excavation, only soil contaminated with significant amounts of Ra-226 was found below two layers of pavement, mixed with the original road base of shells last dealt with in the 1940s or early 1950s. The post excavation showed gamma radiation levels at significant levels in the street, even though shielded by more than two feet of soil and pavement. An Action Memo has been drafted and has been distributed for review, comment and concurrence.

## Upcoming Major Decisions and Events

**Texas 2015 Ozone Infrastructure SIPs, Texas**
By April 25, EPA anticipates a proposal approval of two Texas SIPS demonstrating that the existing Texas SIP satisfies the requirements for the CAA for transport elements and interstate and international pollution abatement.

**Pueblo of Santa Ana TAS Application, New Mexico**
By April 25, EPA anticipates final approval of the Santa Ana Pueblo's TAS application under CAA authority for Sections 105, 107(d)(3), 126, and 505(a)(2). The action will authorize the Pueblo to apply for funding under CAA 105 provisions and receive notifications of CAA permit applications.

**2008 Ozone Standard Volatile Organic Compound SIP and Reasonably Achievable Control Technology, Houston/Galveston/Brazoria, Texas**
By April 26, EPA anticipates final approval of the Texas' 2008 Reasonably Achievable Control Technology (RACT) demonstration for the Houston/Galveston/Brazoria non-attainment area.

**Beaumont/Port Arthur Re-designation/Maintenance Plans for 1-hour and 1997 8-hour Ozone Standards, Beaumont/Port Arthur, Texas**
By April 26, EPA anticipates proposed approval of Texas SIP revisions for the old 1-hour and 1997 8-hour ozone air quality standards for the Beaumont/Port Arthur area.

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| April 25 | Nuclear Weapon Accident/Incident Exercise 2019, Amarillo, Texas |
| May 5-7 | Interstate Oil & Gas Compact Commission, Oklahoma City, Oklahoma |

# Region 7

## Hot Topics

**Technical Assistance to NDEQ: Alt-En Ethanol; Mead, Nebraska**

Key Message:

Concerns from citizens in Mead, Nebraska over contents of process related materials
NDEQ to sample wet cake, sludge, wastewater & seed corn
Laboratory analysis for a wide range of pesticides, fungicides, herbicides, and metals by multiple labs
Region 7 laboratory supporting for soil / solid / water TCLP and total metals analysis

**Region 7 Support Wrap Up for Super Typhoon Yutu Response (Saipan & Tinian)**

Key Message:

For the past six months, EPA Region 7 has been supporting Region 9's response to Typhoon Yutu that occurred on the islands of Saipan and Tinian in October 2018. On April 15, Region 7 will conclude its support for the cleanup efforts on the islands.
Over the course of the response, Region 7 deployed a total of six emergency response personnel - several of whom served two deployments - to Saipan and Tinian to serve in senior field operations positions. These responders collectively worked approximately 160 days in the field.
Missions on these islands included removal of hundreds of PCB-containing transformers, thousands of hazardous material containers, and contaminated soils that were a result of a catastrophic typhoon that swept through the islands.

## Upcoming Major Decisions and Events

On April 16, Regional Administrator Jim Gulliford will attend a meeting with MDNR in Lee's Summit, Missouri.

On April 17, Regional Administrator Jim Gulliford will attend a meeting with IDNR in Des Moines, Iowa.

On April 17 and 18, Deputy Regional Administrator Ed Chu will attend the Environmental Financial Advisory Board Meeting in Washington, D.C.

On April 17, water division staff from Region 7 will be attending the 69th Annual KU Environmental Engineering Conference. John Dunn, Environmental Engineer, will be presenting on the Innovative Use of Materials in Mining Reclamation.

On April 18, Regional Administrator Jim Gulliford will attend a meeting with the USDA Agriculture Research Service in Ames, Iowa.

# Region 8

## Hot Topics

**Electric Arc Furnace (EAF) Slag from EVRAZ Rocky Mountain Steel Mill and Harsco Minerals & Metals**

On April 9, 2019, the EPA and the Colorado Department of Public Health and Environment (CDPHE) met with representatives of EVRAZ and Harsco to discuss a joint R8 and CDPHE March 11, 2019, request for information and analytical data. The EPA explained the information and analytical data requested, responded to questions and provided clarifying information. The EPA also provided an update of the planned slag sampling at the nearby Colorado Smelter Superfund site and committed to sharing a copy of a previous data report from a residential yard in the Superfund study area. Additional EPA follow-up with the Companies is planned regarding the 2011 risk assessment to fully convey specific EPA questions and concerns regarding that study. EVRAZ and Harsco agreed to respond in writing by April 16, 2019, indicating their intent to work collaboratively with the Agencies to provide existing slag analysis data collected by Harsco, and to provide a schedule for responding to the information request and for developing a sampling plan.

**Silver Bow Creek/Butte Superfund Site Proposed Plan Released**

On April 11, 2019, the EPA released proposed changes to the existing 2006 Record of Decision (ROD), as modified by the 2011 Explanation of Significant Differences (ESD) for cleanup of the Butte Priority Soils Operable Unit (BPSOU) of the Silver Bow Creek/Butte Area Superfund Site. The release of the proposed plan starts a 60-day public comment period ending on June 11, 2019. In addition, on April 11, 2019, the EPA, the state of Montana, Butte-Silver Bow County and Atlantic Richfield issued a letter to the Restore Our Creek Coalition (ROCC) which proposes end land use plans within the Silver Bow Creek corridor in Butte at the request of ROCC, e.g., a lined water feature, a pond and landscaping. The EPA continues to negotiate a consent decree with the state of Montana, Butte-Silver Bow County and Atlantic Richfield under the 135-day notice of negotiation period which began on March 29, 2019.

**Crow Agency community remains under a boil order due to low water pressure (Montana)**

The Crow Agency community remains on a boil order (Emergency Administrative Order issued on Friday, 3/15). All parts of the community now have water service and BIA will flush the system once tank levels are adequate. Following flushing, special samples will be collected. If special samples indicate the water is safe, the boil order can be lifted.

## Upcoming Major Decisions and Events

None to report.

# Region 9

## Hot Topics:

**CWA Stipulated Penalties**
We assessed $84.5K in stipulated penalties to StarKist for ongoing consent decree violations relating to safety and environmental actions at its tuna cannery, including unauthorized discharges to Pago Pago Harbor in American Samoa. We will split the penalties with American Samoa EPA.

**CAA Mobile Sources**
We recommended to Customs & Border Protection the seizure and/or export of shipments of forklifts and chainsaws into the Ports of Los Angeles/Long Beach which violate CAA requirements.

## Upcoming Major Decisions and Events

**DOD projects in the outer Pacific**
Water Director Tomas Torres will join Navy, NMFS, Marine Corps and Army Corps senior leaders in Honolulu April 18 to discuss pending DOD projects in the outer Pacific which may affect water quality and marine resources. He will meet with Hawaii Dept. of Health and Hawaii Congressional staff to discuss the continued high levels of unliquidated obligations (ULOs) in the State Revolving Fund.

**Navajo Nation**
Regional Administrator Mike Stoker will meet with Navajo Nation President Jonathan Nez and Speaker Seth Damon in Window Rock. They will host an "Industry Days" event where companies can learn of EPA's forthcoming contracting opportunities related to our assessment and remediation of abandoned uranium mines. The RA will tour several of the abandoned mines in different parts of the vast Navajo Nation.

**Air Quality**
We joined the local air district and over 100 industry, retail and residential partners in Portola, CA on April 6 for the annual fair to demonstrate cleaner-burning wood stoves. Wood burning accounts for 76% of the annual PM 2.5 emissions in this nonattainment area. EPA is funding 600 stove replacements with a $2.48 mil. Targeted Airshed grant; over 280 stoves have been replaced to date.



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## Region 10
## Hot Topics

**Power Outage at Former Rhone-Poulenc RCRA Corrective Action Site Affects Groundwater Treatment System (WA)**
The collapse of 26 power poles along a major roadway south of Seattle on April 5th caused a power outage at the Container Properties/Former Rhone-Poulenc site in Tukwila, WA. As a result, the groundwater pump and treat system has not been operating. The pump and treat system prevents contaminated groundwater beneath the site from reaching the Lower Duwamish Waterway. Contractors are monitoring the situation and currently water levels are steady despite the power outage. Seattle City Light is projecting that power will be restored on April 11th.

## Upcoming Major Decisions and Events

**Region 10 Authorizes Discharges Under Newly Re-Issued WA-OR Offshore Seafood Permit**
This week, in advance of the spring whiting fishing season, Region 10 will prepare and issue authorization to discharge letters to 14 vessels that submitted Notices of Intent for coverage under the recently-issued General Permit for Offshore Seafood Processors in Federal Waters Off the Coast of Washington and Oregon. The permit and the coverages for the 14 vessels will be effective on May 1, 2019. This new permit represents the first-time vessels discharging in Federal Waters off of the Washington and Oregon coasts will have NPDES permit coverage.

**Tribal Consultation on Idaho Water Quality Criteria for Copper and Selenium**
On April 12th Region 10's Water Division Director will have a government-to-government consultation via teleconference with the Kootenai Tribe regarding the EPA's pending Clean Water Act actions on Idaho's selenium and copper water quality standards submissions. Soon after the consultation and subject to tribal input, the region will take action on the copper criteria, which Idaho updated to be consistent with EPA's CWA 304(a) recommendations. The updated copper criteria have also satisfied the reasonable and prudent alternatives identified in the NMFS and USFWS biological opinions.

**Region 10 Presents Port of Seattle with Food Recovery Challenge Award (WA)**
On April 16th, Region 10 will present a Food Recovery Challenge award to the Port of Seattle's Senior Director of Environment and Sustainability at the Port Commission meeting. This award will recognize the Port for their outstanding accomplishments at Seattle-Tacoma International Airport preventing and diverting wasted food from landfill disposal. Key accomplishments included diverting 692 tons of food waste through surplus food donation, food waste composting and cooking oil recycling. The Food Recovery Challenge is part of EPA's Sustainable Materials Management Program.

**Region 10 Meetings on Portland Harbor Superfund Cleanup Status**
During the week of April 15th , Region 10's Superfund Division Director and others will have a series of meetings in Portland, Oregon on the Portland Harbor Superfund Site cleanup. Meetings include state and local government leaders, Potentially Responsible Parties, congressional delegation staff, community leaders and a public forum.

**Region 10 Lead Based Paint Outreach in Oregon**
Region 10's lead-based paint team will conduct outreach in Oregon in mid-April. The team will make presentations at the Lincoln County Board of Realty membership meeting and at the Oregon State Association of Plumbing-Heating-Cooling Contractors membership meeting. The focus will be on lead disclosure rules and the Renovation, Repair and Painting Rule.

**Tribal Consultation on Snake River Clean Water Act Site Specific Criteria (ID)**

Region 10's Water Division Director will travel to Lapwai, Idaho on April 23rd to consult with the Nez Perce Tribe on the EPA's upcoming action on the State of Idaho's site-specific criteria for temperature in the Hells Canyon reach of the Snake River. Region 10 is currently awaiting confirmation from National Marine Fisheries Service that they consider our biological evaluation on this action complete. NMFS will then either concur with our "not likely to adversely affect" determination or conduct its own biological opinion.

# Office of Air and Radiation

## Hot Topics

**Tracking SIP Actions:**
Total Number of SIPs submitted to Regions in FY 2019: 144
Total Number of SIP Submittals with Final Action taken by the Regions in FY 2019: 127
Total Number of Pending SIPs: 761

**Packages for Signature:**
Revision to Appendix P to 40 CFR Part 51, Concerning Minimum Emission Reporting Requirements in SIPs
Asphalt Processing and Asphalt Roofing Manufacturing Risk and Technology Review (RTR) (Proposed Rule)
Boat Manufacturing & Reinforced Plastic Composites RTR (Proposed Rule)

**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)
Prevention of Significant Deterioration (PSD) and Nonattainment New Source Review (NSR): Project Emissions Accounting (Proposed Rule)
2020 Ozone Depleting Substances Phaseout Rule (Proposed Rule)
Amendments Related to Marine Diesel Engine Emission Standards (Proposed Rule)

## Upcoming Major Decisions and Events

None to report.

# Office of Chemical Safety and Pollution Prevention

## Hot Topics

**Reduction in Burden for Chemical Data Reporting (CDR) and Alignment with Amended TSCA**
As early as April 11, OCSPP plans to propose CDR rule amendments to make chemical reporting easier and to support data collection efforts under TSCA. Manufacturers and importers of certain chemical substances in the TSCA Chemical Substance Inventory must report data on chemical manufacturing, processing and use every four years.

**Proposed Rule on Confidential Business Information (CBI) is Another TSCA milestone**
This week, EPA announced that it will propose a rule establishing the plan for EPA's review of manufacturer confidentiality claims and procedures for companies to substantiate those claims. EPA must finalize a plan to review all CBI claims for specific chemical identities for chemicals "active" in U.S. commerce by February 19, 2020. The proposal outlines EPA review of claims, timeframes for review completion, and annual posting of results. It requires claimants to substantiate claims, lays out procedures to do so, establishes an electronic reporting process, and sets the duration of protection for approved claims.

**OCSPP to Update Review Process and Pigment Violet 29 (PV29) Draft Risk Evaluation**
On April 11, OCSPP signed the Agency's updated systematic review process documents for PV29 and will reopen the comment period on the PV29 draft risk evaluation following EPA's release on March 22 of 24 studies. In November, EPA requested public feedback on the evaluation, the first of ten under new TSCA, and as a result determined the additional information should be made public. In addition to the public release of the data, EPA used the updated systemic review process, a new TSCA process that EPA is continuing to refine as it gains experience, to re-evaluate the 24 studies used in this risk evaluation. The proposed no unreasonable risk determination in the draft evaluation published in November is unchanged.

**Asbestos Significant New Use Rule (SNUR)**
During the week of April 15, OCSPP plans to announce that it is issuing a final rule to ensure that discontinued asbestos products cannot be reintroduced into commerce without the Agency evaluating them and putting in place any necessary restrictions, including prohibiting use. The final rule marks the first time in thirty years that EPA will take action on products that contain asbestos under TSCA. Further, the rule is part of a holistic approach that EPA is taking to use all available tools under TSCA to protect the public from asbestos exposure. For the limited ongoing uses of asbestos today, asbestos was one of the first ten chemicals selected by EPA under the Lautenberg act for risk evaluation. Under the final rule certain products will be prohibited from being manufactured, imported or processed until EPA conducts a thorough review, makes an appropriate determination, and takes actions as required in association with that determination.

**BOSC Meeting in RTP**
On April 11, AA Alexandra Dunn gave remarks to the Board of Scientific Counselors (BOSC) during their two-day meeting at EPA RTP focussing on OCSPP and ORD collaborations. On April 10, Dr. Jeffrey Morris, Director of the Office of Pollution Prevention and Toxics, presented on the alignment of ORD's Chemical Safety for Sustainability (CSS) research program with OPPT's TSCA science needs. Also, Dr. Hayley Hughes, Director of the Office of Science Coordination & Policy presented on the collaborative development of the Chemical Safety for Sustainability Strategic Research Action Plan (CSS StRAP) for FY2019-FY2022.

## Upcoming Major Decisions and Events

None to report.

# Office of the Chief Financial Officer

## Hot Topics

Earlier this week, OCFO submitted to EPA's Appropriations Subcommittees for their approval a reorganization proposal which includes shifting the LVFC functions to OCFO's RTP Finance Center in Durham, NC and/or Washington Finance Center in Washington, DC. OCFO also informed LVFC staff of the proposal.
The EPA has received 4 mission assignments from FEMA totaling $225,000 to support emergency response efforts to the Midwest Floods.

## Upcoming Major Decisions and Events

The public comment period on the draft FY 2020-2021 National Program Guidances began April 1 and ends May 3. Relevant AAs/DAAs and Lead Regions will convene individual calls with states/state associations. ECOS commissioners/media committee chairs will participate and provide introductory remarks in their respective calls. OCFO, in collaboration with OITA, NPMs and regions, will convene two consultation calls with tribes/tribal representatives. Th schedule is:
OW (*States*) – April 16
OITA (*Tribes*) – April 17 and April 18
OAR and OLEM (*States*) – April 24
OECA (*States*) – April 25
The next E-Enterprise Bulletin is slated for release on April 29. OCFO is working with OPA to review before release to stakeholders and the general public.

## Other

On April 16, the CFO is speaking and presenting on federal budgeting, performance, and accountability to the Greater Washington Society of Certified Public Accountants.
On April 18, the CFO is tentatively scheduled to speak to the Environmental Finance Advisory Board.



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# Office of the Congressional and Intergovernmental Relations

**Hot Topics**

***Upcoming Hot Issues and Important Deadlines***

None

***Upcoming Events***

**April 15**-The **LGAC Water Workgroup** will meet to continue their work on the Waters of the U.S. (WOTUS) charge and transmittal letter.

**April 16** - The **LGAC Revitalizing Communities Workgroup** will meet to review the Water Workgroup's WOTUS Report and HABs Letter of Recommendation. The Workgroup will also have an update on the Food Waste Initiative and review final actions leading up to their face to face meeting.

**Apr 17** – Rep. Woodall (GA) member call re: small wastewater systems w/OW (Christian Rodrick/Matt)

**Apr 17** – Denver, CO stakeholder meeting on Good Sam mining demonstration projects

**Apr TBD** – Notification re direct hydrologic connection w/OW

**Apr TBD** – Announcement of WIIN drinking-water grant allocations for school lead testing & disadvantaged communities w/OW

# Office of Enforcement and Compliance Assurance

## Hot Topics:

**Oak Ridge Reservation Focused Feasibility Study Formal Dispute**
On April 5, 2019, the Department of Energy elevated the Oak Ridge Reservation Focused Feasibility Study formal dispute to the Administrator. The dispute concerns the setting of protective and legally sufficient effluent limits for the discharge of waste water contaminated with CWA pollutants and radionuclides to surface water. The Tennessee Department of Environment and Conversation expressed their support for the Acting Regional Administrator's position in a letter to DOE on April 5. OECA is waiting for supplemental materials from DOE.

**Drinking Water National Compliance Initiative Discussions Association of State Drinking Water Administrators (ASDWA) Meeting**
OECA has been soliciting input from states on how a proposed drinking water National Compliance Initiative would be implemented. These engagements include discussions at a recent Association of State Drinking Water Administrators meeting. Feedback has been positive with 10 states inviting OECA to visit the state program. The first visit took place on April 10, 2019, in Oklahoma.

## Upcoming Major Decisions and Events

OECA plans to replace its January 22, 2018, "Interim OECA Guidance on Enhancing Regional-State Planning and Communication on Compliance Assurance Work in Authorized States," with a final Co-Regulator Planning and Communication Policy. The final policy will implement Administrator Wheeler's October 30, 2018, Memorandum on "Principles and Best Practices for Oversight of Federal Environmental Programs Implemented by States and Tribes," and will reflect the recommendations from the EPA-ECOS Compliance Assurance Workgroup, EPA Regions, and individual states. In addition to the opportunities for input already provided, OECA plans to publish a notice of availability of the draft final policy in the Federal Register and solicit public comment.

OECA solicited public comment on proposed National Compliance Initiatives (NCIs) for 2020-2023 in the Federal Register on February 8, 2019. The comment period closed on March 11, 2019. However, the proposed NCIs also are in OECA's draft National Program Guidance, which is out for public comment from April 1, 2019 to May 3, 2019. OECA plans to finalize the NCIs for 2020-2024 by the end of May.



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# Office of General Counsel

## Hot Topics

***Potomac Riverkeeper et al. v. Wheeler, et al.*, No. 1:17-cv-01023** (D.D.C. Mar. 31, 2019). New Decision: The court granted EPA's motion for summary judgment responding to a complaint filed by plaintiff recreational and conservancy groups. Plaintiffs challenged EPA's approval of Virginia's 2016 303(d) list, which did not identify any segments of the Shenandoah River as impaired for recreational use. The Court upheld EPA's conclusion that Virginia satisfactorily assembled and evaluated all readily existing and available data and provided a "logical rationale[.]" The Court also rejected arguments that EPA's approval was inconsistent with the Clean Water Act ("CWA") or otherwise arbitrary, capricious, or contrary to law.

***Mexichem Fluor, Inc. v. EPA*, No. 17-1024 (D.C. Cir. April 5, 2019) ("Mexichem II").** New Decision: The D.C. Circuit granted petitions for review of the 2016 Significant New Alternatives Program (SNAP) rule and rejected intervenors' timeliness challenge based on issue preclusion. EPA was aligned with petitioners in this case. Both EPA and petitioners had requested that the court vacate the 2016 SNAP rule to the same extent as the 2015 rule that was the subject of *Mexichem Fluor, Inc. v. EPA*, 866 F.3d 451 (D.C. Cir. 2017) ("*Mexichem I*"). In *Mexichem I*, the court vacated the 2015 rule to the extent it required manufacturers who had already replaced ozone-depleting substances with HFCs to replace HFCs with other substitute chemicals. The judgment contains language of vacatur that is similar but not identical to the language used in *Mexichem I*. (This case did not address EPA's 2018 guidance post-*Mexichem I* that explained that EPA interpreted the court's remand as having the effect of vacating the 2015 rule in its entirely. A challenge to that guidance is proceeding in the D.C. Circuit and will be argued in May of this year.)

***California et al. v. Trump et al.*, No. 1:19-00960 (D.D.C. filed April 4, 2019)**. New Litigation: The states of California, Oregon, and Minnesota filed a complaint against the President, the Office of Management and Budget (OMB), and six federal agencies including EPA challenging Executive Order (EO) 13771 ("Reducing Regulation and Controlling Regulatory Costs") and two related OMB guidances. The complaint alleges that (1) the EO exceeds the President's constitutional authority and violates the President's duty under the "Take Care" clause; (2) OMB violated the Administrative Procedure Act (APA) and other statutes in issuing its implementing guidance documents; and (3) agencies are acting contrary to their authorizing statutes and the APA in complying with the EO. The states are claiming parens patriae standing to protect the interests of their citizens, similar to *Massachusetts v. EPA*, 549 U.S. 497, 519 (2007). The complaint mentions EPA's actions regarding its CAA rule to reduce methane emissions from municipal solid waste landfills as an example of agency action attributable to the EO.

***CARB v. EPA et. al.*, No. 1:19-cv-00965 (D.D.C. filed April 5, 2019).** New FOIA Litigation: The California Air Resources Board (CARB) complaint against EPA and the National Highway Traffic Safety Administration (NHTSA) alleges that both agencies conducted an inadequate search and failed to timely respond to identical FOIA requests submitted to each agency concerning records relating to the Safer Affordable Fuel-Efficient ("SAFE") Vehicles Rule for Model Years 2021-2026.

# Office of International and Tribal Affairs

## Hot Topics

**European Commission Meeting on Marine Litter Cooperation**
As a follow up to the EU Director General's recent visit to DC and RTP, EPA held a DVC meeting with the EU on marine litter cooperation to discuss what EPA is doing to prevent and reduce marine litter and research on microplastics. The EU also shared its multi-pronged approach to addressing marine litter, which focuses on regulatory and policy changes in the EU, including the plastics strategy, and microplastics research. It was agreed that an important next step would be to directly connect our respective microplastics researchers for a more in-depth discussion on research overlap, especially related to microplastics sampling protocols.

**Alliance to End Plastic Waste Briefing by the American Chemistry Council**
EPA, NOAA, USDA and the State Department attended a briefing by the American Chemical Council to learn more about the Alliance to End Plastic Waste. The Alliance was launched with the goal of helping to end the flow of plastic waste into the environment. The Alliance has 31 private sector members from across the plastics value chain who have pledged resources, with the goal of raising $1.5 billion in funding over the next five years. The Alliance's strategy is built on four key pillars: infrastructure, innovation, education, and clean up. They are in process of developing project proposals and hiring staff to be based overseas, possibly in South East Asia.

**Asian Development Bank (ADB) Collaboration**
OITA met with senior managers at the ADB to discuss continued collaboration between EPA and ADB. The ADB has just released its new "Strategy 2030" and its Operational Priority for Environment which focus on the following six areas: air quality, wastewater and solid waste (including marine litter), natural capital (biodiversity), sustainable infrastructure design (upstream pollution), environmental governance, and green business/green jobs. ADB expressed interest in working with EPA on marine litter, especially in China, the Philippines, and Vietnam.

## Upcoming Major Decisions and Events

**April 15-16** – OITA will participate in the U.S.-Taiwan Trade Relations Act 40th Anniversary event and hold meetings to advance regional programs under the International Environmental Partnership.

**April 18-19** - EPA and State Department will participate in the second preparatory meeting to negotiate outcomes for the upcoming G20 Environment and Energy Ministerial Meeting in Japan.

# Office of the Land and Emergency Management

## Hot Topics

**Coal Combustion Residuals (CCR)**. We anticipate the CCR Phase 2 proposed rule package to go from OP to OMB soon for an expedited (45-day) EO 12866 review.

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

**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.

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

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

**e-Manifest**.

**Emergency Responses.** OLEM deployed assets to assist Region 6 in Deer Park, Texas.

## Upcoming Major Decisions and Events

**ECOS, NTOC, and EMC.** OLEM senior leaders are participating in these meetings this week.

**Spring NPL update**. The rule packages were signed today, and we anticipate the press release being issued next week, as well as publication in the FR.

**Environmental Workforce Development and Job Training (EWDJT).** We anticipate the posting of the FY20 EWDJT grant guidelines to grants.gov soon. The deadline for the submission of proposals will be June 10.

**Exemption for Air Releases from Animal Waste at Farms from EPCRA Final Rule.** The rule package has been submitted to OP for OMB review.

**Planning for Natural Disaster Debris Guidance.** The final guidance was cleared by OMB, and we anticipate publication in the FR soon.

**Upcoming Judicial Deadline regarding Oil and Gas Wastes**. We are working with OGC and others to meet the April 23 deadline.

# Office of Mission Support

## Hot Topic

**Implementation of Retroactive Pay Adjustment**
The pay increase will be reflected in employee's pay received on April 23, 2019. The President signed the Executive Order to implement a retroactive pay adjustment and applicable pay tables last month.

**2018 SES/SL/ST and ERB/PRB Results and Pay for Performance**
Merit pay increases will be reflected in the April 23 leave and earnings statement, with any bonuses processed the following pay period.

**2008-2017 Risk-Screening Environmental Indicators (RSEI) Service Data Added to GeoPlatform**
OMS-EI updated the GeoPlatform with 2008-2017 RSEI data. RSEI is a publicly available, screening-level model that analyzes factors that contribute to human health risk. These factors include the amount of chemicals released, the degree of toxicity and the size of the exposed population. RSEI calculates scores to highlight releases that would potentially pose greater risk over a lifetime of exposure which is relevant to EPA researchers, the public, states, tribes and local governments, and environmental researchers.

**New E-Enterprise Portal Available**
EPA launched the newest version of the E-Enterprise Portal, featuring a new interface and a redesigned login process to improve overall usability of the Portal for EPA program offices, states, tribes and local governments, regulated communities and the public. In addition, the E-Enterprise Portal includes a single sign-on for regulated entities and documentation on how users can participate in E-Enterprise shared services. The E-Enterprise Portal is an E-Enterprise for the Environment-shared platform modernizing how the public, the regulated community and environmental co-regulators conduct environmental transactions and access web resources. EPA worked closely with states and tribes on these changes to the Portal. This is important to EPA program offices using E-Enterprise, states, tribes and local governments, regulated communities and the public.

**National Security Metric. Submitted EPA's FY 18 National Security Metrics to the Office of the Director of National Intelligence (ODNI)**
ODNI is now requiring quarterly reporting on clearance denials or revocations, due process cases, interim clearances, continuous evaluation, timeliness of adjudication and more.

## Upcoming Major Decisions and Events

None to report

# Office of Policy

**Hot Topic**

### Smart Sectors Coordination Call

On April 16, the Smart Sectors Program will host the first in a new monthly series of calls to coordinate sector-related activities across EPA headquarters and regional offices.

### Smart Sectors in Denver

On April 17-19, staff from the Smart Sectors Program will participate in the Good Samaritan Mine Clean-Ups meeting in Denver, Colorado.

### Smart Sectors Presentation

On April 16, staff from the Smart Sectors Program will present at the National Association of Manufacturers' Sustainability Task Force meeting in Washington, D.C.

### National Planning Conference Presentation

On April 14, staff from the Office of Community Revitalization will be in San Francisco, CA at the National Planning Association's Annual Conference to discuss ways that communities can improve public health and protect the environment.

**Active Interagency Reviews from OMB**

| Subject | EPA Internal Due Date | OMB Due Date |
|---|---|---|
| DOT/PHMSA FRM: Pipeline Safety: Safety of Hazardous Liquid Pipelines | 04/05/2019 | 04/11/2019 |
| 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 thru April 10, 2019 | | |
|---|---|---|
| **FRL** | **Title** | **Date Submitted to OFR** |
| 9991-16-OCSPP | Pesticide Product Registration; Receipt of Applications for New Active Ingredients | **4/10/2019** |
| 9991-80-OCSPP | FIFRA Scientific Advisory Panel; Notice of Public Meetings [June 11-14, 2019] | **4/10/2019** |
| 9992-03-OW | Notice of Availability of the Deepwater Horizon Oil Spill Louisiana Trustee Implementation Group Draft Supplemental Restoration Plan and Environmental Assessment for the Lake Charles Science Center and Educational Complex Project Modification | **4/10/2019** |
| 9992-26-OW | 40 CFR part 147 - State of North Dakota Underground Injection Control Program; Class I, III, IV, and V Primacy Revisions | **4/10/2019** |
| 9992-28-OW | Proposed Information Collection Request; Comment Request; Treatment of Indian Tribes in a Similar Manner as States for Purposes of Section 303(d) of the Clean Water Act (Renewal) | **4/10/2019** |
| 9991-36-Region 7 | 40 CFR 52.1320 (c) - Air Plan Approval; Missouri; Measurement of Emissions of Air Contaminants | **4/9/2019** |
| 9991-55-Region 7 | 40 CFR 52.1420(c); Appendix A to part 70 - Air Plan Approval and Approval of Operating Permits Program; Nebraska; Adoption of the 2015 Ozone Standard and Revisions to Definitions | **4/9/2019** |
| 9992-18-Region 5 | 40 CFR part 52 - Air Plan Approval; Ohio; Ohio Less Than 10 TPY BAT Exemption | **4/9/2019** |



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|---|---|---|
| 9992-19-Region 5 | 40 CFR part 52 - Air Plan Approval; Ohio; Removal of Obsolete Infectious Waste Incinerator Regulations | **4/9/2019** |
| 9992-20-Region 5 | 40 CFR part 52 - Air Plan Approval; Ohio; Removal of Obsolete Gasoline Volatility Regulations | **4/9/2019** |
| 9992-21-Region 5 | 40 CFR parts 52 and 81 - Air Plan Approval; Ohio; Redesignation of the Cleveland Area to Attainment of the 2012 Annual Standard for Fine Particulate Matter | **4/9/2019** |
| 9992-23-OAR | Proposed Information Collection Request; Comment Request; Registration of Fuels and Fuel Additives - Requirements for Manufacturers (Renewal) | **4/9/2019** |
| 9990-02-OCSPP | 40 CFR part 180 - Fenazaquin; Pesticide Tolerances | **4/8/2019** |
| 9991-41-Region 8 | Colorado: Final Approval of State Underground Storage Tank Program Revisions and Codification | **4/8/2019** |
| 9991-42-Region 8 | Colorado: Final Approval of State Underground Storage Tank Program Revisions and Codification | **4/8/2019** |
| 9992-01-Region 9 | 40 CFR part 52 - Air Plan Approval; Hawaii; Regional Haze Progress Report | **4/8/2019** |
| 9992-06-OAR | Proposed Information Collection Request; Comment Request; Motor Vehicle and Engine Compliance Program Fees (Renewal), EPA ICR 2080.07, OMB Control No. 2060-0545 | **4/8/2019** |
| 9990-58-OCSPP | Certain New Chemicals; Receipt and Status Information for November 2018 | **4/5/2019** |
| 9990-59-OCSPP | Certain New Chemicals; Receipt and Status Information for December 2018 | **4/5/2019** |
| 9990-97-Region 8 | Approval of transfer of the authority to implement and enforce the North Dakota Pollutant Discharge Elimination System (NDPDES) program from the North Dakota Department of Health (NDDOH) to the newly established North Dakota Department of Environmental Quality (NDDEQ). | **4/5/2019** |
| 9991-20-OCSPP | Certain New Chemicals; Receipt and Status Information for January 2019 Submitted by: | **4/5/2019** |
| 9991-78-OLEM | Access to Confidential Business Information by Eastern Research Group (ERG) | **4/5/2019** |
| 9991-96-Region 4 | 40 CFR part 52 - Air Plan Approval; Florida; 2008 8-hour Ozone Interstate Transport | **4/5/2019** |
| 9992-00-Region 8 | 40 CFR part 52 - Approval and Promulgation of Implementation Plans; Colorado; Revisions to Regulation Number 4, New Wood Stoves and the Use of Certain Woodburning Appliances During High Pollution Days | **4/5/2019** |
| 9992-02-OAR | Proposed Information Collection Request; Comment Request; Information Collection Activities Associated with EPA's ENERGY STAR® Product Labeling (Renewal) | **4/5/2019** |
| 9992-13-Region 3 | 40 CFR part 52 - Approval and Promulgation of Air Quality Implementation Plans; Delaware; Negative Declaration for the Oil and Natural Gas Industry Control Techniques Guidelines | **4/5/2019** |
| 9991-93-Region 3 | 40 CFR part 52 - Approval and Promulgation of Air Quality Implementation Plans; Delaware; Emissions Statements Rule Certification for the 2008 Ozone National Ambient Air Quality Standard | **4/4/2019** |
| 9991-95-Region 4 | 40 CFR part 52 - Air Plan Approval; Kentucky: Jefferson County Prevention of Significant Deterioration | **4/4/2019** |
| 9991-97-OAR | 40 CFR part 63 - National Emission Standards for Hazardous Air Pollutants: Stationary Combustion Turbines Residual Risk and Technology Review | **4/4/2019** |
| 9991-99-Region 8 | 40 CFR part 300 - National Oil and Hazardous Substances Pollution Contingency Plan; National Priorities List: Partial Deletion of OU2 of the Libby Asbestos Superfund Site | **4/4/2019** |

# Office of Research and Development

## Hot Topic

ORD had a successful meeting with ECOS/ERIS this week during the ECOS Spring Meeting. We were able to share our new video highlighting the partnerships we have developed with our state partners and introduce the new ECOS members to EPA research.

### PFAS Update

EPA has partnered with the New Jersey Department of Environmental Protection (NJ DEP) to support NJ DEP's investigation into the nature and extent of PFAS environmental contamination in areas of concern near industrial sources in southwestern New Jersey. EPA's role in this partnership is to analyze environmental samples collected by NJ DEP for per- and polyfluoroalkyl substances (PFAS). In a recent analysis of 57 water samples, EPA scientists used targeted laboratory analysis methods to identify and measure concentrations of ten PFAS compounds. The samples included surface water samples and non-potable well water samples. EPA will share a report of these analyses with NJ DEP for their review and use. EPA's analyses found that concentrations of the ten PFAS in the water samples ranged from below detection to a maximum of 2,290 nanograms per liter. The study's results will be used by NJ DEP to better understand the nature and extent of PFAS environmental contamination and source attribution.

### GAO Report on Scientific Integrity

GAO has released its final report, *Scientific Integrity Policies: Additional Actions Could Strengthen Integrity of Federal Research*. The report includes numerous positive references to EPA's scientific integrity program. It also cites many aspects of EPA's implementation of its Scientific Integrity Policy as examples for other federal departments and agencies to follow. There are no recommendations for improvements for EPA, while there are 10 recommendations distributed across six departments/agencies to "ensure their policies are protecting scientific integrity." See the full GAO report at https://www.gao.gov/products/GAO-19-265

### Journal article: sequential sampling for evaluating lead

ORD's Darren Lytle and Mike Schock are coauthors, along with Region 5 scientists, on the paper, "Sequential drinking water sampling as a tool for evaluating lead in Flint, Michigan" published in *Water Research*. This paper used sequential sampling results from Flint to determine that lead service lines were the greatest source of lead compared to brass fittings, brass fixtures, and galvanized pipes.

## Upcoming Major Decisions and Events

### Massachusetts DEP Visit

On April 16, ORD senior management (Jennifer Orme-Zavaleta and Chris Robbins) and scientists will be visiting Massachusetts Department of Environmental Protection's (DEP) Senator William X. Wall Experiment Station in Lawrence, MA. This visit will include a tour of the state lab facilities along with discussions on state topics of interest and related S&T needs, as well as potential collaborations. Discussions will focus on the following topics that Massachusetts DEP identified were of most interest to their state: PFAS, microbial source tracking pathogens in ambient waters, and cyanotoxins in drinking water sources.

### Board of Scientific Counselors Meeting

On April 23-24, the BOSC Safe and Sustainable Water Resources (SSWR) Subcommittee will hold a public meeting at EPA in Washington, DC to discuss the Strategic Research Action Plan for the SSWR program.

# Office of Water

## Hot Topic

### Clean Water Act Section 401

Yesterday, the President released an Executive Order that among other directives, instructs the EPA to develop guidance and initiate rulemaking to clarify Section 401 of the Clean Water Act to allow for efficient permitting processes and increased regulatory certainty. The Office of Water will coordinate with states, tribes, and relevant federal agencies to identify provisions that require clarification within Section 401 and related federal regulations and guidance. This coordination effort will build on the EPA's ongoing effort to engage states and tribes on updating and clarifying Section 401. The Office also plans to host a webinar for state and tribal representatives next week to continue discussion on how the EPA can update and improve implementation of Section 401.

### OR Aluminum Proposed Rule

The Office of Water has requested the Administrator's signature on the Oregon Aluminum Proposed Rule by April 12. The EPA is under a consent decree to propose aluminum water quality criteria to protect aquatic life in freshwaters of Oregon or to approve Oregon-adopted criteria for aluminum in freshwaters by April 19.

### Interpretative Statement on National Pollutant Discharge Elimination (NPDES) Application

As early as Friday, Assistant Administrator David Ross and General Counsel Matthew Leopold will sign an Interpretive Statement. This Statement is the first in which the Agency has issued guidance focused exclusively on whether NPDES permits are required for the release of pollutants into groundwater that reach surface water. In conjunction with issuing its Interpretative Statement, the agency is seeking additional public input regarding what may be needed to provide further clarity and regulatory certainty on this issue. The comment period will be open for 45 days after the Statement is published in the Federal Register.

### Perchlorate

Next week, the Office of Water anticipates moving the Proposed National Primary Drinking Water Regulation for Perchlorate forward to OP for OMB review. This proposed regulation will be made in accordance with the Safe Drinking Water Act and in compliance with a consent decree that requires the Agency to publish a proposed perchlorate drinking water standard by May 28, 2019.

## Upcoming Major Decisions and Events

### Water Environment Federation (WEF) Board of Trustees

Next week, Assistant Administrator David Ross will participate in WEF's Advancing Workforce Diversity for the Water Sector meeting to discuss how federal agencies and the water sector can help drive the development of a more diverse water workforce. Closed press.

### National Corn Growers Association (NCGA) State Corn Associations Meeting

Next week, Principal Deputy Assistant Administrator Anna Wildeman will meet with NCGA in Kansas City, MO to discuss agricultural nutrients and water quality. Closed press.



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