

# Region 6 - 2020 Accomplishments

## EXECUTIVE SUMMARY



## A Year In Review

*"In the face of unprecedented challenges, the staff and management team of Region 6 showed ingenuity and dedication to produce impressive environmental benefits for communities across Arkansas, Louisiana, Oklahoma, New Mexico, and Texas"*

*Region 6 Administrator Ken McQueen*

- Received the National Excellence in Performance Management Award for developing and directing a voluntary drinking water sampling initiative under the EPA 3T's Guidance (Train, Tell and Take Action) to address lead exposure in Native American children, protecting more than 4,000 children from the harmful effects of lead exposure in drinking water.
- Negotiated a judicial settlement in the largest Clean Water Act case in the country, with the City of Houston, Texas, regarding violations of its National/Texas Pollutant Discharge Elimination System permits, involving 40 wastewater treatment plants and providing for a \$4.4 million civil penalty and injunctive relief extending over the next 20 years.
- Led the nation for the seventh year in RCRA enforcement actions and penalties with 38% of the nation's actions, despite the inability to conduct onsite inspections for half of the year.
- Lodged one of the largest sanitary sewer overflows settlement in the nation with the City of Corpus Christi, with an agreement from the city to pay a civil penalty of \$1.14 million and implement injunctive relief costing \$725 million over 15 years.
- Lodged a settlement with Churchill Downs, the largest EPA assessed penalty to a concentrated animal feeding operation facility with a \$2.79 million penalty and \$5.6 million innovative injunctive relief measures.
- Concluded 24% of all enforcement actions in the nation, with 348 administrative enforcement actions and three judicial enforcement actions in FY20.
- Reduced the backlog of new National Pollutant Discharge Elimination System (NPDES) permits to be issued by 66% and permits to be renewed by 50% and reviewed all NPDES permits for delegated states in a timely manner.
- Accomplished 96 Brownfields assessments in FY20, exceeding the Government Performance and Results Act goal by 33%.
- Awarded the New Mexico Environment Department's first-ever Performance Partnership Grant including more than \$1.6 million in federal funds for its Air, Public Water System Supervision, and Radon programs.
- Led development of a Natural Resource Damage Assessment Louisiana Trustee Implementation Group restoration plan, including three projects which will restore more than 1,300 acres of wetlands and incorporate more than 25 miles of linear protection measures, 12.5 miles of which will be oyster barrier reef (living shoreline).
- Coordinated with the Texas Commission on Environmental Quality and New Mexico Environment Department to identify significant emissions from oil and gas facilities in the Permian Basin through 153 off-site Partial Compliance Evaluations, reducing VOCs by 9.5 million pounds.
- Completed a multi-year ambient air monitoring project in LaPlace, Louisiana, in the neighborhoods surrounding the Denka Performance Elastomer Facility, LLC, collecting over 2,500 air samples from six locations and reducing emissions of chloroprene from the facility by 85%.



Workforce Diversity, Environmental Stewardship, Character, Accountability, Respect, Excellence

# Region 6 - 2020 Accomplishments



## Administrator's Strategic Goals



## A Year In Review

Region 6's accomplishments for Fiscal Year 2020 (FY20) are presented according to the [FY 2018-2022 U.S. EPA Strategic Plan](#) Goals, Objectives and Long-Term Performance Goals (LTPGs).

### GOAL 1: A CLEANER, HEALTHIER ENVIRONMENT

#### OBJECTIVE 1.1: Improve Air Quality

Work with states and tribes to accurately measure air quality and ensure that more Americans are living and working in areas that meet high air quality standards.

LTPG-1.1.1 By September 30, 2022, reduce the number of nonattainment areas to 101.

- ✓ Approved five discrete backlogged rule revisions and updates to the Oklahoma Air Quality SIP.
- ✓ Approved 100% of air quality data certifications required for Region 6 states, cities, and tribes.
- ✓ Approved rules confirming Reasonably Available Control Technology was in place in the Houston area for volatile organic compounds and in the Dallas/Fort Worth area for nitrogen oxides.
- ✓ Approved the Houston Reasonable Further Progress SIP, ensuring progress in reducing emissions.
- ✓ Completed evaluation of design value and criteria for shut down requests of seven Data Requirements Rule monitors in Louisiana, two in Oklahoma, and one in Texas.
- ✓ Completed five data certifications for air monitoring data and approved six annual network plans from state and local air programs, ensuring their monitoring networks meet requirements.

- ✓ Concurred on four exceptional events demonstration packages to exclude data for particulate matter from 28 days, citing high wind dust events as causing the exceedances.
- ✓ Confirmed the first valid design value (2017-2019) occurring for 21 Data Requirements Rule monitors.
- ✓ Issued sulfur dioxide national ambient air quality standards designations for Round 4, working through issues raised by Texas on the impacts of the decision (Navarro, Hutchison and Howard Counties).
- ✓ Published a supplemental notice of final rulemaking on the Texas Regional Haze sulfur dioxide trading rule, using a novel approach to address Best Available Retrofit Technology and extensive coordination efforts.
- ✓ Reduced the backlog of Technical Systems Audits from four to two by implementing modified audits during COVID-19.

#### OBJECTIVE 1.2: Provide for Clean & Safe Water

Ensure waters are clean through improved water infrastructure and, in partnership with states and tribes, sustainably manage programs to support drinking water, aquatic ecosystems, and recreational, economic, and subsistence activities.



# Region 6 - 2020 Accomplishments

*This past year, we focused our energy, talents, and resources to accomplish these priorities:*

- ✓ Conducted two Green Infrastructure Master Plan projects for the City of Mercedes, Texas, and the Lower Rio Grande Valley of Texas that reduce stormwater runoff, mitigate localized flooding, stop contamination of water, and minimize impact on aquatic biota.
- ✓ Developed a comprehensive Green Infrastructure Master Plan for northern Coahuila to help reduce pollution to rivers and water bodies due to sedimentation or sewage overflow during flooding.
- ✓ Awarded tribal set-aside program funds for drinking water projects (serving 6,556 homes) and clean water (serving 3,077 homes) projects to benefit tribal members in Region 6.
- ✓ Built federal and Region 6 coalitions to sample 57 tribal day cares and schools at 18 tribes for lead in drinking water and mitigated lead exposure at 100% of all sites with results above the EPA action level, protecting more than 4,000 children.
- ✓ Completed more than 600 Clean Water Act wetlands program reviews, a 40% increase in accomplished actions over FY19.
- ✓ Concurred on 14 requests from the Galveston and New Orleans Districts Corps of Engineers for sediment disposal from Region 6 critical waterways into our ocean disposal sites.
- ✓ Initiated construction of the Caminada Headlands Back Barrier Marsh Creation Project to protect 1,000 acres of marsh habitat in coastal Louisiana.
- ✓ Initiated engineering design of the Long Point Bayou Marsh Creation Project designed to create and/or nourish 392 acres of marsh in coastal Louisiana, beneficially using material from a maintenance dredging event on the Calcasieu Ship Channel.
- ✓ Issued 17 permits for Class II wells in Osage County, Oklahoma, averaging 140 days between permit application receipt and permit issuance, exceeding our 180-day target.
- ✓ Issued five new permits, two permit modifications, and plugged a well as part of a settlement involving Underground Injection Control wells near Bird Creek in Osage County, Oklahoma.
- ✓ Led development of a Natural Resource Damage Assessment Louisiana Trustee Implementation Group restoration plan, including three projects which will restore more than 1,300 acres of wetlands and incorporate more than 25 miles of linear protection measures, 12.5 miles of which will be oyster barrier reef (living shoreline).
- ✓ Leveraged \$2.1 million in EPA Clean Water set-asides to fund projects totaling \$3.4 million and \$2.2 million in EPA Drinking Water set-asides to fund projects totaling \$5.7 million for wastewater and water system infrastructure in Oklahoma and New Mexico.
- ✓ Processed five no-migration petition final decisions, continuing an upward trend in completed reviews due to streamlining efforts.
- ✓ Protected and restored 5,704 acres of habitat in Region 6 national estuaries, helping leverage \$1.8 million of EPA funds with more than \$51 million of other funds for estuary protection.
- ✓ Disbursed more than \$7 million to border infrastructure projects that provided first-time water and wastewater service, improved the quality of existing drinking water, or improved existing systems to reduce or eliminate discharge of pollutants to waters of the United States along the U.S.-Mexico border.
- ✓ Developed nine projects from the border water infrastructure program priority list, certified five projects with complete designs to begin construction in FY21, and completed construction of three infrastructure projects.
- ✓ Leveraged \$10.2 million in border water infrastructure program funding for three projects with a total cost of nearly \$56 million, providing new drinking water service and upgrading an existing system serving more than 4,000 residents and providing wastewater service to more than 5,000 residents.
- ✓ Provided more than \$219 million in financial assistance to states, tribes and non-profits to improve water quality, finance wastewater treatment infrastructure, and provide safe drinking water, requiring 121 new assistance agreements, 180 amendments, and 122 closeouts.



# Region 6 - 2020 Accomplishments

*This past year, we focused our energy, talents, and resources to accomplish these priorities:*

- ✓ Managed more than \$1.2 billion in CWA Section 404 assistance agreements to improve water quality, finance wastewater treatment infrastructure, and provide safe drinking water.
  - ✓ Coordinated with Region 6 states on five new grant programs, including three Water Infrastructure Improvements for the Nation Act programs.
  - ✓ Received the National Excellence in Performance Management Award for developing and directing a voluntary drinking water sampling initiative under the EPA 3T's Guidance (Train, Tell and Take Action) to address lead exposure in Native American children, protecting more than 4,000 children from the harmful effects of lead exposure in drinking water.
  - ✓ Reduced the backlog of new National Pollutant Discharge Elimination System (NPDES) permits to be issued by 66% and permits to be renewed by 50% and reviewed all NPDES permits for delegated states in a timely manner.
  - ✓ Reduced regulatory uncertainty among industries and municipalities by eliminating 100% of backlogged Arkansas water quality standards actions.
  - ✓ Resolved and mitigated an extensive surface purge of injected oil field brine wastes on the border between Blaine and Kingfisher Counties at the request of the Oklahoma Corporation Commission.
  - ✓ Met all EPA Lean Management System targets for NPDES permit quality reviews.
  - ✓ Won additional Urban Waters Program funding that will be used for project implementation in San Antonio and Middle Rio Grande Urban Water areas.
- LTPG 1.2.1 By September 30, 2022, reduce the number of community water systems out of compliance with health-based standards to 2,700.
- ✓ Addressed 575 drinking water priority systems through formal or information enforcement actions.
- OBJECTIVE 1.3: Revitalize Land & Prevent Contamination**
- ✓ Accomplished 50 Brownfields Ready for Anticipated Use (RAU) determinations (exceeding the goal of 48), representing 1,090 acres that are ready for reuse.
  - ✓ Accomplished 96 Brownfields assessments in FY20, exceeding the Government Performance and Results Act (GPRA) goal by 33%.
  - ✓ Accomplished four Brownfields cleanups, meeting this year's goal.
  - ✓ Brought in 10 successful competitive Assessment, Cleanup or Revolving Loan Fund grants from the 2020 Brownfields Grant Competition, which doubled the number of successful grants in 2019.
  - ✓ Completed 539 Ready for Anticipated Use designations for leaking underground storage tanks.
  - ✓ Completed underground storage tank Re-State Program Approvals for Texas, Louisiana, and New Mexico.
  - ✓ Conducted 27 Phase I Targeted Brownfields Assessments (TBAs) (an 87% increase from FY19) and completed seven Phase II TBAs.
  - ✓ Constructed final remedies at nine Resource Conservation and Recovery Act (RCRA) facilities (exceeding the goal by 29%).
  - ✓ Accomplished 18 facility-wide RAU determinations (exceeding the goal by 50%) and 15 remediation complete determinations (exceeding the goal by 15%).
  - ✓ Accomplished the goal of one Human Exposures Under Control determination.
  - ✓ Completed three Groundwater Migration Under Control determinations.
  - ✓ Increased the number of acres RAU by more than 222,000.
  - ✓ Completed 15 RCRA permit renewals, exceeding the GPRA goal by 50%.
  - ✓ Issued 11 Polychlorinated Biphenyl (PCB) approvals, exceeding the goal by 57%.
  - ✓ Certified 37 cost packages in FY20 for over \$16 million in potentially recoverable site costs to be used by Superfund Program.



# Region 6 - 2020 Accomplishments

*This past year, we focused our energy, talents, and resources to accomplish these priorities:*

- ✓ Negotiated and finalized the Conroe Creosoting bona fide prospective purchaser agreement to facilitate reuse of a Superfund site in Texas and prevent further contamination.
- ✓ Deployed the Airborne Spectral Photometric Environmental Collection Technology (ASPECT) aircraft and the Trace Atmospheric Gas Analyzer (TAGA) bus, along with ground teams, to the Port Arthur/Orange, Texas, area to conduct air monitoring in communities near impacted industrial facilities following Hurricane Laura.
- ✓ Added the Henryetta Iron and Metals site in Oklahoma and proposed the Northwest Odessa Groundwater site in Texas to the National Priorities List.
- ✓ Completed 70% of scheduled Facility Response Plan inspections during the first two quarters of FY20 at high risk oil storage facilities to determine compliance with oil spill preparedness regulations for a total of 28 inspections for the year.
- ✓ Completed 58% of Spill Prevention, Control, and Countermeasure inspections at oil storage facilities to determine compliance with oil spill prevention regulations during the first two quarters of FY20 for a total of 73 SPCC inspections during the year.
- ✓ Completed the Donna Canal Superfund site remediation under budget and ahead of schedule despite difficulties associated with COVID-19, removing over 23,000 tons of PCB-contaminated sediment from the canal which reduced risks associated with residents eating PCB-contaminated fish from the canal system.
- ✓ Recovered costs and negotiated work valued at more than \$35 million for Superfund site cleanups.
- ✓ Removed 24,000 tons of asbestos containing materials from B.F. Goodrich asbestos site in Oklahoma and returned the property for reuse.
- ✓ Restored 17 acres and removed over 132,000 tons of chat at the Tar Creek site in Oklahoma and developed a long-term strategy to address compliance with the off-site rule that protects human health while minimizing business impacts to chat processors.
- ✓ Deployed personnel and the Airborne Spectral Photometric Environmental Collection Technology aircraft (ASPECT) to the response to the explosion and subsequent fire at the TPC Group facility in Port Neches, Texas, to monitor for off-site impacts to air and water and assist the Texas Commission on Environmental Quality with the unified command.
- ✓ Deployed technical assistance personnel and ASPECT to a fire at the Poly America plant in Grand Prairie, Texas, to conduct air monitoring and provide data to the unified command.
- ✓ Responded to Hurricane Laura by deploying personnel to the field in Texas and Louisiana and to virtually staff the Federal Emergency Management Agency disaster response organization, deploying EPA Region 7's Mobile Drinking Water Lab to Lake Charles to support state and local officials with analysis of drinking water samples, deploying ASPECT and the Trace Atmospheric Gas Analyzer (TAGA) bus to Texas at the request of the Texas Commission on Environmental Quality, and conducting air monitoring in the Port Arthur/Orange area in communities near impacted industrial facilities.

## OBJECTIVE 1.4: Ensure Safety of Chemicals in Marketplace

- ✓ Ensured that more than 1.2 million pounds of pesticidal products either entered U.S. commerce legally or were prevented from entering the country.
- ✓ Processed almost 11,000 pesticidal product Notices of Arrival and issued 33 Notice of Refusal of Admissions and three compliance actions in FY20, ensuring that more than 467,000 pounds of illegal pesticide products did not enter US commerce.
- ✓ Increased compliance with the Federal Insecticide, Fungicide, and Rodenticide Act during the COVID-19 pandemic by issuing advisory letters to companies using, selling, distributing, or making claims regarding unregistered disinfectant products to address COVID-19, reviewing more than 100 cases and resolving more than 40.



# Region 6 - 2020 Accomplishments

*This past year, we focused our energy, talents, and resources to accomplish these priorities:*

## GOAL 2: MORE EFFECTIVE PARTNERSHIPS

### OBJECTIVE 2.1: Enhance Shared Accountability

- ✓ Awarded the New Mexico Environment Department's first-ever Performance Partnership Grant including more than \$1.6 million in federal funds for its Air, Public Water System Supervision, and Radon programs.
- ✓ Awarded \$8.9 million in Brownfields funds, doubling successful competitive grant recipients from last year through extensive outreach to the Brownfields community.
- ✓ Awarded Region 6's first two Direct Implementation Tribal Cooperative Agreements totaling \$70,000 to Eight Northern Indian Pueblos, Inc. for tribal recycling and Institute for Tribal Environmental Professionals for food waste.
- ✓ Coordinated \$200,000 in funding to six organizations in Texas and Louisiana through an Interagency Agreement with DOE's National Renewable Energy Laboratory to conduct five Renewable Energy/ Energy Efficiency feasibility studies.
- ✓ Led discussions with other EPA regions to provide programmatic advice on how to more effectively conduct outreach to the tribes, define EPA authorities, and use EPA-developed tools to remedy specific tribal issues.
- ✓ Completed two Accredited Renovation, Repair and Paint training provider approvals with an average of 49 days per approval, exceeding the national target of 80 days.
- ✓ Awarded 610 grants/agreements totaling over \$305 million.
- ✓ Awarded \$336,000, matched by more than \$427,000 from recipient institutions, in support of six U.S.- Mexico border projects that would improve conditions of 15 million border residents.
- ✓ Awarded State Environmental Justice Cooperative Agreement grants to Louisiana and New Mexico for \$200,000 each for projects to benefit low-income and minority communities disproportionately impacted by the global Covid-19 pandemic.

- ✓ Visited with tribal leadership at the senior leader level 15 times, highlighting the region's tribal schools safe drinking water project and other tribal coordination activities.
- ✓ Conducted two Tribal General Assistance Program grant and Border Environment Infrastructure Fund project assessments involving approximately \$3,125,000 in Federal funding support and directly benefitting approximately 14,226 residents.
- ✓ Provided flexibility to grantees on CWA grants management due to project delays caused by Covid-19, providing more opportunities for grantees to meet their goals and achieve environmental results.
- ✓ Deployed four EPA Drinking Water/Wastewater Subject Matter Experts to Baton Rouge, Louisiana, during Hurricane Laura to assist FEMA, and coordinated with Region 7 to deploy the Mobile Drinking Water Lab to Lake Charles, Louisiana, to support state and local officials with water analyses.
- ✓ Coordinated with the New Mexico Environment Department regarding the proposed plan and Record of Decision (ROD) amendment for the Chevron Questa Superfund site remedy and the Applicable and Relevant and Appropriate Requirements for the ROD amendment.

**LTPG 2.1.2 By September 30, 2022, increase the use of alternative shared governance approaches to address state, tribal and local community reviews.**

- ✓ Enhanced the partnership between EPA and the states by implementing 96% of State Review Framework Round 3 recommendations, exceeding the national goal of 90%.

**OBJECTIVE 2.2: Increase Transparency & Public Participation - Listen to and collaborate with impacted stakeholders and provide effective platforms for public participation and meaningful engagement.**

- ✓ Awarded an Environmental Workforce Development Job Training grant of \$200,000 to Southern University in Shreveport, Louisiana.



# Region 6 - 2020 Accomplishments

## *This past year, we focused our energy, talents, and resources to accomplish these priorities:*

- ✓ Recruited and retained 96 partners for the Food Recovery Challenge, who diverted or recycled nearly 4,128 tons of food waste from landfills.
- ✓ Reached thousands of individuals across the country during America Recycles Week with nearly 20 events and three tribal recycling videos, which were shown at the Administrator's America Recycles Day event.
- ✓ Conducted a multi-faceted campaign to communicate appropriate and effective use of disinfectants against the virus that causes Covid-19, targeting childcare facilities, K-12 schools, and universities.
- ✓ Presented to 125 Realtors in the Greater Albuquerque Association of Realtors on the Lead Paint Disclosure Act, Lead Paint Abatement and the Renovation, Repair, and Painting Rule.
- ✓ Conducted or supported seven community Integrated Pest Management and pesticide safety outreach events, attracting more than 200 attendees.
- ✓ Conducted in-person and virtual workshops with the Central Texas Council of Governments, the Heart of Texas Council of Governments, and more than 20 communities to foster a better understanding of the Brownfields Program and how to capitalize on the available resources.
- ✓ Developed, as an adaptation to Covid-19, the first virtual Regional Brownfields Conference, which had 75 registered attendees.
- ✓ Developed and delivered a virtual Brownfields presentation to the Austin Area Council of Governments.
- ✓ Created, published and delivered a quarterly Healthy Schools newsletter to more than 4,000 school staff, disseminating information on EPA programs relevant to children's health.
- ✓ Helped two tribes complete draft Integrated Pest Management policies, one for Community Integrated Pest Management and the other for Integrated Pest Management and Noxious Weeds.
- ✓ Developed and hosted eight in-person presentations and nine webinars on food waste, reaching more than 500 participants.
- ✓ Issued a weekly Brownfields newsletter that reached over 700 subscribers to promote the program and provide information on various topics of community interest.
- ✓ Recruited 12 new participants to the Federal Green Challenge program, which had no new participants in 2019.
- ✓ Recognized five Federal Green Challenge awardees for outstanding leadership in reducing the federal government's environmental impact.
- ✓ Released Region 6's first Lead-Based Paint video Public Service Announcement during Children's Health Month and Lead Pollution Prevention Week.
- ✓ Responded to citizens' concerns raised at a National Environmental Justice Advisory Council meeting in Florida by developing fact sheets that provided information and a simple description of the process concerning disaster debris staging areas in the states of Texas and Louisiana after a natural disaster.
- ✓ Worked with the Disaster Debris Recovery Tool national expansion team to expand the tool into Region 6 states, and demonstrated the tool's uses in disaster debris management, green remediation assistance, and sustainable material management at the Texas GIS Forum in Austin, Texas.
- ✓ Recognized as an Office of Small and Disadvantaged Business Utilization Star Champion for accomplishing four out of five small business goals for the majority of FY20, ranking second in HUBZone achievements among the regions and fourth in EPA for FY20.
- ✓ Hosted EPA's first Virtual Industry Day collaboration outreach event to the business community and the first virtual business outreach event to be hosted by a regional office.
- ✓ Conducted a Lower Rio Grande Valley/Northern Mexico Task Force meeting attended by more than 70 stakeholders to discuss drinking water and sanitation infrastructure projects in the Gulf of Mexico region and the Master Water Plan for Northern Tamaulipas.
- ✓ Helped extend the life of a municipal landfill and create economic opportunities in northern Tamaulipas through a project promoting collection and proper disposal of recyclable waste.
- ✓ Provided training and public outreach and distributed 15 grease traps to northern Tamaulipas's fats, oil, and grease commercial generators, to prevent fats, oil, and grease accumulation in sewage, collapsing sewage lines and degrading ecosystem.



# Region 6 - 2020 Accomplishments

## *This past year, we focused our energy, talents, and resources to accomplish these priorities:*

- ✓ Held a virtual Regional Tribal Operations Committee meeting and provided regular communication with tribal nations on pandemic updates and other issues of concern to them.
- ✓ Hosted 15 binational webinars/workshops attended by more than 360 participants to present the U.S.-Mexico successor program's framework (Border 2025) and train more than 200 attendees on the program's Request for Proposals.
- ✓ Hosted four Border 2025 program framework webinars for 26 federally recognized tribes along the U.S.-Mexico Border.
- ✓ Conducted three "Quatromester" binational meetings of the Joint Advisory Committee for Air Quality Improvement in the Ciudad Juarez, Chihuahua, El Paso, Texas, and Dona Ana County, New Mexico, region, sharing information with more than 70 stakeholders at each meeting and developing mechanisms for the binational fund to ensure long term sustainable support of the area's binational air quality monitoring network.
- ✓ Hosted a state environmental justice training webinar on Information Systems to Advance Environmental Justice, which was attended by more than 1000 attendees from government agencies in all 50 states and the District of Columbia.
- ✓ Hosted three Regional Administrator calls with environmental justice advocates and partners to address issues and/or questions raised by the advocates.
- ✓ Presented an update on program achievements and a program assessment at the U.S.-Mexico Border 2020 National Coordinators meeting and developed a timeline for development of the Border 2025 program.
- ✓ Trained more than 600 health care professionals in children's environmental health through Grand Rounds webinars.
- ✓ Convened a coalition of stakeholders to begin discussions regarding possible purchase and redevelopment of part of the Fansteel Superfund site, including the Oklahoma Department of Environmental Quality, Port of Muskogee, Nuclear Regulatory Commission, Muskogee Creek Nation, Cherokee Nation, and Department of Justice.
- ✓ Presented regional President's Environmental Youth Awards in a virtual ceremony for three students, encouraging interest in environmental science and technology.
- ✓ Expanded risk communication protocols in conjunction with Texas Commission on Environmental Quality before and during disaster responses by establishing a procedure to contact representatives in disadvantaged communities and continue outreach with real-time updates, and implemented these protocols during the response to Hurricane Laura in Southeast Texas.
- ✓ Organized some of the first virtual public meetings nationally due to Covid-19 health restrictions, providing local communities an opportunity to safely participate in the Superfund remedy selection processes at the MacMillan Ring Free Oil, Falcon Refinery, and Homestake Mining sites.
- ✓ Funded and developed the virtual Building Blocks Flood Resilience for Riverine and Coastal Communities to be presented in FY21 in Liberty County and Wharton County, Texas.
- ✓ Supported 20 Trash Free Waters projects in Louisiana and Texas that educated the public on the hazards of aquatic litter and conducted cleanup actions to remove materials from the land, streams, lakes and estuaries.
- ✓ Promoted WaterSense water conservation and program initiatives with 150 partners, reaching more than 10,000 community members with our water conservation messages.
- ✓ Held two Agriculture Smart Sectors events with representatives from state agriculture and conservation agencies, state farm bureaus, agriculture researchers and agricultural commodity leaders, providing opportunities for Region 6 senior leadership to directly dialogue with the agricultural community to promote collaboration and strengthen partnerships.
- ✓ Introduced the Forestry Smart Sectors program to the Texas Forestry Association, broadening our interaction with the forestry sector and fostering greater collaboration as part of the Smart Sectors program goals.
- ✓ Helped the Lane Plating Superfund Site Community Advisory Group understand technical documents on human health risk and site cleanup through the Technical Assistance Service for Communities program.





# Region 6 - 2020 Accomplishments

## *This past year, we focused our energy, talents, and resources to accomplish these priorities:*

- ✓ Collaborated with Region 5 to develop Polychlorinated Biphenyls (PCB) fact sheets and informational resources that can be used to provide a concise summary of popular topics related to the PCB regulatory program, which are now available on EPA's PCB website.

LTPG 2.2.1 By September 30, 2022, eliminate the backlog and meet statutory deadlines for responding to Freedom of Information Act (FOIA) requests.

- ✓ Fielded 4.7% of EPA's FOIA requests in FY 2020 while accounting for less than 1% of the Agency's backlog.
- ✓ Improved quality of eDiscovery searches with a reduction in nonresponsive records of over 40% in sampled Relativity workspaces.
- ✓ Reduced FOIA backlog by 28% from FY19.

### GOAL 3: GREATER CERTAINTY, COMPLIANCE, AND EFFECTIVENESS

#### OBJECTIVE 3.1: Compliance with the Law

- ✓ Completed review of three state Pesticide Certification and Training Plans, which is more than any other Region.
- ✓ Provided financial accuracy declaration on over \$30 million in site charges as part of the Hudson Refinery Motion for Summary Judgement.
- ✓ Completed Environmental Impact Statement reviews for 36 significant projects, including the Farmington Mancos-Gallop Resource Management Plan Amendment (Chaco Canyon), Lake Ralph Hall Regional Water Supply Reservoir, Seaport Oil Terminal (SPOT) Deepwater Port, Osage County Oil and Gas, Dallas to Houston High Speed Rail, Houston Ship Channel Expansion Channel Improvement, Mid-Breton Sediment Diversion, and Texas Gulfink Deepwater Port.
- ✓ Improved compliance with Safe Drinking Water Act (SDWA) regulations and applicable state code for public water systems, addressing maximum contaminant levels in public drinking water under the Texas SDWA Initiative.

- ✓ Issued 40 Administrative Orders, facilitating access to drinking water that meets national drinking water standards for more than 15,000 residents.
- ✓ Achieved a 50% reduction in backlogged judicial referrals, exceeding our 25% goal.
- ✓ Assisted local criminal prosecution in Louisiana and Texas, which secured \$62,000 in state fines and 24 months of supervised release.
- ✓ Completed an Informal Resolution Agreement with the Texas Commission on Environmental Quality concerning a 2019 Title VI Complaint filed against TCEQ.
- ✓ Facilitated prosecution of environmental crimes in our region by Regional Criminal Enforcement Counsel re-appointment as Special Assistant U.S. Attorney in two Districts of Texas.
- ✓ Finalized a settlement to resolve Clean Air Act violations at an Arkansas paper mill, providing for a \$600,000 civil penalty, implementation of three supplemental environmental projects valued at \$1.8 million, and a \$2.9 million mitigation project. The state joined the settlement.
- ✓ Negotiated and entered into an administrative settlement to conduct the feasibility study at the Homestake Superfund site.
- ✓ Negotiated and entered the Griggs & Walnut Superfund Site consent decree with a settlement of \$13 million in payments and work for the site.
- ✓ Negotiated and entered two consent decrees to settle claims against liable parties in the Ector Drum Superfund site for a value of over \$1.8 million.
- ✓ Obtained criminal charges against three separate individuals in the following Districts: Eastern Louisiana, Western Louisiana, and New Mexico.
- ✓ Obtained more than \$3 million in stipulated penalties for Consent Decree noncompliance, coordinating with state counterparts and Department of Justice for stipulated penalty demands.
- ✓ Provided for a \$257,000 penalty and the implementation of an enhanced audit procedure at all of Air Liquide Large Industries' remaining Texas facilities in a settlement stemming from an explosion and fire at one of Air Liquide's gas facilities in Texas, which killed one employee and injured another.



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- ✓ Negotiated a judicial settlement in the largest CWA case in the country, with the City of Houston, Texas, regarding violations of its National/Texas Pollutant Discharge Elimination System permits, involving 40 wastewater treatment plants and providing for a \$4.4 million civil penalty and injunctive relief extending over the next 20 years.
  - ✓ Lodged one of the largest sanitary sewer overflows settlement in the nation with the City of Corpus Christi, with an agreement from the city to pay a civil penalty of \$1.14 million and implement injunctive relief costing \$725 million over 15 years.
  - ✓ Resolved several violations of the Resource Conservation and Recovery Act through a \$728,817 penalty order and a compliance order requiring Hempel USA and Jones-Blair, LLC, to take the necessary steps to come into full compliance with the Resource Conservation and Recovery Act.
  - ✓ Issued 11 administrative orders for emission inventory cases that are critical for air quality analysis.
  - ✓ Settled four administrative actions involving pulp and paper facilities and flaring violations at a refinery.
  - ✓ Settled three Endangered Species Act mobile source cases and issued six information requests in a new innovative mobile source program.
  - ✓ Evaluated and, after confirming all conditions were met, terminated two Consent Decrees settled as a result of EPA's refinery initiative.
- LTPG 3.1.1 By September 30, 2022, reduce the average time from violation identification to correction.
- ✓ Completed and transmitted inspection reports to regulated entities within 70 days 94% of the time, exceeding the national goal of 75%.
- LTPG 3.1.2 By September 30, 2022, increase the environmental law compliance rate.
- ✓ Coordinated with the Texas Commission on Environmental Quality and New Mexico Environment Department to identify significant emissions from oil and gas facilities in the Permian Basin through 153 off-site Partial Compliance Evaluations, reducing VOCs by 9.5 million pounds.
- ✓ Successfully refocused inspectors to offsite compliance monitoring during the Covid-19 pandemic to have a compliance presence and continue compliance efforts, including successfully piloting virtual inspections under the CWA, CAA, and RCRA.
  - ✓ Completed 359 on-site inspections (60% of targeted inspections) and 59 on-site inspections (more than 76% of the target of the national compliance initiatives), surpassing the target of 50% of our goal due to limited ability to conduct onsite inspections for more than half of the year.
  - ✓ Completed 453 offsite compliance monitoring activities (more than doubling the number in 2019), including 210 in support of national compliance initiatives.
  - ✓ Led the nation for the seventh year in RCRA enforcement actions and penalties with 38% of the nation's actions, despite the inability to conduct onsite inspections for half of the year.
  - ✓ Lodged a settlement with Churchill Downs, the largest EPA assessed penalty to a concentrated animal feeding operation facility with a \$2.79 million penalty and \$5.6 million innovative injunctive relief measures.
  - ✓ Concluded 24% of all enforcement actions in the nation, with 348 administrative enforcement actions and three judicial enforcement actions in FY20.
- OBJECTIVE 3.2: Create Consistency and Certainty - Outline exactly what is expected of the regulated community to ensure good stewardship and positive environmental outcomes**
- ✓ Piloted the wastewater treatment plant Circuit Rider Assistance Program in partnership with Arkansas Department of Energy and Environment, providing direct technical compliance assistance to operators of small wastewater facilities in 10 Arkansas communities.
  - ✓ Reviewed 14 projects submitted as part of the National Environmental Policy Act (NEPA) for program conformity with applicable hazardous and solid waste regulations and their potential impacts.
  - ✓ Provided clarity to the state, tribes, and regulated community by approving the State of Oklahoma's request to administer certain environmental regulatory programs in specified areas of Indian Country in Oklahoma after the Supreme Court decision in *McGirt v. Oklahoma*.



# Region 6 - 2020 Accomplishments

*This past year, we focused our energy, talents, and resources to accomplish these priorities:*

- ✓ Refined the prioritization methodology for Tronox uranium mines, clearing the way for funding decisions, and participated in the Senate Committee on Indian Affairs Field Hearing, providing federal elected officials an update on EPA's progress with the Tronox Navajo area uranium mines program.
  - ✓ Supported and applied findings by the U.S. Supreme Court in favor of EPA in litigation regarding County of Maui, HI v. Hawaii Wildlife Fund in actions involving liability where pollutants were carried, in part, via groundwater to jurisdictional waters of the United States.
  - ✓ Supported litigation efforts to a challenge to EPA's final Houston and Dallas redesignations to attainment as a result of South Coast court decision.
- [LTPG 3.2.1 By September 30, 2022, meet 100% of legal deadlines imposed on EPA.](#)
- ✓ Approved 2018 revisions to the Texas SIP, meeting requirements for New Source Review Chapter 116.
  - ✓ Approved 2020 Texas Permitting Construction Prior to Permit Amendment as a parallel processing action with TCEQ as it developed and completed its rulemaking.
  - ✓ Addressed mandatory duty lawsuit to make intended designations for 2010 sulfur dioxide national ambient air quality standards Round 4.
  - ✓ Fulfilled a court-ordered deadline to issue a final rule to approve two Clean Air Act 111(d) plans for New Mexico and Albuquerque.
  - ✓ Resolved requirements of a consent decree by finalizing Texas Regional Haze to address Best Available Retrofit Technology.
- [OBJECTIVE 3.3: Prioritize Robust Science -- Refocus robust research and scientific analysis to inform policy-making](#)
- ✓ Completed a multi-year ambient air monitoring project in LaPlace, Louisiana, in the neighborhoods surrounding the Denka Performance Elastomer Facility, LLC, collecting over 2,500 air samples from six locations and reducing emissions of chloroprene from the facility by 85%.
  - ✓ Developed Region 6's ethylene oxide workplan, initiated technical assessments, and explored communication tools for communities at 10 high-risk facilities in Texas and Louisiana.
- ✓ Provided data support to the State Implementation Plan sulfur dioxide transport group in EPA headquarters for analysis of Texas/New Mexico and Texas/Louisiana cross-border transport.
  - ✓ Provided approximately \$815,000 in Resource Conservation and Recovery Act contract technical support to Region 6 states, helping prevent human exposures and move sites toward cleanup completion.
  - ✓ Provided technical review support for Per- and polyfluoroalkyl substances (PFAS) off-site investigation quality assurance project plans at ten federal facilities to determine if private drinking water has been impacted.
  - ✓ Continued technical support and discussions with HQ and Region 6 states regarding the Coal Combustion Rule adoption and implementation, resulting in the Texas Commission on Environmental Quality submitting its CCR Permit Program authorization application currently under review by EPA.
  - ✓ Released the Final Report, "A Deeper Look at the Ouachita River: Ecosystem benefits and approaches to river maintenance for sustainability and resiliency from flood disaster impacts," which can serve as a model for other communities.
  - ✓ Helped the Oklahoma Department of Environmental Quality determine test method options to economically and accurately characterize waste containing mercury.
  - ✓ Analyzed and provided final analytical reports for 2,086 parameters from 34 sites.
  - ✓ Provided Contract Laboratory Program oversight of analysis, data review, and final validation reports for 4,370 total parameters from 34 Superfund sites.
  - ✓ Completed a Regional Applied Research Effort project providing emergency responders and others with source characterization of harmful bacteria in urban areas along the Gulf during flooding via mobile app.
  - ✓ Recognized as a Laboratory of Excellence by our laboratory proficiency authority.
  - ✓ Helped binational planners understand the different transportation and economic impacts at the El Paso International Ports of Entry by assessing strategies to reduce air emissions and evaluating different ways of crossing the Juarez/El Paso International Bridges.
  - ✓ Helped protect Ciudad Juarez community by providing access to real-time air quality information via a network of low-cost air quality sensors indicating levels of ozone, particulate matter, carbon monoxide, temperature, and relative humidity.



# Region 6 - 2020 Accomplishments

*This past year, we focused our energy, talents, and resources to accomplish these priorities:*

- ✓ Provided three Alternative Analysis Memos and many technical discussions to the Navajo EPA and New Mexico, addressing ten Tronox Navajo area uranium mines and cleanup options.
- ✓ Provided comprehensive groundwater modeling assistance to the New Mexico Environment Department for Kirtland Air Force Base and Los Alamos National Laboratory.

LTPG 3.3.1 By September 30, 2022, increase the percentage of research products meeting customer needs.

- ✓ Provided technical expertise for two Regional Applied Research Efforts to evaluate different applications for field measurements and instruments.
- ✓ Published paper on field research (“Gaseous Oxidized Mercury in the Four Corners area”) comparing pre- and post-regulation concentrations of mercury in the Four Corners area of the Southwest U.S.

OBJECTIVE 3.4: Streamline and Modernize – Issue permits more quickly and modernize our permitting and reporting systems

- ✓ Streamlined our review process of RCRA permits/applications for Treatment, Storage, and Disposal facilities, resulting in an increase of 150% of pre-final (or “real-time”) permits reviewed over previous years.

LTPG 3.4.1 By September 30, 2022, reach all permitting-related decision within six months.

- ✓ Completed multiple tribal consultations with 10 different tribal nations for permits issued on tribal lands.
- ✓ Completed two sets of final draft permits on separate deepwater port projects and one Notice of Maximum Achievable Control Technology applicability determination for public notice and comment.

OBJECTIVE 3.5: Improve Efficiency and Effectiveness – Provide proper leadership and internal operations management to ensure that the agency is fulfilling its mission

- ✓ Championed the successful Resource Conservation and Recovery Act targeting system and enforcement strategy to all regions, helping the national enforcement program exceed its 10-year average for enforcement actions issued.
- ✓ Ordered and distributed 40 particulate matter samplers to the performance evaluation program coordinators in all 10 regions, ensuring EPA has the tools needed nationally to oversee and implement the Clean Air Act requirements.
- ✓ Increased use of the Enforcement Targeting Tool Assistant by 27%, allowing states and the public to obtain more accurate information on public drinking water systems needing enforcement actions.
- ✓ Hosted four national Enforcement Targeting Tool Assistant webinar trainings, with 41 of 58 primacy agencies attending.
- ✓ Collaborated on the creation of a quality assurance overview training module for staff, making this training available online for the first time.
- ✓ Developed EPA’s first SharePoint-based electronic Grant File that allows oversight of grants processing from beginning to end and meets EPA’s requirements to become an enterprise application solution that supports the “Go Paperless” initiative.
- ✓ Implemented a virtual on-boarding and off-boarding employee process to ensure regional employees were provided a smooth transition and all property was accounted for during the Covid-19 pandemic.
- ✓ Achieved the highest completion rate among all regions during the Department of Homeland Security cybersecurity patching event in January 2020.
- ✓ Reduced Information Security Plans of Action & Milestones and Server Vulnerabilities to below- target levels or zero throughout the year.
- ✓ Provided training to help regional staff understand the NEPA review process, improve performance of associate review functions, and see how NEPA applies to their projects.
- ✓ Trained regional response/recovery personnel on environmental justice issues to ensure that concerns of vulnerable and underserved communities are addressed during emergency response efforts.
- ✓ Collaborated with the EPA Office of Inspector General’s evaluation of the Border 2020 program’s management controls, resulting in five recommendations to be implemented in the successor Border 2025 program.



# Region 6 - 2020 Accomplishments

*This past year, we focused our energy, talents, and resources to accomplish these priorities:*

- ✓ Created a NEPA Search Tool that has reduced the workload of one full-time employee by 85%.
  - ✓ Achieved the first virtual state deployment of EPA's Lean Management System and trained three teams at the Oklahoma Department of Environmental Quality.
  - ✓ Supported Texas deployment of EPA's Lean Management System by training six Texas Commission on Environmental Quality teams.
  - ✓ Implemented 228 employee ideas using EPA's Lean Management System, accounting for 14% of EPA's total.
  - ✓ Led EPA in deploying the Lean Management System with 98% of employees trained.
  - ✓ Developed and finalized more than eight new templates for Notices of Opportunity to Confer letters under the Clean Water Act and Safe Drinking Water Act to streamline potential administrative actions.
  - ✓ Developed new model language and procedures to allow for the electronic filing and signing of documents to ensure Region 6 could continue to enforce environmental laws despite the sudden switch to full-time telework.
  - ✓ Achieved a 33% reduction in time taken internally to process Consent Agreement and Final Order administrative settlements.
  - ✓ Conducted virtual oversight of construction projects at Donna Canal, East 67th Street, and Sandy Beach Ground Water Plume Superfund sites using digital tools.
  - ✓ Identified five Superfund projects that required transition from the expiring Remedial Action Contract to the Remedial Acquisition Framework and accomplished the transition for all these projects without delays in contract services.
  - ✓ Assessed training needs and delivered 27 training engagements to more than 400 employees.
  - ✓ Improved the ocean dumping program review and concurrence process, shortening it by five days.
  - ✓ Led the effort to establish new metrics to improve critical processes relating to the national water programs.
  - ✓ Developed and conducted regional training on how to have effective community involvement during Covid-19 using virtual resources, enabling public meetings and hearings to continue in the Superfund, Water Permitting, and Smart Sectors programs.
- [LTPG 3.5.3 By September 30, 2022, improve 250 operational processes.](#)
- ✓ Improved 123 operational processes in FY20, accounting for 23% of EPA's total.
  - ✓ Improved the technical system audit process to reorganize the pre-audit procedures, allowing the process to be piloted virtually during Covid-19.
  - ✓ Increased timeliness of internal Tribal General Assistance Program grants processing by 63%.
  - ✓ Streamlined the technical review of Assistance Agreement and Interagency Agreement deliverables process, reducing review timeframes and resulting in 86% of project deliverables being reviewed on time.
  - ✓ Consolidated individual programs' Quality Management Plans into a single Regional Quality Management Plan, increasing efficiency and reducing costs.

