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ENVIRONMENTAL REVIEW PROCESS ACCELERATED FOR INFRASTRUCTURE PROJECTS

Twelve federal agencies, including the EPA, signed the One Federal Decision Memorandum of Understanding (MOU). The MOU establishes a coordinated and timely process for environmental reviews of major infrastructure projects.

The MOU reduces the environmental review and permitting process for major infrastructure projects. Under the MOU, a lead federal agency will be designated to guide each major infrastructure project through the environmental review and permitting process. It directs federal agencies to agree on a permitting timeline with the goal of completing the entire process within two years, to work together to conduct environmental review and authorization decisions concurrently, and to develop a single record of decision.

This MOU supports President Trump's One Federal Decision (OFD) policy established in Executive Order 13807. The E.O. directed the White House Office of Management and Budget and the Council on Environmental Quality to develop a framework for implementing the OFD policy. EPA and the other federal agencies have agreed to an unprecedented level of cooperation that will allegedly lead to better-informed permitting decisions about major infrastructure projects in a more timely and transparent manner. Following the procedures outlined in the MOU, federal agencies will work together to eliminate duplication and costly delays within the environmental review and permitting process.

In addition to EPA, the MOU was signed by the U.S. Department of the Interior, U.S. Department of Agriculture, U.S. Department of Commerce, U.S. Department of Housing and Urban Development, U.S. Department of Transportation, U.S. Department of Energy, U.S. Department of Homeland Security, U.S. Army Corps of Engineers, Federal Energy Regulatory Commission, Advisory Council on Historic Preservation, and Federal Permitting Improvement Steering Council.

(Environmental Resource Center – 4-16-18)

EPA ANNOUNCES $2.7 MILLION IN BROWNFIELDS GRANTS FOR PENNSYLVANIA

The U.S. Environmental Protection Agency (EPA) in April awarded 144 communities that will receive Brownfields grants for environmental assessment, revolving loan funds, and cleanups. The 221 grants totaling $54.3 million will provide communities with funding to assess, clean up and redevelop underutilized properties while protecting public health and the environment. The grants include $2.7 million to support seven Brownfields projects in Pennsylvania.

"EPA's Brownfields Program expands the ability of communities to recycle vacant and abandoned properties for new, productive reuses, using existing infrastructure" said **EPA Administrator Scott Pruitt.** "These grants leverage other public and private investments, and improve local economies through property cleanup and redevelopment."

"EPA's Brownfields grants provide a boost to communities by helping to put people back to work while also creating cleaner, healthier and economically stronger neighborhoods," said **EPA Region 3 Administrator Cosmo Servidio.** "Pennsylvania communities will use this funding to explore ideas on how properties can be cleaned up and returned to productive use."

The seven Brownfields projects in Pennsylvania include the following:

Lycoming County will receive an $800,000 revolving loan fund grant to support cleanup activities for Brownfields sites contaminated with hazardous substances. The county will focus much of this funding to support City of Williamsport and Muncy Borough, both of which have supported industry since the early 19th century due to their proximity to rail lines.

"Lycoming County is pleased and honored to be the recipient of this grant and thankful to continue our partnership with the EPA and our community partners," said **Community Development/Lead Planner of the County Department of Planning & Community Development Jenny Picciano.** "Grant funds will allow the county to clean up Brownfields sites identified in prior assessment grants, leverage public and private funding for economic redevelopment, and ultimately reinvest in our communities."

Butler County will receive $600,000 to conduct site assessments on properties that could be contaminated with petroleum or hazardous substances, and determine the feasibility for cleanup and redevelopment. Assessments will focus on the City of Butler and Petrolia Borough. Funds will also support community outreach activities.

"This grant will provide the Butler County coalition with the opportunity to assess industrial legacy Brownfields properties throughout the county, with the ultimate goal of repurpose and beneficial use," said **Chief of Economic Development and Planning, Butler County Mark S Gordon.** "This collaborative initiative is one of many aimed at creating opportunities for economic growth."

The Clearfield County Economic Development Corp. will receive $300,000 to conduct site assessments on properties that could be contaminated with petroleum or hazardous substances, and determine the feasibility for cleanup and redevelopment. Assessments will focus on mine-scarred properties in DuBois and Clearfield boroughs. Funds will also support community outreach activities.

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EPA ANNOUNCES $2.7 MILLION IN BROWNFIELDS GRANTS FOR PENNSYLVANIA (*continued from page 1)*

A statement from the Clearfield County Commissioners said the grant:"…will enable Clearfield County to take land previously thought unusable and turn the same into springboards for economic and community growth. It will enable future generations to also reap the benefit of land once believed to have outlived its usefulness."

The Greene County Industrial Development Authority will receive $300,000 to conduct site assessments on properties that may be contaminated with petroleum or hazardous substances, and determine the feasibility for cleanup and redevelopment. Assessments will target the municipalities of Monongahela, Waynesburg, and Cumberland. Funds will also support community outreach activities.

"This grant will be used for the assessment of unknown potentially hazardous or contaminated sites that resulted from past industrial use," said Chairman of the Green County Board of Commissioners Blair Zimmerman. "We are hopeful that these sites will be able to be utilized to attract future development to Greene County."

Norristown will receive $300,000 to conduct site assessments on properties that could be contaminated with petroleum or hazardous substances, and determine the feasibility for cleanup and redevelopment. Funds will also support community outreach activities.

"This funding will allow Norristown to continue on the road of redevelopment and revitalization that we have been working towards," said **Norristown Municipal Administrator Crandall O. Jones.** "We have felt the impacts of former industrial sites sitting idle and loss of jobs and our workforce. However, with the assistance of EPA funding, we have been able to step in front of the problem of historic environmental legacy issues and remove the obstacle of unknown and uncontained impacts."

Earth Conservancy will receive $200,000 to clean up a 400-foot segment of Espy Run that runs through the City of Nanticoke and Hanover Township. Espy Run travels through mine-scarred lands once used for anthracite mining. The stream is impacted by sedimentation and acid mine drainage. Grant funds will also support community outreach activities and monitoring.

"The EPA's continued support of Earth Conservancy is a testament to partnerships working to improve the environment from past damages," said **Earth Conservancy President and CEO Mike Dziak.** "The generous support we are receiving for this third segment in the ongoing restoration of Espy Run – which was destroyed decades ago by anthracite mining – will repair the streamway and mitigate the production of acid mine drainage downstream. When complete, the restored Espy Run will create habitat for wildlife and enhance quality of life for those nearby."

Lawrence County will receive $200,000 to conduct site assessments on properties that could be contaminated with hazardous substances, and determine the feasibility for cleanup and redevelopment. Assessment activities will target the City of New Castle's gateway corridors. Funds will also support community outreach activities.

"Having been the recipient of $600,000 of EPA funds in the past, the Lawrence County Economic Development Corporation has successfully utilized the funds to benefit both economic development and community development projects," said **Director of Economic Business Development for LCEDC Linda D. Nitch**. "We look forward to utilizing this new grant award to further develop activities in New Castle."

Cosmo Servidio, the Regional Administrator for EPA Region 3 spoke recently at the annual PA Chamber of Business and Industry Environmental Seminar held in Lancaster. Cosmo, who previously was PA DEP's Southeast Region Manager is highly regarded and considered to be highly qualified to help EPA's Philadelphia Region Office run very efficiently, and make sure that EPA's work results in clear decisions so that EPA helps get things done. He was commended for his efforts at the Chamber Seminar. RT was Diamond Sponsor for The Chamber's annual environmental event.

-Gary Brown

Our 24-Hour Urgent Line Service (800) 725-0593

MOLD GROWTH EXPOSURE DANGERS, SYMPTOMS & REMEDIATION

Mold is a type of fungus. Some types of mold are commonly known as mildew. Mold lives indoors or outdoors and thrives in damp, warm, and humid environments. Although basements are typical moist areas prone to the growth of molds, any moist area in buildings may harbor mold.

Allergic reactions to mold are the most common health effects and risks of mold. Mold allergy symptoms and signs include wheezing, rash, watery eyes, runny nose, itchy eyes, coughing, and redness of the eyes.

There are no EPA or government standards that have been established for mold or mold spore levels in residential or commercial areas, so it is impossible to prove that a building or room is in compliance with any health regulations concerning mold exposure.

What is mold?

Molds are various types of fungi that grow in filaments and reproduce by forming spores that can travel through the air. The term mildew is sometimes used to refer to some kinds of mold, particularly mold in buildings with a white or grayish color or mold growing in shower stalls and bathrooms. Mold may grow indoors or outdoors and thrives in damp, warm, and humid environments. Mold can be found in essentially any environment or season.

The most common types of mold that are found include Cladosporium, Penicillium, Alternaria, Aspergillus and Stachybotrys chartarum (also known as "the black toxic mold"). Stachybotrys grows on surfaces that have high cellulose content, such as wood, fiberboard, gypsum board, paper, and dust.

Molds reproduce by forming tiny spores that are not visible to the naked eye. Mold spores are very hardy and can survive under conditions in which mold cannot grow, such as in dry and harsh environments. These spores travel through outdoor and indoor air. When the mold spores in the air land on a surface where moisture is present, mold can then start to grow.

Outdoor molds play a role in the decomposition of organic material such as dead trees, compost, and leaves. They are most common in damp, dark areas in basements. Indoor mold in buildings has the potential to cause health problems and can destroy surfaces and objects where it grows.

Where can mold be found in buildings?

Although basements are typical moist areas prone to mold growth, any moist area in the building can grow mold. Drywall, ceiling tiles, carpets, furniture, ductwork, roofing, paneling, wallpaper, under sinks, and the areas around plumbing pipes are examples of areas in the building that can become infested by mold if the ideal growing conditions are present.

Mold spores from outdoor air can enter the building through open doors, windows, and vents. It may also become attached to clothing, shoes, and pets and therefore be carried indoors.

Mold has many different colors and sometimes appears as spots. Additionally, a musty odor may be present. Mold growth may also be hidden underneath carpeting, on the back side of wallpaper, and behind drywall or wall paneling. Saunas, greenhouses, and construction areas are places where mold is commonly found.

What kinds of health risks may be linked to mold and what are symptoms and signs of mold allergy?

Molds produce irritating substances that may act as allergy causing substances (allergens) for sensitive individuals. Furthermore, some molds produce toxic substances known as mycotoxins, but mold itself is not poisonous or toxic. The term "toxic mold," therefore, refers to the fact that certain kinds of mold can produce mycotoxins. The conditions under which some molds produce toxins are poorly understood, and the presence of mold, even a mold that is capable of producing toxins, does not always imply that toxins are being produced or that a health risk or problem is present. Mold may not cause any health problems, or it may lead to allergy or other symptoms in people, including adults and children, who are sensitive to molds.

Allergic reactions to mold are the most common health effects of mold and are therefore the greatest health risk related to mold. Allergic reactions may happen immediately or develop after a period of time following exposure. Both growing mold and mold spores may lead to allergic reactions. Symptoms and signs of mold allergy may include sneezing, runny nose, coughing, wheezing, watery eyes, redness of the eyes, itchy eyes, skin irritation or rash.

Asthma attacks may be caused by mold or mold spores in people who have asthma and are allergic to mold. Even in some nonallergic individuals, mold can cause symptoms of irritation in the eyes, skin, and airways. For example, the "black mold" Stachybotrys, along with some other types of mold, produces toxins known as mycotoxins that can cause irritation of the skin and airways in susceptible individuals.

Sometimes, people may develop severe reactions to mold exposure. Symptoms of severe reactions, which are uncommon, include fever and difficulty breathing. People with compromised immune systems or patients with chronic lung disease can develop serious infections of the lungs due to molds.

It is not possible to predict the degree of severity of the health risks associated with mold in a building. Allergic individuals vary in their degree of susceptibility to mold, and any symptoms and health risk may also depend upon the extent and exact type of mold that is present.

In 2009 guidelines, the Institute of Medicine reported there was sufficient evidence to link indoor exposure to mold with upper respiratory tract symptoms, cough, and wheezing in otherwise healthy people. Mold also was linked to the worsening of asthma symptoms in people who have asthma.

According to the U.S. Centers for Disease Control and Prevention, "There are very few reports that toxigenic molds found inside homes can cause unique or rare health conditions such as pulmonary hemorrhage or memory loss. These case reports are rare, and a causal link between the presence of the toxigenic mold and these conditions has not been proven."

What is the treatment for mold exposure?

The treatment for allergic reactions to mold is the same as the treatment for allergic reactions in general. Fungal infections that spread throughout the body that occur in people with weakened immune systems are typically treated in the hospital with antifungal drugs and other measures to support breathing and circulation. Treatment of underlying conditions such as asthma is described in the article on asthma and depends on the severity type of symptoms the patient experiences.

How to prevent mold in buildings.

The best way to prevent mold in buildings is the control of moisture. Although it is impossible to eliminate all mold spores in an indoor environment, the mold spores will not grow in the absence of moisture, so controlling moisture is the key to preventing mold growth.

- Water problems, such as leaks in plumbing or other structures that lead to moisture buildup, should be identified and repaired.
- Clean and dry areas of leakage and water damage in a building within 24-48 hours to prevent mold problems.
- Use of an air conditioner or dehumidifier during humid seasons can help reduce the potential for moisture. Keep indoor humidity levels low (ideally between 30%-45%).
- Avoid the use of carpets in humid basements.
- Using fans and maintaining good ventilation in a building can also improve indoor

(continued on page 4)

STAFF AND PROJECT NEWS

RT continues to provide services to our clients and we support those organizations who make our service area strong from an environmental standpoint.

Chris Blosenski and Ashley Seitz, in April, inspected three asphalt plants, two in Pennsylvania and one in New York as a new asphalt tank was installed, an industrial water system re-permitted and update Contingency Plans were completed for all three facilities. Chris also completed further work at an Ohio site where there was a previous oil spill originating on a nearby property, impacting wetlands and/or sediments. Work is expected to involve expert testimony by Gary Brown in the future, who is an Ohio Professional Engineer as well as Certified Professional.

John Lydzinski, Walter Hungarter and Gary Brown attended the Pennsylvania Chamber of Business and Industry Annual Environmental Seminar held in April in Lancaster. RT was the Diamond Sponsor for the event, which included important information on achieving implementation plan air quality criteria in Pittsburgh and Philadelphia. This information was presented by the U.S. Chamber of Commerce. A Federal Energy Regulatory Commission member also presented information on horizontal drilling of pipelines and related concerns were discussed at some length. Cosmo Servidio, U.S. EPA Region 3 Administrator in Philadelphia also presented a very upbeat presentation on how EPA can be helpful in its responses to applications, and to be clear in responses and suggestions on environmental issues to the regulated community.

Jennifer Berg, Julian Pozzi and Adam Brinkman continue work on solar farms in New Jersey. Some of the work involves construction oversight of capping while solar farms are constructed, and other work involves investigation of potential new solar farm sites.

Gary Brown and Jennifer Berg continue work at a former glass plant in Salem New Jersey, where a main railroad line which runs through to the port in Salem is being reconstructed and new potential users of the large former glass plant site are evaluated for future use by manufacturing, industrial and potential growers of organic plants.

Craig Herr and Gary Brown attended the Pennsylvania Bar Institute held in April in Harrisburg. RT was a lead sponsor of the event which draws environmental lawyers from throughout Pennsylvania.

We look forward to continuing to be of service in 2018 and beyond.

Gary R. Brown, P.E.
President
RT Environmental Services, Inc.

MOLD GROWTH EXPOSURE DANGERS, SYMPTOMS & REMEDIATION *(continued from page 3)*

air quality and help prevent or control dampness.

• Mold inhibitor products can be added to household paints.

• Use bathroom fans or open bathroom windows when showering for air circulation.

• Appliances that produce moisture, such as clothes dryers and stoves, should be vented to the outdoors when possible.

• Adding insulation can reduce the potential for condensation on cold surfaces (such as windows, piping, roof, or floors).

How should mold be cleaned up and eliminated?

Mold clean up procedures are somewhat dependent upon the extent of the problem and the type of surface that has been contaminated. Large areas of mold in a building may require the services of a certified professional contractor skilled in mold removal and remediation. Hard surfaces, such as walls, that harbor mold may be scrubbed with detergent and water, and these should be dried completely. Porous or absorbent materials (such as cloth, ceiling tiles, carpets, etc.) may have to be discarded if they become moldy.

Be sure to discuss any health problem with a health care professional prior to attempting to remove and clean mold if you have an allergy or are sensitive to molds. After mold removal, it is important to prevent further regrowth of mold by keeping affected areas as dry as possible.

Source:
EPA "A Brief Guide to Mold, Moisture, and Your Home": 2010,
"Damp Indoor Spaces and Health": Summary of 2004 Institute of Medicine Report.

For any additional questions or information, please call Tony Alessandrini at 856.467.2276, ext 110.

CLEAN WATER ACT – DOES IT ALLOW LIABILITY FOR POLLUTION THAT TRAVELS THROUGH GROUNDWATER TO SURFACEWATERS?

During a hearing on April 18th of the Senate Environmental Public Works Committee, the Chairman of the Committee, John Barrasso indicated that states and not EPA should be regulating pollution that reaches surfacewaters via groundwater. In one recent federal appellate court ruling in a case involving "Upstate Forever; Savannah Riverkeeper vs. Kinder Morgan Energy Partners, L.P.; Plantation Pipeline Company", there is concern that federal appellate court rulings are not aligning with what Congress intended when it passed the Clean Water Act. The key issue revolves around whether EPA can decide that groundwater releases from solid waste units are regulated under the Resource Conservation Act, but are the groundwater releases point sources? The issues in the cases involved frequently involve coal ash disposal facilities.

*We will keep you informed on this issue as it continues to evolve in the **RT Review.***

TECHNOLOGY UPDATES

NEW COATING INCREASES ABSORPTION CAPACITY OF SOLAR CELLS

Trapping light with an optical version of a whispering gallery, researchers at the National Institute of Standards and Technology (NIST) have developed a nanoscale coating for solar cells that enables them to absorb about 20% more sunlight than uncoated devices. The coating, applied with a technique that could be incorporated into manufacturing, opens a new path for developing low-cost high-efficiency solar cells with abundant, renewable and environmentally friendly materials.

The coating consists of thousands of tiny glass beads, only about one-hundredth the width of a human hair. When sunlight hits the coating, the light waves are steered around the nanoscale bead, similar to the way sound waves travel around a curved wall such as the dome in St. Paul's Cathedral in London. At such curved structures, known as acoustic whispering galleries, a person standing near one part of the wall easily hears a faint sound originating at any other part of the wall.

Whispering galleries for light were developed about a decade ago, but researchers have only recently explored their use in solar-cell coatings. In the experimental set up devised by a team including Dongheon Ha of NIST and the University of Maryland's NanoCenter, the light captured by the nanoresonator coating eventually leaks out and is absorbed by an underlying solar cell made of gallium arsenide.

Using a laser as a light source to excite individual nanoresonators in the coating, the team found that the coated solar cells absorbed, on average, 20% more visible light than bare cells. The measurements also revealed that the coated cells produced about 20% more current.

The study is the first to demonstrate the efficiency of the coatings using precision nanoscale measurements, said Ha. "Although calculations had suggested the coatings would enhance the solar cells, we could not prove this was the case until we had developed the nanoscale measurement technologies that were needed," he noted.

This work was described in a recent issue of Nanotechnology by Ha, collaborator Yohan Yoon of NIST and Maryland's NanoCenter, and NIST physicist Nikolai Zhitenev.

The team also devised a rapid, less-costly method of applying the nanoresonator coating. Researchers had previously coated semiconductor material by dipping it in a tub of the nanoresonator solution. The dipping method takes time and coats both sides of the semiconductor even though only one side requires the treatment.

In the team's method, droplets of the nanoresonator solution are placed on just one side of the solar cell. A wire-wound metal rod is then pulled across the cell, spreading out the solution and forming a coating made of closely packed nanoresonators. This is the first time that researchers have applied the rod method, used for more than a century to coat material in a factory setting, to a gallium arsenide solar cell.

"This is an inexpensive process and is compatible with mass production," said Ha.

(Environmental Resource Center)

TECHNOLOGY UPDATES

EPA GHG INVENTORY SEES 2.5 PERCENT DROP IN 2016

EPA has recently, in an April 18th report, announced that the country in 2016 emitted 6.511 billion tons of Carbon Dioxide, a 2.5% reduction from 2015 levels. The power sector is reported to have emitted 28% of the greenhouse gasses emitted in the United States, which is roughly equivalent to the transportation sector.

FEDERAL REGISTER NOTICES

http://www.federalregister.gov

EPA Rule – Community Right-to-Know; Adopting 2017 North American Industry Classification System (NAICS) Codes for Toxics Release Inventory (TRI) Reporting; Final Rule – EPA is amending 40 CFR part 372 (/select-citation/2017/12/26/40-CFR-372) to include the relevant 2017 NAICS codes for TRI reporting. EPA is also modifying the list of exceptions and limitations previously included in the CFR for the applicable NAICS codes for TRI reporting purposes. Crosswalk tables between all 2012 NAICS codes and 2017 NAICS codes can be found on the internet at http://www.census.gov/epcd/www/naics.html (http://www.census.gove/epcd/www/naics.html).

(Federal Register – 12-26-17)

EPA Proposed Rule – Renewable Fuel Standard Program; Grain Sorghum Oil Pathway.

(Federal Register – 12-27-17)

EPA Notice – Availability of the Integrated Risk Information System (IRIS) Assessment Plan for Uranium

(Federal Register – 1-31-18)

EPA Notice – Availability of the Systematic Review Protocol for the Chloroform Integrated Risk Information System (IRIS) Assessment.

(Federal Register – 1-31-18)

EPA Rule – Oil and Natural Gas Sector: Emission Standards for New, Reconstructed, and Modified Sources; Amendments

(Federal Register – 3-12-18)

EPA Rule – Approval and Promulgation of Air Quality Implementation Plans; Maryland; 2011 Base Year Inventory for the 2008 8-Hour Ozone National Ambient Air Quality Standard for the Maryland Portion of the Philadelphia-Wilmington-Atlantic City Nonattainment Area.

(Federal Register – 4-2-18)

EPA Rule – Clethodim; Pesticide Tolerances This regulation establishes tolerances for residues of clethodim in or on multiple commodities. This regulation was effective April 12, 2018

(Federal Register – 4-12-18)

EPA Rule – Availability of the IRIS Assessment Plan for Ammonia and Ammonium Salts; Non-cancer Assessment for Oral Exposure

(Federal Register – 4/16/18)

FEDERAL REGULATORY UPDATES

FEDERAL UPDATES

EPA ANNOUNCES FUNDING AVAILABILITY FOR WATER INFRASTRUCTURE

In the Consolidated Appropriations Act, 2018, signed by the President on March 23, 2018, Congress provided at least $55 million in budget authority for the Water Infrastructure Finance and Innovation Act of 2014 (WIFIA) program to cover the subsidy required to provide a much larger amount of credit assistance. The Environmental Protection Agency (EPA) estimates that this budget authority may provide approximately $5.5 billion in credit assistance and may finance approximately $11 billion in water infrastructure investment, while covering increased costs associated with implementing a larger program. The purpose of this notice of funding availability (NOFA) is to solicit letters of interest (LOIs) from prospective borrowers seeking credit assistance from EPA.

EPA will evaluate and select proposed projects described in the LOIs using the selection criteria established in statue and regulation, and further described in the NOFA as well as the WIFIA program handbook. This NOFA establishes relative weights that will be used in the current LOI submittal period for the selection criteria and outlines the process that prospective borrowers should follow to be considered for WIFIA credit assistance.

EPA will host a series of webinars to provide further information about submitting a LOI. The webinar schedule and registration directions can be found on the WIFIA program website: www.epa.gove/wifia.

NEW REPORT INDICATES EPA'S IRIS PROGRAM IS MAKING PROGRESS

The EPA's Integrated Risk Information System (IRIS) program has made substantial progress in implementing recommendations outlined in past reports by the National Academies of Sciences, Engineering, and Medicine, improving the program's overall scientific and technical performance, says a new Academies report (https://www.nap.edu/catalog/25086/progress-toward-transforming-the-integrated-risk-information-system-iris? program). The program, which is used to assess the hazards posed by environmental contaminants, remains a work in progress and should continue to evolve as it adapts and applies new scientific practices and knowledge, the report says. The transformation of the IRIS process began several years ago after the release of a 2011Academies report that provided suggestions for creating a more systematic and transparent IRIS process. In a 2014 report, the Academies reviewed the changes implemented in the program since 2011and concluded that the improvements were considerable. Under the program's new leadership, EPA asked the National Academies to review again the agency's progress toward addressing past recommendations.

The Academies' latest review finds that IRIS has made substantial progress in incorporating systematic-review methods into its process and assessments. IRIS has also established a systematic-review working group and engaged subject-matter experts. According to the new report, these groups should increase efficiency and consistency among assessments and improve the scientific rigor of the assessments.

"The changes in the IRIS program over such a short period of time are impressive," said Jonathan Samet dean of the Colorado School of Public Health and chair of the committee that wrote the report. "We see a substantial commitment at EPA to use systematic-review methods in conducting assessments, which are important for identifying, evaluating, and summarizing the findings from current literature and integrating the evidence available to inform decisions."

The committee also said the program has developed a number of collaborations with such groups as the World Health Organization, the National Toxicology Program Office of Health Assessment and Translation, and the European Food Safety Authority that will help position the IRIS program as a leader in advancing systematic-review methods.

The report offers recommendations for some refinements and further development in different stages of its systematic-review process and risk quantification process and urges EPA to give high priority to completion, peer review, and release of its IRIS hand book, which is expected to provide critical guidance for the development of IRIS assessments. The committee noted, however, that EPA is describing its approach in IRIS protocols, and this practice provides transparency while the hand book is being completed. The study was sponsored by EPA.

(Environmental Resource Center)

FEDERAL COAL ASH PERMIT PROGRAM A BACKSTOP?

The Utility Solid Waste Group filed suit related to solid waste activities against the US EPA. The Coal Combustion Residuals Rule has been challenged, and a specific problem has been identified – What if the states do not pick up regulation of coal ash facilities? This is an issue because the Utility Solid Waste Group believes that EPA is now statutorily obligated to implement a CCR rule through a federal program.

With tight budgets, environmental officials in each state are reluctant to recommend taking on new programs, particularly in states where there are few utility coal combustion residual landfills and/or surface impoundments.

We will keep you informed on this issue in the *RT Review.*

WEST VIRGINIA FILES PETITION TO PROTECT DOMESTIC INTEGRATED IRON AND STEEL PRODUCTION

In a Petition filed on April 18th, West Virginia asks EPA Administrator Scott Pruitt and EPA's Air Policy Chief to initiate rulemaking to set uniform standards for granting an exemption from strict New Source Review Permit mandates for "routine maintenance, repair and replacement". The Petition filed by West Virginia Attorney General Patrick Morrisey calls harsh and inconsistent interpretations of what are routine common maintenance tasks to be modification under the MSR Program. West Virginia believes that New Source Review, when considered in the context of regular operations of existing industrial facilities "routine maintenance, repair and replacement" causes egregious cases where steel mills can't operate the way they have historically, and EPA does not allow steel mills to rely on written exemptions, due to inconsistent, case-by-case situation on how the Agency applies regulations. West Virginia believes that the Agency shifts definitions and courts have imposed erroneous and unreasonable limits on routine maintenance, repair and replacement exemptions.

*We will keep you informed on this important issue in the **RT Review.***

EPA FINALIZES "SIGNIFICANT IMPACT LEVELS" WITH RESPECT TO AIR PERMITS

On April 17, 2018, EPA issued Guidance on significant impact levels for ozone and fine particles in the prevention of significant deterioration permitting program. In the Guidance, compliance demonstration tools for use with ozone and fine particles in the prevention of significant deterioration permitting are discussed. To see a copy of the Guidance on significant impact levels go to: https://insideepa.com/daily-news/epa-finalizes-contested-significant-impact-levels-speed-air-permits.

NJ UPDATES

NJDEP – NEW UNDERGROUND STORAGE TANK RULES; NEW UNDERGROUND STORAGE TANK FACILITY QUESTIONNAIRE AVAILABLE

New rules and amendments to the Underground Storage Tanks (UST) rules, N.J.A.C. 7:14B, were adopted in the New Jersey Register (50 N.J.R. 409), effective January 16, 2018. The rules incorporate the revisions made in 2015 to the Federal Environmental Protection Agency's UST regulations (40 C.F.R. Part 280). A courtesy copy of the rules is available on the New Jersey Department of Environmental Protection (NJDEP) website at: www.nj.gov/dep/rules/rules/njac7_14b.pdf.

The rules relate to secondary containment; operator training, designation and duties; partially regulated UST systems; field constructed tanks and airport hydrant systems; operation and maintenance walkthrough inspections; UST registration; notification; UST service provider certifications; and civil administrative penalties. The rules apply to USTs that store motor fuel, liquid petroleum products, waste oil, or other hazardous substances, and all heating oil USTs with an aggregate of 2,001 gallons or more for on-site consumption at businesses or commercial operations.

The rules require owners and operators to comply no later than October 13, 2018 with the operational changes; this includes the new requirement of having Designated Operators at the facility. To be a Designated A/B operator, a person must attend a class at Rutgers University administered by the NJDEP and pass an examination. For additional information please see www.nj.gov/dep/enforcement/ust.html.

The rules also require that owners and operators attach to the Underground Storage Tank Facility Certification Questionnaire (USTFCQ) the entire financial responsibility document (such as an insurance policy) identified on the questionnaire. The Department has been requesting entire financial responsibility documents to be submitted over the last two years under existing N.J.A.C. 7:14B-15.1(h) and has found this to improve financial assurance compliance. Although email is not a federally approved method for USTFCQ submittal, electronic submittals of financial assurance documents can be sent separately through email and are acceptable and encouraged to reduce the number of paper records being submitted, copied, and scanned. The entire copy of the current UST financial responsibility document - including all endorsements or certificates can be emailed to: srpustregistration@dep.nj.gov. Please remember that a complete USTFCQ including Section C is required to be submitted separately in addition to emailing the policy during renewals. When renewing the financial responsibility mechanism to maintain full compliance with N.J.A.C. 7:14B-15.1(c) and to prevent possible coverage gaps, the owner or operator shall obtain the oldest retroactive date possible. The owner or operator is required to have financial responsibility that carries forward the oldest retroactive date noted on the previous policy for the covered UST system(s).

The Department is notifying owners and operators of regulated underground storage tank (UST) systems and Licensed Site Remediation Professionals (LSRPs) that it has changed the USTFCQ to incorporate the new requirements in the UST rules. The new USTFCQ format has changed and mimics all other forms used under the LSRP program. The new USTFCQ is now available at www.nj.gov/dep/srp/forms/ust (UST-021) and must be utilized when renewing a registration (which will be on an annual basis). Also, Frequently Asked Questions have been posted online which will assist in completing the new form and answering some common questions.

NOTICE: The following online services will no longer be available effective April 1, 2018: Initial UST Registration, Modification of UST Registration, and Renewal of UST Registration. The services will have to be upgraded to incorporate the changes to the UST rules.

Link to Compliance and Enforcement Compliance Advisory: www.nj.gov/dep/enforcement/advisories/2018-02.pdf.

For more information, you can reach Chris Ward at 856-467-2276 ext. 113 or by email at cward@rtenv.com.

NJDEP UPDATED VAPOR INTRUSION MITIGATION, MONITORING, AND MAINTENANCE CHECKLIST AVAILABLE

The New Jersey Department of Environmental Protection has posted an updated version of the "Vapor Intrusion Mitigation, Monitoring, and Maintenance Checklist," used for Immediate Environmental Concern Annual Monitoring and Maintenance Reports. The checklist has been updated to make it consistent with the checklist that is provided in the "Vapor Intrusion Technical Guidance," as well as the checklist that is required for a Remedial Action Permit. A question regarding the reporting locations where crawlspace ventilations systems are being used as the remedial action has also been added. The updated Form and associated Update Log are available on the Department's website at http://www.nj.gov/dep/srp/srra/forms/#iec_mm_checklist.

For more information, you can reach Chris Ward at 856-467-2276 ext. 113 or by email at cward@rtenv.com.

PENNSYLVANIA BULLETIN NOTICES

1/13/18 – The DEP Board of Coal Mine Safety published final regulations relating to Sensitive Ground Faults. Review.

1/29/18 – The DEP announced the U.S. Environmental Protection Agency has approved its most recent 2016 Integrated Water Quality Monitoring and Assessment showing 19,900 miles of rivers and streams in Pennsylvania are impaired and do not meet federal water quality standards.

2/3/18 – The Environmental Quality Board published notice in the February 3 PA Bulletin of proposed Noncoal Mining Program Permit Fee increases for public comment.

2/10/18 – The Environmental Quality Board published notice in the February 10 PA Bulletin of final regulations making steam designation changes in 4 streams in Berks, Chester, Monroe, Northampton and Susquehanna Counties.

2/24/18 – The Environmental Quality Board published notice in the February 24 PA Bulletin of the opportunity to comment on proposed changes to regulations in Chapter 245 dealing with the Storage Tank and Spill Prevention Program. (PA Bulletin page 1101).

3/10/18 – The Environmental Quality Board published notice in the March 10 PA Bulletin of a correction to proposed amendments to Storage Tank and Spill Prevention Program regulations.

3/17/18 – The Environmental Quality Board published notice in the March 17 PA Bulletin of final omitted regulations on the administration of the Land Recycling Program.

4/7/18 – The Environmental Quality Board published notice in the April 7 PA Bulletin of the final regulation eliminating the low-RVP gasoline requirement for the Pittsburgh area.

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