



Environmental Protection Agency - Region 4 Land, Chemicals and Redevelopment Division Regulatory Update

Georgia Air & Waste Management Association
Annual Regulatory Conference
October 18, 2022

EPA Region 4

Land, Chemicals and Redevelopment Division

Land, Chemicals and Redevelopment Division

Director – Cesar Zapata

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- Chemical Safety Section – Donnette Sturdivant
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- RCRA Corrective Action Section – David Egetter
- RCRA Programs and Permitting Section – Delores Rodger-Smith
- UST and Data Management Section – Nancy McKee-Perez

Agency Initiatives

- ▶ Environmental Justice and External Civil Rights
 - ▶ Purpose
 - ▶ Measuring Environmental and Public Health improvements in overburdened and underserved communities.
 - ▶ Ensuring that EPA decision-making incorporates meaningful community involvement and analyses that identify disproportionate impacts and builds capacity to support community-driven approaches.
 - ▶ Developing healthy, sustainable, and climate-resilient communities while supporting considerations of Civil Rights and Environmental Justice throughout the Nation.
 - ▶ EPA Region 4 intends to integrate EJ and ECR considerations throughout all EPA programs and activities; this undertaking will undoubtedly require commitment, relationship building, and trust from partnering regulatory agencies and other stakeholders.

Agency Initiatives

- ▶ Climate Change and Adaptation

- ▶ Purpose

- ▶ Integrating climate adaptation into EPA programs, policies, rulemaking processes, and enforcement activities.
 - ▶ Consulting and partnering with Tribes, states, territories, local governments, environmental justice organizations, community groups, businesses, and other federal agencies to strengthen adaptive capacity and increase the resilience of the nation, with a particular focus on advancing environmental justice.
 - ▶ Implementing measures to protect the Agency's workforce, facilities, critical infrastructure, supply chains, and procurement processes from the risks posed by climate change.
 - ▶ Identifying and addressing climate adaptation science needs.

Bipartisan Infrastructure Law (BIL)

Brownfields, Sustainable Materials Management, and Pollution Prevention Programs

Brownfields Program

- ▶ BIL funding is \$1.5 B over 5 years
 - ▶ \$47M for State & Tribes under 128a Response Program authority per year (\$106M Nationally each year).
 - ▶ \$90M for competitive community grants per year (\$330M Nationally each year).
 - ▶ Additional funding for Technical Assistance with a focus on Resiliency & Equitable Development

Sustainable Materials Management Program

- ▶ \$275M for Solid Waste Infrastructure for Recycling Grant Program
 - ▶ \$55M a year
- ▶ \$75M for education and outreach grants focused on improving education and outreach about waste reduction and recycling

Sustainable Materials Management Program

- ▶ This represents an entire new program
 - ▶ Create grant application guidelines
 - ▶ Ensure meeting the intent of the statute while serving the American public's needs
- ▶ 20% of the total funding (\$70M) to be allocated to low-income, rural and Native American communities

Grant Eligibility

- ▶ Solid Waste Infrastructure for Recycling Grants
 - ▶ States (including Washington DC)
 - ▶ Political Subdivisions
 - ▶ U.S. Territories
 - ▶ Recognized Federal Tribes

Grant Eligibility

- ▶ Recycling Education and Outreach Grants
 - ▶ States (including Washington DC)
 - ▶ Political Subdivisions
 - ▶ U.S. Territories
 - ▶ Recognized Federal Tribes
 - ▶ Native Hawaiian Organizations
 - ▶ Non-Profits Organizations
 - ▶ Public-Private Partnerships

Pollution Prevention Program

- ▶ Additional \$100M authorized over 5 years (\$20M/year)
 - ▶ Totally approximately \$25M per year (\$5M regular annual appropriation)
- ▶ P2 Program already issued a Request for Applications funded by the Infrastructure Law and the continuing appropriations
- ▶ EPA is planning to issue a Request for Applications in 2023
 - ▶ Environmentally Preferable Purchasing Program
 - ▶ Safer Choice program
 - ▶ Environmental Justice Pollution Prevention

Resource Conservation and Recovery Act

Coal Combustion Residuals

Coal Combustion Residuals Rulemaking

- ▶ Federal Permit Rule - Final Rule Expected Summer 2023*
- ▶ Legacy CCR Unit Rule - Proposed Rule Expected Spring 2023*, Final Rule Expected Spring 2024*
- ▶ Beneficial Use - Final Rule TBD

* tentative dates

Coal Combustion Residuals

Part A

- ▶ Grants facilities the option to submit a demonstration to EPA for an extension to the deadline for unlined CCR surface impoundments to stop receiving waste.
 - ▶ Plan Spurlock, KY
- ▶ Some aspects of Part A decisions impact all facilities - such as interpretation of closing in place with waste below the water table (WBWT)
 - ▶ Region 4 currently in discussions with States regarding WBWT units.

Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)

Certification and Training State Plans

Federal Insecticide, Fungicide, and Rodenticide Act

- ▶ **Certification & Training (C&T) State Plan Approvals**
 - ▶ Revised Certification of Pesticide Applicators Rule
 - ▶ Finalizing Modifications to State C&T plans
 - ▶ Region 4 expects to approve six C&T plans by the end of 2022 and two C&T plans in 2023
- ▶ **EPA Regional Activities**
 - ▶ Coordination with the Office of Pesticide Programs
 - ▶ Coordination with Regional Agriculture Advisor
 - ▶ Outreach and Training

Other Regulations in Land, Chemicals and Redevelopment Division

- ▶ Toxic Substances Control Act
 - ▶ Lead
 - ▶ Asbestos
 - ▶ Polychlorinated Biphenyls
- ▶ Underground Storage Tanks
 - ▶ Leaking Underground Storage Tanks
- ▶ Emergency Planning and Community Right-to-Know Act-Section 313
 - ▶ Toxic Release Inventory

Lead Regulations

- ▶ Draft Strategy to Reduce Lead Exposures and Disparities in U.S. Communities
 - ▶ Strengthen public health protections
 - ▶ Address legacy contamination for communities with the greatest exposures,
 - ▶ Promote environmental justice
- ▶ Lead Regulations
 - ▶ Renovation, Repair, and Painting Rule (RRP)
 - ▶ Four RRP authorized states (GA, NC, TN, AL)
 - ▶ Six states (GA, TN, KY, NC, AL, MS) authorized for the Lead abatement

THANK YOU

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