Region 1

Hot Topics

First New England Exceedance of Fine Particulate Air Standard Since 2015 Detected in Connecticut
During the first week of February, two air monitors in CT measured exceedances of the 24-hour $PM_{2.5}$ National Ambient Air Quality Standard (NAAQS) of 35 micrograms per cubic meter (ug/m^3). On February 3, Bridgeport, CT recorded a 24-hour average of 37.6 ug/m^3 and New Haven, CT recorded a 24-hour average of 36.2 ug/m^3. On February 4, the Bridgeport, CT monitor measured a 24-hour average of 35.9 ug/m^3. These are the first exceedances of the fine particulate standard in New England since Feb 2015 (excluding the 2015 Rhode Island mill fire).

Proposed Settlement Resolves Clean Air Act Claims Between EPA and Greenfield, MA Facility
On January 29, Region 1 and the DOJ lodged in Federal District Court a civil judicial settlement, involving wTe Recycling, Inc. (wTe). The proposed Consent Decree resolves claims for penalties and injunctive relief for alleged violations under new source review program requirements of the Massachusetts State Implementation Plan, Federal National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines, and Title V operating permit program requirements. wTe agreed to a $277,000 penalty, purchase 81 tons of VOC and/or NOx emission reduction credits, and to eliminate all pre-burn municipal ferrous materials as shredder feedstock, by 2021.

Region 1 Convenes Pollution Prevention Coordination in Food and Beverage Sector
On February 4, Region 1 convened a conference call with state and community stakeholders working on pollution prevention (P2) in the food and beverage (brewery) sector managing grants. This program team was announced during the Region 1 Smart Sectors Launch in December 2018. Participants from Maine, New Hampshire, Massachusetts and Vermont discussed their grant activities, shared information and identified areas for collaboration.

Off-Shore Wind Farm Project Continues Progress Towards Final Approval
On January 29, Region 1 notified Vineyard Wind that their application for an Outer Continental Shelf air permit has been deemed complete.

Regional Staff Meet with Rural Community Assistance Partnership
On January 31, Region 1 drinking water managers and staff held their annual meeting with the Rural Community Assistance Partnership to discuss training and assistance in each state during the next three-year grant cycle.

Upcoming Major Decisions and Events

Regional Staff Prepare for Pittsfield High School Vapor Intrusion Sampling
On February 5, Region 1 staff conducted a site visit to Pittsfield High School (MA) in preparation for vapor intrusion sampling. Staff met with the High School Principal, City plumber, and city environmental contractors. Locations for proposed sub-slab and summa cannister sampling locations were identified. The sampling event will take place during the school's April vacation break.

ED_004926A_00007538-00001

Region 2
Hot Topics

Hudson River PCBs: Region 2 is completing preparation of the second Five Year Review Report. A proposed Communications Strategy for release of the report, and release of EPA's decision on GE's request for a certification under the consent decree, have been shared with Headquarters. We continue to work with HQ on response to correspondence from a number of elected officials including, most recently, Senators Schumer and Gillibrand; and six Representatives from the NY delegation. In December we provided briefings to both Senators' staff, and staff of a number of the Representatives. In these briefings and the proposed responses to correspondence we state that we are still considering the issues and expect to make final decisions soon.

Limetree Bay Terminals,USVI: On 12/28/18 Region 2 issued a Plantwide Applicability Limit application completeness determination to LBT. Barring unexpected challenges during the public comment period, EPA will issue the permit 12 months from this date. The permit will provide operational flexibility to LBT. Refinery reopening activities have commenced. LBT will soon complete demolition of the #2 Beavon unit to comply with emission reduction requirements in the consent decree.

Grasse River Superfund Site, NY: On 1/30/19 Region 2 post the proposed approval of the expansion of Cell 3 of the landfill on Arconic's site near the Grasse River, with a 21-day comment period. (Arconic is the PRP.) The expanded cell will be used for disposal of PCB-contaminated sediments from the cleanup of the river which is scheduled to start in April, 2019. The comment period ends on 2/20. Also, on 12/28 we wrote to the NYSDEC and the St. Regis Mohawk Tribe, the natural resources trustees for the river, responding to concerns with certain aspects of the remedial design (including TOC levels; thickness of the habitat layer in certain areas; and mussel recovery). These issues had been the subject of extended senior level discussions during 2018. (Though our 12/28 letter communicated our final decisions, on 2/4 we received a further letter from NYSDEC reiterating many of those concerns.)

Gowanus Canal Superfund Site: On 1/31 a revised Memorandum of Agreement was sent to the State Historic Preservation Officer (SHPO) and EPA's archaeologist consultant. The document allows for the deconstruction of specified portions of the facades of a building located on the land where New York City will build its CSO retention structure, with those portions along with other architectural features of the building to be used in the reconstruction of the facades near the original locations as part of the City's future headhouse structure. The revised MOA responds to comments received from the public, the Community Advisory Group and the City during the public comment period. We have requested comments by 02/11, with the intention of approving/releasing the document and doing a press release by 02/15/2019.

GenX at DuPont Parlin, Sayreville, NJ: DuPont submitted analytical results of the October 2018 groundwater sampling for GenX. Nine wells were sampled. Four were reported as not-detected; the concentrations in the other five wells ranged from 0.02 ppb to 0.85 ppb. DuPont plans to resample the wells to verify the results. We have requested additional information from DuPont including, a plot of the results on a map of the site and surrounding area, confirmation of the concentrations and any municipal water supplies in the area.

Upcoming:

No significant upcoming events to report.

Region 3
Hot Topics

Pittsburgh Exceeds Lead Action Level
Pittsburgh Water and Sewer Authority (PWSA) exceeded the lead action level for the July-December 2018 monitoring period. PWSA is currently under Administrative Orders issued by the Pennsylvania Department of Environmental Protection for various drinking water violations. EPA is supporting Pittsburgh's efforts to improve distribution system water quality with a multi-phased technical assistance plan. This plan includes technical support, staff training, water quality data collection and an on-site distribution system Comprehensive Performance Evaluation in 2019. PWSA is currently constructing four facilities that will feed orthophosphate, a lead corrosion control treatment, into the distribution system. PWSA continues to replace lead service lines throughout the city.

EPA Releases Request for Applications to Support Conowingo Plan
On February 4, 2019, EPA released a Request for Applications (RFA) to support the Chesapeake Bay Program (CBP) partnership's development and implementation of a Conowingo Watershed Implementation Plan (WIP). The purpose of the RFA is to provide the seven Bay watershed jurisdictions, through a third-party, with specialized scientific, technical, and programmatic support in the development and implementation of the Conowingo WIP, associated financing strategy, and two-year milestones. Applications are being accepted through March 20, 2019.

Advanced Air Monitoring Webinar
On February 14, 2019, Region 3 will lead a webinar for state air permit writers on advanced monitoring at air emission sources. The webinar will be on baghouse leak detection monitoring, as part of the Region's initiative to promote modernization of air emission source monitoring. This is the second such webinar offered by Region 3 this fiscal year and webinars on other advanced monitoring methods will follow later in the year. The webinars are offered in collaboration with the Mid-Atlantic Regional Air Management Association and will be recorded for future use. Approximately 100 participants are registered to date from around the country.

Consent Decree Between DOJ/EPA Region 3 and WVDEP and CSX Transportation to Resolve Alleged Federal and State Water Violations in Mount Carbon, West Virginia.
On January 3, 2019, the District Court of the Southern District of West Virginia granted DOJ's Unopposed Motion to Enter the Consent Decree and entered the parties' settlement providing for a civil penalty to resolve CSX Transportation's (CSXT's) alleged violations of the Clean Water Act (CWA), the West Virginia Groundwater Protection Act, and the West Virginia Water Pollution Control Act. The Consent Decree resolves alleged violations that stemmed from the derailment of 27 of CSXT's railcars, and the subsequent discharge of oil from the railcars into the nearby creek and river. The Consent Decree requires CSXT to pay penalties of **$1.2M** to the U.S. and **$1M** to West Virginia for resolution of the alleged state and federal violations. Additionally, the Consent Decree includes a state supplemental environmental project requiring CSXT to contribute $500,000 to a state-created and controlled escrow fund to upgrade a water treatment facility in Fayette County, West Virginia. Two mayors of towns located near Mount Carbon and a West Virginia Congressman publicly commented on the then-proposed Consent Decree, requesting that funds be allocated to the towns to reimburse them for resources expended in responding to the Derailment. The Court considered the terms of the settlement as well as the public comments and found that the parties' settlement was not unfair, inadequate, unreasonable, or contrary to the public interest and, therefore, entered the Consent Decree. CSXT has already paid its penalty to the United States.

Pennsylvania in the Balance Conference 2019
On February 6-8, Region 3 staff will attend the *Pennsylvania in the Balance Conference,* in Hershey, Pennsylvania. The conference aims to solicit feedback on the Pennsylvania Phase III WIP Agriculture Workgroup's preliminary recommendations and to seek input on the action strategies needed to implement the plan. Participants will include the Pennsylvania secretaries for agriculture, environment, and natural resources; Pennsylvania farmers, agricultural industry groups, state agricultural departments, conservation districts, private agricultural consultants, research institutions, and environmental groups. The 2016 Pennsylvania in the Balance *Conference* generated new ideas for Pennsylvania agriculture as a solution for clean water. These ideas have spurred actions and provided inspiration for preliminary recommendations for Pennsylvania's Chesapeake Bay Phase III Watershed Implementation Plan (Phase III WIP), currently under development.

Addressing Drinking Water Infrastructure Needs in Appalachia – The University of Penn Wharton School joined the partnership involving EPA, the University of Pennsylvania, the West Virginia Department of Health and Human Services, and the Global Water Alliance to help address water infrastructure needs in the Appalachia Regions of Virginia and West Virginia. In the fall, classes in the Department of Earth and Science worked on student research projects related to meeting drinking water needs in West Virginia. For the spring semester, the Wharton School, as part of their service learning curriculum, selected investigation of the burden small (West Virginia) towns face in providing safe and reliable drinking water as a class project. Another project pursued is the investigation of opportunities to increase economic development in the Appalachia Region of West Virginia.

Upcoming Major Decisions and Events

Regional Administrator Cosmo Servidio has the following events scheduled:

- February 11– Meeting with WV DEP Secretary Caperton, Charleston, WV
- February 11– Meeting with WV House Speaker Roger Hanshaw, Charleston, WV
- February 11– Meeting with West Virginia Farm Bureau Members, Charleston, WV
- February 12– Meeting with Col. Jason Evers, US Army Corps of Engineers, Huntington, WV
- February 12 – Meeting with Huntington, WV Mayor Steve Williams, Huntington, WV
- February 13– Meetings with Senator Cardin and Senator Van Hollen, Washington, DC

Region 4

Hot Topics

Drummond (ABC Coke) Clean Air Act (CAA) Consent Decree (CD) Settlement Agreement
Region 4 and the Jefferson County Board of Health have signed a settlement agreement regarding numerous CAA NESHAP violations at the Drummond coke by-products plant in Tarrant, AL. The Region expects the settlement to be lodged on Friday, February 8, 2019. The Region is also issuing a press release and fact sheet related to the settlement.

Southside Chattanooga Superfund Site
Soil with lead levels exceeding the RML has been discovered in 21 yards at the Southside Chattanooga Lead Superfund site. Region 4 is planning a time critical removal action for these 21 yards. A public information session is currently planned for February 21.

Chemours Import Temporary Objection

Region 4 continues to receive numerous media inquiries regarding EPA's "Notice of Temporary Objection" to the Netherlands regarding the import of GenX material to the Chemours Fayetteville facility and is coordinating closely with OPA and ORCR on responses. To date, EPA has not received a response from the Netherlands or the Chemours Fayetteville facility to the questions posed in the December 19, 2018, letter.

Colleges and Underserved Communities Partnership Program (CUPP)
Due to the shutdown, the CUPP program was unable to implement six projects related to brownfields redevelopment and water infrastructure given the the need of the partnering schools to complete the work before the end of the school year. The CUPP program director is looking for alternative partnership opportunities for these small municipalities, so that these critical projects will not have significant delays.

Upcoming Major Events

None

Upcoming Major Decisions

Paducah Formal Dispute Resolution – extension to 2/28/19 has been proposed
Oak Ridge Reservation Focused Feasibility Study Dispute Position

Region 5
Hot Topics

EPA to Release Whiting Metals Emissions Data on Feb. 7
Key Message: Validated cadmium data from Aug. 3 – Dec. 17, 2018, indicates exceedances.

In November 2018, EPA and IDEM issued notices of violation against Whiting Metals for excessive lead emissions from the company's facility in northwest Indiana. In addition to the lead emissions, EPA's analysis of currently available data indicates that cadmium levels were above the acute inhalation MRL of 30 nanograms per cubic meter (ng/m^3) on eight days during this timeframe. The region is coordinating with IDEM on notifications prior to the release.

Region 5 Investigating Manganese Emissions from North American Stevedoring Company (NASCO) in Southeast Chicago
Key Message: Monitoring data from NASCO will be posted on a public website after the December 2018 – January 2019 data is received.

NASCO is a bulk material handler that has manganese compounds on its site in Southeast Chicago. After repeated requests from local community groups and congressional interest, EPA issued an information request on Oct. 5, 2018, based on EPA's previous inspection findings and knowledge of facilities with similar operations and issues with manganese emissions. The Information request requires the facility to monitor PM_{10} and metals. NASCO installed and began operating the monitor on Dec. 17, 2018.

November and December 2018 Sterigencs EtO Data Posted to the Website on Feb. 5
Key Message: The air quality data, collected in late November and December 2018, shows average readings a little over 2 micrograms per cubic meter; however, there have been readings as high as 10 and 11 micrograms per cubic meter.

The highest EtO concentrations have been detected at the two monitors closest to the two Sterigenics' buildings. As anticipated, there has been significant interest in the data release from local community groups, elected officials and news media. Both the Illinois Attorney General and the DuPage County State's Attorney issued a statement that said the new data showed a "clear link between EtO emissions from the Sterigenics facilities and elevated EtO levels within the Willowbrook community." EPA is continuing to monitor in the Willowbrook area. January data is expected to be ready for release soon.

Region 5 Working Towards Eliminating Backlog of Illinois 2008-2016 Clean Water Act Section 303(d) Lists

Key Message: Region 5 is preparing to take a consolidated action to approve all the waterbodies identified by Illinois EPA as impaired on the state's 2010, 2012, 2014 and 2016 Section 303(d) lists.

The Region is deferring action on these lists, as well as Illinois' 2008 list, with respect to total nitrogen and sedimentation/siltation causes of impairment. Illinois EPA is comfortable with this approach. Region 5 and the state will have further discussions regarding the deferred items in the context of subsequent 303(d) lists. This

ED_004926A_00007538-00006

action will eliminate the backlog of Illinois CWA 303(d) actions for Illinois and reduce the region's overall 303(d) backlog by 56 percent.

EPA Assisted in Negotiation of an MOU Between Armenia Growers Coalition, Wisconsin DNR, Juneau County and Wood County
Key Message: In January 2019, a Memorandum of Understanding was finalized between the parties in response to high levels of nitrate found in 48 private wells.

Although EPA is not a party to the MOU, EPA assisted in the negotiation of an MOU among the parties and collected ground water and private well data that showed concentrations of nitrate above the state drinking water standard. The MOU memorializes the work that EPA and the three other government parties think needs to be done over the next few years, including: identifying additional nitrate impaired wells by sampling the remaining ~600 wells; providing bottled water to home owners with contaminated wells who accept an offer for an in-home treatment unit; monitoring and maintenance of the home treatment units via pre-paid two-year maintenance agreements; and groundwater studies and a mitigation plan to look at changes in land use practices to reduce nitrates in groundwater and to identify possible long-term, uncontaminated sources of drinking water.

UPCOMING EVENTS/MAJOR DECISIONS:

EPA to Host a Second Public Hearing for Proposed USS Lead Zone 1 Cleanup Plan on Feb. 13
Key Message: Due to the government shutdown, the public hearing was rescheduled from Jan. 10 to Feb. 13 and the comment period has been extended through mid-March. At the hearing, residents will have a second opportunity to ask questions and provide comments on EPA's proposal to clean up the zone 1 to residential standards.

02/01/2019 Updates:

High Ambient Air Ethylene Oxide (EtO) Levels Detected Near Viant Medical in Grand Rapids, Mich.
Key Message: Michigan DEQ detected the high EtO levels near the commercial sterilization facility and has issued a violation notice to the facility for violating state rules preventing air emissions that endanger human health.

Viant Medical is among the EtO sources identified as creating potential health risks in EPA's 2014 National Air Toxics Assessment (NATA). In a limited monitoring campaign, Michigan DEQ has provided additional evidence that this source creates a public health issue. Michigan DEQ intends to follow up with additional monitoring, and to hold a public meeting on this issue on March 6 in Grand Rapids.

Region 5 to Announce Cleanup Near S.H. Bell Facility on Chicago's Southeast Side
Key Message: The time-critical cleanup will take place this spring at several residential yards that were found to have excessive levels of lead and manganese. The site is of particular interest to Sens. Durbin and Duckworth and Region 5 will coordinate with OCIR to ensure they're properly notified.

EPA collected soil samples from more than 100 properties near the facility. Sample results showed surface soil in several yards contained manganese and lead above EPA's action level. EPA will continue to work with the Agency for Toxic Substances and Disease Registry to review all the 2018 soil sampling data and evaluate possible cleanup levels and cleanup actions as necessary. Fact sheets will be mailed to residents in the area

surrounding the facility to update them on site progress and provide information for families to protect themselves from metals detected in the soil.

Work Continues at Amphenol site
Key Message: During the government shutdown, Amphenol Corp. continued residential sampling and abatement work at the site in Franklin, Ind. Region 5 continues to engage the company on a cleanup workplan and is coordinating efforts with Indiana Department of Environmental Management.

EPA and IDEM have worked as partners to investigate and respond to environmental contamination issues in the community, where residents believe a cancer cluster exists. Amphenol is a RCRA corrective action site where EPA is in the lead. Nearby Webb Wellfield is a state-lead cleanup site. During the shutdown a community group requested that EPA's inspector general "immediately investigate EPA's level of oversight and management during the Amphenol cleanup and investigation process."

Fox River Consent Decree Lodged on Jan. 3
Key Message: The CD requires P.H. Glatfelter Company to reimburse EPA $20.5 million for past costs and natural resource damages and to pay all future government costs to oversee one of the nation's largest Superfund cleanup projects at Wisconsin's Lower Fox River and Green Bay site. DOJ issued a news release announcing the filing on Jan. 30.

An enormous amount of cleanup and natural resource restoration work is already complete in Fox River and Green Bay under a set of partial settlements, an EPA administrative cleanup order, and court orders in a federal lawsuit brought by the United States and the state of Wisconsin. The total cleanup costs for the Fox River site will exceed $1 billion. Once complete, the cleanup will reduce risks to human health and wildlife posed by PCB sediment found in the Fox River and Green Bay.

Region 5 Post-Shutdown "Welcome Back" Activities
Key Message: Senior leaders welcomed staff back to work this past Monday and hosted a "Welcome Back" reception complete with coffee and snacks.

Region 5 Announced Selection of Deputy Regional Administrator Cheryl Newton
Key Message: Cheryl has a wealth of experience in Region 5, including a two-year stint as acting DRA between 2016-2018.

UPCOMING EVENTS/MAJOR DECISIONS:

EPA to Host a Second Public Hearing for Proposed USS Lead Zone 1 Cleanup Plan on Feb. 13
Key Message: Due to the government shutdown, the public hearing was rescheduled from Jan. 10 to Feb. 13 and comments will be accepted through mid-March. At the hearing, residents will have a second opportunity to ask questions and provide comments on EPA's proposal to clean up the zone 1 to residential standards.

Region 6
Hot Topics

Georgia Pacific/Crossett Community Meeting, Crossett, Arkansas
On February 7, representatives from EPA and the Arkansas Department of Environmental Quality (ADEQ) will hold a public meeting in Crossett, AR, to discuss the recent settlement with Georgia-Pacific Chemicals LLC and Georgia-Pacific Consumer Operations LLC (Georgia-Pacific). The meeting will explain the details of the Consent Decree, provide information on how to submit comments, and answer questions. The settlement will further efforts by EPA and ADEQ to address residents' health and odor complaints stemming from hydrogen sulfide emissions from the Georgia-Pacific facilities.

Mosaic Fertilizer, LLC, St. James Parish, Louisiana
Mosaic Fertilizer notified EPA and LDEQ of a potential side slope failure of Gyp Stack #4 at the Louisiana Uncle Sam facility in St. James Parish, LA. On-site work to secure adequate containment of materials during a catastrophic event is expect to be completed on Friday, February 8. Millions of gallons of highly acidic process wastewater impounded atop the Stack pose a potential threat to sensitive ecosystems east of the facility, including the Blind River, if the material migrates offsite. EPA and DOJ Gyp Stack engineers and phosphoric acid manufacturing consultants conduct daily review of all relevant data and discuss potential release scenarios, options for mitigating releases, long term remedial efforts, and beneficial operational changes.

Trafalgar Road Fire, Benton, Arkansas
At the request of the Arkansas Department of Environmental Quality (ADEQ), EPA has mobilized at the Trafalgar Road site in Benton, AR to begin three days of community and site-based air monitoring. The air monitoring will begin on Thursday, February 7, 2019 and OCIR hosted a call with R6 and Senator Tom Cotton's office as a precursor to Senator Cotton's site visit to Bella Vista on Friday, February 8, 2019.

Eagle Picher Carefree Battery Superfund Site, Socorro, New Mexico
On February 7, 2019, EPA Region 6 and HQ OCIR, along with the New Mexico Environment Department plan to participate in a conference call with both Senator Tom Udall and Senator Martin Heinrichs' offices to address constituent questions and concerns regarding the site.

Bird Creek Settlement, Osage County, Oklahoma
On February 11, EPA will travel to Bird Creek to temporarily remove the instream monitoring equipment for maintenance, recalibration and protection from extreme weather, including ice. EPA continues to work with DOJ related to the technical terms of the settlement with the parties involved with the impact to Bird Creek. A 35-day public comment period will be initiated on proposed UIC wells after settlement occurs. A motion of extension was granted for the case through March 7, 2019. EPA staff continue to analyze and assess the data from the November data download.

Tar Creek Superfund Site, Miami, Oklahoma
On February 6, 2019, EPA participated in a meeting with the Quapaw Nation, the Grand River Dam Authority and their solar developer to discuss the possible siting of a solar development at the site. EPA and the Quapaw have identified a specific area with potential to support the Grand River Dam Authority's interest in constructing a 140 MW solar development. EPA is also providing the Quapaw and the Grand River Dam Authority with a solar assessment report to assist with evaluating the technical and financial feasibility of a solar project at the site.

New Mexico RCRA Clusters XIX through XXIV - Proposed Action
By February 28, EPA expects to receive authorization packages from NMED to bring them up to date with overdue RCRA Clusters XIX through XXIV.

Chemical Recycling Inc, Wylie, Texas
EPA referred Chemical Recycling Inc. to the Department of Justice to address the Statute of Limitations. A removal response was performed in the early 1990's to remove and dispose of contaminated solvents, however, another removal action was performed from December 2015 to February 2016, under which EPA contractors excavated and removed lead contaminated soils. EPA is evaluating its evidence to link it to former PRPs.

Major Decisions and Events

Texas SO2 Designations Round 2 Sources (Luminant/Vistra), Texas
Decision by HQ by February 15 to propose action to address Luminant and Texas-filed petitions for reconsideration of the SO2 non-attainment designations for areas surrounding the Big Brown, Monticello, and Martin Lake power plants. EPA has committed to revisit those designations in a future rulemaking. Luminant has closed two of the three sources. An anticipated Administrator decision on a proposed action is still under review.

Updates to SIP-Approved Statutes and Error Correction, New Mexico
By February 12, EPA is expected to give direct final approval of updates to statutes in the New Mexico SIP, as well as removing some provisions from the previously-approved SIP determined to be in error. The direct final action will remove the SIP from the EPA Region 6 SIP backlog.

Pueblo of Santa Ana's CAA TAS Application
By February 14, EPA is expected to decide on the completeness of the Pueblo of Santa Ana Treatment as a State (TAS) request under the CAA. This application will authorize the Pueblo to apply for funding under CAA 105 provisions and receive notifications of CAA permit applications.

Feb 11 RA Idsal participates in signing Ceremony with Texas Association of Builders to launch compliance assistance program, Austin, Texas (open press)

Feb 20 Region 6 Electronic reporting System team recognition event as Gears in Government Award winners with OMB PIO Council

Region 7
Hot Topics

West Lake Landfill Site Update

Key Message: On February 6, 2019, EPA signed the West Lake **OU-3 Remedial Investigation (RI)/Feasibility Study (FS)** Administrative Settlement Agreement and Order on Consent (ASAOC) regarding investigation of sitewide groundwater. The PRPs have 120 days from February 6 to submit the draft RI Workplan.

Chemplex Superfund Site Consent Decree Signed

Key Message: On Feb 4, EPA and the Potentially Responsible Parties (PRPs) signed an Amended Consent Decree (CD) for the amended Remedial Action at the Chemplex Superfund site, located in Clinton, IA.

The CD is related to an enhanced exposure control remedy for the site that includes surface water and groundwater sampling and gauging using an expanded monitoring well network, contingency measures if detected contaminant concentrations exceed trigger levels, institutional controls, localized "hot-spot" treatment as appropriate, extension of the City of Clinton municipal water line, and establishment of a "Technical Impracticability Zone".

Responsible Party CERCLA clean-up action completed at Airosol Inc. Site (Neodesha, KS)

Key Message: Under an Administrative Order on Consent (AOC), Airosol Inc. completed a PRP-lead removal action (clean-up) following an explosion and fire at their aerosol can packaging facility in November 2016 that released pesticides and other contaminants into the air, soil, and water.

EPA, in conjunction with KDHE, conducted final assessment of surface soils and subsurface soils due to the PRP claiming insufficient resources to complete the work. The PRP final report was approved by EPA this week. Cost recovery efforts are currently underway.

Region 7 Settles FIFRA Matter

Key Message: On January 29, 2019, the EPA, Region 7, filed a Consent Agreement and Final Order in the matter of Syngenta Crop Protection, LLC.

Syngenta is a pesticide producer and registrant that contracts with "refillers" to repackage and distribute its products. Inspections conducted at three Syngenta refillers in Missouri and Kansas revealed distributions and sales of Syngenta's pesticidal product Prefix, EPA Reg. No. 100-1268, that were misbranded in violation of 12(a)(1)(E). Specifically, the product label was missing a precautionary statement that could lead to human harm and exposure and restrictive direction for use language that could lead to environmental harm. The entered CAFO simultaneously commences and concludes the enforcement action and obligates Syngenta to comply with FIFRA and pay a civil penalty.

Sumner Academy of Performing Arts and Science Career Fair

Key Message: Region 7 staff meets with High School Students about Environmental Justice and Careers at EPA

Region 7 staff talked with more than 200 students at Sumner Academy in Kansas City, KS. Staff provided information about EPA careers and the work we do to protect human health and the environment as well as how they can help the environment and human health. Many students were interested in public affairs, engineering and science, legal aspects, as well as community outreach and helping children and animals. The event was well-attended, and the students were very engaged and asked a lot questions.

Upcoming Events

Senior Staff Luncheon and Recognition

Key Message: On February 13, Regional Administrator Jim Gulliford and Deputy Regional Administrator Ed Chu will join senior staff in hosting a luncheon to recognize employees who worked during the furlough, as well as share other experiences during that time.

Region 8
Hot Topics

EVRAZ: EVRAZ: EVRAZ, a steel producer, generates a slag material that is being sold as a landscape material used in driveways and yards. Based on very limited data we are concerned the material may have dangerous levels of manganese and have elected to remove it from yards being cleaned up as part of our superfund response in Pueblo, Colorado. Last Friday, I met with Governor Polis' staff and CDPHE to discuss a common path forward to determine the safety of the slag in residential settings. This morning, Region 8 staff met with CDPHE staff to further discuss the issue and ask the State to reconsider our proposal to issue a joint EPA-State request for additional information from EVRAZ. I am meeting with the Colorado AG later this month, where I will raise this issue, and we are planning for another meeting with State leadership soon after.

Crow Tribe Drinking Water Concerns:
As previously reported the Crow Tribal Government appears to be marginally functional and EPA has significant concerns regarding the lack of resources to deliver safe drinking water. The situation has deteriorated as Tribal leadership is in question due to a contested recall election and resources are not being made available for drinking water, wastewater and solid waste management. We are coordinating closely with BIA, IHS and BOR. To ensure safe drinking water is being delivered we have a contractor collecting samples. All sample results have shown the water being delivered has not been compromised.

Government Accountability Office (GAO) review of Abandoned Hardrock Mines: On December 20, 2018, representatives from the GAO, prompted by Senator Tom Udall (NM) met with Region 8 staff to discuss the regional role and perspective related to abandoned hardrock mines in Colorado. The regional discussion was focused on efforts stakeholders have taken and challenges they face in addressing AMLs. The third area was the focus of the regional discussion. At GAOs request we are coordinating a GAO visit to the Captain Jack Site in Ward, Colorado on February 15, 2019.

EPA R8 to invite Colorado, Wyoming, and the Southern Ute Indian Tribe to participate in Global Settlement Discussions with Williams Companies, Inc. regarding CAA Noncompliance at its Gas Processing Plants: Williams Companies, Inc. (Williams) has agreed to engage in global settlement discussions with the U.S. to resolve violations of the Clean Air Act (CAA) leak detection and repair (LDAR) requirements at its gas processing plants in Regions 3, 4, 6, 7, and 8.

Upcoming Decisions/Events

PFAS – Upon release of the Action Plan I am prepared to hold a press conference in the regional office and participate in a community meeting in Fountain, CO.

Colorado Smelter – On February 12th I will be attending a meeting in Pueblo to discuss the accelerated cleanup schedule for residential properties.

Region 9

Hot Topics:

No updates to report

UPCOMING DECISIONS AND EXTERNAL ENGAGEMENT

1. **Mexican Border:** RA Mike Stoker met with elected officials from San Diego on how to reduce and eliminate transboundary flows of sewage, sediment and trash. He responded in writing to concerns expressed by CA Sen. Feinstein and various Congressional representatives, as well as AZ Sen. McSally and Sinema. While Mexico has completed some repairs to the Tijuana collection system, recent rains continue to trigger flows which exceed the system capacity and lead to continued transboundary flows. The Regional Administrator met with EPA staff in the San Diego Border Office and So. California Field Office to welcome them back post-furlough.
2. **PEYA:** RA Mike Stoker sent letters to over 128 agricultural partners inviting their submittals to the President's Environmental Youth Awards.
3. **PFAS:** the Region is finalizing a strategy for PFAS outreach next week with a focus on the Pacific Island territories, with their particular drinking water vulnerabilities. The RA would engage with each of the three governors and then local media, per the HQ criteria.
4. **Food Recovery Challenge:** RA Mike Stoker will present awards to three Food Recovery Challenge award winners in So. California.

Region 10

Hot Topics:

Alaska DEC Enforces Fairbanks Wood Stove Curtailment Program: The Alaska Department of Environmental Conservation is enforcing the wood stove curtailment program in Fairbanks after several inversions have occurred. ADEC issued over 170 letters regarding non-compliance. ADEC may request EPA assistance if more formal enforcement is warranted.

Upcoming Major Decisions and Events

Consultation with Nez Perce Tribe on Idaho proposed water quality standards for Hells Canyon Reach: On February 12, Region 10's Office of Water Director will travel to Lapwai, Idaho to consult with the Nez Perce Tribal Executive Council on EPA's upcoming action on site-specific temperature criteria submitted by the state of Idaho for the Hells Canyon Reach in the Snake River. The state's SSC would allow slightly warmer temperatures for about a two-week period in the fall. The Tribe has interests in the decision because of concerns about impacts on downstream salmon spawning.

Puget Sound Action Agenda Approval: On January 28, 2019 the Puget Sound Partnership formally submitted a new Action Agenda for Puget Sound that was adopted by the Puget Sound Partnership Leadership Council in December. Region 10 is reviewing the Action Agenda under the National Estuary Program and anticipates full approval by February 15th. Approval allows our funding model partners to move forward with 2018 sub awards under the new Action Agenda.

Press Release: Trident Seafoods Clean Air Act Settlement: During the week of February 11, Region 10 expects to issue a news release to announce a proposed settlement with Trident Seafoods, which has agreed to reduce emissions of ozone-depleting substances from refrigeration equipment on its vessels to resolve violations of the Clean Air Act. Trident operates in Alaska and the Pacific NW.

Regional Administrator attends Alaska Forum on the Environment: On February 11 and 12 Region 10 Administrator Hladick will be in Anchorage to attend portions of the annual Alaska Forum on the Environment and to meet with state officials and congressional staffers.

ED_004926A_00007538-00015

Office of Air and Radiation

Hot Topics:

- **Tracking SIP Actions:**
  - Total Number of SIPs submitted to Regions in FY 2019: 88
  - Total Number of SIP Submittals with Final Action taken by the Regions in FY 2019: 63
  - Total Number of Pending SIPs: 765

- **Packages at OMB for Review:**
  - PM2.5 Precursor Demonstration Guidance

Upcoming Major Decisions and Events

- **Upcoming Public Hearings**:
  - Thursday, February 14th: Public hearing here in Washington, DC on the proposal to revise the New Source Performance Standards (NSPS) for greenhouse gas emissions from new, modified, and reconstructed fossil fuel-fired power plants.
  - Friday, February 15th: Public hearing here in Washington, DC on the proposed Determinations of Attainment by the Attainment Date, Extensions of the Attainment Date, and Reclassification of Several Areas Classified as Moderate for the 2008 Ozone Air Quality Standards.
  - Date to be determined: Public hearing on the Proposed Revised Cost Finding for MATS and Results of the Residual Risk and Technology Review

- **Upcoming Speeches:**
  - Tuesday, February 12th: Bill will be speaking at the Consumer Energy Alliance Federal and State Policy Update and at the NARUC Clean Coal Committee Meeting here in DC.
  - Tuesday, February 12th: Clint will be in Houston to speak at the Baker Botts 32nd Annual Environmental Seminar.

- **Inventory of U.S. Greenhouse Gas Emissions and Sinks: 1990-2017:** As early as February 12th, EPA expects to publish a Federal Register notice announcing a 30-day public review period for the draft *Inventory of U.S. Greenhouse Gas Emissions and Sinks: 1990-2017*, a policy-neutral report published annually by EPA since 1993. The Inventory report fulfills annual treaty obligations under the United Nations Framework Convention on Climate Change. The final report will be published by April 15.

- **CAAAC:** The nomination window for the 2019 CAAAC is now open. Nominations due by March 15th. Vacancies are anticipated to be filled by May. More information at: https://www.epa.gov/caaac/caaac-membership-information (The Clean Air Act Advisory Committee, or CAAAC, is a senior-level policy committee established in 1990 to advise EPA on issues related to implementing the Clean Air Act Amendments of 1990. CAAAC has about 40 members representing senior managers and experts from state, tribal, and local government, environmental and public interest groups, academics, industry and others).

Office of Chemical Safety and Pollution Prevention

Hot Topics:

- **Methylene Chloride:** In January 2017, EPA issued a proposed rule under Section 6(a) of the amended Toxic Substances Control Act to regulate methylene chloride in paint and coating removal. OCSPP will soon be announcing the finalization of that proposal. Acute (short-term) exposures to methylene chloride fumes can rapidly cause dizziness, loss of consciousness, and death due to nervous system depression. The announcement is likely to gain significant press, Congressional, and NGO attention.

- **TSCA Inventory Update:** OCSPP will soon release a major update to a list of chemical substances that are manufactured or processed (including imports) in the United States. The list, also called the "TSCA Inventory," plays a central role in the regulation of most industrial chemicals in the United States. For the first time, all the listed chemical substances are designated as "active" or "inactive" in U.S. commerce. This gives EPA and the public an up-to-date picture of the chemical substances in commerce, which is important for transparency and the agency's ongoing existing chemical review process. EPA will be announcing that while the TSCA inventory is 86,228 chemicals, the number of chemicals active in commerce is 40,655.

- **Restarting New Chemicals Program:** Due to the recent lapse of appropriations, OCSPP extended the review periods for all pending TSCA section 5 Premanufacture Notices (PMNs), Significant New Use Notices (SNUNs), Microbial Commercial Activity Notices (MCANs), and exemption notices that were submitted to the Agency under TSCA section 5 before December 29, 2018 by 33 days. This impacts a total of 581 new chemical notifications. During the shutdown, new notifications were submitted that were not processed. Consequently, the review period for any TSCA section 5 notice submitted during the shutdown did not begin until normal operations resumed on January 31, 2019. This impacts a total of 24 new chemical notifications.

UPCOMING ACTIVITIES

- **National Agricultural Aviation Association (NAAA):** Rick Keigwin, Director of OPP, will give program updates at the National Agricultural Aviation Association meeting on February 15, in Alexandria, VA. Some of the topics Rick will discuss include PRIA, Registration Review, Endangered Species Act, WPS & Certification Rule Implementation, and Unmanned Aerial Vehicles.

Row	Determination Type	Cases Under Review 2/5/2019	Determinations completed 12/18/2018 to 2/5/2019	Total Determinations[1]
1	# of "not likely" to present unreasonable risk determinations	-	**10**	**204**
2	# of §5(e) (need more information) or §5(f) (presents risk) Orders signed by both EPA and the submitter	-	**7**	**456**
3	# of §5(e) or §5(f) Orders signed by EPA and awaiting submitter signature	**32**	-	-
4	# of new chemical submissions under review	**523**	-	-
5	# of low release/low exposure exemption grants	-	**9**	**795**
6	# of low release/low exposure exemption denials	-	**0**	**128**
7	**Total number of cases**	**555**	**26**	-
8	Normal active workload for the New Chemicals Program	**300**	-	-
9	Number of cases undergoing testing or data development by submitter	**73[2]**	-	-
10	**Backlog**	**182[3]**	**↑1[4]**	-
11	# of Pre-Manufacturing Notices under review for over 90 days		-	-

[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] Twenty-three (23) new cases were submitted. Ten (10) Not Likely determinations were signed, seven (7) Consent Orders were returned, three (3) cases were withdrawn, one (1) case was pending invalid, and one (1) case was moved to long-term testing.

Office of the Chief Financial Officer

Hot Topics:

- The FY 2019 Continuing Resolution that reopened the government expires at midnight on Friday, February 15, 2019. Media reports that congressional appropriators, a part of a bipartisan negotiating group of representatives from the House and the Senate, continue to work toward a solution. They may announce a deal by the end of this week, which will provide enough time for votes before next Friday's deadline. It is our understanding that there are no EPA related issues that still need to be resolved. Consistent with OMB guidance and prudent management, OCFO and OMS are working together to prepare for a second potential partial shutdown. OCFO will continue to monitor and work with OMS to keep the Acting Administrator, Associate Deputy Administrator/Chief of Operations, and Chief of Staff and the agency apprised.
- OCFO continues to work with our payroll provider to ensure employees receive all their back pay. Pay adjustments from the first two pay periods were reconciled in pay period three. Those checks are being issued on the normal pay schedule and employees should see deposits in their bank accounts. We are also providing additional assistance to employees to understand back pay processing and to provide a forum to raise questions. OCFO hosted three webinars on Thursday, February 7, 2019 and a recorded presentation will be made available. We are committed to working with employees to resolve issues and answer questions.
- As a follow-up to the shutdown and as we continue returning the normal operations, OCFO is coordinating with OMS and OGC regarding impacts of and lessons learned from the shutdown to respond to governmentwide requests from OMB and for internal EPA purposes. OCFO hosted three webinars for employees regarding shutdown back pay on February 7.
- OCFO is developing an informational budget presentation for the CFO to provide to respond to a request from Representative Joyce, the new Ranking Member of EPA's Appropriations Subcommittee. OCFO is coordinating with OCIR. No date has yet been scheduled for this briefing.

Upcoming Major Decisions and Events

- Due to the shutdown, OMB delayed the FY 2020 President's Budget release of overall government summary totals to the week of March 11 followed by the release of agency Congressional Justifications and other associated materials the week of March 18. Both releases will be transmitted to Congress and made available to the public.
- In early March, OCFO will submit the Acting Administrator's statement for his signature attesting to the reliability and completeness of EPA's performance data in the FY 2018 Annual Performance Report issued as part of the EPA's FY 2020 Congressional Justification. The AAs' certifications of the reliability of their data serve as the basis for the Acting Administrator's statement.

Other

- As announced in the joint OARM (now OMS)-OCFO memorandum dated November 1, 2018 and distributed via e-mail by the CFO, the agency transitioned to GSA's SmartPay 3 program for all travel, purchase card, and fleet transactions on November 30, 2018. As such, travelers should now use their SmartPay3 travel cards for travel transactions. **For travelers with outstanding SmartPay2 vouchers, a few important reminders:**
    - Travelers still needing to voucher SmartPay 2 expenses on January 1, 2019 or later will need to mail personal payments to JPMorgan and mark as personal in Concur as EPA will reimburse the traveler not JPMorgan.
    - OCFO recommends that travel cardholders retain their SmartPay 2 travel card until all SmartPay 2 transactions have been paid.

Office of Congressional and Intergovernmental Relations

Hot Topics:

No updates to report

Upcoming Events

- **Feb 12** – Rep. Napolitano (CA) meeting with David Ross, OW AA, on water program priorities
- **Feb 12** - WOTUS update/briefing for Intergovernmental Associations, OW and OCIR will co-host a briefing for the Big 10 intergovernmental associations and other professional groups on the revised definition of Waters of the United States
- **Feb 12** - The LGAC will meet in an Administration session and will have a briefing on the proposed Waters of the U.S. rule led by John Goodin, Director, Office of Wetlands, Oceans and Watersheds
- **Feb 12**- Office of Community Revitalization, Office of Brownfields and Community Revitalization, Region III, and the Office of Intergovernmental Relations will meet with Brandon Dennison, Executive Director of the Coalfield Development Corporation (Huntington, West Virginia).
- **Feb 13**- OW and OCIR staff will meet with representatives from San Luis Obispo County, CA to discuss ongoing negotiations between the county and the US ACE regarding potential ownership transfer of the Salinas Dam.
- **Feb 14** (tent.) – Release of PFAS action plan w/OW
- **Feb 15**- The Agency is currently under a CR that is set to expire at midnight

Office of Enforcement and Compliance Assurance

Hot Topics:

DOJ Approves Corona/Twin Peaks Good Samaritan Agreement
On January 22, 2019, DOJ approved a CERCLA Good Samaritan Administrative Settlement Agreement and Order on Consent for the Corona and Twin Peaks Mercury Mines, inactive mercury mines located in Napa County, California. The Good Samaritan, Tuleyome, Inc., is a non-profit volunteer organization focused on protecting the wild and agricultural heritage of the Inner Coastal Range and Western Sacramento Valley. Tuleyome's goal is to address wastes at the Under the consent order, Tuleyome agreed to address discharges from the Corona drainage tunnel and undertake mine waste consolidation and revegetation; as well as to make improvements to the existing infiltration trenches and construction of other surface water runoff controls; all to allow construction of a regional trail system.

Lower Fox River and Green Bay Superfund Site Settlement
On January 3, 2019, EPA and DOJ finalized a consent decree concerning the Lower Fox River and Green Bay Superfund Site in Wisconsin. The settlement requires P.H. Glatfelter Co. to reimburse EPA $20.5 million for past costs and natural resource damages, as well as all future oversight costs; and to undertake long-term tasks, such as monitoring PCB levels, after dredging and cap installation is completed at estimated cost of $40 million. Previous agreements and settlements over the past twenty years have greatly reduced PCB human risk exposure, risk to wildlife, and reduced downstream migration of PCBs to Green Bay. The total cleanup costs performed by PRPs will exceed $1 billion. If approved, this settlement will end all Superfund litigation over the Site.

Pittsburgh Water & Sewer Authority Charged For Past Failures to Notify Pittsburgh Residents as it Replaced Lead Water Lines and to Sample Lines after Replacements
On February 1, 2019, the Pennsylvania Attorney General charged Pittsburgh's water and sewer authority with criminal violations of Pennsylvania's Clean Water Act, alleging that in 2016 and 2017, the authority conducted partial lead service line replacements affecting 161 homes without giving residents advance notice. Because lead levels can temporarily spike in drinking water during pipe replacement, the law requires water systems to warn customers ahead of time and provide information on how they can minimize exposure to lead. The Pittsburgh authority was also charged with failing to test the residents' water for lead within 72 hours of the partial replacement of the lead service line, another violation of state law. In November 2017, the authority admitted civil liability for these violations and entered into an administrative order with the Pennsylvania Department of Environmental Protection (PADEP) to take corrective action and pay a $2.4 million penalty. PADEP allowed the authority to use $1.8 million of the penalty to replace private lateral lead lines owned by low income homeowners (avoiding the need for partial lead line replacement).

Upcoming Major Decisions and Events:

OECA is soliciting public comment and recommendations on the agency's National Compliance Initiatives (NCIs) for fiscal years 2020-2023. The notice should be in the Federal Register on Friday.
OECA posted the pre-publication version of the notice on Monday.

On Wednesday, February 6, 2019, EPA published in the Federal Register its Civil Monetary Penalty Inflation Adjustment Rule, which is required by law. The rule was delayed by the shutdown. The published rule contains errors regarding its applicability date and will have to be corrected.

Office of General Counsel

Hot Topics:

- *New York v. EPA*, No. 19-1019 (D.C. Cir.); *Downwinders at Risk v. EPA,* No. 19-1020 (D.C. Cir.). New Litigation: On January 31, two petitions for review were filed in the D.C. Circuit challenging EPA's December 2018 "Determination Regarding Good Neighbor Obligations for the 2008 Ozone National Ambient Air Quality Standard," otherwise known as the Cross-State Air Pollution Rule (CSAPR) Closeout. This challenged final action made a determination based on updated air quality modeling that the 2016 CSAPR Update fully addressed eastern states' emission reduction obligations under CAA section 110(a)(2)(D)(i)(I), otherwise known as the good neighbor provision, for the 2008 ozone NAAQS. The first petition for review was filed by a collection of states (New York, Connecticut, Delaware, Maryland, Massachusetts, and New Jersey) as well as the City of New York. The second petition for review was filed by a collection of environmental organizations: Downwinders at Risk, Appalachian Mountain Club, Sierra Club, and Chesapeake Bay Foundation.

- *Air Alliance Houston et al. v. EPA*, No. 19-1015 (D.C. Cir.). New Litigation: On January 25, Plaintiffs filed a petition for review in the D.C. Circuit challenging our November 2018 action titled "National Emission Standards for Hazardous Pollutants and New Source Performance Standards: Petroleum Refinery Sector Amendments; Final Rule." These Amendments were largely in response to technical issues raised by industry regarding compliance with the Refinery Risk and Technology Review Rule issued pursuant to CAA section 112(d)(6) and (f)(2) in December 2015. The petition for review was filed by a collection of public interest groups (Air Alliance Houston, California Communities Against Toxics, Clean Air Council, Coalition for a Safe Environment, Community In-Power & Development Association, Del Amo Action Committee, Environmental Integrity Project, Louisiana Bucket Brigade, Sierra Club, Texas Environmental Justice Advocacy Services, and Utah Physicians for a Healthy Environment).

- *Waterkeeper Alliance et al v. EPA*, No. 19-00899 (S.D.N.Y). New SWDA Complaint: On January 30, the Waterkeeper Alliance, Waterkeepers Chesapeake, and California Coastkeeper filed a complaint in the federal district court for the Southern District of New York alleging that EPA has failed to perform certain non-discretionary duties under the Safe Drinking Water Act. Specifically, the complaint alleges that (1) EPA has failed to revise certain national primary drinking water regulations which it identified as potential candidates for revision in its periodic reviews of all drinking water regulations, (2) EPA has failed to make regulatory determinations by the required deadline under SDWA, and (3) EPA has failed to publish a candidate list of contaminants for regulation by the required deadline under SDWA. The complaint also alleges that EPA has unreasonably delayed action on the above-mentioned matters. Plaintiffs request that the court order EPA to take the actions they allege the agency has failed to take by deadlines established by the court. The answer to the complaint is due March 31.

- *South Carolina Coastal Conservation League v. EPA*, No. 17-3412 (D.S.C). New Decision: On January 30, the U.S. District Court of South Carolina denied the government's partial motion to dismiss mandatory duty claims against EPA (and the Corps) brought under CWA section 505(a)(2) in litigation over federal authorizations for a road project in South Carolina. The court rejected the government's argument that the *National Wildlife Federation v. Hanson,* 859 F.2d 313 (4th Cir. 1988) decision, which found that EPA has a mandatory duty of oversight for Corps' 404 decisions and is the basis for plaintiff's claims, is irreconcilable with subsequent decisions by the Supreme Court and Fourth Circuit. The court dismissed alternatively pled APA claims that sought identical relief as the CWA claims.

- *National Family Farm Coalition v. EPA*, No. 19-70115 (9th Cir.). New Litigation: On January 11, the National Family Farm Coalition, Center for Food Safety, Center for Biological Diversity, and Pesticide Action Network North America, filed a petition for review of a pesticide registration decision regarding the herbicide dicamba. This case is essentially a resumption of prior litigation (No. 17-70196) dismissed as moot owing to EPA's October 2018 amendment of the registration.

- *Natural Resources Defense Council v. EPA*, No. 19-1007 (D.C. Cir.). New Litigation: On January 14, NRDC filed a petition for review in the D.C. Circuit challenging EPA's November 15, 2018 final action on reconsideration of EPA's interpretation of Project Aggregation under the New Source Review program. In this action, EPA retained an interpretation that projects should be aggregated if they are "substantially related," a standard that was adopted and explained in a January 15, 2009 action that was the subject of this reconsideration. This case will likely be consolidated with a previous NRDC challenge to the 2009 interpretation (NRDC v. EPA, D.C. Cir. 09-1103). Motions to Consolidate and Govern in the 2009 case are currently due on February 14, 2019.

Office of International and Tribal Affairs

Hot Topics:

G7 Environment Ministers Meeting (EMM) – OITA AA McIntosh led the U. S. delegation in the first G7 EMM preparatory meeting in France last week. The meeting participants discussed the three outcomes proposed by France for the May G7 EMM - a joint communique, a Charter on Biodiversity, and a series of coalitions/initiatives on a variety of issues. The U.S. advocated for a non-negotiated Chair's Summary in lieu of a communique. The US proposal to include issues such as clean air and water in the outcome document was well received. The U.S. and other G7 members proposed limiting the number of initiatives and ensuring they were consensus based.

UN Stakeholder Meeting on Marine Plastics - EPA (OITA, OW) attended a regional stakeholder consultation on single use plastics organized by the UN Environment Program's (UNEP) North America Office and hosted by the National Geographic Society. UNEP invited experts from the private sector, NGOs, and government to attend in-person "hubs" that discussed key aspects of marine litter. The DC hub was attended by the Ocean Conservancy, Ocean Foundation, Plastic Pollution Coalition, Earth Day Network, the DC Mayor's Office, and Plastics News. The group discussed innovations and barriers around mobilizing citizen science, connecting early actors with innovators, better plastics design, new business models, legislation and policy, voluntary actions, and waste management.

Alliance to End Plastic Waste - The Alliance to End Plastic Waste recently launched of an initiative to advance solutions that will eliminate plastic waste in the environment and particularly the oceans. The Alliance is a non-profit organization comprised of 30 companies that include chemical and plastic manufacturers, consumer goods companies, retailers and converters and waste management companies who are committing over $1 billion over the next five years to advance their goals. Senators Sheldon Whitehouse and Dan Sullivan hosted an event on Capitol Hill that brought together the Alliance and other organizations working on marine litter and plastics to discuss policy opportunities that would help address the issues.

Upcoming Major Decisions/Events

European Commission: Acting Administrator Wheeler will host European Commission Director General for Environment on February 14 in RTP to tour EPA's laboratory facilities and have a technical exchange on EPA environmental research and air quality management programs. Acting Administrator Wheeler will also have a bilateral meeting with the EU Director General on February 12 in D.C.

G20 Environment Senior Officials Meeting: OITA AA McIntosh will led the U.S. delegation to the first Environment Senior Officials Meeting of the G20 on February 12-13 in Japan. This meeting will be in parallel with the Environment and Trade Working Group meeting and the Climate and Sustainability Working Group meeting.

National Congress of American Indians: The National Congress of American Indians (NCAI) will be meeting the week of February 11 in Washington, DC. A delegation of the Sac and Fox Nation will be meeting with OITA on February 14.

Office of Land and Emergency Management

Hot Topics:

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

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

3. **Ongoing major Superfund NPL sites.** We continue to work with OECA and OGC, including with Region 2 on the Hudson River, with Region 4 on Oak Ridge, with Region 9 on Edwards Air Force Base, and with Region 10 on Portland Harbor.

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

5. **PFAS.**
   a. PFOA and PFOS contaminated groundwater guidance. We are working with OP, OGC, OECA, OW, OCSPP, and ORD. We plan to send an updated draft to OMB for review soon.
   b. Evaluating inclusion as "hazardous substances" under CERCLA.

6. **e-Manifest**.

7. **California Wildfires.** We are working closely in support of Region 9.

Upcoming Major Decisions and Events

1. **Tribal Waste and Response (TWAR)**. OLEM leadership will participate in the TWAR Steering Committee annual meeting on February 12-14 at Potomac Yard.

2. **Hazardous Waste Pharmaceuticals Final Rule.** The rule was signed on December 11. We anticipate FR publication soon.

3. **EPCRA Reporting Requirements Interpretation relating to Air Releases of Hazardous Substances from Animal Waste at Farms NPRM.** The public comment period ended on December 14. We received over 11,000 comments, the majority of which are mass mail campaigns.

4. **CCR Remand/Vacatur.** A briefing for the Acting Administrator is scheduled for February 11. The CCR Phase 2 rule is with OP for submittal to OMB.

Office of Mission Support

Hot Topics:

Efforts to Improve Employee Access to Information

OMS is working across the regions and programs to increase Everbridge registration. There is currently an ongoing campaign to encourage employees to voluntarily input cell phone and email addresses into the notification system so that they would receive communication during a shutdown or other emergency.

Capstone Implementation Rescheduled to March 1, 2019

Because of the partial government shutdown, capstone implementation has been rescheduled to March 1, 2019. In preparing for implementation, employees must delete any personal email, junk mail and transitory records that are no longer required. Employees must continue to retain emails that are subject to a litigation hold or other preservation obligation such as a pending or recently closed FOIA request or appeal. Once Capstone is implemented, employees will not be able to delete any email that is 90 days or older.

***Upcoming Major Decisions and Events* (look out 2 weeks)**

None

Accomplishments

Office of Human Resources Director

On February 6, 2019, Arron Helm, Director of the Office of Administration and Resources Management, RTP, began a temporary detail as the Director, Office of Human Resources. Hitch Peabody continues to serve as the Acting Deputy Office Director.

Office of Policy

Hot Topics:

Environmental Economics Seminar – On February 13, NCEE's Michael Roberts will discuss research on variable pricing in the energy sector at a Kansas State University, Agricultural Economics Department seminar in Manhattan, KS.

Meeting with Frankfort, KY Delegation – On February 13, OCR's Matt Dalbey will participate in a meeting on the Hill with local leaders from Frankfort, KY, and their Congressional staff to discuss opportunities related to a redevelopment project in an Opportunity Zone.

Active Interagency Reviews from OMB	
Subject	**OMB Due Date**
CEQ Instructions (Pass-back): Implementing Instructions for Executive Order 13834: Efficient Federal Operations	01/31/2019
DOI/BSEE FRM: Oil and Gas and Sulfur Operations in the Outer Continental Shelf—Blowout Preventer Systems and Well Control Revisions	02/04/2019
HHS/FDA NPRM (Pass-back): Sunscreen Drug Products for Over-The-Counter-Human Use; Proposal to Amend and Lift Stay on Monograph	02/06/2019
DoD/ACE NPRM (Pass-back): Natural Disaster Procedures: Preparedness, Response, and Recovery Activities of the Corps of Engineers	02/11/2019
DOI/FWS & DOC/NMFS FRM: Endangered and Threatened Wildlife and Plants; Revision of the Regulations for Listing Species and Designating Critical Habitat" (a.k.a. 'Section 4' rule)	02/13/2019
DOI/FWS & DOC/NMFS FRM: Endangered and Threatened Wildlife and Plants; Revision of Regulations for Interagency Cooperation" (a.k.a. 'Section 7' rule)	02/13/2019
USDA/APHIS FRM: Plant Pest Regulations; Update of Provisions	02/14/2019

Documents Submitted to OFR December 20, 2018 thru February 6, 2019		
FRL	**Title**	**Date Submitted to OFR**
9985-88-OEI	NESHAP for Printing, Coating and Dyeing of Fabrics and Other Textiles (Renewal)/ICR No.2071.07	2/6/2019
9986-58-OEI	Air Stationary Source Compliance and Enforcement Information Reporting (Renewal)/EPA ICR No.: 0107.12	2/6/2019
9987-55-OEI	NSPS for Nonmetallic Mineral Processing (Renewal)/No.1084.14	2/6/2019
9987-87-OEI	NESHAP for Flexible Polyurethane Foam Product (Renewal)/ICR No.1783.09	2/6/2019

9988-06-OEI	NSPS for Beverage Can Surface Coating (Renewal)/ICR No.0663.13	2/6/2019
9988-45-OEI	NESHAP for Chromium Emissions from Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks (Renewal)/ICR No.1611.12	2/6/2019
9988-49-OEI	NESHAP for Benzene Waste Operations (Renewal)/ICR No.1541.12	2/6/2019
9988-60-Region 9	40 CFR part 5 - Approval and Promulgation of Implementation Plans; California; South Coast Serious Area Plan for the 2006 PM2.5 NAAQS	2/6/2019
9988-63-Region 8	Approval and Promulgation of Air Quality Implementation Plans; Wyoming; Interstate Transport for the 2008 Ozone National Ambient Air Quality Standards	2/6/2019
9988-71-OAR	40 CFR part 63 - National Emission Standards for Hazardous Air Pollutants: Surface Coating of Wood Building Products Residual Risk and Technology Review	2/6/2019
9988-76-OEI	NSPS for New Residential Wood Heaters (Renewal)/ICR No.1176.13	2/6/2019
9988-98-Region 8	Clean Data Determination; Provo, Utah 2006 Fine Particulate Matter Standards Nonattainment Area	2/6/2019
9989-12-Region 3	40 CFR part 52 - Approval and Promulgation of Air Quality Implementation Plans; Maryland; Removal of Stage II Gasoline Vapor Recovery Program Requirements	2/6/2019
9989-13-Region 3	40 CFR part 52 - Approval and Promulgation of Air Quality Implementation Plans; Delaware; Revisions to the Regulatory Definition of Volatile Organic Compounds	2/6/2019
9989-14-OEI	NSPS for Metal Furniture Coating (Renewal)/ICR No.0649.13	2/6/2019
9989-15-Region 3	40 CFR part 52 - Approval and Promulgation of Air Quality Implementation Plans; Maryland; Reasonably Available Control Technology (RACT) State Implementation Plan (SIP) Under the 2008 Ozone National Ambient Air Quality Standard (NAAQS)	2/6/2019
9989-17-Region 3	40 CFR part 52 - Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Commercial Fuel Oil Sulfur Limits for Combustion Units in Allegheny County	2/6/2019

9989-19-Region 1	Proposed CERCLA Administrative Cost Recovery Settlement: Fletchers Paint Woks Site, Milford, New Hampshire	2/6/2019
9989-20-Region 4	Koppers Co., Inc. (Charleston Pant) Superfund Site; Charleston, South Carolina	2/6/2019
9989-25-Region 6	Notice of Proposed Administrative Settlement Agreement and Order on Consent for Share of Reimbursement for Removal Action for the Ces Environmental Services, Inc., Site, Houston, Texas	2/6/2019
9989-26-Region 9	Clean Air Act Prevention of Significant Deterioration Permit Issued to Tucson Electric Power for the Irvington Generating Station Project	2/6/2019
9989-35-Region 5	Notice of Issuance of Grand Casino Mille Lacs PSD and Part 71 Permits	2/6/2019
9989-37-Region 4	40 CFR part 52 - Air Plan Approval; North Carolina; Miscellaneous Rules	2/6/2019
9989-40-Region 4	40 CFR part 52 - Air Plan Approval; GA: Non-Interference Demonstration and Maintenance Plan Revision for Federal Low-Reid Vapor Pressure Requirement in the Atlanta Area	2/6/2019
9988-40-Region 9	40 CFR part 52 - Clean Air Plans; 2008 8-Hour Ozone Nonattainment Area Requirements; San Joaquin Valley, California	2/5/2019
9988-79-OAR	40 CFR part 63 - National Emission Standards for Hazardous Air Pollutants: Wet-Formed Fiberglass Mat Production Residual Risk and Technology Review	2/5/2019
9989-21-OCSPP	Extension of Review Periods Under the Toxic Substances Control Act; Certain Chemicals and Microorganisms; Premanufacture, Significant New Use, and Exemption Notices; Delay in Processing Due to Lack of Authorized Funding	2/5/2019
9987-29-OCSPP	Receipt of Information Under the Toxic Substances Control Act	2/4/2019
9988-46-Region 7	40 CFR 52.1320 (e) (76) (77) - Air Plan Approval; Missouri; Emissions Inventory for the Missouri Jackson County and Jefferson County 2010 Sulfur Dioxide National Ambient Air Quality Standard Nonattainment Areas	2/4/2019
9988-56-OCSPP	Asbestos; TSCA Section 21 Petition; Reasons for Agency Response	2/4/2019

9988-67-OLEM	Agency Information Collection Activities; Proposed Collection; Comment Request; Requirements for Generators, Transporters, and Waste Management Facilities Under the RCRA Hazardous Waste Manifest System	2/4/2019
9988-78-OECA	Public Comment on EPA's National Compliance Initiatives for Fiscal Years 2020-2023.	2/4/2019
9988-84-OAR	Proposed Agency Information Collection Request; Comment Request; Responsible Appliance Disposal Program (Renewal)	2/4/2019
9988-85-Region 7	Notice of Approval of the Primacy Revision Application for the Public Water System Supervision Program from the state of Kansas	2/4/2019
9988-96-OAR	Inventory of U.S. Greenhouse Gas Emissions and Sinks: 1990-2017	2/4/2019
9988-97-OLEM	Proposed Information Collection Request; Comment Request; Brownfields Program–Accomplishment Reporting (Renewal)	2/4/2019
9989-06-OAR	Public Hearing and Reopening of Comment Period for Proposed Determinations of Attainment by the Attainment Date, Extensions of the Attainment Date and Reclassification of Several Areas Classified as Moderate for the 2008 Ozone National Ambient Air Quality Standards	2/4/2019
9986-72-OCSPP	Certain New Chemicals or Significant New Uses; Statements of Findings for September	2/1/2019
9988-26-OLEM	40 CFR parts 261, 262, 264, 265, 266, 268, 270, and 273 - Management Standards for Hazardous Waste Pharmaceuticals and Amendment to the P075 Listing for Nicotine	2/1/2019
9988-83-OAR	40 CFR part 63 - National Emission Standards for Hazardous Air Pollutants for Leather Finishing Operations Residual Risk and Technology Review	2/1/2019
9988-86-OAR	40 CFR part 80 - Regulation of Fuels and Fuel Additives: Removal of the Reformulated Gasoline Program from the Northern Kentucky Portion of the Cincinnati-Hamilton Ozone Maintenance Area	2/1/2019
9988-87-OW	40 CFR parts 122, 124 and 125 - National Pollutant Discharge Elimination System (NPDES): Additional Provisions Affecting Application and Program Updates Rule	2/1/2019
9988-89-OAR	40 CFR part 60 - Standards of Performance for New Residential Wood Heaters, New Residential Hydronic Heaters and Forced-Air Furnaces	2/1/2019

9988-91-Region 8	40 CFR part 300 - National Oil and Hazardous Substances Pollution Contingency Plan; National Priorities List: Partial Deletion of the OU2 of the Libby Asbestos Superfund Site	2/1/2019
9988-92-Region 8	40 CFR part 300 - National Oil and Hazardous Substances Pollution Contingency Plan; National Priorities List: Partial Deletion of the Vasquez Boulevard and I-70 Superfund Site	2/1/2019
9989-04-OAR	40 CFR part 60 - Review of Standards of Performance for Greenhouse Gas Emissions from New, Modified, and Reconstructed Stationary Sources: Electric Utility Generating Units	2/1/2019
9987-08-OCSPP	Receipt of Several Pesticide Petitions Filed; Residues on Various Commodities	1/31/2019
9987-42-OCSPP	Glycine Betaine; Exemption from the Requirement of a Tolerance	1/31/2019
9988-99-Region 4	40 CFR part 52 - Air Plan Approval; North Carolina: Readoption of Air Quality Rules and Non-Interference Demonstration for Removal of Oxygenated Gasoline Rule	1/31/2019
9989-03-Region 3	40 CFR part 52 - Approval and Promulgation of Air Quality Implementation Plans; Delaware; Interstate Transport Requirements for the 2010 1-Hour Sulfur Dioxide Standard	1/31/2019
9988-88-Region 10	40 CFR parts 49 and 52 - Indian Country: Air Quality Planning and Management; Federal Implementation Plan for the Kalispel Indian Community of the Kalispel Reservation, Washington; Redesignation to a PSD Class I Area.	1/30/2019
9988-93-OAR	40 CFR part 63 - 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	1/30/2019
9970-24-OCSPP	40 CFR part 180 - Noxaprop-ethyl, Flufenpyr-ethyl, Imazapyr, Maleic hydrazide, Pyrazon, Quinclorac, Triflumizole, et. al.; Proposed Tolerance and Tolerance Exemption Actions	1/29/2019
9987-96-Region 8	Approval and Promulgation of Air Quality Implementation Plans; State of Colorado; Motor Vehicle Inspection and Maintenance Program and Associated Revisions.	1/29/2019
9988-15-OW	40 CFR Parts 110, 112, 116, 117, 122, 230, 232, 300, 302 and 401 - Revised Definition of 'Waters of the United States'	1/29/2019

9988-28-Region 1	40 CFR part 52 - Air Plan Approval; Rhode Island; Infrastructure State Implementation Plan Requirements for the 2012 PM2.5 NAAQS	1/29/2019
9988-29-Region 1	40 CFR part 52 - Air Plan Approval; Connecticut; Motor Vehicle Inspection and Maintenance Program Certification	1/29/2019
9988-39-Region 8	Approval of Recodification and Revisions to State Air Pollution Control Rules; North Dakota; Interim Approval of Title V Program Recodification and Revisions; Approval of Recodification and Revisions to State Programs and Delegation of Authority to Implement and Enforce Clean Air Act Sections 111 and 112 Standards and Requirements	1/29/2019
9988-43-Region 1	40 CFR part 52 - Air Plan Approval; Massachusetts; Regional Haze Five-Year Progress Report State Implementation Plan	1/29/2019
9988-58-Region 6	40 CFR 52 - Air Plan Approval; Oklahoma; Interstate Transport Requirements for the 1997 Ozone National Ambient Air Quality Standards	1/29/2019
9988-81-Region 4	40 CFR part 52 - Air Plan Approval; Georgia: Permit Exemption for Fire Fighting Equipment	1/29/2019
9988-82-Region 4	40 CFR part 52 - Air Plan Approval; Kentucky: Jefferson County Prevention of Significant Deterioration	1/29/2019
9988-90-OECA	40 CFR part 19 - Civil Monetary Penalty Inflation Adjustment Rule	1/29/2019
9988-95-Region 7	40 CFR part 62 - Approval of State Plans for Designated Facilities and Pollutants; Missouri; Diammonium Phosphate Fertilizer Units	1/29/2019
9988-69-OAR	40 CFR part 63 - National Emission Standards for Hazardous Air Pollutants for Friction Materials Manufacturing Facilities Residual Risk and Technology Review	1/28/2019
9986-77-OCSPP	Access to Confidential Business Information by Chemical Abstracts Service	12/21/2018
9987-26-OCSPP	Environmental Modeling Public Meeting; Notice of Public Meeting	12/21/2018
9987-71-OCSPP	Access to Confidential Business Information by Science Applications International Corporation	12/21/2018
9988-52-Region 9	40 CFR part 52 - Air Plan Approval; California; El Dorado Air Quality Management District; Reasonably Available Control Technology Demonstration	12/21/2018

9988-68-OAR	Public Hearing and Reopening of Comment Period for Proposed Determinations of Attainment by the Attainment Date, Extensions of the Attainment Date and Reclassification of Several Areas Classified as Moderate for the 2008 Ozone National Ambient Air Quality Standards	12/21/2018
9988-70-OAR	40 CFR part 63 - National Emission Standards for Hazardous Air Pollutants for Hydrochloric Acid Production Residual Risk and Technology Review	12/21/2018
9988-72-OW	40 CFR parts 110, 112, 116, 117, 122, 232, 300, 302, and 401 - Revised Definition of 'Waters of the United States'	12/21/2018
9988-21-Region 6	Underground Injection Control Program; Hazardous Waste Injection Restrictions; Petition for Exemption Reissuance - Class I Hazardous Waste Injection; ANGUS Chemical Company	12/20/2018
9988-27-Region 6	40 CFR 52 - Approval and Promulgation of State Implementation Plan, Louisiana; Attainment Demonstration for the St. Bernard Parish 2010 SO2 Primary National Ambient Air Quality Standard Nonattainment Area; Supplemental Notice of Proposed Rulemaking	12/20/2018
9988-48-ORD	Proposed Information Collection Request; Comment Request; Generic Clearance for Citizen Science and Crowdsourcing Projects (Renewal)	12/20/2018
9988-50-ORD	Environmental Laboratory Advisory Board Meeting Dates and Agenda	12/20/2018
9988-53-Region 9	40 CFR part 52 - Air Plan Approvals, California, Mojave Desert Air Quality Management District	12/20/2018

Office of Research and Development

This week, ORD's senior leadership met with Henry Darwin in RTP, NC in preparation to deploy our EPA Lean Management System (ELMS) in March. Henry also held a very well attended all-hands meeting and shared a wealth of information with RTP staff.

We are looking forward to hosting you and the European Union delegation next week in RTP to discuss chemical testing and PFAS research, in addition to other topics.

Hot Topics:

Regional support: Lead in Tribal Drinking Water

In November, Region 6 contacted ORD requesting assistance on a drinking water issue: a juvenile detention center on tribal lands has high lead levels in one of their drinking water taps. ORD provided recommendations on how to isolate the sources of lead via diagnostic sampling. Based on this first round of sampling results, the center replaced faucets and other suspected sources of lead and resampled, but the results still showed lead. This week, ORD provided feedback on this second round of sampling results, which pointed to the brass backflow preventers as the lead source and the need to replace them with a truly lead-free alternative material. Additional plumbing components will be replaced, and the Region will send these brass components to ORD for analysis.

Sterigenics facility visit re: Ethylene Oxide (EtO), Charlotte, NC, February 12.

To inform our research in support of OAR and the regions on instrumentation and methods development for improving Ethylene Oxide (EtO) detection limits, ORD and OAR will visit a Sterigenics facility in Charlotte, NC, which provides ethylene oxide sterilization services. The visit will include a facility tour plus information and detail as to how the facility operates.

Technical support to New Jersey Department of Environmental Protection (NJDEP) and EPA Region 2.

ORD is providing expedited scale analysis of two pipe sections exhumed from Newark, NJ in support of NJDEP and Region 2. This work was re-initiated during the shutdown as an excepted activity given the threat to human health. The purpose of ORD's lead pipe scale analysis is to determine how Newark can optimize its water treatment practices to minimize both the corrosion of the lead service lines while also minimizing the formation of disinfection by-products. Development of such optimum practices is essential to minimizing or preventing both the lead contamination and the disinfection by-product contamination. The lead contamination in Newark is believed to be attributable to a lowering of the pH in the city's drinking water. That lowering was done in an effort to reduce the formation of disinfection by-products (halo-acetic acids). It is believed that the lowering of the pH reduced the efficacy of the anti-corrosion treatment the city was using to prevent lead, copper and other metals from leaching out of pipes into the water (with a lower pH, the leaching increased).

EPA's People, Prosperity and the Planet

EPA's People, Prosperity and the Planet (P3) recipients from the University of Tulsa recently concluded their Phase II project- HydroSense: Saving our planet from going down the drain. The objective of the project was to raise attention to the excessive water use to the hotel industry and develop a commercially viable wireless device for monitoring water use from the showers of hotel guest's rooms. The team successfully built an all-in-one device capable of wirelessly transmitting data with the help of a rechargeable battery connected to the device's generator. The team has used their results to educate students working on the project as well as elementary and middle school aged children that have participated in outreach projects.

Upcoming Major Decisions and events

Meeting with Calgon Carbon on PFAS removal, February 6.

ORD met with representatives of Calgon Carbon regarding PFAS removal and disinfection byproduct reduction capabilities using granular activated carbon (GAC). Calgon Carbon manufactures GAC systems for municipal drinking water treatment. These discussions will inform our research to optimize water treatment.

ECOS ERIS Meeting

On February 11, ORD will participate in a call with Environmental Research Institute of the States (ERIS) President David Paylor to discuss our ongoing engagement between state environmental agencies and EPA ORD. Agenda topics include ECOS and ERIS transitions, state research needs, and planning for the upcoming ECOS Spring Meeting.

Office of Water

Hot Topics:

Drummond (ABC Coke) Clean Air Act (CAA) Consent Decree (CD) Settlement Agreement
Region 4 and the Jefferson County Board of Health have signed a settlement agreement regarding numerous CAA NESHAP violations at the Drummond coke by-products plant in Tarrant, AL. The Region expects the settlement to be lodged on Friday, February 8, 2019. The Region is also issuing a press release and fact sheet related to the settlement.

Southside Chattanooga Superfund Site
Soil with lead levels exceeding the RML has been discovered in 21 yards at the Southside Chattanooga Lead Superfund site. Region 4 is planning a time critical removal action for these 21 yards. A public information session is currently planned for February 21.

Chemours Import Temporary Objection

Region 4 continues to receive numerous media inquiries regarding EPA's "Notice of Temporary Objection" to the Netherlands regarding the import of GenX material to the Chemours Fayetteville facility and is coordinating closely with OPA and ORCR on responses. To date, EPA has not received a response from the Netherlands or the Chemours Fayetteville facility to the questions posed in the December 19, 2018, letter.

Colleges and Underserved Communities Partnership Program (CUPP)
Due to the shutdown, the CUPP program was unable to implement six projects related to brownfields redevelopment and water infrastructure given the need of the partnering schools to complete the work before the end of the school year. The CUPP program director is looking for alternative partnership opportunities for these small municipalities, so that these critical projects will not have significant delays.

Upcoming Major Events
None

Upcoming Major Decisions
Paducah Formal Dispute Resolution – extension to 2/28/19 has been proposed
Oak Ridge Reservation Focused Feasibility Study Dispute Position

ED_004926A_00007538-00036