

EPA Update

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But let me be clear: the core mission of the EPA is protection of public health and the environment. That mission was established in recognition of a fundamental fact of American life—regulations can and do improve the lives of people. We need these rules to hold polluters accountable and keep us safe. For more than 40 years, the Agency has carried out its mission and established a proven track record that a healthy environment and economic growth are not mutually exclusive.

—Administrator Lisa P. Jackson, Sept. 22, 2011²

I. Introduction

With every election cycle we witness first-hand an increase in anti-environmental rhetoric. In recent months, the misinformation campaign against EPA and its policies has been staggering. Considering the palpable and significant environmental improvements made over the past four decades, the attacks seem all the more puzzling to informed individuals. For more than 40 years, the nation's economy has prospered while our environmental protections have expanded. We do not have to choose between a healthy environment and a healthy economy—we can have both. While EPA's mission is the protection of human health and the environment, many of EPA's actions have also contributed directly to job creation and economic growth. Our Administrator said it best when she said, "Americans are no less entitled to a safe, clean environment during difficult economic times than they are in a more prosperous economy."³

In February, the Obama Administration proposed a Fiscal Year 2013 budget of \$8.344 billion for the U.S. EPA. This budget is \$105 million below the EPA's enacted level for FY 2012 and reflects a government-wide effort to reduce spending and find cost-savings.⁴ The budget request recognizes the importance of EPA's partners at the State, local and tribal level, as 40% of EPA's funding request is directed to the State and Tribal Assistance Grants. Specifically, \$1.2 billion (nearly 15% of the request) is allocated back to the States and tribes through categorical grants (Local Air Quality Management grants, Pollution Control grants, etc.) and \$2 billion (25% of the request) is directed to the States for the Clean Water and Drinking Water State Revolving Funds. Additionally, \$300 million is requested for the Great Lakes Restoration Initiative and \$755 million for continued support of the Superfund cleanup programs and emergency preparedness capabilities.⁵ Major investments in science and technology account for \$807 million (about 10% of the request). Also, as part of this request, EPA includes funding increases in key areas that include green infrastructure and hydraulic fracturing.⁶ Funding requests for investments to support standards for clean



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energy and efficiency in this budget (e.g. efforts to introduce cleaner vehicles and fuels and to expand the use of home-grown renewable fuels) are also included. For more information on this budget request, visit: <http://www.epa.gov/budget>.

II. Chemical & Waste News—RCRA, TSCA, CERCLA and More of Your Favorite Acronyms

A. Chemicals in the News

1. The Toxics Release Inventory (TRI) Report

In January, EPA issued its 25th annual report on the amount of toxic chemicals released into the environment by industrial facilities in New York. The latest TRI report, which covers 650 facilities in New York, showed a 15% decrease in chemical releases since the prior year.⁷ EPA has improved this year's TRI national analysis report by adding new information on risks, facility efforts to reduce pollution and details about how possible economic impacts could affect TRI data. To view an area fact sheet, visit: <http://www.epa.gov/triexplorer/statefactsheet.htm>. In addition, EPA's first mobile Web application for accessing TRI data, myRTK, is now available at <http://www.epa.gov/tri/myrtk/>.

2. The results Are In...TCE Is Carcinogenic

EPA added the final health assessment for trichloroethylene (TCE) to the Integrated Risk Information System (IRIS) database in late September. IRIS is a human health assessment program that evaluates the latest science on chemicals in our environment. The final assessment characterizes TCE as carcinogenic to humans and as a human

noncancer health hazard. This assessment will allow for a better understanding of the risks posed to communities from exposure to TCE in various media and will provide regulators and policy makers with the latest scientific information to make decisions about cleanups and other actions needed to protect public health.⁸

TCE, a volatile organic compound, is one of the most common man-made chemicals found in the environment. It is a widely used chlorinated solvent and is frequently found at Superfund sites across the country. EPA has drinking water standards for TCE and cleanup standards for TCE at federal superfund sites.⁹ To view the TCE Assessment, go to: <http://www.epa.gov/IRIS/subst/0199.htm>.

B. TSCA—EPA Publishes Rule to Improve Reporting of Chemical Information

EPA is increasing the type and amount of information it collects on commercial chemicals, allowing it to better identify and manage potential risks to our health and the environment. The Chemical Data Reporting Rule (CDR Rule), which falls under the Toxic Substances Control Act Inventory Update Rule (IUR), requires more frequent reporting of critical information on chemicals and requires the submission of new and updated information on potential chemical exposures, current production volume, manufacturing site-related data, and processing and use-related data for a larger number of chemicals. The CDR Rule also requires that companies submit the information electronically to EPA and limits confidentiality claims by companies.¹⁰ More information about the CDR Rule is available at: www.epa.gov/iur.

C. RCRA—Finally Moving Toward an Electronic Manifest System?

President Obama's September budget plan included one environmental proposal that may actually get bipartisan support—a proposal to establish an electronic manifest system to track hazardous materials.¹¹ EPA currently requires carbon copy manifests to accompany hazardous materials when they are transported, as required by RCRA. The proposal would establish an electronic manifest to eliminate the carbon copies and collect fees from users of the system. Once fully implemented, the system could reduce industry reporting costs under RCRA by \$77 million to \$126 million per year and save the government \$31 million.¹² Use of the electronic system will also allow EPA to more efficiently monitor and analyze waste shipments.

D. Superfund and Brownfields Update

1. New Sites added to the National Priorities List (NPL)

In September 2011, EPA added 15 hazardous waste sites to the NPL and proposed 11 additional sites be added to the NPL. In our area, the Garfield Ground Water

Contamination Site (contaminated ground water plume) in Garfield, New Jersey and the New Cassel/Hicksville Ground Water Contamination Site in Hicksville, Hempstead, and North Hempstead, New York (contaminated ground water plume) were added to the NPL. Eighteenmile Creek in Niagara County, New York was also proposed for listing on the NPL.¹³ The Federal Register notices and supporting documents for the sites can be viewed at: <http://www.epa.gov/superfund/sites/npl/current.htm>.

2. Phase 2, Year 2 of the Hudson River PCB Cleanup

In addition to the cleanups discussed below, Phase 2, Year 2 of the Hudson River PCB Cleanup began this spring. As you'll recall, Phase 2, Year 1 of the dredging was conducted by General Electric Co. and overseen by EPA, from June 6, 2011 to November 8, 2011, and involved removing PCB-contaminated sediment from a one-and-one-half mile section of the river south of the Town of Fort Edward. In Phase 2, Year 1, approximately 363,000 cubic yards of contaminated sediment were removed, exceeding the targeted volume. The second phase of the project targets 2.4 million cubic yards of PCB-contaminated sediment and is expected to take 5-7 years to complete. For details, see: <http://www.epa.gov/hudson/>.



3. Gowanus Canal Options

In January 2012, EPA released a feasibility study (FS) for the Gowanus Canal in Brooklyn, New York. The FS evaluates the technologies (including dredging and capping) that could be used to clean up the canal, and will be used to develop a comprehensive cleanup plan for the Gowanus. It is anticipated that a Record of Decision will be issued by the end of the year.

More than a dozen contaminants, including PCBs, polycyclic aromatic hydrocarbons (PAHs) and various metals, including mercury, lead and copper, were found at high levels in the sediment in the Gowanus Canal. PAHs and metals were also found in the canal water. Contamination in the Gowanus Canal poses health risks, especially to people who eat fish or crabs from the canal (and yes, people do fish and crab in its murky waters).¹⁴ For more information, see the Gowanus Canal web page at: <http://www.epa.gov/region02/superfund/npl/gowanus>.

Want a firsthand look at all the Gowanus Canal has to offer? Consider a free canoe tour this spring. The Gowanus Dredgers Canoe Club is a volunteer organization



dedicated to providing waterfront access and education related to the estuary and bordering shoreline neighborhoods. The organization, based on the Gowanus Canal, runs an array of events including paddling on the waterway and leading tours of the area. Check them out at: <http://old.waterfrontmuseum.org/dredgers/home.html>.

4. Lower Passaic River Removal Action

On October 31, 2011, EPA announced the start of construction for the removal of contaminated sediment from the lower Passaic River. The sediment in this area of Newark, New Jersey, which is adjacent to the Diamond Alkali Superfund site, is highly contaminated with dioxin.¹⁵ Under a June 2008 agreement between EPA and Occidental Chemical Corporation and Tierra Solutions, Inc., the companies will remove 200,000 cubic yards of contaminated sediment from the river.

The cleanup of the lower Passaic River has been divided into two phases. In this first phase, about 40,000 cubic yards of the most highly contaminated sediment will be removed, processed, treated and then transported by rail to a licensed disposal facility. In the second phase of the project, 160,000 cubic yards of sediment will be removed from the same area of the river. The two-phase removal project is just one installment in a more comprehensive investigation of the contamination and evaluation of cleanup options for the lower eight miles of the Passaic River and possibly other stretches of the river and Newark Bay.¹⁶ For more information, see <http://www.passaicremovalaction.com/home.htm>. Information on the removal project and other Superfund site cleanup activities is also available on the project web sites at <http://www.ourpassaic.org> or <http://www.epa.gov/region02/superfund/npl/diamondalkali/>.

5. New York City Brownfield Cleanup Program Recognized

In the Fall of 2011, EPA formally recognized New York City's Brownfield Cleanup Program. Formal recognition makes the city eligible to use federal brownfield grants for site investigation and cleanup, activities typically carried out by states. The program is being used to revitalize neighborhoods and create local jobs primarily in low-income neighborhoods, including central Brooklyn, Harlem, the South Bronx, and Williamsburg. It is estimated that redevelopment projects sponsored by the program could generate more than 1,000 new jobs.¹⁷

III. Water News

A. Protection and Restoration

1. Multifaceted Program Restores Shellfish Harvesting in Northern Hempstead Harbor¹⁸

EPA's Clean Water Act (CWA) Section 319 Program provides funding for restoration of nonpoint source-impaired water bodies. Hempstead Harbor is located off the Long Island Sound in Nassau County, New York. Stormwater runoff, boater waste, waterfowl, and failing septic systems were suspected to be the primary sources of fecal coliform bacteria, with wastewater discharges also contributing. As a result, the New York State Department of Environmental Conservation (DEC) added the northern segment of Hempstead Harbor to the state's 1998 list of impaired waters for exceeding the fecal coliform bacteria water quality standard for shellfish harvesting.

The Hempstead Harbor Protection Committee, a partnership between state and federal agencies, Nassau County, local municipalities and citizen groups, led the development of the Water Quality Improvement Plan in 1998 as well as the Harbor Management Plan in 2004. Since 1995 the committee has coordinated efforts to address the nonpoint and point sources of pollution. Significant efforts to control and manage runoff were initiated prior to the permitting of municipal separate storm sewer system entities in the surrounding watershed. Stormwater management practices carried out prior to the permitting included extensive education and outreach efforts, implementation of municipal stormwater management program plans, and waterfowl management. These nonpoint source control efforts, together with securing the designation of the Harbor as a Vessel Waste No Discharge Zone, the installation of sewers, and the addition of point source controls, helped improve the harbor's condition.

Over the past five years, water sampling has shown that fecal coliform bacteria levels meet the state's water quality standards for a certified (open) shellfishing area. As a result, DEC will propose that the northern segment of the harbor be removed from the state's impaired waters list in 2012. After being closed for 40 years, the Hempstead Harbor will reopen with shellfish harvest yields in June of this year.

2. Urban Waters Federal Partnership Launches Ambassadors Program to Support Revitalizing Urban Waterways in U.S. Communities¹⁹

The Urban Waters Federal Partnership, made up of 11 federal agencies, recently announced a program in seven cities that will accelerate and coordinate on-the-ground projects that are critical to improving water quality and public health, restoring forest resources and fostering community stewardship in urban watersheds. Sponsored by EPA, the U.S. Department of Agriculture and the U.S. Department of the Interior, the Urban Waters Ambassadors program will work with state and local governments,

non-governmental organizations and other local partners. The Urban Waters Federal Partnership is an effort to help urban and metropolitan areas, particularly those that are underserved or economically distressed, connect with their waterways and work to improve them.

The first Urban Waters Ambassador has been selected for the Los Angeles River watershed pilot project with additional ambassadors to follow for the Anacostia River watershed (Washington, D.C. and Maryland), the Patapsco River watershed (Baltimore, Maryland), the Bronx and Harlem River watersheds (New York City), the South Platte River (Denver, Colorado), Lake Pontchartrain (New Orleans, Louisiana) and Northwest Indiana. Each of the pilot locations was selected due to the strong local and community leadership spearheading restoration efforts under way. Lessons learned from these pilot locations will benefit communities across the country.

3. EPA Provides \$15 Million to Help Small Drinking Water and Wastewater Systems Across the Country²⁰

EPA announced recently that it will provide up to \$15 million in funding for training and technical assistance to small drinking and wastewater systems, defined as systems that serve fewer than 10,000 people, and private well owners. The funding will help provide water system staff with training and tools to enhance system operations and management practices, and supports EPA's continuing efforts to protect public health, restore watersheds and promote sustainability in small communities.

Most of the funding, up to \$14.5 million, will provide training and technical assistance to small public water systems to achieve and maintain compliance with the Safe Drinking Water Act and to small publicly owned wastewater systems, communities served by on-site systems, and private well owners to improve water quality, and EPA expects to make available up to \$500,000 to provide training and technical assistance to tribally owned and operated public water systems.

Applications were due by April 9, 2012, and EPA expects to make the awards during Summer 2012. For more information, visit: http://water.epa.gov/grants_funding/sdwa/smallsystemsrfm.cfm.

4. EPA Announces Grants to Clean Up Beaches Across the Nation and Launches Improved Website for Beach Advisories and Closures²¹

On February 6, 2012, EPA announced that it will provide \$9.8 million in grants to 38 states, territories and tribes to help protect the health of swimmers at America's beaches. The agency also launched an improved website for beach advisories and closings, which will allow the public to more quickly and easily access the most current water quality and pollution testing information for more than 6,000 U.S. beaches.

The website, called BEACON, has the capability to update as frequently as every two hours based on new data provided by states, territories and tribes. Users will have access to mapped location data for beaches and water monitoring stations, monitoring results for various pollutants such as bacteria and algae, and data on public notification of beach water quality advisories and closures. The grants will help local authorities monitor beach water quality and notify the public of conditions that may be unsafe for swimming. Grant applications must be received by April 6, 2012, and EPA expects to award the grants later this year.

To view EPA's enhanced beach advisory and closing information, visit: <http://watersgeo.epa.gov/BEACON2/>. For more information on the grants, visit: http://water.epa.gov/grants_funding/beachgrants/index.cfm.

5. EPA Releases Adaptation Strategies Guide for Water Utilities²²

The Adaptation Strategies Guide for Water Utilities is now available on EPA's website. The guide was developed under EPA's Climate Ready Water Utilities initiative to assist drinking water and wastewater utilities in gaining a better understanding of what climate change-related impacts they may face in their region and what adaptation strategies can be used to prepare their system for those impacts. The guide contains easy-to-understand climate science and information, utility adaptation case studies, as well as an adaptation planning worksheet. The information provided in the guide will help jump start the adaptation planning process at drinking water and wastewater utilities that may not have started to consider climate change impacts or adaptation. It can also be used by any group or organization that is interested in water sector climate challenges. To read the guide, please visit <http://water.epa.gov/infrastructure/watersecurity/climate/>.

6. EPA Launches New Green Infrastructure Website²³

EPA's Office of Water recently launched its new Green Infrastructure website to better communicate the "what, why, and how" of green infrastructure to municipalities, developers, and the general public. Green infrastructure uses vegetation, soils and natural processes to manage water and create healthier urban environments. The new Green Infrastructure website is a one-stop shop for resources on green infrastructure that features improved navigability and up-to-date content.

The site offers a wealth of publications and tools developed by EPA, state and local governments, the private sector, nonprofit organizations, and academic institutions. The new site emphasizes the multiple environmental, social, and economic benefits associated with green infrastructure, and provides access to the latest research developed by EPA's Office of Research and Development. To start exploring EPA's new green infrastructure website, visit: http://water.epa.gov/infrastructure/green_infrastructure.

7. EPA Releases Handbook to Help Water Utilities Plan for Sustainability²⁴

In January, EPA released a comprehensive handbook to help water sector utilities build sustainability considerations into their planning. "Planning for Sustainability: A Handbook for Water and Wastewater Utilities" will help utilities ensure that water infrastructure projects across the nation, including those funded through the state revolving fund programs, are sustainable and support the long-term sustainability of the communities these utilities serve.

The handbook represents an important milestone in EPA's ongoing efforts to help ensure the sustainability of the nation's water infrastructure based on the Agency's clean water and safe drinking water infrastructure sustainability policy, which was issued in September 2010. In developing the handbook, EPA worked closely with a number of utility and state program managers around the country. The handbook describes four core elements where utilities can explicitly build sustainability considerations into their existing planning processes. Each element contains relevant examples from utilities around the country and other implementation tips for utilities to consider. To view a copy of the handbook, visit: http://water.epa.gov/infrastructure/sustain/sustainable_systems.cfm.

8. Syracuse High School Students to Learn about Water Pollution through EPA Environmental Justice Grant²⁵

On January 23, 2012, EPA announced that it will provide a \$25,000 grant to the Onondaga Environmental Institute to teach high school students in Syracuse, New York about the serious effects of water pollution on people's health and the environment and the importance of protecting rivers, lakes and streams in central New York. Syracuse is located on Onondaga Lake, which is heavily polluted by a range of contaminants, from mercury to PCBs to untreated sewage that can lead to health problems and degrade water quality. Water pollution in low-income areas of Syracuse has made the city a focus of EPA efforts to reduce pollution in low-income communities.

The Onondaga Environmental Institute will use the environmental justice grant to give students a hands-on learning experience and provide the communications skills they need to become environmental stewards. The group will work with the Orenda Springs Learning Center to teach the students about water pollution, environmental laws and policies, and the importance of fish consumption advisories in protecting people's health. For more information about EPA's environmental justice grants, visit: <http://www.epa.gov/compliance/environmentaljustice/grants/ej-smgrants.html>.

9. Organizations in Northern Manhattan, the South Bronx and Jamaica to Receive EPA Environmental Justice Grants to Help Communities Prevent Lead Poisoning and Restore Wetlands²⁶

In January, EPA announced that it will provide \$75,000 to two New York City organizations to help them address

public health and environmental problems in Northern Manhattan, the South Bronx and Jamaica, New York. West Harlem Environmental Action, Inc. (WE ACT) will receive \$50,000 to test homes for lead and conduct research on the best ways to detect lead hazards in households in Northern Manhattan and the South Bronx. The Rockaway Waterfront Alliance will be provided \$25,000 to train students to restore wetland habitats.

It is estimated that three-quarters of U.S. residential dwellings built before 1978 contain some lead-based paint. Lead poisoning in children can have serious, long-term consequences including learning disabilities, hearing impairment and behavioral problems.

WE ACT will use the grant funds to conduct a research project that will expand scientific knowledge on the best ways to detect lead poisoning hazards in homes. The research will identify potential sources of lead in dust particles in homes, public drinking water systems and consumer products. The organization will enlist 100 residents to have their homes tested for lead. The field testing will look at the differences between having people test for lead using an instructional DVD or being instructed by a field technician. Simple lead dust wipe tests cost \$40 to perform compared to a professional lead inspection, which costs approximately \$500. If the cheaper test can first be performed to reliably determine whether a more robust and expensive test is needed, this will increase the number of homes identified as having lead hazards and save money for residents.

The Rockaway Waterfront Alliance will use its grant funds to create a Rockaway Youth Marine Conservation Corps in Jamaica, New York to restore wetland habitats. The group will launch a year-long wetland restoration program that will train low-income high school and middle school students about water pollution problems around Jamaica Bay. The bay is severely impacted by sewage and chemical pollutants, which have damaged water quality. Students will participate in oyster gardening along the Sommerville and Norton/Conch Basins and design and implement projects that involve their schools and communities in the cleanup and restoration of Jamaica Bay. For more information about EPA's environmental justice grants, visit: <http://www.epa.gov/compliance/environmentaljustice/grants/ej-smgrants.html>.

10. EPA Releases Co-Sponsored Report: "Water Reuse: Potential for Expanding the Nation's Water Supply through Reuse of Municipal Wastewater"²⁷

On January 10, 2012, the National Research Council released a report co-sponsored by EPA titled, "Water Reuse: Potential for Expanding the Nation's Water Supply through Reuse of Municipal Wastewater." The report highlights the potential that reuse of municipal wastewater can play in augmenting traditional water supplies, particularly in areas that are experiencing or expect to face

challenges in meeting demand for water. EPA agrees that advancements in water treatment processes make reuse of municipal wastewater a more viable option when risks are appropriately managed. EPA will review the findings and recommendations to determine how they can inform the Agency's ongoing efforts to promote a more integrated view of the nation's water resources. The report will also inform efforts under way to revise and update EPA's 2004 guidelines for water reuse. For more information on the report, visit: <http://dels.nas.edu/Report/water-reuse/13303>. To access and download a copy of the report, visit: http://books.nap.edu/catalog.php?record_id=13303.

11. Climate Ready Estuaries 2011 Progress Report Released²⁸

EPA recently published the "Climate Ready Estuaries 2011 Progress Report." Climate Ready Estuaries is an EPA program intended to help the national estuary programs and coastal managers plan for climate change. Climate Ready Estuaries works with national estuary programs to: (1) assess climate change vulnerabilities, (2) develop and implement adaptation strategies, and (3) engage and educate stakeholders. Climate Ready Estuaries uses National Estuary Program examples to help other coastal managers, and provides technical guidance and assistance about climate change adaptation in support of Clean Water Act goals.

The "Climate Ready Estuaries 2011 Progress Report" describes program accomplishments and the new National Estuary Program projects that were launched during 2011. In addition, this progress report uses examples from Climate Ready Estuaries projects that started in 2008–2010 to show how the risk management paradigm can be used for climate change adaptation. The Report is available at: <http://epa.gov/cre/>.

12. EPA Launches Recovery Potential Screening Website to Assist Restoration Planners²⁹

In January, EPA announced the release of a new technical assistance tool for state and watershed-level surface water quality protection and restoration programs: the recovery potential screening website. Recovery potential screening is a flexible approach for comparing relative differences in restorability among impaired waters across a state, watershed or other area. The website provides step-by-step screening directions, restorability indicators and literature, and tools for scoring and displaying results. EPA developed recovery potential screening to help users improve their restoration programs by revealing and comparing factors that influence restoration success. The method is applicable to watershed priority setting, impaired waters listing, TMDL implementation, nonpoint source control, healthy watersheds assessment, and watershed plan development. For additional information, visit: www.epa.gov/recoverypotential/.

B. Science and Technical Assistance

1. EPA Releases New Tool That Provides Access to Water Pollution Data³⁰

Also in January, EPA released a new tool that provides the public with important information about pollutants that are released into local waterways. The discharge monitoring report pollutant loading tool brings together millions of records and allows for easy searching and mapping of water pollution by local area, watershed, company, industry sector and pollutant. The public can use this new tool to protect their health and the health of their communities.

Searches using the pollutant loading tool result in "top 10" lists to help users easily identify facilities and industries that are discharging the most pollution and impacted waterbodies. When discharges are above permitted levels, users can view the violations and link to details about enforcement actions that EPA and states have taken to address these violations. The tool is available at: <http://www.epa.gov/pollutantdischarges>.

2. EPA Unveils New Website on Nutrient Pollution³¹

EPA is pleased to unveil a new website on nutrient pollution policy and data to help individuals access information on EPA actions to reduce nutrient pollution, state efforts to develop numeric nutrient criteria, and EPA tools, data, research, and reports related to nutrient pollution. Visit the website at <http://epa.gov/nandppolicy>. Nutrient pollution is one of America's most widespread, costly and challenging environmental problems, and is caused by excess nitrogen and phosphorus in the air and water. EPA is also pleased to unveil a new website on nutrient pollution for homeowners, students, and educators. The site features information explaining the problem of nutrient pollution; the sources of the pollution; how it affects the environment, economy, and public health; and what people can do to reduce the problem. The site also features an interactive map of local case studies in reducing nutrient pollution. Visit the website at <http://epa.gov/nutrientpollution>.

3. EPA Releases 2010-2011 Climate Change and Water Progress Report³²

EPA recently released the "U.S. EPA National Water Program Strategy: Response to Climate Change 2010–2011 National and Regional Highlights of Progress." This is the third and final progress report covering the 2008 version of EPA's climate change strategy. Future annual progress reports will reflect activities related to the 2012 version that is under development. The progress report highlights the accomplishments of EPA's water programs during 2010 and 2011, and touches upon EPA activities and efforts undertaken across headquarters, regions, and the large aquatic ecosystem programs to address climate change impacts on our water programs. The report is available at: <http://water.epa.gov/scitech/climatechange/implementation.cfm>.

4. New Data Added to EPA's Nitrogen and Phosphorus Pollution Data Access Tool³³

EPA has added updated U.S. Geological Survey (USGS) Spatially Referenced Regressions On Watershed attributes (SPARROW) data to the nitrogen and phosphorus pollution data access tool, a tool intended to help states develop effective nitrogen and phosphorus source reduction strategies. SPARROW is a GIS-based watershed model that integrates statistical and mechanistic modeling approaches to simulate long-term mean annual stream nutrient loads as a function of a wide range of known sources and factors affecting nutrient fate and transport.

USGS recently completed syntheses of the results from 12 independently calibrated regional-scale SPARROW models that describe water quality conditions throughout major river basins of the conterminous U.S. based on nitrogen and phosphorus sources from 2002. Two data layers of EPA's data access tool—one for nitrogen and one for phosphorus—now provide an approximate yet regionally consistent synthesis of the locations of the largest contributing sources.

The SPARROW geospatial layers can be used to prioritize watersheds for targeting nutrient reduction activities (such as stream monitoring) to the areas that account for a substantial portion of nutrient loads, and to develop state nitrogen and phosphorus pollution reduction strategies. This information is relevant to the protection of downstream coastal waters, such as the Gulf of Mexico, and to local receiving streams and reservoirs. The tool is available at: www.epa.gov/nutrientpollution/npdat.

5. EPA PCB TMDL Handbook Released³⁴

EPA recently issued a technical document titled Polychlorinated Biphenyl (PCB) Total Maximum Daily Load (TMDL) Handbook, which provides EPA regions, states, and other stakeholders with updated information for addressing Clean Water Act (CWA) Section 303(d) waters impaired by PCBs. PCBs rank sixth among the national causes of water quality impairment in the country, and of the 71,000 waterbody-pollutant combinations listed nationally, over 5,000 (eight percent) are PCB-related. This handbook identifies various approaches to developing PCB TMDLs and provides examples of TMDLs from around the country, complete with online references. It aims to help states complete more PCB TMDLs and ultimately restore those waters impaired by PCBs. The Handbook is available at: http://water.epa.gov/lawsregs/lawsguidance/cwa/tmdl/upload/pcb_tmdl_handbook.pdf.

C. Regulation and Compliance

1. EPA Issues Permit for Stormwater Discharges from Construction Sites³⁵

In February, EPA issued a new permit, in accordance with the Clean Water Act, that will provide streamlined permitting to thousands of construction operators, while

protecting our nation's waterways from discharges of polluted stormwater from construction sites. The 2012 construction general permit is required under the Clean Water Act and replaces the existing 2008 CGP, which expired on February 15, 2012.

The 2012 permit updates include steps intended to limit erosion, minimize pollution sources, provide natural buffers or their equivalent around surface waters, and further restrict discharges to areas impaired by previous pollution discharge. Many of the permit requirements implement new effluent limitations guidelines and new source performance standards for the construction and development industry that became effective on February 1, 2010, which include pollution control techniques to decrease erosion and sediment pollution. The permit will be effective in areas where EPA is the permitting authority: Idaho, Massachusetts, New Hampshire, New Mexico, Washington, D.C., and most U.S. territories and in Indian country lands. For more information, visit: <http://cfpub.epa.gov/npdes/stormwater/cgp.cfm>.

2. EPA Releases Permit Writer's Manual for Concentrated Animal Feeding Operations³⁶

Also in February, EPA released a technical manual for concentrated animal feeding operations (CAFOs) to provide states, producers, and the general public with general information on Clean Water Act and National Pollutant Discharge Elimination System (NPDES) permit program requirements for CAFOs, information to explain CAFO permitting requirements under the Clean Water Act, and technical information to help states and producers understand options for nutrient management planning.

It is EPA's intent that this is a living document that will be updated periodically to incorporate new and emerging approaches to CAFO management, including those focused on manure reuse and recycling and use for energy generation. Interested parties are encouraged to submit questions and suggestions concerning the content of the manual at any time. EPA will consider input and update the manual periodically to ensure that it is as helpful as possible. For more information, visit: http://cfpub.epa.gov/npdes/afo/info.cfm#guide_docs.

3. EPA Proposes Updated Vessel General Permit and Permit for Small Vessels

On November 30, 2011, EPA issued two draft vessel general permits that would regulate discharges from commercial vessels, excluding military and recreational vessels. The proposed permits are expected to go into effect in 2013, and would help protect the nation's waters from shipborne pollutants and reduce the risk of introduction of invasive species from ballast water discharges.

The draft Vessel General Permit, which covers commercial vessels greater than 79 feet in length, would replace the current 2008 Vessel General Permit, when it expires in December 2013. Under the Clean Water Act,

permits are issued for a five-year period after which time EPA generally issues revised permits based on updated information and requirements. The new draft small Vessel General Permit would cover vessels smaller than 79 feet in length and would provide such vessels with the Clean Water Act permit coverage they will be required to have as of December 2013.

Public comments were received through February 21, 2012. EPA intends to issue the final permits in November 2012, a full year in advance of the proposed effective date, to allow vessel owners and operators time to prepare for new permit requirements. For more information, visit: <http://www.epa.gov/npdes/vessels>.

4. EPA Approves California Sewage Ban and Creates Largest Coastal “No-Discharge Zone” in the Nation³⁷

In February, EPA finalized a decision and approved a state proposal to ban all sewage discharges from large cruise ships and most other large ocean-going ships to state marine waters along California’s 1,624 mile coast from Mexico to Oregon and surrounding major islands. This action establishes a new federal regulation banning even treated sewage from being discharged in California’s marine waters. EPA estimates that the rule will prohibit the discharge of over 22 million of the 25 million gallons of treated vessel sewage generated by large vessels in California marine waters each year, which could greatly reduce the contribution of pollutants still found in treated vessel sewage. For more information, visit: <http://www.epa.gov/region9/water/no-discharge>.

5. EPA Approves New York State’s Petition to Designate the New York Waters of Lake Ontario a “No-Discharge Zone” for Vessel Sewage³⁸

On December 16, 2011, EPA issued a final affirmative determination, pursuant to Clean Water Act Section 312(f)(3), that adequate facilities for the safe and sanitary removal and treatment of sewage from all vessels using the New York State waters of Lake Ontario are reasonably available. The New York State Department of Environmental Conservation (NYSDEC) had determined that the protection and enhancement of the quality of those waters requires greater environmental protection, and petitioned EPA for permission to completely prohibit the discharge of sewage—whether treated or not—from all vessels into those waters.

The New York State portion of Lake Ontario includes the waters of the Lake within the New York State boundary, stretching from the Niagara River (including the Niagara River up to Niagara Falls) in the west, to Tibbetts Point at the Lake’s outlet to the Saint Lawrence River in the east. The No Discharge Zone encompasses approximately 3,675 square miles and 326 linear shoreline miles, including the navigable portions of the Lower Genesee, Oswego, and Black Rivers; numerous other tributaries, harbors, and embayments of the Lake including Irondequoit Bay,

Sodus Bay, North/South Ponds, Henderson Bay, Black River Bay and Chautmont Bay; and many formally designated habitats and waterways of local, state, and national significance. For more information, visit: <http://www.epa.gov/region2/water/ndz/lakeontario.html>.

6. EPA Issues Administrative Compliance Order to the Buffalo Sewer Authority Requiring Development and Implementation of its Long Term Control Plan

On March 9, 2012, EPA issued an Administrative Compliance Order to the Buffalo Sewer Authority (BSA), requiring BSA to develop an approved Clean Water Act Long Term Control Plan (LTCP) by April 30, 2012, and implement it by December 31, 2027. BSA serves a population of approximately 600,000. Its 58 CSO points represent approximately 10% of the statewide CSO points (outside of New York City). Over 500 million gallons of untreated sewage combined with storm water are discharged from these points annually during heavy rains. Since 1999, BSA has been required, through its State Pollutant Discharge Elimination System permit, to submit an approvable LTCP, but has failed to do so. EPA’s order requires BSA to develop, submit and implement an LTCP that results in water quality standards attainment for its CSO discharges. The projected cost of implementation of the LTCP is approximately \$500 million over 15 years. Additionally, the order will encourage BSA to consider the use of green infrastructure, wherever feasible, to reduce CSO volumes and handle separate storm water.

7. District Court Grants United States’ Motion for Summary Judgment for Failure to Develop a Spill Prevention Control and Countermeasures Plan

On March 13, 2012, the New Jersey District Court granted the government’s motion for summary judgment on liability and its prayer for injunctive relief in *United States v. Greenwich Boat Works, Inc.* Greenwich Boat Works is a marina located on the shore of the Cohansey River, in Greenwich, New Jersey, with above-ground oil storage capacity of over 6,000 gallons. The government’s complaint alleged that the defendant failed to develop and implement a Spill Prevention Control and Countermeasures (SPCC) Plan, as required under Clean Water Act Section 311 and 40 CFR Part 112.

IV. Air and Climate Change

A. The Clean Air Act (Non-Greenhouse Gas)

1. EPA to Award Grants to Citizen Scientists in NYC Seeking Solutions to Air-Related Environmental and Public Health Problems

EPA announced on March 2, that it will award a total of \$125,000 in grants to “citizen scientists” in New York City seeking solutions to environmental and public health problems. Individuals and community groups can apply for grants to collect information on air pollution, as well

as water pollution. These grants are intended to encourage research that enlists the public in collecting data and thereby expand scientific knowledge and literacy. There will be approximately five to ten award recipients.³⁹

In announcing the grants, EPA Regional Administrator Judith Enck indicated that “by providing citizen scientists with the funding needed to advance their knowledge about local air and water pollution, the EPA is expanding its own scientific base and building collaborations with communities that will lead to effective and innovative solutions.”⁴⁰ Projects receiving funding through the citizen science grants will be expected to promote a comprehensive understanding of local pollution problems, identify and support activities at the local level, consider environmental justice, and engage, educate and empower communities. Applications were due April 20. Additional information on the grants, including guidance on eligibility and procedures for applying, is available at: <http://www.epa.gov/region2/grants/> or through: <http://www.grants.gov>.

2. Air Emissions of Dioxins Down by 90% Since the 1980s

On February 17, EPA released its final non-cancer science assessment for dioxins, the first such review since the 1980s.⁴¹ The findings demonstrate a 90% reduction in dioxin emissions since 1987. The reduction of dioxin emissions over the last two decades from all the major sources of the pollutant is a result of efforts by EPA, state governments and industry. EPA has also worked with other federal partners, such as the U.S. Department of Health and Human Services and the U.S. Department of Agriculture, to address dioxin. The largest remaining source of dioxin emissions is backyard burning of household trash.

Most Americans have low-level exposure to dioxins. Non-cancer effects of exposure to large amounts of dioxin include chloracne, developmental and reproductive effects, damage to the immune system, interference with hormones, skin rashes, skin discoloration, excessive body hair, and possibly mild liver damage. The findings released by EPA conclude that, given the reduction in dioxin emissions, generally, over a person’s lifetime, current exposure to dioxins does not pose a significant health risk.⁴² More information on dioxin is available at: <http://www.epa.gov/dioxin/>.

3. EPA Finalizes Air Toxic Standards for PVC Facilities Under Section 112 of the Clean Air Act

On February 14, EPA issued final standards for polyvinyl chloride and copolymer (PVC) production facilities under the Clean Air Act’s Section 112 hazardous air pollutant (HAP) provisions.⁴³ The new standards will improve air quality and protect human health in the communities where PVC facilities are located. The final rule sets maximum achievable control technology standards (MACT) for major sources and generally available control technol-

ogy standards (GACT) for smaller sources, known as area sources. Currently, there are 17 PVC production facilities throughout the United States. All existing and new PVC production facilities are covered by the final rule.⁴⁴ More information on the final rule: <http://www.epa.gov/ttn/oarpg/t3fs.html>.

B. Climate Change Mitigation

1. EPA Releases First Data from National Greenhouse Gas Reporting Program

On January 11, EPA released the first data available from its Greenhouse Gas Reporting Program. The data covers emissions from large sources during 2010. The Greenhouse Gas Reporting Program was finalized by EPA in 2009 pursuant to a mandate in the FY2008 Consolidated Appropriations Act. Regulated sources with GHG emissions over 25,000 TPY were required to begin collecting data in January 2010 and must report their emissions each year. Twenty-nine source categories reported their data for 2010, including nine broad industry groups such as power plants, refineries, landfills, metals manufacturers, minerals producers, pulp and paper manufacturers, chemical manufacturers, government and commercial facilities, and other industrial facilities. These industry groups include both direct emitters and fossil fuel suppliers. Approximately another dozen categories will have to report data for 2011 later this year. The 2010 data show that power plants and petroleum refineries were the largest sources of direct stationary source GHG emissions, and CO₂ represents 95% of GHG emissions in the U.S.

EPA also released a user-friendly tool for viewing the 2010 data. This online data publication tool is accessible at <http://ghgdata.epa.gov/ghgp/main.do>. The tool allows users to view and sort GHG data from over 6,700 facilities for calendar year 2010 by facility, location, industrial sector, and the type of GHG emitted. This information can be used by communities to identify nearby sources of GHGs, help businesses compare and track emissions, and provide information to state and local governments. Additional information is available at <http://epa.gov/climatechange/emissions/ghgdata/> and <http://epa.gov/climatechange/emissions/ghgrulemaking.html>.

2. EPA Seeks Comment on 17th Annual U.S. Greenhouse Gas Inventory

EPA’s draft report, *Inventory of U.S. Greenhouse Gas Emissions and Sinks: 1990-2010*, was released in February for public comment.⁴⁵ The draft report represents the official estimate of U.S. national GHG emissions in 2010 and is developed each year to meet our Nation’s obligations under the United Nations Framework Convention on Climate Change (UNFCCC), which the U.S. ratified in 1992. According to the report, overall GHG emissions in the U.S. increased by 3.3 percent in 2010. The increase is attributed to increased energy consumption in all economic sectors, increased energy demand due to economic expansion, and

increased air conditioning use during the warmer 2010 summer. Total U.S. emissions were 6,866 million metric tons of carbon dioxide (CO₂) equivalent. Overall, emissions in the U.S. have grown by 11 percent from 1990 to 2010. In addition to tracking emissions changes, the draft report calculates carbon dioxide emissions that are removed from the atmosphere by “sinks,” e.g., through the uptake of carbon by forests, vegetation, and soils.⁴⁶

EPA prepares the report in consultation with experts from other Agencies. After responding to public comments, the U.S. government will submit the final inventory report to the Secretariat of the UNFCCC. The public comment period ended on March 28, 2012. Additional information is available at: <http://www.epa.gov/climatechange/emissions/usinventoryreport.html>.

3. EPA Proposes to Leave Greenhouse Gas (GHG) Tailoring Rule Thresholds Unchanged

On February 24, 2012, EPA proposed to leave unchanged the threshold for requiring Prevention of Significant Deterioration (PSD) and Title V operating permits for greenhouse gas (GHG) emitters. The proposal is consistent with EPA’s common-sense, phased-in approach to GHG permitting under the Clean Air Act⁴⁷ and implements Step 3 of the Prevention of Significant Deterioration and Title V Greenhouse Gas Tailoring Rule (“Tailoring Rule”).⁴⁸ Step 3 of the Tailoring Rule was designed to determine whether it might be “possible to lower the GHG major source threshold to bring additional sources into the CAA permitting programs without overwhelming state permitting authorities.”⁴⁹ Upon promulgating the Tailoring Rule, EPA had indicated that it would, in any event, not lower the threshold below 50,000 tons per year (TPY) of CO₂e (CO₂ equivalent) in Step 3.

Under Step 1 of the Tailoring Rule, which began on Jan. 2, 2011, only sources of GHG emissions that had to obtain a PSD permit anyway (“anyway sources”) for non-GHG pollutants were required to get permits for GHGs, assuming their GHG emissions were above the 75,000/100,000 TYP CO₂e Tailoring Rule thresholds. Under Step 2, which became effective July 1, 2011, sources that exceeded the GHG Tailoring Rule thresholds but did not exceed other pollutant thresholds were required to get permits. EPA’s evaluation for Step 3 revealed that state permitting authorities do not yet have the capabilities in place to bring additional sources into the permitting system, and so EPA proposed to not lower the applicability thresholds.⁵⁰ EPA therefore proposed to leave the Step 2 thresholds in place. EPA noted that states haven’t had sufficient time to develop the necessary permitting infrastructure, increase their GHG permitting expertise, and make it administratively feasible to issue additional permits.⁵¹

EPA also proposed two approaches to streamline permitting. The first involves increasing flexibility and usefulness of the PSD Plant-wide Applicability Limit (PAL) procedures.⁵² The second approach would provide regulatory

authority to EPA, when it serves as the permitting authority, to issue synthetic minor permits. This approach would give sources a new procedural option to limit emissions of GHGs below applicability thresholds.⁵³

EPA’s final decision on Step 3 will not otherwise change the Agency’s long-standing approach to PSD permitting. The GHG permitting program follows the same Clean Air Act process that states and industry have followed for decades to help ensure that new or modified facilities are meeting requirements to protect air quality and public health from harmful pollutants. As of December 1, 2011, EPA and state permitting authorities had issued 18 PSD permits addressing GHG emissions. These permits have required new facilities, and major modifications at existing facilities, to implement energy efficiency measures to reduce their GHG emissions.⁵⁴ More information on the proposal and other Tailoring Rule actions is available at: <http://www.epa.gov/nsr/>.

4. Average Greenhouse Gases from Motor Vehicles Drops to New Low

EPA reported in its March 2012 annual report, *Light-Duty Automotive Technology, Carbon Dioxide Emissions, and Fuel Economy Trends: 1975 Through 2011*, that carbon dioxide from motor vehicles decreased for the seventh consecutive year. In 2010, the latest year for which EPA has final data from automakers, the average CO₂ emissions from new vehicles was 394 grams per mile.⁵⁵ Average emissions are expected to further decline from implementation of EPA’s Light Duty rule, which limits greenhouse gas emissions in model years 2012–2016, such that by 2016, average emissions will be down to 250 grams per mile.⁵⁶ If finalized, EPA’s proposed reductions for model years 2017–2025 will result in a decline to an average emissions rate of 163 grams per mile by 2025.⁵⁷

V. Environmental Justice

On August 4, 2011, the Obama Administration announced that Federal agencies have agreed to develop environmental justice strategies to protect the health of people living in communities overburdened by pollution.⁵⁸ The Memorandum of Understanding on Environmental Justice and Executive Order 12898 (“EJ MOU”) advances agency responsibilities outlined in the 1994 Executive Order 12898, “Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations.” The Executive Order directs each of the named Federal agencies to make environmental justice part of its mission and to work with the other agencies on environmental justice issues as members of the EJ Inter-agency Working Group. The EJ MOU broadens the reach of the Working Group to include participant agencies not originally named in the Executive Order and adopts a charter for the workgroup in order to provide it with more structure and direction. Specific areas of focus include considering the EJ impacts of climate adaptation and com-

mercial transportation, and strengthening EJ efforts under the National Environmental Policy Act and Title VI of the Civil Rights Act of 1964. The MOU also outlines processes to help communities more effectively engage agencies as they make decisions. The EJ MOU is available at: <http://epa.gov/environmentaljustice/resources/publications/interagency/ej-mou-2011-08.pdf>.

In September 2011, EPA announced the release of Plan EJ 2014, a three-year, comprehensive plan to advance environmental justice efforts in nine areas, including rule-making, permitting, enforcement, and science. Plan EJ 2014 aims to protect people's health in communities overburdened by pollution, to empower communities to take action to improve their health and environment, and to establish partnerships to promote sustainable communities where a clean environment and healthy economy can thrive.⁵⁹ Plan EJ 2014 is EPA's strategy to meet the mandate of Executive Order 12898, discussed above. For more on Plan EJ 2014, see: www.epa.gov/compliance/environmentaljustice/plan-ej/index.html.

On February 27, 2012, federal agencies, led by the Council on Environmental Quality (CEQ) and the EPA, released environmental justice strategies, implementation plans and progress reports, outlining steps agencies will take to protect communities facing greater health and environmental risks.⁶⁰ These strategies represent a significant step forward in the Administration's commitment to integrating environmental justice into federal decision-making and programs in areas such as transportation, labor, health services, housing, and others. For specific agency initiatives and programs, see, <http://www.epa.gov/environmentaljustice/interagency/iwg-compendium.html>.

VI. Pollution Prevention

A. E-Waste—New Federal Strategy to Promote U.S.-Based Electronics Recycling Market and Jobs

In July 2011, the Obama Administration released the "National Strategy for Electronics Stewardship"—a strategy for the responsible electronic design, purchasing, management and recycling that will promote the electronics recycling market. The announcement also included the first voluntary commitments made by Dell, Sprint and Sony to EPA's industry partnership aimed at promoting environmentally sound management of e-waste. The Strategy also commits the federal government to take actions that will encourage the more environmentally friendly design of electronic products, promote recycling of e-waste, and advance a sustainable domestic market for electronics recycling.⁶¹ A key part of this strategy includes the use of certified recyclers and, in collaboration with industry, increasing effective management of e-waste. For more on this strategy, see: <http://www.epa.gov/electronicsstrategy>.

B. New Energy Star Initiative Recognizes Cutting-Edge Products

In July, EPA and the U.S. Department of Energy (DOE) announced the most energy-efficient products in their categories among those that have earned the Energy Star label. Products that receive the "Most Efficient" designation demonstrate exceptional and cutting-edge efficiency performance that environmentally minded consumers value. The Energy Star label can be found on more than 60 different kinds of products as well as new homes and commercial and industrial buildings that meet strict energy efficiency specifications. In 2010, Americans, with the help of Energy Star, saved \$18 billion on their energy bills while preventing greenhouse gas emissions equivalent to annual emissions of 33 million vehicles.⁶² For more information on Energy Star's "Most Efficient" products, see: <http://www.energystar.gov/mostefficient>.

C. Greener Products Website Goes Live

As part of September's Pollution Prevention (P2) Week celebrations, EPA unveiled a new tool, the Greener Products website, to help consumers make more informed choices about products that are better for their health and our environment. The Greener Products site will enable people to search for everyday items such as home appliances, electronics, and cleaning products—check it out at: <http://epa.gov/greenerproducts>.

VII. Environmental Crimes

A. Illegal Distribution and Sale of Pesticides in New York's Chinatown Thwarted

As part of a coordinated multi-agency effort, thousands of packages of illegal pesticides were seized in Chinatown in September. Federal criminal charges have been filed against two defendants, and state criminal charges have been filed against 10 defendants, for their roles in the illegal distribution and sale of unregistered and misbranded pesticides that were sold out of several locations in Manhattan.⁶³ In addition to the 12 arrests, federal and state law enforcement agents searched 14 locations and seized more than 6,000 packages of pesticides containing high levels of toxic chemicals that were not approved for commercial sale in the U.S. Also, as part of a citywide inspection of 47 businesses in Manhattan, Brooklyn, and Queens, EPA and DEC civil inspectors seized 350 additional unregistered pesticide products, of 16 different varieties, many with high levels of toxicity.⁶⁴ The pesticides were particularly dangerous because their packaging and appearance could lead them to be mistaken for cough medicine or food products. The pesticides were not registered by EPA and were missing required label warnings, so consumers had no way of knowing how dangerous the products were or how best to protect themselves from harmful exposure.⁶⁵ For more information about EPA's regional pesticide program, go to: <http://www.epa.gov/region2/pesticides>.

B. Overbilling at a N.J. Superfund Site Lands an Executive in Prison

In September, a district court judge sentenced the former executive of Bennett Environmental Inc. (BEI), a soil recycling facility, to over four years in prison after he conspired to overcharge EPA for the treatment of soil at a federal superfund site.⁶⁶ BEI received about \$43 million in contracts from the prime contractor at the Federal Creosote Site in Manville, N.J. BEI executive Robert Griffiths and others submitted artificially high bids, after an employee for the prime contractor tipped them off to the bid prices of their competitors. BEI then provided kickbacks to the prime contractor's employees, including money, trips, pharmaceuticals, and electronics.⁶⁷ Griffiths pleaded guilty in July 2009, and, in addition to the jail time, owes \$15,000 in criminal fines and \$4.6 million in restitution, jointly with his co-conspirators. Ten individuals and three companies have also been charged in connection with the criminal activity.

C. Asbestos Abatement Contractor Sentenced to Six Years in Prison for Environmental Crimes and Making False Statements

Keith Gordon-Smith of Rochester, N.Y. was sentenced to six years in prison for knowingly violating the Clean Air Act and making false statements to an Occupational Safety and Health Administration (OSHA) inspector. Gordon-Smith was also sentenced to serve a three-year term of supervised release to follow his prison term; both he and his now defunct company, Gordon-Smith Contracting, Inc., were also ordered to pay several thousand dollars in special assessments.⁶⁸ Gordon-Smith hired a number of workers who had no training in asbestos removal. The workers did not know they were being exposed to asbestos, which they described as falling "like snow," while undertaking work in upstate New York.⁶⁹ As no level of exposure to asbestos is safe, removal by untrained workers, performed without the necessary safeguards, threatens the health of those workers and the public at large. For more information on asbestos, see: <http://www.epa.gov/asbestos/>. To report an environmental violation, go to: <http://www.epa.gov/tips/>.

VII. Conclusion

Still can't get enough information about EPA? Check out EPA's social media page and sign up for our various listserves, podcasts, mobile apps, etc. See: <http://www.epa.gov/epahome/socialmedia.html>.

And just in time for Summer, don't forget to download EPA's Sunwise UV Index App! The UV Index provides a daily forecast of the expected intensity of UV radiation from the sun. See EPA's App site for this and other useful tools—<http://www.epa.gov/developer/existingapps.html>.

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