AWMA EPA Air Program Update
Region 7
Iowa-Kansas-Missouri-Nebraska
Welcome:
Mark Smith, EPA, Director, Air & Waste Management Division
Mitchell Krasnopolser, P.E., Manager, Kiewit Engineering Group Inc.

Date: March 20, 2019
Location: EPA R7
11201 Renner Blvd. Lenexa, KS 66219
Mark Smith
Environmental Protection Agency, Region 7
Declining National Air Pollutant Concentration Averages

Percent Above or Below NAAQS (%)

Source: U.S. EPA Air Quality System
Mitchell Krasnopolor, P.E.
Kiewit Engineering Group Inc.
<table>
<thead>
<tr>
<th>Date</th>
<th>Time</th>
<th>Event</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>4/10/2019</td>
<td>7:30 am - 9:30 am</td>
<td>April Monthly Meeting</td>
<td>Matt Ross Community Center, Overland Park KS</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Establishment of the Chariton Hills Bat Conservation Bank in Northeast Missouri</td>
<td></td>
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<tr>
<td>4/23/2019</td>
<td></td>
<td>Midwest Environmental Compliance Conference (MECC)</td>
<td>Kansas City Convention Center, Kansas City MO</td>
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<tr>
<td>4/24/2019</td>
<td></td>
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<tr>
<td>5/16/2019</td>
<td>7:30 am - 9:30 am</td>
<td>May Monthly Meeting</td>
<td>Johnson County Department of Health and Environment, Olathe KS</td>
</tr>
<tr>
<td>6/6/2019</td>
<td>5:30 pm - 7:30 pm</td>
<td>Midwest A&amp;WMA Summer Social</td>
<td>The Well Bar, Grill &amp; Rooftop, Kansas City MO</td>
</tr>
</tbody>
</table>

https://midwestawma.org
Air Waste and Management Division
Updates:
O3, Pb, and SO2

Lachala Kemp, Stephanie Doolan, and Tracey Casburn
March 20, 2019
2008 CSAPR Closeout

- Rule determines that the CSAPR Update for the 2008 ozone National Ambient Air Quality Standards (NAAQS) (CSAPR Update) fully addresses certain states’ obligations under Clean Air Act (CAA) section 110(a)(2)(D)(i)(I) regarding interstate pollution transport for the 08 NAAQS. CSAPR update published October 26, 2016.

- Proposal
  - July 10, 2018 (83 FR 31915)

- Final Action
  - December 6, 2018
  - Affected states (IA, KS, MO)
2015 Ozone NAAQS

- October 1, 2015
  - EPA strengthened the ozone NAAQS 70 (ppb)

- November 6, 2017
  - EPA designates most of the country “attainment/unclassifiable”
    - Iowa, Kansas, Nebraska

- April 30, 2018
  - EPA completes additional designations
    - Majority of Missouri designated attainment/unclassifiable
    - St. Louis Area
      - Franklin (Boles Township), St. Charles, St. Louis Counties and the City of St. Louis (designated Nonattainment)
        - Agency currently under Litigation for St. Louis area designation

- October 1, 2018
  - Infrastructure SIPs due
Region 7 2016-2018 Ozone Design Values

[Map showing regions and data points with values]

- Santee 65
- Omaha-Council Bluffs 64
- Lincoln 60
- St. Joseph 63
- Kansas City 70
- Topeka 62
- Wichita 64
- Chanute 61
- Joplin 61
- Waterloo-Cedar Falls 65
- Cedar Rapids 65
- Davenport 65
- Lake Segurita 61
- St. Louis City 60
- Monroe Co. 60
- Jefferson City 62
- St. Genevieve Co. 65
- Perry Co. 67

2015 NAAQS St. Louis NAA

Scale: 0 25 50 100 Miles
2015 Ozone iSIPs (Transport)

- Due October 1, 2018
  - SIPS in house for Iowa, Kansas, and Nebraska. Each state has addressed Transport (Prongs 1 and 2), if applicable.
- Missouri
  - Transport iSIP currently out for Public Comment
    - Comment period closes April 4, 2019
2015 Ozone iSIPs (Transport)

- March 2018-EPA provided projected air quality modeling results for ozone in 2023 including projected ozone concentrations at potential nonattainment and maintenance sites for the 2015 ozone NAAQS and projected upwind state contribution data.

- August 2018-provided analytical information regarding the degree to which certain AQ thresholds amounts capture the collective amount of upwind contribution from upwind states to downwind receptors, and makes recommendations about appropriate thresholds for us in state SIPs.

- October 2018-memo to assist states in evaluating the status of monitoring sites identified as potential maintenance receptors.
## R7 States’ Transport Contribution

<table>
<thead>
<tr>
<th>Site</th>
<th>State</th>
<th>County</th>
<th>IA</th>
<th>KS</th>
<th>MO</th>
<th>NE</th>
</tr>
</thead>
<tbody>
<tr>
<td>551170006</td>
<td>Wisconsin</td>
<td>Sheboygan</td>
<td>0.45</td>
<td>0.46</td>
<td>1.37</td>
<td>0.06</td>
</tr>
<tr>
<td>480391004</td>
<td>Texas</td>
<td>Brazoria</td>
<td>0.40</td>
<td>0.47</td>
<td>0.88</td>
<td>0.23</td>
</tr>
<tr>
<td>482011039</td>
<td>Texas</td>
<td>Harris</td>
<td>0.33</td>
<td>0.33</td>
<td>0.88</td>
<td>0.19</td>
</tr>
<tr>
<td>550790085</td>
<td>Wisconsin</td>
<td>Milwaukee</td>
<td>0.79</td>
<td>0.35</td>
<td>0.93</td>
<td>0.06</td>
</tr>
<tr>
<td>260050003</td>
<td>Michigan</td>
<td>Allegan</td>
<td>0.77</td>
<td>0.77</td>
<td>2.61</td>
<td>0.16</td>
</tr>
<tr>
<td>261630019</td>
<td>Michigan</td>
<td>Wayne</td>
<td>0.44</td>
<td>0.44</td>
<td>0.92</td>
<td>0.17</td>
</tr>
</tbody>
</table>
Additional Transport SIP Obligations

- 2010 SO2 NAAQS
  - No R7 state has currently submitted a SIP to address Transport

- 2012 PM 2.5 NAAQS
  - Missouri-Final Approval 10/1/18 (83 FR 49298)
  - IA, KS, NE (in-house w/action pending)
Region 7 Lead Action Plan Progress Update

AWMA Meeting
Stephanie Doolan
March 20, 2019
R7 Lead Action Plan

- Developed in FY 2018 to support EPA Administrator Wheeler’s National Lead Strategy
  - Recognizes and addresses the significant risk lead poses, particularly to children under the age of 7
  - Includes Air, Water, Soil (Superfund/RCRA Corrective Action) and Lead-Based Paint program areas
  - Also includes a community-based focus area in St. Joseph, Missouri
  - Contains measurable goals that are reported to EPA Headquarters
Key component - Implementation and Enforcement of the 2008 Lead National Ambient Air Quality Standard (NAAQS)

- Creates greater accountability for attaining the 2008 Lead NAAQS
- Includes both Air Planning and Air Enforcement components
- Relies on partnerships with both EPA R5 and our R7 States
  - Greater consistency amongst the regions
  - Consistency in implementation amongst our states
# Lead NAAQS Implementation Milestones

<table>
<thead>
<tr>
<th>Location</th>
<th>Began Monitoring Attainment</th>
<th>Attainment Plan Approval</th>
<th>Subsequent Violation</th>
<th>Redesignation/Maintenance</th>
<th>Anticipated Quarter of NAAQS Attainment</th>
<th>Comments</th>
</tr>
</thead>
</table>

Note: Based on a rolling three-month calendar quarter with 38 months of monitoring data less than 0.15 µg/m³ needed to attain the standard.
Lead Results in Ambient Air
The Status of the 2010 1-hour Sulfur Dioxide NAAQS in Region 7

Region 7 SO$_2$ Emissions Trends, 2013-2017

emissions are in 1000 tons
2010 1-hr SO$_2$ NAAQS Nonattainment Area Monitoring Trends

Design Values (ppb)

- Green: 2010 1-hour SO$_2$ NAAQS
- Orange: Jackson County, MO
- Brown: Jefferson County, MO

Missouri SO$_2$ Nonattainment Areas (2010 Standard)
2010 1-hr SO$_2$ NAAQS Nonattainment Area Monitoring Trends

Design Values (ppb)

- 2012-2014
- 2013-2015
- 2014-2016
- 2015-2017

- 2010 1-hour SO$_2$ NAAQS
- Muscatine, IA
Brownfields: Tools and Resources to Facilitate Community Revitalization and Redevelopment

Region 7 U.S. Environmental Protection Agency
A&WMA Meeting
March 20, 2019

Need More Information?
www.epa.gov/brownfields

EPA Region 7 Program Contacts
Susan Klein
klein.susan@epa.gov
913-551-7786

Stan Walker
walker.stanley@epa.gov
913-551-7494
“Brownfields”

- Properties with possible environmental issues that are limiting use of the site
- Eligible for Liability Protections and Funding
- Can start the Revitalization Process
- Are Most Successful with a Community Champion
- Local Government frequently plays a Leading Role
Brownfield Revitalization Process

- **Identify Brownfields**
- **Assess** Environmental Conditions
  - Phase I assessment
    - Site visit, interviews, records search
  - Phase II assessment
    - Site sampling
- **Clean up**
- **Sustainably Redevelop**

Before: Historic Horace Mann Elementary School (Kansas City, MO)

After: Ivanhoe Gateway at 39th and Affordable Senior Housing
MARCH 2018
BUILD ACT

- Part of FY 2018 Omnibus Bill
- Amends the Brownfields provisions of CERCLA
- Reauthorized the Brownfields Provisions through 2022

<table>
<thead>
<tr>
<th>Key Changes from BUILD Act</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>For all Brownfields grantees (including states that apply for competitive grants)</strong></td>
</tr>
<tr>
<td><strong>Bigger cleanup grants</strong></td>
</tr>
<tr>
<td>Now up to $500,000.</td>
</tr>
<tr>
<td><strong>Non-profits</strong></td>
</tr>
<tr>
<td>can now apply for assessment and RLF grants, as well as LLCs and community development entities that are non-profit.</td>
</tr>
<tr>
<td><strong>Administrative costs</strong></td>
</tr>
<tr>
<td>can be funded by up to 5% of the grant award.</td>
</tr>
<tr>
<td><strong>Multi-purpose grants</strong></td>
</tr>
<tr>
<td>(assessment and cleanup combination) up to $1M can be offered.</td>
</tr>
<tr>
<td><strong>Authorized new grant program</strong></td>
</tr>
<tr>
<td>available to states to provide training, technical assistance or research for small communities (population ≤ 15,000). Maximum of $20,000 per community.</td>
</tr>
</tbody>
</table>
EPA COMPETITIVE GRANTS

- Assessment & Area-Wide Planning
- Cleanup
- Multi-Purpose
- Revolving Loan Fund
- Environmental Workforce Development & Job Training

TARGETED BROWNFIELD ASSESSMENTS

TECHNICAL ASSISTANCE FROM EPA GRANTEES

- Groundwork USA
- Council of Development Finance Agencies
- University of Louisville
- Association of State & Territorial Solid Waste Management Officials
- Hazardous Materials Training & Research Institute
- International City/County Management Assoc.
- Tribal Technical Assistance
- Technical Assistance to Brownfield Communities:
  - New Jersey Institute of Technology
  - Kansas State University
  - Center for Creative Land Recycling

TECHNICAL ASSISTANCE FROM STATE AND TRIBAL RESPONSE PROGRAMS

- Small Community Assistance Grants

TECHNICAL ASSISTANCE FROM EPA GRANTEES

EPA ONE-ON-ONE PROGRAM
DEVELOPMENT AND TECHNICAL ASSISTANCE

REGION 7 REDEVELOPMENT NAVIGATION TEAM (RNT)

OTHER EPA TECHNICAL ASSISTANCE

- National Brownfields Conference
- Workshops/Webinars
- Publications
- On-line Tools/Templates
- EPA Contract Support
## BROWNFIELD GRANTS

<table>
<thead>
<tr>
<th>Grant Type</th>
<th>Assessment</th>
<th>Cleanup</th>
<th>Multi-Purpose (Assessment &amp; Cleanup)</th>
<th>Revolving Loan Fund (RLF)</th>
<th>Environmental Workforce Development and Job-Training (EWDJT)</th>
<th>Assistance to Small and Tribal Communities</th>
</tr>
</thead>
<tbody>
<tr>
<td>Eligible Applicants</td>
<td>Government, Tribe, Quasi-Government, Regional Councils, <strong>Non-profits</strong></td>
<td></td>
<td></td>
<td></td>
<td>Same + Job-Training Organizations, Community Colleges, Universities</td>
<td>States, Tribes</td>
</tr>
<tr>
<td>Amount of Funding Available (Up to $)</td>
<td>$200,000 per site</td>
<td>$500,000 per site</td>
<td>$1,000,000 20% Cost Share for Cleanup</td>
<td>$1,000,000 &lt; 50% Subawards</td>
<td>$200,000</td>
<td>$20,000 per community</td>
</tr>
<tr>
<td>Common Eligible Grant Activities</td>
<td>Inventory, characterize and assess brownfields; community engagement and visioning; <strong>area-wide/redevelopment planning</strong>; cleanup planning</td>
<td>Cleanup planning; community engagement; cleanup; reuse and redevelopment planning</td>
<td><strong>All Assessment and Cleanup Grant Activities</strong></td>
<td>Capitalize a RLF program; provide loans and subawards to carry out brownfield cleanup activities</td>
<td>Recruit, train, and place unemployed and under-employed brownfield community residents; training includes various aspects of hazardous and solid waste management, as well as variety of other environmental.</td>
<td>Provide training, technical assistance, or research for small communities (populations of 15,000 or less), Indian tribes, rural areas, and disadvantaged areas</td>
</tr>
</tbody>
</table>
Region 7 Waste Remediation & Permitting Branch Update

Don Lininger, Chief, Waste Remediation & Permitting
WRAP BRANCH

Don Lininger, Branch Chief

Brenda Terrill, Administrative Assistant (SEE)

Bob Aston, Physical Scientist
Ruby Crysler, Environmental Scientist
Mark Doolan, Corrective Action Officer
Dan Gravatt, Geologist
Mary Grisolano, Environmental Engineer
Brad Hayworth, Hydrogeologist (SEE)

Lisa Messinger, Geologist
Brian Mitchell, Environmental Engineer
Bruce Morrison, Environmental Engineer
Annah Murray, Physical Scientist
Patricia Murrow, Environmental Engineer
Brad Roberts, Environmental Scientist
Current Strategic Plan

- SM-7 By September 30, 2022, make 536 additional Resource Conservation and Recovery Act (RCRA) corrective action facilities RAU14

- SM-22 By September 30, 2022, reach all permitting-related decisions within six months

Current ACS Measures

- CA1 - # of RCRA facilities with Human exposures under control
- CA2 - # of RCRA facilities with migration of contaminated groundwater under control
- CA5 - # of RCRA facilities with final remedies constructed
- CA6 - # of RCRA corrective action facilities with performance standards attained
- PC1 - # of sites receiving 40 CFR 761.61(a) or (c) approvals
- PC3 - # of PCB approvals issued under authorities other than 40 CFR 761.61(a) or (c)
- HW2 - Permit Modification Approvals
- HW3 - Percent Updated Permits
- HW4 - Permits with Initials Controls (%)
- HW5 - Updated Permits
- RSRAU - # of RCRA facilities Ready for Anticipated Use
Region 7 RCRA Corrective Action Universe

Omaha/Lincoln Metro Areas

Kansas City Metro Area

Des Moines/Waterloo Metro Areas

St. Louis Metro Area

2020 Universe (264)
- Remedial Construction and Achieved (6)
- Remains to be Remedied (258)

Non-2020 Universe (207)
- Remedial Construction and Achieved (14)
- Remains to be Remedied (193)

United States Environmental Protection Agency

Notes: Data updated as of November 2018.
Number of 2020 and non-2020 universe sites

- Nebraska: 31 non-2020, 41 2020
- Missouri: 34 non-2020, 69 2020
- Kansas: 11 non-2020, 42 2020
- Iowa: 52 non-2020, 128 2020
RCRA FIRST Toolbox Purpose

- Assist EPA Regions and partners to take advantage of efficiency and quality gains from RCRA FIRST

- RCRA FIRST is an approach to managing RCRA corrective action projects. The legal and technical foundation of the program remains the same.
Permit Workload

- Operating
- Post-Closure
- Corrective Action Only
- Developed Part II Permit Termination Process
- POC - Pat Murrow
  - 913-551-7627
  - Murrow.patricia@epa.gov

### Subtitle C Permits

- Iowa: 38
- Kansas: 11
- Missouri: 24
- Nebraska: 10
PCB Clean-up & TSD approvals

- Four TSD’s in Region 7
- PCB FAST
- POC
  - Annah Murray
  - 913-551-7895
  - Murray.annah@epa.gov
Region 7 Long Term Stewardship

- Corrective Action
- PCB approvals
- Post-Closure Care
- Minute Man II sites
- National Dialogue has begun
- Region 7 Approach
  - Annual Desk Top Assessments
  - On-site LTS Assessments
- POC
  - Lisa Messinger
  - 913-551-7403
  - Messinger.lisa@epa.gov
Recent Permitting Improvements

Amy Algoe-Eakin
Withdraw OIAI Memo

- “Reclassification of Major Sources as Area Sources Under Section 112 of the Clean Air Act” issued by William Wehrum on Jan. 25, 2018 withdrew the May 1995 Seitz memo “Potential to Emit for MACT Standards - Guidance on Timing Issues”
- Now following plain language of CAA
- Proposed revisions to Part 63 General Provisions at OMB
Recent NSR Guidance

<table>
<thead>
<tr>
<th>Title</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project Emissions Accounting Under the New Source Review Preconstruction Permitting Program</td>
<td>March 13, 2018</td>
</tr>
<tr>
<td>Technical Guidance for Demonstration of Inter-Precursor Trading (IPT) for Ozone in the Nonattainment New Source Review Program</td>
<td>May 25, 2018</td>
</tr>
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</table>
Recent NSR Guidance (cont)

<table>
<thead>
<tr>
<th>Title</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Plantwide Applicability Limit (PAL) Emissions Level</td>
<td>June 14, 2018</td>
</tr>
<tr>
<td>Guidance on Significant Impact Levels for Ozone and Fine Particles in the Prevention of Significant Deterioration Permitting Program</td>
<td>April 17, 2018</td>
</tr>
</tbody>
</table>

Documents available at https://www.epa.gov/NSR
# Upcoming NSR Guidance

<table>
<thead>
<tr>
<th>Title</th>
<th>Date</th>
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<tbody>
<tr>
<td><strong>Draft Guidance</strong> Interpreting “Adjacent” for New Source Review and Title V Source Determinations in All Industries Other Than Oil and Gas</td>
<td>Sept. 4, 2018</td>
</tr>
<tr>
<td><strong>Draft Guidance</strong> Guidance on the Development of Modeled Emission Rates for Precursors (MERPs) as a Tier 1 Demonstration Tool for Ozone and PM$_{2.5}$ under the PSD Permitting Program</td>
<td>Dec. 1, 2016</td>
</tr>
<tr>
<td><strong>Draft Guidance</strong> Revised Policy on Exclusions from “Ambient Air”</td>
<td>November 2018</td>
</tr>
</tbody>
</table>
Project Aggregation

- Nov. 7, 2018 - EPA completed a reconsideration of a 2009 action to clarify “project aggregation” for the major New Source Review (NSR) permitting program.
- FR notice in 83 FR 57324 on Nov. 15, 2018
Federal Reg Update

RCRA Hazardous Waste Rules 2018-2019

Nicole Moran
Rule Topics

- Implementation of e-Manifest
- Pharma [Pharmaceutical]
- Pending Aerosol
- CCR [Coal Combustion Residual]
- Implementation Hazardous Waste Generator Improvement Rule (HWGIR)
e-Manifest Rule
e-Manifest Rule

- **Industry** (driven principally by TSDFs)
- **Empowered by statute** (2012)
- **Effective throughout United States**
  30 June 2018
e-Manifest Rule

OUTREACH EFFORTS

► 18 workshops reaching 1300 people in IA, KS, MO & NE

► https://www.epa.gov/ks/e-manifest

► Compliance assistance materials
e-Manifest Rule

e-Manifest System Manifest Submissions
June 30, 2018 - February 20, 2019

- Data + Image, 827,255
- Electronic, 2,577
- Mailed Paper, 77,172
- Image Only, 203,358
e-Manifest Rule

- EPA - processing paper manifests
- EPA - meeting generator functionality requests
- Industry - Quality assuring uploads - data + image
e-Manifest Rule

- States -
  https://www.epa.gov/ks/e-manifest (left side bar)

- EPA - Rebecca Wenner, 913.551.7644 or Wenner.Rebecca@epa.gov
Pharma Rule
Pharma Rule

- Better fit for healthcare sector
- Eliminate sewering HW Pharmaceuticals (HWP, a new acronym for a wordy term-of-art)
- Reduce overlapping regs
- Clarity & consistency
- Regulatory relief
Pharma Rule

- Signed 11 December 2018
- Promulgated 22 February 2019
  84 Federal Register 5816.
- Effective 21 August 2019 in Iowa, Alaska, Indian Country & Territories
  [sewer prohibition effective nationwide, see next slide]
Pharma Rule

Sewer prohibition

- Effective **21 August 2019** all States, Indian Country and Territories
- Coordinated with DEA
- Applies to HWP
Pharma Rule

- Relax definitions of P075 (nicotine)
- Re-defines “empty” container
- HWP defined as solid wastes
- Special dispensation for HHWP & DEA collection programs
Pharma Rule

- 40 CFR 266 Subpart P - governs the storage and transport of HWP
  - SQG HWP
  - LQG HWP
  - Reverse Distributors
  - VSQG (optional)
Pharma Rule

Impacted class

- Non-residential care centers - hospitals & clinics
- Residential care centers - nursing homes, assisted living, & hospice
- Reverse Distributors
Pharma Rule

Impacted class

- Distribute or sell wholesale or retail
- General merchandisers
- Veterinary services
- Practitioners - other than veterinarians
Pharma Rule

**NOT included**

- Pharmaceutical manufacturers - unless as Reverse Distributor
- Farmers, Ranchers, & Fisheries
- Household usage [household hazardous waste]
Pharma Rule

- Awareness in Region 7
- Iowa - detailed compliance assistance workshops
- Coordinate with professional associations
Pharma Rule

- EPA - Marcus Rivas, 913.551.7669
  or Rivas.Marcus@epa.gov

- Web support - FAQs & webinar content,
Aerosol Cans Rule

- EPA proposed to add hazardous waste aerosol cans to those “universal wastes” regulated under title 40 CFR part 273

- Rule Proposed 16 March 2018
  [83 Federal Register 11654](https://frwebgate.epa.gov/frwebgate/frwebgate?frwebgate=frwebgate&frwhsprd=frwhsprd&frpg=1-13-0&frdocid=frdocid&frg=frg&fract=fract&frdt=frdt&frfilter=frfilter&frfrin=frfrin)

- Comment closed 16 April 2018
Aerosol Cans Rule

Proposed Elements

- Assumes cans will be recycled as scrap metal
- Does not include gas cylinders
- Allows GEN or other handlers to puncture container
Aerosol Cans Rule

Proposed Elements

- Puncture waste must receive HW determination (not UW)
- FIFRA allows pesticide disposal by this method
- P-listed aerosol cans still hazardous unless triple rinsed
Aerosol Cans Rule

- EPA workgroup reconciling comments
- Region 7 staff active on workgroup
- Final Rule expected August 2019
- When finalized:
  - Rule effective in Iowa, Alaska, Indian Country & Territories
  - Rule not effective in authorized programs until adopted
Aerosol Cans Rule

- EPA - Ed Buckner, P.E., 913.551.7621 or Buckner.Edwin@epa.gov

- Web support - https://www.epa.gov/hw/increasing-recycling-adding-aerosol-cans-universal-waste-regulations
Coal Combustion Residuals
CCR

► Final Rule published 2015 - designed as “self-regulating”

► 2016 Congress passed WIIN Act - allows States CCR permit program

► Settlement agreement and WIIN Act driving EPA to modify provisions of the CCR Rule

► Phased approach to proposed changes
CCR

- Phase One, Part One Final Rule - effective August 29, 2018
  83 Federal Register 36435

  - Alternative performance standards
  - Revised GW protection standards
  - Extension to closure deadline
CCR

- EPA - Robert Aston, 913.551.7392 or Aston.Robert@epa.gov

- Web support - FAQs, State Permit Programs, Initial Inventory ...
  https://www.epa.gov/coalash
HW Generator Improvements Rule
HWGIR

- Final Rule 28 November 2016
  81 Federal Register 85732

- Reorganizes the regulations to make them more user-friendly

- Provides greater flexibility

- Addresses identified gaps in the regulations

- Clarifies components of the program to address ambiguities
HWGIR

**Major Regulation Provisions**

- Reorganization
- Consolidation of CESQG Waste at LQGs
- Episodic Generation
- Emergency Planning and Preparedness
- Hazardous Waste Determinations
- Labeling
- Reporting
- Satellite Accumulation Areas
- Waiver to 50-foot Requirement
- Closure
- Additional Clarifications
Effective 30 May 2017 in Iowa, Alaska, Indian Country & Territories

Kansas & Nebraska have adopted elements as policy
HWGIR

- EPA - Ed Buckner, P.E., 913.551.7621 or Buckner.Edwin@epa.gov

- Web support - Fact sheet, webinar, ...
  https://www.epa.gov/hwgenerators/final-rule-hazardous-waste-generator-improvements
Preventing Chemical Accidents
Updates, Resources, and Planned Outreach

Wilfredo Rosado-Chaparro
EPA Region 7
Agenda

- Keys to accident prevention
- Updates on Risk Management Program rule change
- Resources and planned outreach
Clean Air Act (CAA) Amendments of 1990

- General Duty Clause [Section 112(r)(1)]
- EPA Risk Management Program [Section 112(r)(7)]
- OSHA Process Safety Management (PSM)
- Established Chemical Safety Board (CSB) to investigate incidents

Goals

- Prevent accidents from occurring
- Minimize consequences of accidents that do occur
CAA 112(r)(1) - General Duty Clause

Any stationary source with an extremely hazardous substance (listed or not listed), regardless of quantity on-site, has a general duty to:

- Identify hazards which may result from a release
- Design and maintain a safe facility
- Take such steps as are necessary to prevent releases
- Minimize the consequences of accidental releases that do occur
  - Coordinate with local emergency planners/responders

EPA guidance on GDC implementation

www.epa.gov/rmp/general-duty-clause-under-clean-air-act-section-112r1
Risk Management Program Elements

- Management System
- Hazard Assessment
- Prevention Program
- Emergency Response
- Risk Management Plan
Key to Accident Prevention

- Learn from accidents/incidents
  - Including near-miss incidents
- Compare your process to Recognized and Generally Accepted Good Engineering Practices (RAGAGEP)
  - There is no grandfathering - review new/revised standards
Benefits of Industry Involvement with LEPC

- Ensures your facility is part of the Community Emergency Plan
- Provides valuable knowledge about the hazards of the chemicals at your facility
- Builds relationships with your responders before a response is needed
- Potentially improves emergency response to releases, reducing consequences and costs
- Lessons learned from releases and near misses at your facility can help them plan for similar releases at other facilities
- Fosters good will in the community
Risk Management Program Resources

Main website: www.epa.gov/rmp

Training: www.epa.gov/rmp/region-7-risk-management-plan-rmp-training-workshop
Region 7 Risk Management Program Facilities and Accidents

- Agriculture: 74% RMPs, 41% RMP Accidents
- Food & Beverage: 11% RMPs, 35% RMP Accidents
- Chemical Manufacturing: 6% RMPs, 9% RMP Accidents
- Water & Wastewater: 3% RMPs, 6% RMP Accidents
- Energy: 3% RMPs, 6% RMP Accidents
- Other: 2% RMPs, 3% RMP Accidents
Risk Management Program Chosen for National Compliance Initiative (NCI)

- October 2016 to September 2019
- Greater emphasis on outreach and enforcement
- Several sectors selected; compliance assistance tools for ammonia refrigeration sector are available

www.epa.gov/enforcement/national-enforcement-initiative-reducing-risks-accidental-releases-industrial-and
Changes to Risk Management Program Rule

- Court ruled that the rule modernization is now in effect

- Public comment period ended in August for Vacatur Rule
  - www.epa.gov/rmp/risk-management-plan-rmp-delay-rule-vacatur

- Make sure you coordinate with local emergency response agencies
  - Includes fire departments and LEPCs
  - Provide emergency response/action plans and emergency contact information
Resource:
Region 7 Emergency Preparedness Newsletter

- Semi-annual
- Topics include LEPC spotlight, industry spotlight, federal and state updates, upcoming events in Region 7, and training resources
- To be added to the list or submit article ideas contact Jodi Harper at: R7PreparednessNewsletter@epa.gov

LEPC Spotlight
Mid-America LEPC Provides Training on CFATS

On August 16, 2018, the Mid-America LEPC, in conjunction with the U.S. Department of Homeland Security (DHS), hosted a regional workshop addressing chemical facility security and anti-terrorism standards under CFATS. The focus was to:

- Encourage partnerships between industry and the LEPC to strengthen preparedness
- Provide an opportunity for business and industry to meet and interact with local, state and federal partners regarding chemical facility security and regulatory standards

Serve as a forum to learn about tools and resources provided by federal agencies to the private sector, which are intended to enhance safety and security

Provide a way for private sector partners who work with chemicals or operate production facilities to learn about regional threats that planners and first responders must consider.

Participants received a regional threat briefing from the U.S. Federal Bureau of Investigation and learned about the Kansas City Regional Fusion Center. The U.S. Environmental Protection Agency discussed spill prevention and response resources.

DHS presenters shared information about the CFATS program, the current Regional Sector Outreach and Protective Security Advisors program, and DHS voluntary programs.

Inside this issue:
- OSHA Regional Emphasis Program on Ammonium
- RCRA Hazardous Waste Contingency Plans
- New DHS Cybersecurity and Infrastructure Agency
- LEPC Spotlight
- R7 LEPC Conference
- Focus on Ag
- Upcoming Training
- State News
Live Training Opportunities

Chemical Accident Prevention Workshops

- Hosted by EPA and Industry Partner
- Topics covered:
  - Regulation 101
  - Common compliance issues
  - Key industry standards
  - Inspection and enforcement process
  - Site visit with inspectors

- Perry, Kansas (July 2018)
- Western Kansas (July 2019)
- Nebraska or Iowa (July 2019)
Join Us for the R7 Region 7 LEPC Emergency Planning and Response Conference

- August 8-10, 2019, in Omaha, Nebraska
- Includes an industry track
- Thursday - Training day
  - Includes an exercise
- Friday and Saturday track sessions - include an industry track
  - Confirmed sessions include various case studies, Working with LEPCs to Protect Your Neighbors, LEPC Networking, CFATS/Voluntary programs, and Developing Your LEPC Exercise
Building Partnerships Between Industry and Emergency Planners/Responders

- Consider becoming a sponsor or exhibiting a booth
  - Expect over 200 attendees
- Nominate your candidates for:
  - Outstanding LEPC Award (3 per state, 1 tribal)
  - Industry Award (2 per state)
  - Exercise Award
  - Digital Communications Award
  - Innovation Award
- For more information visit: www.regonline.com/2019LEPC
Region 7 Resources
Chemical Accident Prevention State Coordinators

Iowa: Krystal Stotts; stotts.krystal@epa.gov; (913) 551-7946
Kansas: Terri Blunk; blunk.terri@epa.gov; (913) 551-7013
Missouri: Dave Hensley; hensley.dave@epa.gov; (913) 551-7768
Nebraska: Terri Blunk; blunk.terri@epa.gov; (913) 551-7013

Compliance assistance for industry
Assists and provides guidance for local and state emergency planners/responders
Resources: Other Region 7 Federal Contacts

Department of Homeland Security Chemical Facility Anti-Terrorism Standards (CFATS)
Rodney Lockett; rodney.lockett@hq.dhs.gov; 202-841-2065

Department of Labor (DOL)/Occupational Safety and Health Administration (OSHA)
Angela Irwin; irwin.angela@dol.gov; 816-502-9023
Your Presenter

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Website: www.epa.gov/aboutepa/epa-region-7-midwest
Closing Remarks

Mike Jay, Branch Chief, Air Planning and Development Branch