



# EPA Update

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REGIONAL COUNSEL, REGION 7

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# Transition

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# New Leadership Team

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# Policy Direction

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- Broad Themes:
  - Core Mission
  - Cooperative Federalism
  - Rule of Law



# Reducing Regulatory Burden

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## Strategic Measures (FY18-22)

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| <ul style="list-style-type: none"> <li>• <b>Reduce the number of non-attainment areas *</b></li> <li>• Reduce the number of community water systems out of compliance with health-based standards</li> <li>• Increase the percentage of water infrastructure projects funded through EPA grants, loans, or public-private partnerships that achieve or maintain compliance *</li> <li>• Reduce the number of square miles of watershed with surface water not meeting standards</li> <li>• <b>Make additional Superfund sites Ready for Anticipated Use (RAU) site-wide *</b></li> <li>• <b>Make additional Brownfields sites RAU *</b></li> <li>• Make additional Resource Conservation and Recovery Act (RCRA) corrective action facilities RAU</li> <li>• Complete additional Leaking Underground Storage Tank (LUST) cleanups that meet risk-based standards for human exposure and ground water migration</li> </ul> | <ul style="list-style-type: none"> <li>• <b>Complete EPA-initiated Toxic Substances Control Act (TSCA) risk evaluations for existing chemicals in accordance with the timelines set forth in the statute *</b></li> <li>• <b>Complete TSCA risk management actions for existing chemicals in accordance with the timelines set forth in the statute *</b></li> <li>• <b>Complete TSCA Pre-Manufacture Notice final determinations in accordance with the timelines set forth in the statute *</b></li> <li>• Complete all cases of Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)-mandated decisions for pesticides registration review program</li> <li>• Improve the Pesticide Registration Improvement Act (PRIA) registration decision time frames for new pesticides</li> </ul> |
| <ul style="list-style-type: none"> <li>• Increase the number of grant commitments achieved by states, tribes, and local communities</li> <li>• Increase the use of alternate joint governance approaches to address state, tribal, and local community reviews</li> <li>• <b>Increase the amount of non-EPA resources leveraged by projects receiving EPA infrastructure investments *</b></li> </ul>   | <ul style="list-style-type: none"> <li>• Reduce the backlog and meet statutory deadlines for responding to Freedom of Information Act (FOIA) requests and appeals</li> <li>• Eliminate unnecessary or duplicative reporting burdens to the regulated community</li> </ul>   |
| <ul style="list-style-type: none"> <li>• Reduce the time between the identification of an environmental law violation and its <b>correction</b></li> <li>• <b>Increase environmental law compliance rate</b></li> <li>• <b>Meet legal deadlines imposed on EPA</b></li> <li>• <b>Increase the percentage of decisions using EPA research and scientific analysis</b></li> </ul>   | <ul style="list-style-type: none"> <li>• <b>Accelerate permitting-related decisions *</b></li> <li>• Reduce unnecessary/unused office, warehouse, and lab space</li> <li>• Reduce procurement processing time</li> <li>• Improve operational processes</li> <li>• Increase enterprise adoption of shared services</li> </ul>  |

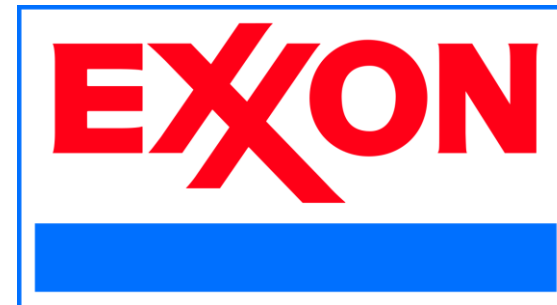
\* signifies Agency Priority Goals for FY18-19



# Enforcement Direction

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- Compliance is the goal
- Rule of Law matters
- Cooperative Federalism





# Cooperative Federalism: EPA Enforcement Role

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## DELEGATED PROGRAMS

- Emergencies
- Interstate issues: Pollution crossing state boundaries and facilities in multiple states
- State owned/operated facilities
- State requests
- State lacks equipment/expertise
- Serious noncompliance not being addressed
- Oversight

## DIRECT IMPLEMENTATION

- Mobile Sources
- CAA 112r
- SPCC/Oil Spills
- Wetlands
- Biosolids
- FIFRA Pesticide Registration
- TSCA Lead Paint
- TRI/EPCRA Release Reporting
- Iowa: RCRA





# Superfund Task Force Report

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- Administrator focus on priority sites
- Expedite Cleanup and Remediation
- Re-Invigorate Responsible Party Cleanup and Reuse
- Encouraging Private Investment
- Promote Redevelopment and Community Revitalization
- Engaging Stakeholders and Partners

# A Few Things to Watch

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Clean Power Plan

Waters of the US

Coal Ash

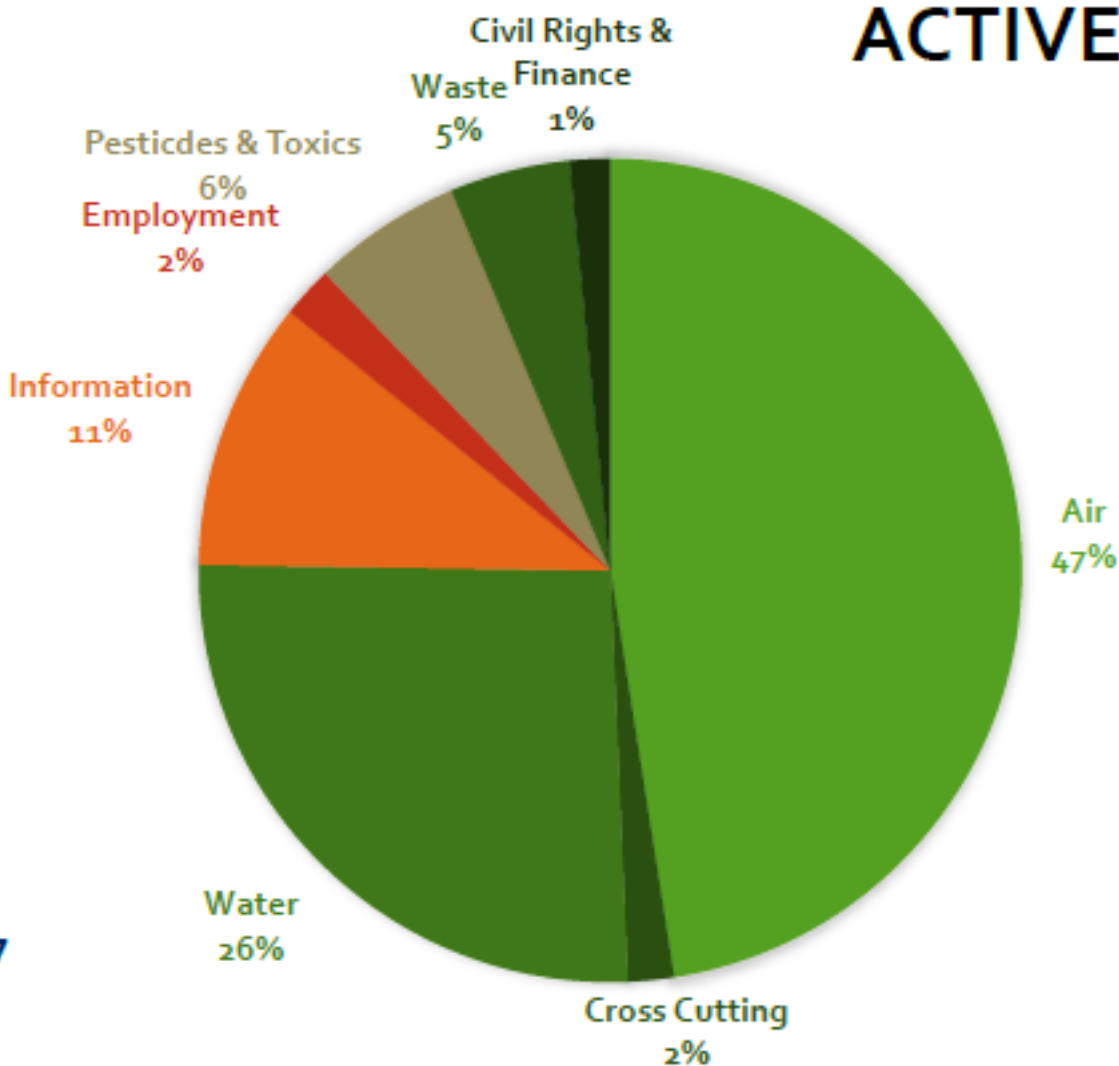
Westlake

Ameren

Nutrients

# Litigation at EPA

- 444 Active (Non-Consolidated) Cases
  - Air: 211
  - Cross Cutting: 8
  - Water: 115
  - Information: 47
  - Employment: 9
  - Pesticides & Toxics: 26
  - Waste: 21
  - Civil Rights & Finance: 7





# “Sue and Settle” Memo

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- Office of General Counsel to provide public notice:
  - Notice of Intent to Sue and Complaints
  - To relevant states and regulated entities
  - Through a searchable database
  
- Transparency and Involvement
  - Seek participation and concurrence in settlements from relevant state(s) and regulated entities
  - Proposed agreements posted online for 30 day
  
- Substance of Agreement
  - Cannot enlarge authority or eliminate discretion
  - Seek to exclude fees and costs
  - Must include sufficient time for the regulatory process